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HANSARD

Wednesday, October 21, 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
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Ranj Pillai	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
Hon. Tracy-Anne McPhee	Riverdale South	Government House Leader Minister of Education; Justice
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Pauline Frost	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
Hon. Richard Mostyn	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
Hon. Jeanie McLean	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

GOVERNMENT PRIVATE MEMBERS

Yukon Liberal Party

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

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

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

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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, October 21, 2020 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Ms. Hon. Ms. McLean: I would like to ask my colleagues to help me in welcoming Sonya Weatherbee, who is the executive director of Arts Underground. She is here for our tribute today. Thank you very much for coming.

Applause

TRIBUTES

In recognition of 50th anniversary of Yukon Art Society

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government to pay tribute to the 50th anniversary of the Yukon Art Society. I would like to acknowledge that, due to COVID restrictions and the limitation in the Legislative Assembly, there are many partners who are listening to this tribute on our radio station and I would like to thank them for tuning in.

The Yukon Art Society was founded in April 1970 by a group of artists who sought to stimulate the public's interest in the already thriving arts community in the territory. One of the territory's oldest non-profits, the Yukon Art Society has become a beloved and important fixture in the Yukon arts scene — the largest visual arts organization. For 50 years, the Yukon Art Society has stayed true to its vision to support and increase exposure to Yukon artists and craftspeople.

Its reach and impact cannot be overstated. The Yukon permanent art collection is home to numerous works by founding and current members of the society. The Points of View annual exhibit, artists of the month, the annual art auction, and the long-running and popular Arts in the Park summer concert series at LePage Park all came from the heart and the hard work of this fine organization.

It is also through the effort of the Yukon Art Society that we have the wonderful Arts Underground creative hub. Made possible through a generous partnership with the Hougen Group, the important community space acts as a gallery, a museum, a studio, a classroom, and even a retail space for both artwork and supplies that give life to them.

For many years, the Arts Society had operated a small gallery in the Captain Martin House at LePage Park. The move to Arts Underground was a big change for a small grassroots organization, bringing them to Main Street and to the attention of a much bigger audience. It is a welcoming and inclusive

space where those who are passionate about art come together to learn and share with one another, hone their craft, and explore and express their imagination. Within this creative headquarters, the society operates two galleries dedicated to the exhibition of emerging and established artists.

In addition, the Hougen Heritage Gallery acts as a presentation space for heritage collections, including quarterly rotations of shows curated by both the MacBride Museum and the Friends of the Yukon Archives Society.

The Yukon Art Society also administers the artist in the school program, which allows skilled artists to provide high-quality, engaging, and culturally diverse programming to students across the Yukon. Further, through the community school touring fund, hundreds of students in Yukon communities get access to live performances with an educational focus every year. Yukon Art Society also oversees enrolment and membership in the popular created-in-the-Yukon program, which showcases authentic Yukon-made arts and crafts for visitors and locals alike.

In paying tribute today to this wonderful organization, I want to acknowledge the founders, partners, board members, mentors, organizers, and volunteers — past and present. Thank you for your incredible dedication to art in our Yukon. Yukon government is proud to support the Yukon Art Society. We look forward to the artistic offerings and innovation yet to come.

Thank you to the Yukon Art Society for 50 years of enriching the lives of Yukoners and for keeping arts in the territory vital and vibrant.

Applause

Ms. Van Bibber: I rise today on behalf of the Official Opposition to pay tribute to the Yukon Art Society. In April 1970, the Yukon Art Society formed to encourage visual artists and to assist, when they could, to encourage budding and seasoned artists. The goal is to build the arts community in Yukon and, as this anniversary of 50 years suggests, it worked.

The partners are many. Fifteen years ago, the Hougen Group of Companies joined with the addition of space at the Hougen Centre called Arts Underground. The Hougen family is very supportive of innovation and the arts and it provides the space to showcase a variety of art shows, displays, and a place for sales to happen.

Other partners are the Yukon Arts Centre, Friends of the Yukon Archives Society, and the MacBride Museum of Yukon History — all giving visual artists who may be at any stage of their craft and working in any medium a place to grow. All artists are welcome to join.

There is an annual membership fee, but a lot of perks come with the fee, such as 10-percent-off workshops, early bird registration for workshops, and exhibits and sale projects in Arts Underground, and they can retain 65 percent of the sales.

The Government of Yukon also provides support and funds for three initiatives: the artist in the school which is a program where practising artists visit schools and provide instruction or workshops to students; the community school touring fund, funded through the Department of Education,

encourages performance art with educational components to visit schools so as to expose children to a variety of art and hands-on workshops; and the created-in-the-Yukon program provides bags, stickers, and tags identifying made-in-Yukon products. These have been well-received.

Now, with so many members — I believe 150 — there is strong support and continued interest in belonging to a larger group to support and share ideas and showcase artists. Well done. If you didn't know about the Yukon Art Society or its programs, get out and visit Arts Underground and ask your children if they have ever had an artist or a musician visit their classes.

We are so fortunate to have a such a great wealth of art in our territory and so many talented people who share their talent and skills with everyone. Thank you.

Applause

Ms. Hanson: On behalf of the Yukon New Democratic Party, it is a pleasure to reflect on the importance of the initiative taken by artists like Alice Patnode and the other 14 artists who together formed the Yukon Art Society 50 years ago. From that initial dedicated group, there is no doubt that Yukon arts and culture has become the heartbeat of Yukon. This is because art is so many things; it speaks to each of us differently. As often happens, a simple reflection by a writer — itself an art form — made me think about why art has played such an important part of my life and it helps to explain why artists like those involved in the Yukon Art Society are so important to us all. Why?

Let's just consider: Art makes us think. "What is that artist trying to say? Do I get it? Does it matter? Does it outrage me? Why?" Art takes you places. The magic of art, whatever the medium, is its power to transport us to places far away and deep within.

Art makes you feel. You may feel elated or disgusted by art — inspired or saddened — but you do feel. Maybe you've been touched by the compassion displayed in the public art piece of the two seated figures by Bela Simo in Shipyards Park.

Art makes you think. You may react to art by wondering "What was the artist trying to tell me?" or "Who is that artist? Why does that art move me, disturb me, motivate me?"

Sometimes, Mr. Speaker, art makes you laugh. I defy anyone walking up to and around the giant statues of laughing people at English Bay in Vancouver to not at least smile.

Art is longer lasting than most things. Think of petroglyphs or statues dating back thousands of years, or consider that, before photography, people carried miniature paintings of loved ones — all art. You don't need language to understand art. Sometimes, sure, it's good to have a context for art — but regardless of the era or the source, it does not need words. In fact, Mr. Speaker, art can say things that words just cannot, because art shows what people were doing in times we call "prehistory" or what that sunset over the farm fields really looked like in pre-industrial times or what pain looks like or love.

The living legacy of the Yukon Art Society is its own growth from 15 to over 150 members, along with the many arts

groups and artists who have since emerged in Yukon, and we thank them for that.

Applause

In recognition of facilities management workers

Hon. Mr. Mostyn: On behalf of all parties, I rise to pay tribute to the women and men of facilities management. Mr. Speaker, this team within Highways and Public Works never sleeps. They lie awake every night, waiting for the next emergency to strike.

It's 3:00 a.m. and the furnace malfunctions in the school. Who are you going to call? Ghostbusters? Nay, Mr. Speaker — it's facilities management that answers the call, day or night, weekday or weekend. When students get to class that morning, they have no idea that someone from facilities management was shivering until 7:55 to get that unit back up and running.

It could be a leaky pipe in a waiting room that ruptures on a Friday afternoon. Will Wonder Woman lasso that pipe shut? No, it's facilities management that treads water for as long as it takes to seal that leak. As if through a signal high in the sky, facilities management responds without hesitation, and Monday morning rolls around as if nothing ever happened.

This year, Mr. Speaker, it's COVID-19 that has stormed over us. Although the challenge was new and continues to evolve, facilities management threw on their thinking caps and jumped into their vehicles to do what needed to be done. Throughout this pandemic, the team has gone above and beyond to ensure that Yukoners are safe when they interact with our government and to ensure that government employees are safe while delivering essential services.

They have raised the bar on cleanliness by thoroughly cleaning and disinfecting high-traffic areas so that front-line staff can continue to answer the call. They have installed incredible amounts of plexiglass barriers throughout the territory to prevent the spread of COVID-19. They have done so without pause. They have worked long hours and avoided time off to ensure that Yukoners are not left without the services and programs they rely on. Like Captain Marvel, facilities management will not stop until COVID is defeated. Mr. Speaker, these unsung heroes in the shadows deserve this recognition, and I would ask you all to join me in thanking them for their selfless efforts throughout these challenging times.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Frost: Mr. Speaker, I have for tabling today one legislative return to address questions from the Member for Watson Lake on October 19, 2020, regarding the wait-list for affordable housing.

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

Are there any reports of committees?
Petitions.

PETITIONS

Petition No. 3 — received

Clerk: Mr. Speaker and honourable members of the Assembly, I have had the honour to review a petition, being Petition No. 3 of the Third Session of the 34th Legislative Assembly, as presented by the Member for Porter Creek North on October 20, 2020.

The petition presented by the Member for Porter Creek North meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Speaker: Accordingly, I declare Petition No. 3 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 3 shall be provided on or before Tuesday, November 3, 2020.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Minister of Energy, Mines and Resources to ensure that commercial wood products operators have long-term access to the necessary timber to support their operations.

I also give notice of the following motion for the production of papers:

THAT this House issue an order for the return of the following from the Government of Yukon:

(1) a list showing a breakdown, by department, of the number of full-time government employees who are not residents of the Yukon;

(2) a list showing a breakdown, by department, of the number of full-time government employees who only live in the Yukon part time;

(3) a list of the management and senior management positions currently held by people who are not residents of the Yukon or who only live here part time;

(4) a list of all management and senior management positions currently held by people who are not technically classified as employees and an explanation of the nature of that alternative arrangement;

(5) a list of all management and senior management positions currently held by people who are not residents of the Yukon or who only live here part time who are not technically classified as employees; and

(6) a list showing the total number of days that deputy ministers, assistant deputy ministers, and directors have spent working for the government while residing outside the Yukon between 2017 and now.

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

THAT this House supports the aviation supports program in response to the COVID-19 pandemic.

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

MINISTERIAL STATEMENT

Lobbyist registry

Hon. Mr. Silver: I rise today to highlight Yukon's new online lobbyist registry. The registry launched last week, and with it comes a set of new reporting requirements for all lobbying in the Yukon. The online registry will give all Yukoners the opportunity to learn about who is lobbying government, how they are lobbying, and why. Yukoners deserve to know who is communicating with government about important decisions that affect them directly.

The registry will support greater openness and transparency and accountability by making this information readily available to the public. All provinces have registries, and we recognize that lobbying is a valid way to hear concerns, issues, and opportunities that affect Yukoners.

The Yukon lobbyist registry opens the window to lobbying efforts and offers the public a more direct view of what is happening.

To ensure that the registry is independent, the Conflict of Interest Commissioner, Mr. David Jones, will oversee and monitor the registry. As an independent officer of the Legislative Assembly, Mr. Jones will provide oversight and have the power to educate and provide clarification about rules. The commissioner will also have the discretion to temporarily ban someone from lobbying if that person is convicted of an offence under the act.

We know that many stakeholders are Yukoners who genuinely want to influence and promote positive change in their community. That is why we made this process very accessible, very simple, and easy to use.

For example, unlike other jurisdictions, Yukon's registry only requires reporting over a period of time, rather than after every meeting. The online platform also allows lobbyists to receive automatic notifications about the need to report their activities. The system is user-friendly, minimizes personal costs associated with its operation, and improves transparency — all without making the process overly burdensome.

The registry defines two types of lobbyists — consultants and in-house. Consultant lobbyists act on behalf of a client and must register regardless of how much lobbying they do. In-house lobbyists are employees, heads of organizations, or board members who lobby on behalf of their organization.

I encourage anyone who is interested in learning more to visit yukonlobbyistregistry.ca. The *Lobbyists Registration Act* gives lobbyists a 90-day grace period before needing to register from the day the act came into force, which was October 15, 2020. This gives everyone time to learn about the process and to adapt to the new reporting requirements.

We're very proud to offer this registry in Yukon, which is the first of its kind in the north and it's a major step toward supporting greater transparency.

Mr. Hassard: It's a pleasure to have the opportunity to speak today about the lobbyist registry. In the Premier's statement, he said that the registry will give Yukoners the opportunity to learn about who is lobbying government.

Mr. Speaker, in that vein, I would only have one question for the Premier: Who gave the Liberals their over \$100,000 in anonymous political donations last year?

Ms. White: The implementation of the lobbyist registry is great news. Yukon NDP has a proud history of advocating for the creation of a lobbyist registry. My friend and the former leader of the Yukon NDP, the late Todd Hardy, along with the former MLA for Mount Lorne-Southern Lakes, the late Steve Cardiff, championed this issue prior to my time in this House. My predecessor and colleague, the MLA for Whitehorse Centre, even tabled a bill to this effect in the 33rd Assembly.

The Yukon NDP recognizes that people have every right to meet with government ministers, elected representatives, and public servants to raise issues of importance to them and to influence decisions made by government. What we have always said — and what we will say again today — is that what is not okay is to have those meetings — that exercise of influence — in secret.

We believe that lobbying is a legitimate activity. We believe that, when elected officials are lobbied, the public has a right to know about it. It's a question of transparency. I repeat that, because it's important — this in no way affects the ability of citizens to approach their elected officials. This registry is to make sure that democracy thrives because, when the light is shone on activities that may affect how government makes decisions that impact citizens, it strengthens the democracy.

Now that we have the lobbyist registry in place, we find ourselves in an extremely bizarre situation and I'll explain why. If a corporation or a company decides to lobby the government, they need to register as a lobbyist. As the Premier has said, it's because the public has a right to know about the meetings they have — and we agree; it's great.

But if that same corporation or company decides instead to give tens of thousands of dollars at a Liberal Party fundraiser or any political fundraiser, the government is saying that none of that money needs to be disclosed. How is this transparent? How is this living up to the accountability of the lobbyist registry? It appears that the Liberals may be the only ones who don't understand how absurd this is. That's why we continue to ask the Premier to tell the public who gave over \$100,000 in anonymous donations to his party last year.

The Premier has done his very best to avoid those questions. He has directed us to look toward the Yukon Party. He questioned my motives and he has tried to redirect the conversation to the Members' Services Board. Members' Services Board is a secretive committee that meets behind closed doors. It's not very open and transparent. That's how this issue is directly linked to the lobbying issue — because if

we believe in transparency and openness and if we think that the public has a right to know who meets with politicians, then surely the public has a right to know who funds politicians.

I welcome the implementation of a lobbyist registry, and I hope the Premier will show the same enthusiasm for openness and transparency when it comes to political fundraising.

Hon. Mr. Silver: Mr. Speaker, the creation of the lobbyist registry was an issue in the Legislature here for many years. It was something that I supported as an opposition MLA and it's obviously something that the NDP as well have championed. I'm glad that they mentioned the late Mr. Cardiff for all of his work.

It was opposed by the government of the day — the Yukon Party — which thought it was unnecessary. The creation of a lobbyist registry was a campaign commitment that our party made in the 2016 election, and I'm very proud to deliver on this commitment.

Legislation to create the registry was passed unanimously by this House in 2018 by all parties — supported by all three parties. The *Lobbyists Registration Act* came into effect on October 15, 2020 — as mentioned in my initial statements — making the registration mandatory for those who meet the criteria set out in the act.

The public can visit — as I mentioned — yukonlobbyistregistry.ca or refer to the *Lobbyists Registration Act* to learn more about this. The registry launched last week, and with it comes a new set of reporting criteria and requirements for all lobbyists in the Yukon. The online registry will give Yukoners the opportunity to learn who is lobbying government, how they are lobbying, and why.

All provinces have registries, and we recognize that lobbying is a valid way to hear concerns, issues, and opportunities affecting Yukoners. As I noted, the registry is independent of government and it is overseen by Yukon Conflict of Interest Commissioner Mr. David Jones.

I will address the NDP and their comments, because they at least showed up with some information today. Mr. Speaker, the Leader of the NDP brought up the campaign financing reform here again today. As I noted yesterday, the NDP has happily collected thousands of dollars in outside donations while simultaneously pledging to ban donations from outside of Yukon. If they had a genuine interest in making these changes to our campaign financing rules, then they can bring it up at the secretive Members' Services Board, of which they are a member. They have not done so in the four years that we have been in this Legislature since the last election.

The new lobbyists registry is very accessible. It is very simple and easy to use. We are very happy to bring this forward. We are one of the last jurisdictions in Canada to have a lobbyists registry. It is a major step forward in the support for greater transparency.

Speaker: This then brings us to Question Period.

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

Mr. Istchenko: It has been 226 days since we first asked the Liberals to take action to protect the tourism industry. Instead of announcing the tourism package all at once, they have decided to announce it piecemeal and to spread it out into more announcements to maximize the number of news articles that they can get.

Mr. Speaker, the tourism industry cannot afford to wait any longer, so when will the Liberals announce the rest of the tourism recovery package?

Hon. Ms. McLean: Thank you again for the same question that we had yesterday. I am happy to stand again and speak to it.

Our government is working hard with all of our stakeholders, and we have been doing that since the beginning of COVID-19. We were one of the first jurisdictions to put out programs that would help businesses in their time of need, and that is through the Yukon business relief fund. This was absolutely open to tourism businesses. It was led by the Minister of Economic Development in a one-government approach. I am happy that Yukon tourism businesses took the opportunity to take advantage of those programs. Those programs are still in place today and are ongoing.

Our announcement this week was specific to the accommodations sector, which is maxing out. We have 19 of our hotels that are ready to max out of the programs that are currently available to them. This was an immediate need.

We are going to be working with our partners as we go forward to further identify the \$15-million commitment that our government has made to the tourism industry. We are looking forward to continuing the work.

Mr. Istchenko: I believe that I asked when the Liberals would announce the rest of this \$15 million.

The accommodation recovery package that the Liberals announced earlier this week expires on December 31. No one realistically expects the tourism industry to rebound by December 31, so can the Minister of Tourism and Culture explain why the accommodation relief package expires on December 31? Will she extend it to the end of March so that businesses can properly plan over the next six months?

Hon. Ms. McLean: I believe that I was pretty clear in my answers stating that we have \$15 million that we have earmarked for relief and recovery for the tourism industry. We will continue to work with our partners as we go forward. I know that, in my discussions with business owners and with our organizations that represent various sectors of the tourism industry, they have been pleased with the announcements that were made this week and they are going to continue to work with us as a government to ensure that the right relief programs are in place for the amount of time that's needed.

Again, I think it's a very clear indication and signal from this government that has been here supporting the tourism industry since the beginning of COVID-19 — and actually, we have had the most investment that the tourism sector has seen in the last four years. We had the first new tourism development

strategy in 18 years, Mr. Speaker. We have absolutely invested in tourism and we are going to continue to work with our partners as we go forward.

Mr. Istchenko: So, yesterday the Department of Economic Development issued a discussion document on the 10-year immigration strategy. The document states that the Department of Economic Development does not expect tourism to fully rebound until 2023. So, if Economic Development is saying that tourism won't rebound for three years, but the government is only providing funding for the accommodation sector for three months — why?

Hon. Mr. Pillai: We have listened to questions for the last two days, and my colleague has done a fantastic job of answering those questions. What has happened — first and foremost — is that I have watched the Minister of Tourism work with the Tourism Industry Association to compile data to make sure that our programs are as efficient as possible. It is a fallacy to say that there was a delay of 200 days. Our business advisory committee was put in place on March 25. By March 9, our public servants had come together to put the most progressive program in this country together to support businesses.

We do know that the tourism industry will take awhile to recover. What you have heard from my colleague is that she is here to support them throughout that journey. This is an interim measure with a commitment to continue to support after December — but I know that my colleague and I will be working with Minister Joly to ensure that we can dovetail into federal programs and maximize use of the resources that we have. That is the path that we are on and industry supports that.

Question re: Ross River School remediation

Mr. Hassard: So, last week we asked the government about a bat infestation at the Ross River School. As discussed, this has created a health hazard for the children and staff at the school, as there are bat feces covering certain areas of the school. Yesterday during Committee of the Whole, the Minister of Highways and Public Works indicated that the government cannot remove these bats because they are a protected species.

So, can the minister confirm if that is in fact the case?

Hon. Mr. Mostyn: I want to reiterate to the public — as we talk to Yukoners this afternoon on the Ross River School — this government takes the safety of our staff and students very seriously. A multidisciplinary team — including an architect, a structural engineer, a geotechnical engineer, a surveyor, and a biologist — continues to inspect the school quarterly.

As I said in my legislative return to the opposition in response to their questions yesterday — the response is that the health and safety of the students and staff is our top priority. Again, the bats are nesting in the exterior roof of the school.

Highways and Public Works is using the current \$135,000 maintenance and material budget for that school for things such as bat mitigation. This year we have installed fencing around the perimeter of the school, specifically where the bat feces have been found. This work was done long before the questions from the Official Opposition. We are working collaboratively with the local biologist who is monitoring the area and who will

inform us of additional mitigation options as they arise. We are exploring other options to prevent their return next year, such as the installation of bat houses so that they have a place to nest during their migration and wire mesh to prevent entry into the exterior roof.

Mr. Hassard: I'm not sure if the minister has heard the entire question, but I said that yesterday, during Committee of the Whole, the Minister of Highways and Public Works indicated that the government cannot remove these bats because they are a protected species. So, again, can the minister confirm if this is in fact the case?

Hon. Mr. Mostyn: We are working very, very hard to mitigate the problems of the Ross River School — both the bat problem — which isn't a new problem; the bats have been in and around Yukon for thousands of years, and they certainly have been in that school before. We're taking mitigations, such as the bat houses and the wire mesh in the soffits, to make sure that they don't continue to make their way in. Those measures will be looked at for implementation next year.

The member opposite — I don't know if he's suggesting that we go in there and poison the bats or kill them. I'm certainly not in favour of that approach, Mr. Speaker. We're taking an approach where we're working with a biologist to make sure those bats are taken out of the school and kept out of the school in the future so that the safety of the staff and the students is cared for. That, of course, Mr. Speaker, as I have said again and again, is our top priority.

Mr. Hassard: That was kind of a rather bizarre answer, but again, the minister has not yet answered that question. I'm really starting to believe that the minister misspoke yesterday. I will give him one more opportunity to in fact confirm whether or not he was correct yesterday when he said that they cannot remove these bats because they are a protected species.

Hon. Mr. Mostyn: Again, I will say on the floor of this House this afternoon that the safety of the staff and students of that school are my utmost responsibility and I take it very seriously, Mr. Speaker. I have indicated that I have no desire to kill or maim the bats that are in that school. I don't know if the member opposite has a thing for bats or a thing against bats. I will check with the department again — because my understanding is that they are a species that we are trying to protect. I will get the answer for the member opposite.

Question re: Hospitalization related to youth alcohol consumption

Ms. Hanson: Mr. Speaker, on behalf of the government, the Minister of Health and Social Services has publicly endorsed the *Putting People First* report. The report highlighted a disturbing trend regarding the increased use of alcohol by youth 10 to 14 years of age. I am talking about children. Not surprisingly, this increased consumption of alcohol by youth has led to higher numbers of hospitalizations. Alcohol-related hospitalizations for youth aged 10 to 14 in Yukon is three times higher than the national average.

My question is quite simple: What is this government doing to address the evidence of increased hospitalization for children aged 10 to 14 due to the consumption of alcohol?

Hon. Ms. Frost: We certainly put the lives of Yukoners at the forefront of everything that we do, particularly our children. We are always ensuring that we bring the best services to our communities. I want to assure the member opposite that we are working very diligently and closely with all of our communities. That in fact means that we have bridged huge gaps that have not been available to us historically.

So, what we have seen through our relationship with Yukon First Nations and our communities at large is to look at ensuring that we bring health supports, social supports, and mental wellness supports into the communities with an emphasis on preventive care and preventive measures. We have done that in cooperation with our partners. We will continue to look at best efforts, recognizing and appreciating that we have a trend before us in many aspects — recognizing that and appreciating that we will do everything we can to support our youth as we progress as a government and as we move forward with implementing the *Putting People First* report.

Ms. Hanson: The *Putting People First* report provides some startling insights that will require cooperation across government departments. One example is the impact of changes made to the *Liquor Act* regulations that allowed for an increase in the hours of operation for liquor establishments and offsales. They can now remain open from 9:00 a.m. to 2:00 a.m., up from 14 to 17 continuous hours.

The panel reported that, since the increase in liquor offsales hours, hospitalizations caused entirely by alcohol increased by 19 percent in one year. If this government is serious about addressing addiction and its impact on our health care system, these statistics demand a response.

What action is the government taking to address the increase in hospitalizations directly linked to increased hours for licensed premises and liquor offsales?

Hon. Mr. Streicker: As we will all recall here, we introduced an updated *Liquor Act* last year. In that act, we wrote throughout it all that — social responsibility was a central theme throughout.

We brought together stakeholder groups to talk to us — from our licensees, from our communities, from Whitehorse — also the RCMP, Health and Social Services, the chief medical officer of health — his office — and we brought everyone together to talk about how to improve the regulations around such things as offsale hours.

We are working on that as we speak and our intention is to be — our targeted time for that is April of next year. We have been working to decrease those hours; in fact, we wrote to all of the licensees to suggest that we were heading in that direction and got their feedback on that.

We agree that there is a concern about offsales hours, and we will use the regulations through the new act to reduce those hours as reinforced by the *Putting People First* report.

Ms. Hanson: I'm almost encouraged by the minister's words. Last year when we were debating that legislation, there was no indication — other than using the language of "social responsibility" — that we might get there.

The *Putting People First* report shows evidence that longer hours of alcohol sales significantly increased the amount of

alcohol consumed and the rates of alcohol-related harms. The Canadian Institute for Health Information identified that in Yukon in 2018-19 — while we were doing the work around the new legislation — there were 779 hospitalizations entirely caused by alcohol. The report attributes this increase directly to the new liquor regulations. They attribute this to the allowance for extended offsales hours. The report points out that harmful use of alcohol has serious effects on individuals and puts unnecessary strain on health care resources.

Given the evidence and the minister's commitment, when will the government reverse the changes? A year from now, or two years from now, or five years, or tomorrow?

Hon. Ms. Frost: With respect to preventive measures and the supports that the department is putting into the communities, significant efforts have been put into preventive measures in our communities. We are working very closely with our health professionals. We have recently incorporated public health nurses within our communities, focusing on health promotion efforts with an emphasis on Yukon youth. With respect to legislation — in speaking with my colleague, the Minister of Community Services — that will come into effect in the spring. We are working very closely with our partners in our communities to ensure that all youth are protected and that we give them all the opportunities to be successful and well-supported with the services as defined under *Putting People First*.

Question re: School capacity

Mr. Kent: Space has become a premium in many Yukon schools. We all remember concerns brought forward earlier in this Liberal mandate where storage closets and hallways had been converted to learning spaces. We have also seen the Wood Street Centre programs relocated to a portable at Porter Creek Secondary School here in Whitehorse only to have that change once mould was discovered in that structure. We have also heard recently that the remediation is taking longer than expected in that portable, and it may not even be ready for the second semester.

So, can the minister confirm if this information is correct and give us an idea of when that portable will be ready for occupancy?

Hon. Mr. Mostyn: Once again, I want to thank the member opposite for this opportunity to talk about schools and building maintenance this session. Our government takes the health and wellness of Yukoners — staff and students — very seriously. Highways and Public Works maintains and assesses all Yukon government buildings on a regular basis, which includes logging and following up on any issue identified, such as mould.

When inspecting a building for potential mould growth, we follow a checklist using information from the Canadian Centre for Occupational Health and Safety to provide guidance and clear direction on actions. In the event of any issue or concern found with mould growth present, a professional restoration contractor is engaged to remediate the issue and conduct follow-up tests to ensure that the mould was successfully remediated. That process is currently underway at Porter Creek

school, and we will make sure that school is safe before we let any other students or staff go into that building.

Mr. Kent: Hopefully, the minister can give us an idea of when that portable will be ready for occupancy. As I mentioned, we have heard that it won't be ready for the second semester of this year.

Of course, we know that mould was also discovered in the portable that is used at Robert Service School in Dawson City and it was taken out of use. There was money in this year's budget to address the situation. Can the minister tell us how much was budgeted for this particular project and if it has been completed yet?

Hon. Mr. Mostyn: I understand the member's interest in this matter, and I will certainly seek to get him an answer to that question. I will endeavour to get him an answer to that question.

Mr. Kent: So, hopefully we will get an answer to when the Robert Service School in Dawson City — when that portable will be ready — and when the portable will be ready at Porter Creek Secondary School here in Whitehorse as well. As we know, Selkirk Street School in Riverdale has also seen ever-increasing enrolment, to the point that a portable was in the budget for that school as well. We know that the portable has been delivered to the site. I am wondering if the minister can tell us how much that portable cost and if it is currently occupied or if it is still awaiting final inspections.

Hon. Mr. Mostyn: I can tell the member opposite that our government is making the learning environments of our students a priority. My colleague, the Minister of Education, is building elementary schools across the territory. That is something that hasn't happened in decades.

Selkirk Elementary received a new modular classroom this summer. The school will also receive a new parking lot, with construction expected to take place next summer. That work is happening and I look forward to the next question from the member opposite.

Question re: School busing

Mr. Cathers: In the Department of Education briefing on the supplementary budget, we were given a document entitled "Federal Funding Priorities." Under "Continued Learning" in that document, there is a line item for additional transportation costs associated with school busing.

Can the Minister of Education tell us how much of the federal funding has been identified for school buses?

Hon. Ms. McPhee: I think that this would be a question that the member would have asked when they had the department officials before them, with the line items regarding school buses. I can indicate that the additional school buses that have been ordered for this school year are in the range of \$280,000. Of course, that does not account for fuel, for operation, or for drivers.

Mr. Cathers: It is disappointing that the minister either doesn't have a handle on this or she is refusing to provide the information in Question Period. We are asking her a simple question that relates to the safety of students during a pandemic. We were told that three more buses were on order from the

contractor to help deal with approximately 250 students who don't have transportation this year in comparison to those who did last year. We were also told that the contractor is having a difficult time recruiting and retaining drivers during the pandemic.

Can the minister tell us if these three buses have arrived and, if not, when they are scheduled to arrive? Can she also tell us if there are enough drivers to ensure that every bus can actually be on the road?

Hon. Ms. McPhee: The health and safety of students and staff is our first priority. School busing for the 2020-21 school year has been adapted to follow the chief medical officer of health's recommendations and the health and safety guidelines for the safe operation of school buses. These adaptations are to prevent the spread of COVID-19 and to keep communities safe and healthy, of course. That has meant that we are not able to accommodate as many children on a particular school bus as have been allowed in the past. All eligible students — all eligible students — have been assigned to school buses this year. Those school buses are taking them to and from school in a safe manner.

I believe that I answered the previous question, despite being accused of not having done so. The three school buses — I have not confirmed that they are here. I am not aware that they are here, but I will check that. I understand that they are on their way. We expect them to be here as soon as possible. I should appropriately note that our school bus service provider has been working diligently — endlessly, in fact — to make sure that children are transported to and from school in the best possible way and in a safe manner and to have them be able to continue their learning. I thank Standard Bus for that work.

Mr. Cathers: Mr. Speaker, it is our understanding that 250 students were excluded from this, despite the minister's claims.

When it comes to busing, we have heard complaints from almost every neighbourhood, as well as from people outside city limits, about changes that were made this year. Families are having to choose between driving their kids to school and getting to work on time or leaving work early, and it is creating a great inconvenience and interference to the ability to work for many families. Split families have lost the opportunity to have their children picked up and dropped off at different addresses. Historical stops and routes have disappeared entirely.

Can the minister tell us where the three additional buses will be deployed? Again, could she perhaps clarify her earlier response suggesting that everything is fine when that is a very different story from what we hear from parents and the department?

Hon. Ms. McPhee: Let's be clear about this. "Everything is fine" are the words from the member opposite. What I described was the process of adapting school busing services and what I claimed — actually, stated — and I expected the respect of this House when I did so — is that all eligible students — eligible under the *Education Act* and eligible under the education busing regulations — have been assigned to a school bus this year, and school buses are now

operating near capacity. The three buses on their way, we hope, will alleviate some of the stress of that.

In normal times, when there is greater capacity on school buses, we have been able to accommodate additional students on the school bus beyond the eligibility requirements such as busing for students attending schools outside of their attendance area or for special requests such as transportation to after-school programs or to childcare. Those students, in the pandemic world, have not been able to be accommodated this year. We work with every single family that brings forward their interests and their questions, and we have worked diligently with each and every one of them to determine whether a child could be accommodated on a school bus and still meet the health and safety guidelines required in a pandemic.

Question re: School sanitization health concerns

Mr. Kent: Obviously, the pandemic has changed the way we conduct our everyday lives. But it has also changed the way we work and the way we attend school. Keeping surfaces sanitized has become more prevalent than ever, especially as students have been returning to school over the past number of months.

A CBC story from yesterday quotes the President of the Yukon Teachers' Association as saying that they suspect more students and teachers are becoming ill because of sanitizing products at four Whitehorse schools and a school outside the city.

Can the minister tell us what she is doing in response to these concerns?

Hon. Ms. McPhee: I would be pleased to address this issue on the floor of the Legislative Assembly and to speak to Yukoners about some of the changes that have been acknowledged by the member opposite that have been required in all of our daily lives.

School staff follow health and safety guidelines and advice from the chief medical officer of health and use disinfectants and other cleaning products that are approved by Health Canada and are suitable in school settings. If students and staff have concerns — and we have been advised of this and we have been working with those individuals over the past week — but if any additional students or staff have concerns about any health or safety practices at their school — such as cleaning products or disinfectant products that are in use — we encourage them to contact their school administrator. Every school also has a health and safety representative, and we would like those matters to be brought to their attention so they can be dealt with as quickly and effectively as possible.

Question re: Mental health counselling services for children

Ms. White: Mental Illness Awareness Week was just over a week ago. The Minister of Health and Social Services posted a list of available services for Yukoners. These included the Canadian Mental Health Association, Yukon Mental Wellness and Substance Use Services, All Genders Yukon, and

numerous others. It's good to see many more services being offered throughout Yukon.

Where should families go who are seeking mental health counselling services for children?

Hon. Ms. Frost: With mental wellness and the need, during these times, for mental wellness supports and counselling services, we have many services available. I would like to encourage all families and all Yukoners to attend the mental wellness support hubs in your communities. In each one of your communities, you have a mental wellness counsellor as well as a social worker. At the same time, Mr. Speaker, we continue to expand services throughout the Yukon with the high-quality, accessible, and consistent care that's required.

An expanded scope of practice within our hubs includes counselling for adults, children, youth, and families, mental wellness and substance use counselling, and of course, during some unprecedented times in our communities, we want to ensure that mental wellness support is making a significant change to improve the supports that are there.

I want to just acknowledge that we have had to make some changes, and the changes that we had to make were to use some virtual care opportunities to reach the families — but we are working very closely with our mental wellness hubs in our communities.

Ms. White: When we went looking for specific counselling services, what we found was that many are linked to specific groups, such as adults attending Blood Ties Four Directions or children under five at the Child Development Centre. For school-aged children, there appear to be very few options where counsellors trained to work with children can provide services.

Going to this government's website proves frustrating and unhelpful. Who is providing mental health counselling to school-aged children in Yukon?

Hon. Ms. Frost: As I indicated in my previous comments, currently we have an increase of counsellors readily available to work with families during critical times. We certainly want to ensure that all families are well-supported. We have 22 counsellors now in the Yukon. Historically, as I indicated, we had two — so there are increases.

In terms of the complexity of services for school-aged children and families — Health and Social Services has worked with Family and Children's Services, and we have a team that has been established to work with all of our children and our families during these complex times. Thinking about children ages 6 to 12, we are working with our partners at the Council of Yukon First Nations. We are working through Family and Children's Services.

In addition to that, we are working with our primary care providers and our communities. We certainly want to ensure that the ongoing work to enhance mental wellness and substance use services and family and support counselling in our communities is adapted accordingly. If Yukoners have any specific concerns or questions and cannot reach a mental wellness counsellor, I encourage them to please reach out to your social worker in your community. If there is a counsellor

in your community, reach out to them. If not, reach out to mental wellness support services in Whitehorse.

Ms. White: During the COVID pandemic, we know that people are experiencing more mental health issues, including anxiety and depression. It has been reported that 22 percent of Canadians are experiencing higher anxiety and 13 percent are reporting greater depression. Children are not immune to these mental health concerns, but access to counselling seems to be less of a priority.

With the lack of access to recreational activities and facilities and the inability to play with friends who are not in their bubble, the mental wellness of children has taken a hit. So out of the 22 counsellors in Yukon mentioned by the minister, how many have specialized training to work with children?

Hon. Ms. Frost: Critical mental wellness and the supports that we provide to families are certainly priorities for us. Our counselling services — as outlined by the member opposite — mental wellness support services in our specific hubs and the Canadian Mental Health Association along with All Genders Yukon and the supports that we provide in rural Yukon communities continue to provide services out of our hubs, but we also look at expanded services.

We have just opened up the Nts'aw Chua facility in Porter Creek. That provides services on a daily basis. We have supports through the Department of Education as well. We work in close collaboration on addressing child services and mental wellness services, as required. We have mental wellness counsellors in all of our communities.

I would like to just acknowledge the great work that the mental wellness counsellors and the staff are doing during some unprecedented times — knowing that we had to bring in additional supports and of course had to adapt to the COVID pandemic to reach all Yukoners. I want to give a shout-out to them for doing such an excellent job in reaching all our families.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Clerk: Motion No. 277, standing in the name of Ms. White.

Speaker: It is moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to support Mi'kmaq fisheries by:

(1) denouncing the violence against Mi'kmaq people and the RCMP's failure to protect Mi'kmaq communities; and

(2) calling on the Government of Canada to work with the Sipekne'katik First Nation and all indigenous fishers to implement a moderate livelihood fishery.

Ms. White: So, before I get started today, I just want to acknowledge that systemic racism is complex. It is hard to talk about and it is highly sensitive. I also want to acknowledge that

I am here on the traditional territory of the Kwanlin Dün First Nation and Ta'an Kwäch'än Council as a settler or as a visitor.

There has been a hard wake-up call for Canadians in the last number of months as we have had to grapple with our own biases and the racism built within our institutions. We have seen and felt the pain through the eyes of our indigenous, black, and racialized friends and neighbours. No longer can we sit smugly up in Canada denying that racism exists here while pointing south of the border to the overt racism that we see there.

The violence that has erupted in Nova Scotia is jarring. It is hard to watch even from the other side of the country. The issue is that of Mi'kmaq fishing rights. There is information to be found all over the Internet right now, but I am choosing to reflect the information that I found from an indigenous source. The information that I will be sharing comes from APTN and I suggest that, if folks have an interest, they go to that website, as it is really informative and there are a couple of great videos to watch.

The Sipekne'katik First Nation launched its moderate livelihood fishery on September 17. The days and weeks since have been marked by threats and violence, flares fired at Mi'kmaq boats, as well as damage to traplines and the destruction of a lobster pound and property.

When you go to the APTN website, it lays it out in a way that — for people who are trying to learn, it's very helpful. It has great links.

It lays it out in such a way that you can learn. It says:

“Who is fishing? Sipekne'katik First Nation is the first band to start its own Moderate Livelihood fishery in Saulnierville, Nova Scotia — about three hours west of Halifax along the Bay of Fundy. Two other bands are also set to start their Moderate Livelihood fisheries: Paqenkek and Potlotek.”

“Who is protesting? Non-Mi'kmaw fishers are angry that Mi'kmaw fishers are dropping lobster traps out of season, to earn a living. What is missing from many reports is that the Mi'kmaq have a right to catch and sell lobsters, and decide when they can do it.”

Is it an illegal fishery? No. “The Mi'kmaq have a constitutional right to fish for a Moderate Livelihood but Canada has yet to implement the Marshall Decision and...” the Department of Fisheries and Oceans “... has not reflected the right to a Moderate Livelihood in its regulations.”

So then, if you're curious, it explains the 1999 Marshall Decision.

“In 1999, the Supreme Court of Canada (SCOC) released the Marshall Decision. The court did not give the Mi'kmaq the right to fish — but recognized and upheld that right enshrined in the Treaties.

“The judges created the term Moderate Livelihood so the Mi'kmaq can make money, but not get rich. Then the court issued a second decision with a clarification that this right can be regulated by Canada.”

Then it tells us: “How much is being fished? Contrary to what non-Mi'kmaw fishers are saying, conservation is not a concern. According to the Department of Fisheries and Oceans (DFO) the lobster stocks are healthy. The Commercial fishery,

according to the Department of Fisheries and Oceans ‘remains very healthy.’ The province says the landing of lobster has doubled in the past 20 years.

“Sipekne'katik First Nation has seven licenses and only three are being used at the moment. Each license has 50 traps for a total of 150 traps. The commercial fishery in that zone, which is much bigger than just St. Mary's Bay, allows for up to 390,000 traps.”

So that's more than 2,500 times than the Mi'kmaq.

“Commercial versus Moderate Livelihood versus Food, Social and Ceremonial Fishery — Most Mi'kmaq... bands in the Atlantic region signed commercial fishing deals after the Marshall decision — but Moderate Livelihood has never been defined.

“A Moderate Livelihood is supposed to allow a Mi'kmaw individual to make a living off resources. As a sovereign nation on unceded territory, the Mi'kmaw have jurisdiction and that is the basis to make their own rules for their fishery and that is what they're asserting right now.

“The Food, Social and Ceremonial fishery allows that catch to be eaten or used in ceremony — but it can't be sold.”

Canada has rules for food, social, ceremonial, and commercial fishing, but Mi'kmaq also have a right to a moderate livelihood fishery. But more than 20 years after the Marshall Decision, the federal government has failed to work with the Mi'kmaq communities to find what that means. In the face of this inaction, the Mi'kmaq have decided to assert their right and establish their own rules. That brings us to the issue of treaties.

“The Mi'kmaq signed Peace and Friendship Treaties in the mid 1700s and these treaties never ceded land.

“The 1752 Treaty says that the Mi'kmaq ‘shall not be hindered from, but have free liberty of Hunting & Fishing as usual.’ The SCOC upheld this right for the Mi'kmaq in the 1985 Simon case.”

Then it goes on to say: “Where we stand today — Three bands have signed new agreements — most have refused.” The Department of Fisheries and Oceans “... says that these agreements address the Moderate Livelihood issue but most say they don't. According to the bands, these agreements actually quiet rights and signing means that you agree NOT to assert Treaty Rights for the duration of the agreement and will only fish under DFO rules for the commercial fishery.

“Sipekne'katik and other communities in the Mi'kmaq Nation continue to work on their own management plans that will regulate Mi'kmaw fish harvesters to ensure conservation.

“Today, it's lobster, but the Treaty Rights extend to other resources as well.”

Under Canada's *Fisheries Act*, the federal minister is the ultimate authority, but if Canada tries to reconcile its relationship with indigenous people, it cannot continue to uphold the law as a tool of exclusion or as a tool to support economic racism in a territory. Twenty years of inaction by the federal government has led us to where we are today. The right to a moderate livelihood fishery for the Mi'kmaq is constitutionally protected, but the federal government's inability to work with indigenous communities to find an

agreement has led to the conflict that we see in a very clear display of both overt and systemic racism.

When we see the violence that has been directed at Mi'kmaq fishers, we have to ask: Where was the RCMP? Seeing indigenous fishers being intimidated, barricaded in their pound, and having their property destroyed is shocking — but this conflict isn't new and these tensions are not new.

The most recent escalation of violence toward Mi'kmaq fishers happened over several weeks. All the signs were there. So we're left to wonder what would happen if the roles were reversed. Would the reaction by the RCMP and the public be the same? I think that there are plenty of examples throughout history — but also in this day and age — that show that the reaction would be very different. It was just revealed today that, last year, the RCMP spent over \$13 million to monitor the Wet'suwet'en people and protect the interest of Coastal GasLink, a corporation trying to build a pipeline through indigenous land. How much has been spent protecting the Mi'kmaq fishers from the violence that they have been subjected to?

Today, I welcome my colleagues to join me in this uncomfortable conversation so that we can talk openly about Canada's racism problem and ultimately stand together so that we can show our support and solidarity for the Mi'kmaq people.

Mr. Hutton: I rise today to speak to Motion No. 277. I would like to thank the member opposite for bringing attention to this incredibly important matter as it unfolds.

While we certainly encourage Canada's indigenous peoples who have not yet done so to seek self-governance, it is not appropriate for any government to direct First Nations on how to self-govern. As such, we are proposing the following amendment, which we feel aligns with the general message supporting the rights of the Mi'kmaq people, denouncing the violence that they face, denouncing the inaction of the RCMP, and calling on the Government of Canada to work with the Sipekne'katik First Nation to implement a moderate livelihood fishery.

Amendment proposed

Mr. Hutton: I move:

THAT Motion No. 277 be amended by:

(1) deleting the phrase “and all indigenous fishers”.

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

Therefore, it is moved by the Member for Mayo-Tatchun:

THAT Motion No. 277 be amended by:

(1) deleting the phrase “and all indigenous fishers”.

Mr. Hutton: In speaking to the amendment, for those following outside of the House, the motion now reads:

THAT this House urges the Government of Yukon to support Mi'kmaq fisheries by:

(1) denouncing the violence against Mi'kmaq people and the RCMP's failure to protect Mi'kmaq communities; and

(2) calling on the Government of Canada to work with the Sipekne'katik First Nation to implement a moderate livelihood fishery.

Unfortunately for many of our First Nations across Canada, violence in the face of adversity is all too common. We have seen an incredible surge of hate crime across all of North America in these recent years, not just in Canada. It's shocking but, sadly, not surprising. Largely, we have a cultural and societal disconnect, which becomes increasingly apparent once you add in socio-economic disparity and economic instability.

In 1990, CBC released an article that stated the following — and I quote: “Donald Marshall Jr. spent 11 years in jail for a murder he did not commit. When he was finally acquitted, the appeal court still called him ‘the author of his own misfortune.’... after a fight lasting almost two decades, Marshall's name...” was “... finally cleared. The same cannot be said for the police, prosecutors and judges who wrongfully convicted the Mi'kmaq man. A 16,000-page royal commission report released...” in 1990 “... accuses them of racism, incompetence and miscarriage of justice at every turn. The seven-volume Marshall Inquiry report is a scathing indictment of the Nova Scotia criminal justice system. Its findings are blunt, and unequivocal: Donald Marshall Jr. was wrongfully arrested, wrongfully prosecuted, wrongfully defended, wrongfully convicted of murder, wrongfully treated during his appeal, and deceived and cheated by investigating officials... the report is also laden with recommendations to ensure such a travesty never happens again.”

Donald Marshall Jr. and his friend Sandy Seale were walking in Wentworth Park in Sydney, Nova Scotia. They struck up a conversation with two strangers, Rob Ebsary and Jimmy MacNeil. Ebsary pulled a knife and fatally stabbed Seale in the stomach, but Ebsary was not charged with the crime. Systemic racism prevailed. Donald Marshall Jr. was charged with the murder of his friend Sandy Seale.

This is 1971. Donald Marshall Jr., a 17-year-old indigenous youth, after a three-day trial, is convicted of murder, sentenced to life in prison — a maximum security prison for a 17-year-old boy. Ten days after the conviction, Jimmy MacNeil came forward to say that he was with Ebsary and saw him commit the murder. In 1974, three years later, Ebsary's daughter Donna told Sydney police that she had seen her father washing blood from a knife on the night of the murder. In both cases, the information was not passed on from the police to either the Crown or defence teams.

While incarcerated, Marshall battled depression, drugs, and alcohol. In 1983, the Nova Scotia Court of Appeal acquitted Marshall because Ebsary had admitted that he had, in fact, killed Seale. Despite this admission, the court added insult to injury and told Marshall that he was dishonest in his testimony and therefore partly to blame for his own wrongful conviction.

The Court of Appeal went on to say — and I quote: “Any miscarriage of justice is, however, more apparent than real...” — a sad state of where justice is in this country.

A royal commission was established to investigate the case. After three years and \$7 million, the damning report was

released and stated the following: “The criminal justice system failed Donald Marshall Jr. at virtually every turn, from his arrest and wrongful conviction for murder in 1971 up to, and even beyond, his acquittal by the Court of Appeal in 1983...”

The royal commission report also stated clearly that Marshall was — and I quote: “...convicted and sent to prison in part at least because he was an indigenous person.” The case became the subject of a book — and movie — in 1986 called *Justice Denied: The Law versus Donald Marshall*.

This brings us to a more recent altercation between Mr. Marshall and the law. In 1996, Donald Marshall was arrested and convicted on three counts of catching and fishing eel out of season. The Mi'kmaw took his case to court, arguing that treaties from the 1750s gave aboriginal people the right to catch fish for sale and excused them from fisheries regulations. In 1999, after taking his appeal to the Supreme Court of Canada, Marshall won the right to fish year-round. The benchmark *R. v. Marshall* decision broadened aboriginal fishing rights and ignited violence in the fishing industry. Non-indigenous fishermen in 1999 objected to what they saw as unfair treatment, and they cut 2,000 Mi'kmaq lobster traps.

Donald Marshall Jr. died on August 6, 2009 after being hospitalized for complications resulting from his lung surgery in a previous year. He was 55 years old — far too young, Mr. Speaker.

We have been seeing this type of treatment all too much recently. We saw it with the Wet'suwet'en protest this year with respect to the Coastal GasLink pipeline. We saw this with Black Lives Matter protests, which continue to raise awareness of the disproportionate violence against the black community. Even up here in our north, we saw protesters walking the streets in front of the RCMP building and demonstrating in solidarity with our people. That's what these groups are, Mr. Speaker — our people. “Mi'kmaq” quite literally translates to “the people”, and they are no exception. They are our people.

Mixed perceptions on First Nation rights, paired with cultural and political ignorance, continue to fuel a destructive position that threatens a way of life and traditions of the First Nation cultures across Canada.

The Mi'kmaq people have a long-standing history that is supported by oral and archaeological records of seasonally patterned habitation and resource harvesting. They spend their spring and summer months harvesting the coastlines for shellfish and sea mammals, moving inland during the fall and winter months, focusing on land-based mammals for their food necessities to support their traditional way of life.

Unfortunately, the Mi'kmaq were among some of the first aboriginal people in North America to interact with European explorers and settlers. These interactions led to rapid depopulation and social and cultural disruption. It is estimated that over half the Mi'kmaq population was lost between the 1500s and 1600s.

Sadly, Mr. Speaker, violence is not something these people are unfamiliar with. This social and cultural disruption and violence continues today, evident by the burning down of the Mi'kmaq lobster pound in the early morning on Saturday — this year. Threats of violent action by non-indigenous

commercial fisheries and their supporters are unacceptable and unconstitutional, and I would expect any sensible government or human to condemn this type of behaviour without hesitation.

The Mi'kmaq have a long-standing treaty with the British Crown, dating back to 1752, which promises the Mi'kmaq people the right to hunt and fish their lands and establish trade. This isn't just an inherent right; it is also their constitutional right, as confirmed by the Supreme Court of Canada in September 1999 through the Marshall decision.

I wish I could speak on behalf of everyone in this House when I say that violence against the Mi'kmaq people needs to end immediately. Ignorance of the history and rights of these people is no excuse for the hatred that they are experiencing right now. My heart goes out to those people, their friends, and their family who all fear for their safety while trying to earn a moderate livelihood to provide for their families in a system imposed on them.

It is our duty to call upon the Government of Canada to work with the Sipekne'katik First Nation and end the unnecessary violence, which continues to threaten their way of life. This government has and will continue to advocate for the protection of First Nations, their communities, their cultures, and their traditions. This includes the Mi'kmaq people — they are no exception.

This government has taken great steps in First Nation reconciliation and we have a lot to be proud of. Like all people, we aren't perfect, and these waters are challenging to navigate at best, but as elected members of this Legislative Assembly, it is our responsibility to act in the best interests of all people.

We support the Mi'kmaq fisheries. We denounce the violence against the Mi'kmaq people. We advocate for the protection of the Mi'kmaq communities and we call upon the Government of Canada to work with the Sipekne'katik First Nation to resolve this unnecessary conflict.

Thank you, Mr. Speaker.

Speaker's statement

Speaker: I have some comments for the Member for Mayo-Tatchun.

Sometimes there are time constraints. I know, in my presiding over the 34th Legislature — there are time constraints — why a member might have to, I suppose, try to modify his or her comments into their comments on amending motions. In this case, the Member for Mayo-Tatchun, in my view, would have had as much time as he would have needed to make his comments to the main motion. So, I would just generally remind both the Member for Mayo-Tatchun and all members that, if you are proposing an amendment but you have comments and contributions that you would like to make, you have up to 20 minutes to do so prior to proposing an amendment.

If that's what the member — the Leader of the Third Party was going to bring up, that's where I was. I'm not going to judge the Member for Mayo-Tatchun's comments. I believe it was an honest procedural misstep with respect to the content of his contributions on the amendment — because the amendment was quite discrete.

The Leader of the Third Party, on the proposed amendment.

Ms. White: I wasn't going to interrupt. It was beautiful. I was happy to wait.

I just wanted to thank the Government House Leader for approaching me earlier with the amendment, and I support and endorse it. I would like to call the question.

Speaker: Is there any further debate on the proposed amendment to Motion No. 277?

Amendment to Motion No. 277 agreed to

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

Mr. Hassard: It's a pleasure to rise today to speak to Motion No. 277 as amended, and I thank the Member for Takhini-Kopper King for bringing the motion forward and the Member for Mayo-Tatchun for the amendment.

As have many Canadians, my colleagues and I have watched the rising tensions in Nova Scotia related to the commercial lobster fishery with grave concern. We have seen this dispute escalate from one about economic hardship, conservation, and resource management to one of threats, intimidation, violence, and racism.

From the vantage point at the other side of the country, many may not be familiar with the issues. The Supreme Court of Canada's September 17, 1999, decision in the Donald Marshall case affirmed a treaty right to hunt, fish, and gather in pursuit of a moderate livelihood rising from the peace and friendship treaties of 1760 and 1761.

The decision affected the 34 Mi'kmaq and Maliseet First Nations in New Brunswick, Prince Edward Island, Nova Scotia, and the Gaspé region of Québec. While action has been taken over the past 21 years, successive federal governments have not succeeded in negotiating moderate livelihood agreements with all 34 First Nations. This, of course, has led to tensions and the violence that we see today.

Ultimately, we believe that the priority in this situation needs to be the safety of the citizens in that area and respect for the treaties. We need to see concrete action from the governments involved — in particular, the Government of Canada — to keep Nova Scotians safe in their communities and peacefully resolve this situation.

Having listened to the Member for Takhini-Kopper King and the Member for Mayo-Tatchun, I believe that a peaceful solution is the issue that we all want, and I want to note one concern with the current wording in the motion. In particular, I don't want to give the impression that we are targeting the rank-and-file RCMP members across the country who are on the ground. We believe that the responsibility lies with leadership and political leadership in the various governments and not the members on the front lines. However, this concern will not be impacting how we vote, as we still support the motion.

I was glad to hear various groups calling for the governments of Canada and Nova Scotia to enhance the resources available to the RCMP to ensure that indigenous and

non-indigenous citizens are kept safe. We certainly support this and encourage the political leadership to consider this request.

We want to see this situation resolved peacefully through a negotiated solution that respects the treaties, and we want to see political leadership from the Government of Canada and, in particular, from the Minister of Fisheries, Oceans and the Canadian Coast Guard and the Minister of Public Safety and Emergency Preparedness.

Thank you, Mr. Speaker. We will be supporting this motion.

Hon. Ms. Frost: I'm rising today to speak to the motion as amended. The main purpose and the underlying principles around the whole dispute — it's really around systemic racism — the racism as it is seen in many parts of our society and the impacts and effects it's having on our indigenous people.

What we're seeing now is very much what we've seen historically. I think that we've come from a very fortunate place here in the Yukon — great debates around homelessness and poverty and the fact that we passed some amendments to reflect the need to look at systemic racism and the elimination of racism in our very society that we live in.

Yukon, being such a special place — we have our self-government agreements that define our rights as indigenous peoples, and, of course, our self-governing agreements and our *Umbrella Final Agreement* set the tone for us in terms of how we build our relationships around indigenous partnerships specific to fish and wildlife and specific to land management. I think of it from that perspective.

I think about: What is the intention here? More than anything, what's at the surface — and we tend to skim the surface oftentimes — and that's to look at the issue before us. While there is a dispute, we're going to focus our attention on the dispute. I think that there are significant underlying issues around the rights of the indigenous people, the rights of the Mi'kmaq people to harvest and access that resource, of which they have been accustomed to for millennia. They were the first peoples of that country.

I want to just point us to some of the comments that were made, specifically by the MLA for Mayo-Tatchun. He spoke about the royal commission report, which clearly referred to the Marshall decision — the conviction and being sent to prison because of his indigenous identity. I want to just say that we have historical documentation that really defines on a national scale how we engage on a national level with our indigenous peoples — specifically the *United Nations Declaration on the Rights of Indigenous Peoples* — around the world and defines principles and practices for how we set rules and principles in place to identify with the unique circumstances of individuals and individual nations where they reside and the right to dignity, to language, and to the resources that they have been accustomed to.

I just want to make note of that, because I think that the principle of the conversation — and the underlying issue — is really not about the dispute at the surface. It's really about what has long existed, and that is the pervasive, systemic racism that

we have known to exist as a product of many of those, I guess, conversations.

I want to just say that, just a few short years ago in 1985 when Bill C-35 came into effect, we had indigenous people in this very community who were not identified as indigenous people because of the rules that applied under the *Indian Act*, which defined individuals as being non-indigenous. I'm referring to my own family. My mom, being a status First Nation Vuntut Gwitchin person, had her rights ripped away from her because she happened to marry a man — my grandfather — who was from Ontario. So, these are real issues, very alive and well and very recent and raw for all of us.

Moving on to look at the *Report of the Royal Commission on Aboriginal Peoples*, that focuses on Canada. It focuses on the systemic issues that long affected and impacted our indigenous people. It talked about restructuring systems. It talked about assimilation. Well, assimilation is fine, but assimilation also means that the rights of the individuals, no matter where they reside, and their identity need to remain protected, including the aboriginal people in relation to the non-indigenous communities. There has to be a joint — as it's defined — practical solution to a stubborn problem.

At the time that the commission report was revealed, it did say that it was a time of anger and upheaval. The country's leaders were arguing about the place of aboriginal people in the Constitution.

That never should be a question. The rights of indigenous people are always protected under the Constitution. I want to just say that we, as the Yukon Legislature — legislatures and politicians have an opportunity to participate in a fundamental shift and change in how we govern and how we interact with one another.

The difficult work during some difficult times and very challenging times — like what we're seeing on the other side of the country — impacts what we do here in our community. I always want to keep that in the very front of my vision in what I do and how I interact with my community members and with my colleagues. I'm proud to stand here as a Vuntut Gwitchin woman, representing indigenous women and the voice of indigenous people, coming with some experience in implementation and recognition of indigenous rights, knowing that it's not easy. It's not easy to influence change in our society or our legislative processes. It's a very difficult conversation to have.

Not everyone wants to have that conversation. Others will run out of the room or laugh at you and make fun of it, but seriously — it's not a laughing matter. It's a matter where we all need to stand strong with one another, face the fact that racism is alive and well, and it's up to all of us to look at elimination, rebuilding a nation — looking at some of the ancient connections and ties to the land and appreciating that and to start from a common place of understanding — and that's with dignity and respect for one another as human beings.

So I see this as a huge opportunity — if we're going to do anything in terms of standing beside and behind our brothers and sisters from across the country — to put our voices and our efforts behind them. Also, at the same time, what is happening

there is no different from what we see in our society here and now.

I see it every day. It's not easy, but it's also necessary for us to have these very difficult conversations. When we look at the reports and the commission reports — when we look at the Truth and Reconciliation Commission's reports and recommendations and when we look at all of the reports that have come up — they are always pointing to the same thing, and that's about recognition and appreciation for those individuals who have long been here before everyone.

In my language, we say *shalak naiti*, which means “all my relations”, meaning that no one is different. We are all of the same land, we are all of the same people, and there is no distinction but the utmost respect and dignity to bring us to a place of recognizing that our history in Canada has not been a great one.

As legislators, it is our opportunity, I think, to bring voice to that, to stop that business of systemic racism, and to start working together. There is no place for that.

Hon. Mr. Silver: I wasn't going to speak today. I knew that I was in good hands with the ministers and the team here with our statements, but I just want to add to the story from my own perspective, having been born in Nova Scotia and living here — just some parallels that I want to talk about.

My father was a lobster fisherman. He was a harbour master, as well — so he lived as a lobster fisherman all his life. He would be rolling in his grave right now if he knew what was happening back home. Interestingly enough, he came up here to Yukon, and we went all around the Yukon, travelling. You would think that he would be impressed by the glaciation and the beautiful mountains in Kluane or the Tombstone range up in Dawson or the Top of the World Highway — no, he was really interested in how great my heater was in my truck and also Harold Gatensby. He had a great meeting with Harold. He was just so impressed. It was pretty segregated back in Nova Scotia, and he was just so impressed with this massive Tlingit individual and how alike they were. They talked about fishing. They talked about the heater in my truck. They talked about all these things, and my father, Eugene, was so blown away with the fact that we are so alike — all my relations.

That's why I got up. That was powerful, because there is a bigger story here. We are alike, but at the same time, we have totally different privileges. I will go back to my days at Chevy's Rock'n Roll Forever in Antigonish. I used to have a job dancing as the DJ. That's a whole other story, Mr. Speaker.

I had read the Donald Marshall story — about the wrongful conviction of this young man and how, back when he was a kid, he was kicking over gravestones — doing just dumb stuff that we who grew up in Nova Scotia do. I could give you a list of the dumb things that I did as a kid in Nova Scotia.

But, anyway, we are in there in Chevy's Rock'n Roll Forever one night, doing my shift, and at the bar was this gentleman with his girlfriend, and then a drink came my way, and then another and another, as I was up there dancing. I finally went over to the guy and I said, “Thank you very much” — and it was Donald Marshall. We sat down and he was like

“Man, you’ve got guts to be up there.” It was a particularly slow night, Mr. Speaker — and so we sat down and we had a whole bunch of fun that night and talked until the wee hours of the morning. The bartender, who was also the manager — we stayed late, basically — and so the four of us stayed there talking. I told him about my reading the book and we just talked back and forth — and it was the same thing. I left there that night thinking “Man, we are so alike.” We are both Nova Scotians. We both come from the same place — the things that we talk about, the things that we like, the music we liked — identical.

It was years later — and just thinking about this concept — we are not alike in the privileges that we have. I would do some stupid things as a kid and I would get busted by the RCMP and I wouldn’t go to jail. I would be told to go home and I’m sure that there would have been a conversation between my dad and the RCMP, and I would be thankful for that. I would really get it at home — that is for sure — but that was it.

Donald Marshall, on the other hand, went to jail for a murder that he didn’t commit, because he didn’t enjoy the same privileges as I enjoy. I am really glad that we are having this conversation today in the Legislative Assembly. I am really glad that we are getting full support from all three parties, because they are the tough conversations that we have to have.

I have lots of friends back in the Nova Scotia fishing industry right now — good people, really good people — who are also not happy with what is going on in Nova Scotia right now as well. We have this unique opportunity right now to discuss privilege — to discuss lack of privilege and to discuss reconciliation, even when it hits that close to home.

Hon. Mr. Pillai: I would like to just take a few moments to share some thoughts and research on this particular topic — reflect on what has been said today and hopefully again to show my support for the motion that has been put on the floor.

I appreciate the Premier’s reflection on the stories concerning Mr. Marshall. I think, over the last week or two, it has really been — his story has been a topic of conversation. As the media has reflected on the important court case that Mr. Marshall was part of concerning the fishery and then of course speaking about his past legal challenges — it brings back lots of raw memories, I think — about hearing the stories and understanding what had happened in being very young at the time and hearing what was reflected locally and then even seeing coverage by shows like *The Fifth Estate* or others that did in-depth investigations into what happened.

I appreciate the fact that we’re — although this is about treaty obligation and so many things — systemic racism — yet we also have a chance to reflect on the legal proceedings that led to the rights post-treaty.

He accomplished a lot for being 55 years old. He spent 20 years of his life in incarceration and then came out and then — before passing on at 55 years old — was embroiled in the case after eel fishing. The raw part about it is — what I remember is that it was an indigenous man who, because he was indigenous — it was an hour and 20 minutes from the doorstep from where I grew up — because of his ethnicity, he was arrested and then

spent 11 years in jail. That was extremely scary when you’re growing up in a town of 2,000 people and there may be only four other people of colour in the town besides you — and you’re trying to understand all of this as a young person.

I still remember driving by Wentworth Park — which is a fairly nice park in the city of Sydney, Nova Scotia — and being petrified and feeling sort of a cold feeling as I drove by, trying to figure out where it happened and what must have taken place, and how Mr. Marshall was treated.

It’s interesting how I didn’t think I would be here having this discussion today back then — but anyway, I think it’s important that we reflect on the trials and tribulations that Mr. Marshall went through and then his work on that particular case and the strength, after going and being incarcerated for 11 years, to go back into a legal challenge and to fight for what he believed was right — and what was right.

I do appreciate the fact that we have had a chance to touch on that today.

When it comes to the current situation, what I tried to do today — and over the last couple of days — is that I sent a note — because it is very personal, when I look at some of what is taking place. I did send a note to Chief Mike Sack — as you can imagine, I haven’t heard back. We have mutual friends who played hockey together. I reflected on the feelings of being in the middle of something that was racially driven, the extreme violence and what that feels like when you’re in the middle of it and you’re taking part in it and have lots of experience with that.

So, watching the screen and watching him getting punched and struck — and understanding that there were people there who could have helped, but they didn’t — and reflecting on what that feels like, I was just driven to reach out to him.

I did get an opportunity to communicate today with Chief Norman Bernard from Wagmatcook, and he wanted to thank us today. I let him know that the motion was tabled by the Leader of the NDP, and he wanted to thank us for having this discussion in the Yukon. They are just about to enter into their fishery.

It’s important to note that it’s complex too. It’s not just about the fishery that is under, sort of, controversy, because it’s being structured and defined by that particular band, that nation — because many of the other 12 Mi’kmaq communities have purchased commercial licences. So, they are actually trying to use it as a business tool. Membertou — which you’ve seen in the news the last couple of days — which was Chief Terry Paul — he was just here in the last 24 months in the Yukon, and he leads the Canadian indigenous business council — I don’t think I have named the organization properly. They have bought two offshore licences, and so there is a bit of a difference. It will be interesting for us to watch this — because as it was reflected to me, there are indigenous fishers who also don’t believe that the chief and council in their nation should define — that political entity — should define that right for them and that, as a person, that should be a conversation that happens. So it’s complex in the sense of how you have that conversation and how you define that. That’s what we will watch over the next bit.

The reason I got to know Chief Norman is because of their staff — a mutual friend reached out and really wanted to know more about what happens in the Yukon. They really wanted to know about the Yukon Forum. They wanted to know how political leaders interact with First Nation governments and were intrigued by how we look at resources and how we work together. Everybody in the Legislative Assembly — I think — would agree that, although we have lots to work on, the Yukon gets it right in so many ways.

I am sure that successive governments — it doesn't matter which people or what the role is — all the MLAs here would say, as they talk to people across the country, take a moment to look. We don't have everything perfect, but if you've spent some time across this country at different points in your life, you would be able to reflect on the fact that there is something pretty special about our home here.

Again, I just want to thank the Leader of the Third Party for bringing this forward. When she stated that this is kind of an uncomfortable conversation — yes, but do you know what? When you try to have these conversations for years after years and people are uncomfortable having them with you — but they have to be had — and then we're having it here, that's refreshing. Wow, it's refreshing to be able to sit here with your other colleagues in this room and be able to put it out there and talk about stuff that, for decades, people would never talk about. I thank you for that.

With that, Mr. Speaker, I will end. Again, I thank the Assembly for us to be able to have this conversation today.

Ms. Hanson: Having had the opportunity to hear some of the comments made by members here today, I want to thank people and express my gratitude for people expressing some really heartfelt experiences and understandings.

I think that's really important because, when we talk about what's before us today in terms of a motion that was, on one hand, calling for the denouncing of actions taken or not taken across the country and reflecting, as we heard this afternoon, on how that same systemic racism is at play every day here in the territory — it's really, really important to me to know that we are trying to find ways to work together on that fundamental issue.

What concerns me — and I heard the Member for Mayo-Tatchun talking and I too and the Premier as well when he was speaking about the Donald Marshall case. Having lived and worked in the Maritimes as well and being a young woman when Donald Marshall was first arrested — and realizing that, 31 years after that royal commission on his wrongful conviction — as the Member for Mayo-Tatchun so rightfully recalled for the Legislature, they didn't use the words “systemic racism”, but they certainly used the word “racism” in that report. Then, to realize that, 20-some years later after the Supreme Court decision on Marshall, we're still talking about it.

When I look at what's going on — and I had the privilege of working, Mr. Speaker, for five years on Vancouver Island with people from the Nuu-Chah-Nulth First Nations — 14 First Nations who were from Port Alberni all across to the west

coast. Right now, there's an Ahousaht fisheries case that is very much the same.

The second part of this motion is really important, because I listened to Murray Sinclair on Sunday — he was on the radio on the *Cross Country Checkup* program — and he talked about the abject failure of the Government of Canada to take action. It's not as though the Government of Canada hasn't known what the right thing to do is, but it has refused to give a mandate to do so.

The Government of Canada can talk about embracing UNDRIP, embracing the Truth and Reconciliation Commission's recommendations, but when the chair of the Truth and Reconciliation Commission says that you failed abjectly because you won't do it, that's the challenge that I feel every day as a legislator and as somebody coming into this Legislative Assembly.

They are not just words. We heard the personal experience of people who are in this Chamber across the floor and on this side. That, Mr. Speaker, is why, if we're really wholeheartedly supporting this motion, we have to commit that we're going to put action to the words behind it.

I am pleased to have had an opportunity to hear and to see that my colleague's motion today — I know she felt very strongly about the importance of bringing this forward for discussion with all of us today. I thank her for that. I look forward to us not just supporting this motion but also ensuring that, at every opportunity — particularly our government leaders, the ministers who have regular contact with their federal counterparts — they convey with emphasis how strongly this House feels about this, because systemic racism is wrong wherever it is.

Speaker: If the member now speaks, she will close debate on Motion No. 277, as amended.

Does any other member wish to be heard?

Ms. White: I thank everyone for participating in today's conversation.

I thank everyone very much, actually, because I was trying to lay out a bit of the history, and I kind of — not lost my way — lost the reason why I brought this forward today. I think the importance of us standing together in solidarity with the Mi'kmaq — what it signals to the indigenous people in Yukon is also really important.

I have a friend who I actually called to just make sure that I could talk about this. They had a post this morning on Facebook that really resonated with me. The question — the RCMP refused to uphold the law because the people they were supposed to be protecting were indigenous. How does this make you feel?

The reason why I want to bring this up right now is that we're talking about — like someone here in Yukon — an indigenous person in Yukon.

Part of grappling with not even being sure how to respond to this issue is that you can see the hurt. You can see the hurt in our friends, in our neighbours, and in our families, and how do you make sure that what you are doing is supportive and you're

not adding additional harm? The comments under that post — people were using words because that was kind of what was asked for — “How does it make you feel?” — and it was angry, disappointed, sad, upset, disillusioned, furious, and nauseous, but this one just brought it home. The person said “indigenous”. That is the concern.

When we stand in solidarity on this issue, it means that we are recognizing the inherent rights of indigenous peoples across the country from coast to coast to coast, and that is incredibly important. It is also important to know that, as Canadians, we are all treaty people. When the Mi'kmaq communities are fighting for their treaty right to access their own lands and waters, we all have a duty to stand with them, and so it is critical that we denounce overt and systemic racism when we see it — not just in other countries, but here in Canada. We cannot stand by as the federal government and the RCMP fail to protect indigenous communities or we risk inviting more inaction in the future.

So, I thank my colleagues for the support that together we will be able to show on this issue, and I thank them for the honesty in the conversations that we have had today. I think that this is important, and like the Minister of Economic Development said, this conversation was impossible years ago; I don't disagree. So, the more often that these conversations happen in places like this across the country, my hope is that we are able to take these words and turn them into actions. I thank everyone for their support today.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. 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 as amended carried.

Motion No. 277, as amended, agreed to

Motion No. 283

Clerk: Motion No. 283, standing in the name of Ms. Van Bibber.

Speaker: It has been moved by the Member for Porter Creek North:

THAT this House urges the Government of Yukon to recognize the economic benefits

and essential services to Yukon communities provided by the local aviation industry by taking actions to support it during the COVID-19 pandemic, including:

(1) ensuring that all air travel funded by the government to southern destinations be required to be with a local air carrier;

(2) ensuring that all government initiatives that involve air travel include strong provisions to mandate the use of local aviation companies; and

(3) facilitating the development of meaningful interline travel agreements between Air North and mainline air carriers.

Ms. Van Bibber: Thank you for the opportunity to speak about this important sector of our economy and an important part of our community — that, of course, is the aviation industry.

The motion that I brought forward states:

THAT this House urges the Government of Yukon to recognize the economic benefits and essential services to Yukon communities provided by the local aviation industry by taking actions to support it during the COVID-19 pandemic, including:

(1) ensuring that all air travel funded by the government to southern destinations be required to be with a local air carrier;

(2) ensuring that all government initiatives that involve air travel include strong provisions to mandate the use of local aviation companies; and

(3) facilitating the development of meaningful interline travel agreements between Air North and mainline air carriers.

This motion comes together after speaking directly with members of the industry and it is a step in helping them come out of this economic downturn. The local aviation industry is facing significant and unprecedented challenges during the COVID-19 pandemic. By supporting this motion, we will send a signal that this Legislative Assembly supports the aviation industry. We will be recognizing the importance of our local air transportation network in terms of providing essential passenger and cargo services to our regional communities and to southern gateway cities.

Ask any Yukoner who has ever flown Air North to go south to visit family or friends, and they will tell you what a wonderful experience it was — smiling faces at the check-in, excellent service on board, and, of course, those warm cookies. Our local aviation industry gets us where we want to go safely and comfortably. This motion also signals and recognizes the importance of our local aviation industry being here at the end of the pandemic — in terms of the convenient benefits that I

just mentioned, getting Yukoners from point A to point B, the economic benefit from providing jobs, and giving back to the community by purchasing and hiring locally — these are all great things.

But I would like to speak briefly about the benefits of the affordable airfares that are provided by our local airline. Anyone who has priced out a return flight down south to go see friends or family or maybe even just to get away for a week has probably price-shopped. Without fail, if you're price-shopping, you end up with Air North. Air North has gone above and beyond in terms of providing Yukoners with low and affordable airfare prices, especially when you compare them to their major competition. This is a huge benefit to all Yukoners.

Increasingly in our world, we have families and friends all over our country. Being able to visit them and not go broke while doing so is important for maintaining connections and maintaining our mental health. It truly enhances the quality of life for Yukoners. Ensuring that they can continue to exist and provide these airfares long into the future is a priority for Yukoners.

Of course, the aviation industry in the territory employs hundreds of Yukoners. From our airlines — both large and small — to our helicopter companies, these businesses provide so much benefit to our territory. At Air North alone, they employ over 200 Yukoners — that's just Air North.

Families and individuals make their livelihood because of these aviation companies. They depend on these industries surviving so that they can pay their bills, pay their mortgages, put food on the table, and provide for their families.

This industry is struggling because of the pandemic — and this is no fault or criticism of the government. It is just a fact that the pandemic has seriously hurt this industry. Travel is down and people are staying home, but the overhead and expenses of these businesses still exist. These companies are innovating to try to get this down, but it is still very high in this type of industry — with their income, their passengers — the demand has declined significantly.

Some have described this industry as a bit of an ecosystem. When our aviation sector is doing well, there are strong benefits to all other sectors. More people coming into and from the territory means more hotels are booked — more butts in seats with restaurants and bars. It means more people are buying from local stores and local artists. It means more people are renting RVs, driving to our communities, spending money on tourism products — and the list goes on. I think, if you talk to any of these businesses, they can tell you the value and benefits that a strong and resilient local aviation industry brings to the territory.

So, doing what we can, I think today's motion is absolutely doable, and it will go a long way to supporting these businesses — not just the aviation business in the territory, but all businesses. It will go a long way to making sure they come out at the other end of this pandemic in one piece.

Just to talk briefly about the negative impacts on the industry from the pandemic and what it means for them, I will just briefly reference some stats from the Yukon Bureau of Statistics. Air arrivals at the Erik Nielson Whitehorse

International Airport were down 96 percent. What does this mean in real terms? Well, I'll quote from an Air North update to stakeholders from September — and I quote: "Our expectation is that August 2020 will produce a post-subsidy loss of about \$200,000, which will be less than our July loss but significantly worse than our \$3.2 million profit in August 2019. This is, of course, concerning as August is normally our peak month and we are looking at a long winter ahead."

They are doing everything they can to keep things going and to prevent the need for any future layoffs, which is why we think that the Government of Yukon should mandate all government travel to use our local air carrier when flying to a southern destination.

I understand that government travel will have declined significantly from previous years, but what little we can do will help. Further, the Government of Yukon often flies up nurses and other medical professionals from the south. Actions should be taken to ensure that they use our local aviation.

The Government of Yukon spends millions — hundreds of millions — a year on contracts, grants, and transfers. We could also build into these agreements provisions that, if travel is required, we reward or require any travel that uses our local aviation.

For example, industry associations that travel a lot as part of their funding agreements with the government should be required to use Air North. Our government contractors who perhaps need to fly up a few people from the south — we can build into our contracting provisions a way to reward our favourite companies that commit to using local aviation. Every little thing will help.

In September, Air North was averaging 254 passengers per day, whereas Air Canada was averaging 145 passengers per day. At the time, Air North indicated that they did need to encourage 50 more passengers to purchase their travel locally to help them to remain sustainable.

These, of course, aren't the only things that we can do, but our ideas we are throwing out there in the hopes that we can have a constructive discussion on how to support our local aviation businesses. As has been pointed out by many, the national competitor still receiving so much of the local air traffic amounts to leakage from our local economy, which can amount to millions of dollars not staying in our communities.

Finally, to circle back to what this all means in real terms for people on the ground — in July 2019, Air North had 389 full-time equivalent employees, but by July 2020, that had dropped by 44 percent to 219. Air North estimates that if they are forced to reduce by just one daily flight, that will result in future layoffs. A September communication to stakeholders even estimated that there could be another over 100 FTEs laid off as a result.

This speaks to the urgency. It is not just Air North that is being hurt by the pandemic in our aviation industry. Air North is just the biggest example. There are at least 16 aviation companies headquartered in the Yukon, and they all need support. I think that it is important to recognize that both the federal and territorial governments have put out programs that, without them, things would have been much worse, but we can

always be better, and that takes vision and leadership. That is why we brought this motion forward today.

Hon. Mr. Mostyn: I don't believe I will be terribly long this afternoon. This is, on its surface, a straightforward motion that this side of the House supports in principle and in action. I appreciate my colleague's thoughts this afternoon. She had a few ideas, and I will take note of them — but I want to go into a little bit — setting the stage about some of the actions that we have taken throughout this global pandemic which has grounded aviation companies around the world. I think that's an important context for this discussion this afternoon.

We have been in close contact with the entirety of the aviation community in the Yukon throughout this pandemic. I have had conversations with virtually every single one of our aviation companies or partners and heard their concerns about pilot training in this environment, about the rising cost of their insurance — and many other things besides. We have also worked very closely with our federal government to ensure that we coordinate and maximize our support for this industry.

Shortly after — rough numbers — within a month of the cancellation of the Arctic Winter Games this past year in March, staff working at Economic Development had put together — working in incredible circumstances of shifting to home, breaking management and staff processes, learning new technology, and everything else — Economic Development put out one of the most generous, inclusive, and progressive business relief programs in the country.

I know that my colleague will talk a little bit more about this incredible support when he rises to speak this afternoon, and many others will as well.

There is scarcely a Yukoner who hasn't been positively impacted in some way by this program since it was launched a few short months ago. I know many aviation companies have pulled on this support to weather the pandemic, and my colleague across the floor has talked about making sure that our aviation companies weather the pandemic.

That is exactly what I and we — my colleagues on this side of the House — want to do. We are working tirelessly to ensure that the aviation companies that are operating in the territory make it through this global crisis that has had absolutely horrific effects in not only human costs but also economic costs — particularly for the aviation sector.

The government has forgiven lease payments at our airports at a cost of about \$780,000 from the time they were implemented in March through to the end of this year. Again, this is a measure that helps support all aviation players and their supporting industries to weather the pandemic, so that stacks on top of the business relief program we have. There have been wage subsidies offered by the federal government that have been of critical importance to the industry. I have heard that from many players. Those were recently extended.

The federal government recognized the importance of our regional air carriers and provided \$3.5 million to support them through the first months of this pandemic. The Yukon government administered this funding to ensure that essential services and medical systems remained operational and

resilient throughout this global pandemic. Of that initial funding from the federal government, \$2 million was provided to Air North to support scheduled flight service to Vancouver, Dawson, and Old Crow, as required by the Yukon Hospital Corporation to maintain minimum service levels. Another \$140,000 was provided to Alkan Air to support air ambulance services in the Yukon.

The federal government has publicly announced phase 2 of its funding to support the industry from July 1 to the end of this year. That tranche of money is about \$7 million and we are currently working very closely with all industry players to determine the best way to distribute these funds to maximize benefits to air carriers for the benefit of all Yukoners. We will have more to say about that in the coming days.

We are also working very hard to maximize government spending on local airlines when we send people south or bring people back to the Yukon during this pandemic. Last week, we were just shy of 100 percent.

It wasn't 100 percent; I think it was about 93 percent last week, but it's close. The travel desk, I know — and government departments are working very hard to make that figure as close to 100 percent as possible. This is important because I want Air North and all local aviation companies to successfully weather the pandemic, to make it to the other side when, with any luck, we achieve some sort of medical solution — either a vaccine or other medical solution — that will help us live with this new virus that started to assail us less than a year ago.

We know, through our conversations with Air North and other players in this industry, that there is enough traffic to allow it to succeed under these incredibly challenging circumstances — barely. We're working hard to do our part to narrow the gap between what Air North is carrying and what it needs to regain profitability — to stay in the air. That gap is not wide. The company is close, and my colleague has given some indication of that — probably less than 100 seats. We are working hard to do our part to narrow that gap between what Air North is carrying and what it needs to cover its costs.

But we're only one piece of that puzzle, Mr. Speaker. There are many, many, many others. I hasten to say that all Yukoners play a role in this effort. So, today, as part of this motion in which we're supporting our aviation industry, I urge everyone to fly local and buy local. Fly local and buy local. The reason is clear. This is a global crisis, Mr. Speaker, and we're all in this together. We can survive it together if we all work in tandem to protect the jobs in the airlines, the restaurants, and the retail and commercial sectors that we have in the Yukon by maximizing our support for all those businesses.

Today we're talking about the aviation industry, and the motion, Mr. Speaker, speaks about recognizing its importance. I've begun my remarks this afternoon by referring to the supports that we have put in place and the actions we have taken. They are concrete and they are profound, and we will continue them to make sure that this industry critical to the territory makes it through the pandemic.

The reason we have taken all of these actions, as I said, is because it is important. It is a critical industry for the territory. In fact, it's one of our most important local employers. Do we

recognize this? Absolutely. Now, I'll speak for a few minutes as to why.

This sector employs baggage and cargo handlers, marketers and customer service staff; it employs chefs and food producers; it employs mechanics; it employs cleaners, print shops, fuel pumpers, truck drivers, technicians, IT experts, ticket agents, and human resource staff; it employs pilots, engineers, and, I'm sure, more besides.

This sector supports the tourism industry. It is, in many cases, a tourism operator in its own right. We know how important that industry is to our territory.

This industry links our Yukon communities together. It is, in some ways, a time machine, ferrying people, fuel, food, medicine, and more to rural Yukon communities faster than trucks or cars ever could.

The industry is used to fight fires and to save stranded or sick people across the territory. It flies our families, tourists, miners, outfitters, geologists, hydrologists, archaeologists and hundreds of others to our communities and remote locations throughout our vast and beautiful territory. It has kitchens, fuel depots, garages, trucks, and, of course, aircraft. It is such a diverse employer, supplier, and transporter that its tendrils extend throughout the Yukon and our economy deeply. I think you get the picture, Mr. Speaker. It's more than just planes; it's cookies and more besides.

So, to the preamble, we on this side of the House recognize the economic benefits and essential services that this industry provides — absolutely — and we support it unreservedly and wholeheartedly.

So, in the face of this 100-year event, we have taken action to buttress the industry to keep it flying until society pioneers new medicines and tools to curb the spread of this new virus that is killing millions of people around the world. We in the Yukon have done a reasonable job on this front. We've done this through discipline and sacrifice. We've done this through hard work and ingenuity. We've done this through thoughtfulness and compassion for our fellow Yukoners. We have — through discipline, sacrifice, thoughtfulness, compassion, hard work, and ingenuity — kept people alive and salvaged a bit of our economy, which is stronger than in many places in Canada and the world.

There is more to be done, so we should be considerate and supportive of our family, friends, and neighbours. We must fly local and buy local.

I'm going to say that, in light of this, I have spoken about the motion and the fact that we've worked very hard to get the amount of Yukon government travel as close to 100 percent as possible. We have been relatively successful, I think, this year. Overall, from the beginning of the year to now, it has been somewhere around 86 percent, and I believe that's very, very high over the last 10 years — higher than probably at any other time. Through the later period of the pandemic, as I said last week, we actually hit 93 percent, so it's good.

The reason why it's not 100 percent is that, at times, there are Yukoners who are on medical travel or some other form of travel who must get down to Vancouver or to a southern destination faster than the current Air North schedule permits.

In those rare circumstances, to accommodate Yukoners in dire circumstances, we use another carrier. I think that's important.

Currently, the motion, as written, suggests that we will not accommodate these Yukoners who must get down on the other airline quickly; they will have to wait and use only the local carrier.

While it's almost possible in 100 percent of the cases, it is not possible in 100 percent of the cases. I know that the members opposite debated a very similar motion in 2012 and floated the possibility that we were not able to hit that mark either.

So, I would like to suggest a minor amendment to the motion this afternoon.

Amendment proposed

Hon. Mr. Mostyn: I move:

THAT Motion No. 283 be amended by:

(1) deleting the word “all” before the phrase “air travel funded by the government” and before the phrase “government initiatives that involve air travel”;

(2) deleting the phrase “be required to”;

(3) inserting the phrase “when possible” after the phrase “be with a local air carrier”; and

(4) deleting the word “facilitating” and inserting in its place the phrase “continuing to facilitate”.

Speaker: Copies of the proposed amendment will be distributed and reviewed.

I can say that the amendment is procedurally in order. I have had an opportunity to speak to the Clerks-at-the-Table, but this is what I would say: In order to allow members the opportunity to discuss the amendment outside of the Chamber while maintaining physical distancing due to COVID-19, we will recess for 10 minutes.

Recess

Speaker: I will now call the House to order after the recess.

As indicated prior to the recess, I had the opportunity to speak to the Clerks-at-the-Table. The Clerks-at-the-Table advise that the proposed amendment is procedurally in order. Therefore, it has been moved by the Minister of Highways and Public Works:

THAT Motion No. 283 be amended by:

(1) deleting the word “all” before the phrase “air travel funded by the government” and before the phrase “government initiatives that involve air travel”;

(2) deleting the phrase “be required to”;

(3) inserting the phrase “when possible” after the phrase “be with a local air carrier”; and

(4) deleting the word “facilitating” and inserting in its place the phrase “continuing to facilitate”.

Hon. Mr. Mostyn: In the interest of time, which is so very precious in this Chamber, I will not be that long this afternoon. What I do want to say, though, is that the amendment

that we proposed here this afternoon really reflects the current state of the airline industry in the territory. We do have two carriers here. While we all recognize — all of us in this House recognize — the very critical importance of Air North and other aviation companies in the territory, there are occasions when Yukoners need to get down south for certain reasons — most often medical reasons. In those circumstances, especially during a pandemic when you're trying to limit your exposure and your time in southern jurisdictions, the schedule of a single airline may not accommodate your appointments. Recognizing that and recognizing the initial motion, which was fundamentally something that we agree to and support wholeheartedly, it was perhaps too rigid to reflect those rare circumstances where Yukoners travelling with government support would not be able to fly on Air North.

That's the reason why the motion has been brought forward. We certainly do support our aviation industry wholeheartedly. We know that the objective of this government and of the airlines, particularly Air North, is to return the company to sustainability without subsidy. I know personally, through talking to the president of that company, that they really would prefer to do business without any government support. We all want to avoid further major losses of local employment or major price increases for our regional or gateway passengers and cargo products, and we want to maintain current levels of essential gateway and regional services.

We know how important Air North is to our economy and to our towns throughout Yukon from Old Crow to Dawson to Mayo and to all points in between. We want to make sure that this critical service to the territory is supported and maintained, which is the reason for our amendment to the motion this afternoon.

Ms. Hanson: I shouldn't be surprised at this stage of my life as an MLA, but I am. I would have thought that this was a fairly straightforward motion that all members of this Legislative Assembly would find no difficulty in supporting. I could have understood it if the minister opposite had wanted to make a slight amendment to the first clause with respect to ensuring that — maybe taking the word "all" out so that air travel would be required, or taking out the "be required" and putting in "when possible". But when you combine those two deletions, effectively what you have is the status quo — nothing changes.

The minister spoke to the issue of having spoken with the president of Air North, who has made it clear numerous times — publicly through his newsletters and also at shareholders meetings — that Air North is seeking to not have to be reliant on subsidies.

He has made it abundantly clear that it will require Yukon citizens and Yukon governments — all governments, all levels of government — to be looking at Air North as their carrier of preference. They need more seats occupied, Mr. Speaker. We can go into that in a while in terms of the numbers. What the minister's effectively doing is saying, "Okay, fine, we'll find

some more federal money to flow as a subsidy" — which is an insult to the industry, Mr. Speaker.

Where it becomes really clear that this is a status quo amendment is the notion that we'll change the wording instead of just saying simply that we're going to facilitate the development of meaningful interline travel agreements between Air North and mainline carriers — "we're going to continue to". Well, what has been the result so far of the work by the Government of Yukon? What work — not just on interline carriers, but going back to the whole broader issue of government support for travel with our Yukon airline — an airline that was developed in partnership with the Vuntut Gwitchin First Nation — it has become a significant contributor to our economy and took the brave step of expanding service to our sister capital of Yellowknife and Ottawa with the hope that Yukon government public servants and federal public servants travelling to and from our nation's capital would use it.

But without Treasury Board having it clear in its travel directives, without Yukon having it clear in its travel directives, without the booking systems for both governments being very clear that Air North is an option — the minister talked about how we're doing this. He says, "Trust us. We've increased our passenger load here." But he didn't say that he has made directions as the minister responsible for the public service with respect to travel directives for public servants.

I'm sadly disappointed that, yet again, we have a wishy-washy watering down of what was a fairly straightforward and honest attempt to demonstrate the commitment and support of all members of this Legislative Assembly to our vital airline industry.

Mr. Hassard: I would have to agree with the Member for Whitehorse Centre. It is certainly unfortunate that, once again, this government would rather go with the status quo and feel that they are doing enough. These certainly are unprecedented times, and many industries are in unprecedented situations. It is unfortunate that the government would feel that the status quo is good enough. The minister stood up and spoke to the reasons why the government had to make this amendment — why they couldn't support the motion as it was in its original state — but it is unfortunate that the minister didn't actually go and speak to the industry, speak to the airlines, and talk to them about these concerns, because chances are pretty good that the industry would have been able to calm those fears or make changes that would have, in fact, rectified the problems that he feels could arise.

I will also remind the government that this motion was, in fact, put together with input from the industry. This wasn't something that we just decided on our own and wrote up in hopes that the industry would like it. We did talk to them and had their input in presenting it.

I think that probably the most interesting thing out of it all is the fact that the minister stood up to respond to the motion, and he said that the government supported the motion in principle and in action yet, by the end of his speech, he had removed all of the action from the motion. It certainly is disappointing, Mr. Speaker, that the government continues to

talk about how we need to support the industry, especially in these unprecedented and tough times, yet when presented the opportunity to actually do that, they would rather say, “No, we are going to stick with the status quo.” As the Member for Whitehorse Centre said, she shouldn’t be surprised. I guess, honestly, I shouldn’t be surprised either.

Hon. Mr. Pillai: It’s important to just get to the substance of why this side of the floor feels that the motion should be amended. It’s quite simple.

First of all, later on today, we’ll get into some of the statistical information about how much was spent under the previous government for government-supported travel compared to what is spent now.

This is very simple. This is about —

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: I think you just finished, so I’ll start now.

What this is about —

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: Maybe I should sit down. Maybe the leader has something else to say?

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: No?

Okay. So, what this is about is, put simply, that when somebody is sick and they are travelling — and they have to go to see a specialist, whether it’s in Kelowna or in Vancouver — and they are quite ill, it’s one thing to be in a situation where you’re just going to an appointment to see a specialist. It’s another thing if you are really significantly feeling the effects of the ailment that you’re dealing with. Quite simply, it’s just making sure that people have the quickest mode to get to their appointment. That is the one time, I believe, that we have to take into consideration that the primary goal is to make sure that the person, if they’re suffering from something that’s terminal or something else, can get from point A to point B as quickly as possible with the least amount of challenge. That’s it; that’s the only reason that this is on the floor.

I am more than happy to speak about multiple meetings. I spent three hours last week with the Air North senior management team. We’ll go into everything concerning the interline agreement; we’ll go through the statistical information that’s here today about how much is spent locally, the conversation about medical travel, and the complete strategy and we can go back right to last spring.

This is about one thing only: ensuring that Yukoners who are dealing with a significant health situation can get from point A to point B as quickly as possible and with the least amount of discomfort as possible. For anybody who has travelled with somebody who is extremely sick, if we can get them from one spot to another with the least amount of difficulty, respecting what they’re going through, it’s the right thing to do.

I think everybody on this floor — and we have talked about it as a caucus this week — let’s ensure that the individuals who are booking medical travel do everything they possibly can to make sure that we are using Air North. But I don’t think that anyone here, if they had a loved one — and the difference was

that a sick loved one had to sit in a particular area for X number of hours — without having the exact scenario in front of me — but I think everyone gets the point of what we’re trying to say — it’s just about respecting people who are sick. Other than that, hey, the facts show that we’re all on board to ensure that we work on an interline agreement.

We will go back in time to some of the commitments that were made by the previous government on interline agreements by their new leader which have not come to fruition, but — right now, off-mic, Mr. Speaker, the Member for Whitehorse Centre is talking about four years. You know what’s great? We are going to show you the progression of actual expenditures to this company over the last four years.

The facts are here. I don’t know why this is, again, becoming so political. We are just talking about Yukoners who should have support when they travel — understanding that we should spend every dime that we possibly can with Air North but, once in a while, we have to take into consideration the health and comfort of individuals. That is it.

Speaker: Is there any further debate on the proposed amendment to Motion No. 283?

Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

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

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Mr. Hutton: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Mr. Cathers: Disagree.

Mr. Istchenko: Disagree.

Ms. Van Bibber: Disagree.

Ms. McLeod: Disagree.

Ms. White: Disagree.

Ms. Hanson: Disagree.

Clerk: Mr. Speaker, the results are 10 yea, eight nay.

Speaker: The yeas have it. I declare the amendment to the motion agreed to.

Amendment to Motion No. 283 agreed to

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

Some Hon. Member: (Inaudible)

Point of order

Speaker: Hon. Premier, on a point of order.

Hon. Mr. Silver: Mr. Speaker, I am not sure if it is a point of order or a point of personal privilege or whatever, but there was very heated debate in between about the intent of our amendment. It is a friendly amendment and I would request that we would have 15 minutes to work with the three parties to come up with something agreeable for an amendment that we obviously seem to all be very, very passionate about in support for Air North.

If it pleases you, as the Speaker — if we could take 15 minutes to work on language, as opposed to having a motion reflect something that is not the intent — or is perceived as something else. If the Legislative Assembly would indulge us, then we would be willing to do so.

Mr. Kent: As the Premier mentioned, there was some heated discussion while we were waiting to vote, so we would be agreeable to take some time and come up with some wording that works so that we can reflect a united effort to support the local aviation industry.

Speaker: Are members in agreement with this proposal for the recess?

All Hon. Members: Agreed.

Speaker's statement

Speaker: In order to allow members the opportunity to discuss this motion further outside the Chamber while maintaining physical distancing due to COVID-19, we will recess for 15 minutes.

Recess

Speaker: I will now call the House to order.

It appears that additional work is required in order to try to craft a tripartisan agreement on wording for an amendment to Motion No. 283. In order to allow members the opportunity to discuss the amendment outside of the Chamber while maintaining physical distancing due to COVID-19, we will recess for 15 minutes.

Recess

Speaker: I will now call the House to order.

Is there any further debate on the main motion as amended?

Hon. Mr. Streicker: I am going to very quickly move a further amendment to Motion No. 283 as amended. I would just like to thank all members for working to find language that supported the intention of all folks here in the Legislature today.

Amendment proposed

Hon. Mr. Streicker: I move that Motion No. 283 be further amended by:

(1) deleting the phrase “government initiatives that involve air travel include” and inserting in its place the phrase “every government initiative that involves air travel includes”; and

(2) deleting the phrase “continuing to facilitate” and inserting in its place the word “supporting”.

Speaker: I have had the opportunity to review the proposed amendment with the Clerks-at-the-Table can advise that it is procedurally in order. It is moved by the Minister of Community Services that Motion No. 283 be further amended by:

(1) deleting the phrase “government initiatives that involve air travel include” and inserting in its place the phrase “every government initiative that involves air travel includes”; and

(2) deleting the phrase “continuing to facilitate” and inserting in its place the word “supporting”.

So, I think the proposal — I will just read it quickly:

THAT this House urges the Government of Yukon to recognize the economic benefits and essential services to Yukon communities provided by the local aviation industry by taking actions to support it during the COVID-19 pandemic, including:

(1) ensuring that air travel funded by the government to southern destinations be with a local air carrier when possible;

(2) ensuring that every government initiative that involves air travel includes strong provisions to mandate the use of local aviation companies; and

(3) supporting the development of meaningful interline travel agreements between Air North and mainline air carriers.

Hon. Mr. Streicker: Just for the sake of expedience, I'm going to sit down and hope that we can get to the amendment so that we can move on to the main motion. Thank you.

Speaker: Is there any further debate on the amendment to Motion No. 283, as amended?

Amendment to Motion No. 283, as amended, agreed to

Speaker: Is there any further debate on the main motion as further amended? It has been twice amended, which may not be procedurally exactly what the Clerks want to hear, but it has been amended twice.

Does any member wish to be heard at this stage of debate on the motion?

Hon. Mr. Pillai: Again, I thank my colleagues in the Legislative Assembly, and thanks to the Member for Pelly-Nisutlin and the Member for Porter Creek North for working with us through that process. We, on this side of the floor, appreciate that. We had to make a correction on some of the language that was used in our first amendment, so thank you for that.

Our government certainly recognizes the economic benefits and the essential services that the local aviation industry provides to Yukon communities. In 2018, air transportation contributed \$41.4 million to the economy. The aviation sector in itself is such a crucial lifeline for the Yukon

— for the communities throughout Yukon but also for so many other sectors.

It supports tourism, mining, construction, outfitting, trades, supply chains, and health. I don't believe that there's a sector in the Yukon that doesn't rely on aviation in some way, shape, or form.

Throughout this pandemic, our government has recognized the importance of supporting our private sector. The local businesses in Yukon are part of what makes this place so very special. From the onset, with the establishment of the Business Advisory Council — where we pulled together business leaders representing all sectors to help inform our decision-making — our government has shown our commitment to listening and implementing programs to ensure that supports are in place.

The transportation sector was represented on that council, and I'm thankful for the input provided by these individuals and for the conversations that we continue to have.

I have also spent a great deal of time over the years — as MLA and as Minister of Economic Development — speaking with business owners in the aviation sector on a wide range of topics. From very early on in the pandemic, we implemented programs that were accessed across all sectors.

Mr. Speaker, the actions that are before us for discussion today are important actions to take. Some of these are actions that we had been working toward well before the pandemic hit, but they are certainly not the only ways that we can and have been supporting the sector through this extremely challenging time.

When the Arctic Winter Games were cancelled, we quickly implemented the temporary support for events program. Businesses, including those in the aviation sector, were impacted and were able to apply for funds related to the losses related to the event and specific cancellations of services, which assisted in maintaining liquidity. Irrecoverable expenses that they just didn't have the chance to realize were then covered through that program.

The Yukon business relief program was also launched in a coordinated effort with the federal northern business relief program. The Yukon business relief program paid out about \$5.5 million, as we have spoken about, to just under 500 different organizations. The transportation sector was the third-highest subscriber to the program at just over 14 percent of all of our distributed funds, which equated to just under \$800,000 of that money.

As my colleague, the Minister of Highways and Public Works, spoke to earlier, there were also funds provided to the local aviation sector through federal funding, and the Yukon government waived all commercial fees through to the end of 2020. This is just demonstrating that, on this side of the House as well as on the other side of the House, we understand the importance of our aviation sector and how critical it is to not just the well-being of our community in a social and health sense but also when we think about our economy.

We know that this is not how businesses in the Yukon wish to operate, but we also know that it is important to help bolster them through these difficult times. I have heard it over and over again. It is important to reflect on in the Assembly that, whether

it is fixed wing or rotary in that sector, they just want to go out and work and continue to have a vibrant business. They don't want to be in a situation where they are leveraging some of these programs, but in this case, I think that it is important that there is a time when government can step in and bridge those tough times.

Since April 2018, which is important to acknowledge, over 85 percent of all air travel into and out of the territory has been through Air North. I alluded to that earlier. When we were preparing for today — something that we have consistently talked about with Air North is to ensure that individuals do their very best to acknowledge how important Air North is. All it takes is to hear members of this Assembly who will reflect on what the costs were when Air North didn't exist and where we are now.

Mr. Speaker, when you look back, there has been continued growth, and now what we are seeing are all-time highs in the spending of this government. When we prepared our amendment earlier, it truly was based on the fact that we did have a discussion as a caucus. I had an opportunity last week to spend a bit of time getting some perspective from the senior team at Air North. In those discussions, we are always asking how we can help and what we can do better. The medical travel piece was something that we collectively thought was a good place to work on, and so I came back and spoke to my colleagues after that and shared those thoughts. We knew that it was not quite as simple as just transferring everything, but with the way this motion has been amended, it takes into consideration those concerns.

I know that I have been in contact with members of the organization there, and I think that they are sensitive to that. It's Air North. They always go above and beyond for all Yukoners, and so they completely understand that, but they want us to make our best efforts. They know that, in many cases, when people are flying who are in a really critical situation, they would likely be doing a medevac, but there are people who are going through tremendous discomfort, and that is really what we were getting at.

Part of the commitment that we have made that also speaks to this — we know that we are at an all-time high on expenditures, and we are always striving to even get a couple more percentage points when it comes to how we spend funds here. We also have had those discussions around medical travel, but also, when we think about just how we can amplify this "buy local", I shared with members in the House who I know were — we'll call it in the same vein as a friendly amendment, a friendly tribute. Those know that Air North was very successful this year and was honoured with a prestigious award. I'll leave it at that and save it for a tribute.

But in working with my colleagues — what a great opportunity on that particular day later this month for all three parties to come together and figure out the best way that we can amplify our voice to ensure that Yukoners, when they're making that very important decision to buy a plane ticket, understand how important it is right now.

The other commitment that we've made — and I'll be working with the Minister of Tourism and Culture on this — is

ensuring that we reach out to a number of organizations — first reaching out to both Air Canada and to WestJet. The interline agreements that are spoken about do exist. I think Air Canada has about 70 interline agreements in place right now. This is work that we are aware of. We're continuing to reach out to the major airlines. The Premier and I took part in a phone call with the CEO of Air North and the senior officials from Air Canada urging them to understand the sensitive situation that we are in, in the north, and to make some decisions that would respect northern Canadians and the investment by the Vuntut Gwitchin First Nation. It's such a unique story and such an important story for the rest of Canada to hear.

We've now committed to continuing to reach out. I think there has been some correspondence directly from Chief Tizya-Tramm to a number of individuals over the last week or two — reaching out to both Air Canada and WestJet but also to a number of federal ministers who seem to be individuals who we hope can also move this along or help facilitate.

This is not a unique topic of debate in the Assembly. Going back through Hansard, in the spring of 2012, there were some conversations about this.

At that point, the current leader of the Yukon Party was, I think, the Minister of Economic Development at the time and he just spoke about the fact that the companies — at that time — he felt the companies could work this out on their own, and may be best left — and I want to be respectful today of the cordial exchange that we have been having — but I think we're going to lean in a little bit more — that is what we would like to do.

We're going to try to get the senior leadership of both of those companies on the phone — and have the Minister of Tourism and Culture and hopefully the Chief of the Vuntut Gwitchin on that call and potentially my colleague, the Minister of Highways and Public Works — and challenge both WestJet and Air Canada to understand what would happen if we didn't have Air North, and to ask them openly if they would be committing to the same level of amazing service that Air North has. Are they going to be flying to Dawson City, or are they going to be flying to Old Crow four times a week?

I think we all know the answer to that — that they wouldn't — and so, again, trying to urge them to look at these interline agreements — I think Air North's team could give you a very eloquent reason why it's good for those bigger airlines as well. Air North is such an amazing story in that not only have they served the Yukon the way that they have, but also, they have gone into a number of different areas to ensure that they could sustain themselves. They continue to expand; they continue to build areas of human infrastructure here in the Yukon that other airlines would never — on the back end of their operations. It's just absolutely incredible to walk through their offices here in Whitehorse and to see so many disciplines that are covered within that work that's not outsourced and that is hiring Yukoners here.

We want to make sure that the individuals who have been laid off in the interim are individuals who get a chance to go back and that the company continues to thrive.

It is also important to touch on that, in the spring of this year, we also looked at our tax incentives that we could put in place. That was really with Air North in mind — when we look at the business tax regime that we have here and the ability to provide a tool and to increase the amount of money that could be raised through that tool to help them.

We hope that they will weather where things are now, and we're excited to see that Air North can be in a position where they will be able to hopefully expand.

I think it's also important that we share specifically with the federal ministers as we reach out to them. We are just waiting for the correspondence that they have received to be reviewed. Then they will be briefed — so we have that chance to reach out to them. It is really timely with the debate that happened earlier today because that is the exact example that was shared with me in a conversation last week by senior members of the Air North management team. They reflected on what was happening in Nova Scotia, and the country needs to be more aware of the story of Air North. This country needs more Air North stories — especially at a time like this where we are seeing some of the actions that we are seeing — so really going back and trying to educate some of the federal ministers around the fact that the VGFN is a self-governing First Nation. They do have chapter 22 provisions. Also, it is taking into consideration the *Canadian Free Trade Agreement* and the chapter on indigenous opportunities and trying to reflect on all of those different items that have changed just in the last couple of years.

The work on the *Canadian Free Trade Agreement* was started by my colleague from Pelly-Nisutlin and it concluded a year later with public servants and myself. So, I think that there are some elements there that can be used. We want to push our colleagues in Ottawa to understand how important it is to look at this — but also to urge them, at this particular time, to look at unique tools and ways of ensuring — again, we also know that the federal government expends significant dollars flying in and out of the Yukon. My sense was that Air North — even with their flight from Whitehorse to Ottawa — some of their hope was that they would be able to get a particular market share from the federal government.

Again, there are many different elements here that should be taken into consideration. I hope that we will continue to undertake those actions that Air North has asked us to do. We will be back here — hopefully collectively — to amplify the request to Yukoners to really dig in and make sure that every chance — whether it's flying out on Air North or even if you're not flying — just making sure that you support some of the other services, such as their food service or other things that they've done. It's so important that we try to help them when we can.

With that, I just voice my support for this. I think we should continue over the next days in the Assembly to continue to urge Yukoners. Also, I'm happy at any time during Question Period to have the opposition question me on the progress that we're making on this particular file and just making me accountable for the commitments that we've made here on the floor as we

all come together to support this extremely, extremely important Yukon company that we are all so very proud of.

Mr. Istchenko: I will be very, very brief. I think it's important that I say a few words in the role of opposition critic for economic and tourism recovery.

This motion talks about the local aviation industry being key to a strong Yukon. They provide hundreds of jobs, they account for millions of dollars, and they account for hundreds of Yukon employees. These businesses and these employees give back to the community. They donate and sponsor events and charities, they volunteer their time to important events, and they're very invested in our community. Doing what we can to support them through the pandemic so that they can fully recover from it is of the utmost importance. I think it's important to note that this is about supporting all of our aviation industry — big, small, fixed wing, and rotary.

I would like to read from the letter that was sent to the Premier a few days ago — and I quote: "It should go without saying that it's not only the larger carriers are affected by the COVID pandemic. Smaller carriers, both fixed wing and rotary, based in the Yukon have seen a steep drop in revenues due to the pandemic and are struggling to survive. Our firms — those smaller in nature — provide jobs and critical services across the Yukon and in northern British Columbia and are being overlooked."

Mr. Speaker, I talked about why this is so important. I'll end my comments today. I just wanted to make sure I expressed my support for this motion.

Speaker: Are you prepared for the question on Motion No. 283 as amended?

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 as amended carried.

Motion No. 283, as amended, agreed to

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

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

Motion agreed to

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

The House adjourned at 5:24 p.m.

The following legislative return was tabled October 21, 2020:

34-3-40

Response to oral question from Ms. McLeod re: affordable housing — waitlist for social housing (Frost)