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HANSARD

Monday, November 2, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2020 Fall Sitting

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

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Hon. 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

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**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, November 2, 2020 — 1:00 p.m.**

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

Prayers

Speaker's statement

Speaker: As members will note, there will be no video today as our video operator was unfortunately unable to attend due to the snowstorm.

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes which have been made to the Order Paper. The following motions have been removed from the Order Paper because they are now outdated: Motion No. 264 and Motion No. 265, standing in the name of the Member for Lake Laberge.

In addition, Motion No. 102, Motion No. 109, and Motion No. 266, standing in the name of the Member for Lake Laberge, Motion No. 132, standing in the name of the Leader of the Official Opposition, and Motion No. 221, standing in the name of the Leader of the Third Party, have been removed from the Order Paper as they are not in order.

Each of these motions seeks an explanation on a matter. The Chair reminds members that they have a number of ways that they can request this kind of information, including written questions or questions during Oral Question Period. As the Chair indicated on Wednesday, October 28, 2020, Standing Order 29(1) says: "A motion is used to propose that the Assembly (a) do something; (b) order something to be done; or (c) express an opinion on a matter." Motions should only be used for one of the purposes listed in Standing Order 29.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Mostyn: I rise today to recognize Carlos Sanchez from Mothers Against Drunk Driving Yukon. Carlos and I — and the Minister of Justice — have spent many hours in stop-checks in the territory every holiday season. I wanted to take some time to welcome him to the House this afternoon.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of MADD Project Red Ribbon campaign

Hon. Mr. Mostyn: I rise today to acknowledge an organization that serves those whose lives have been changed forever as a result of impaired driving. It has saved lives and

helped make our streets and communities safer. Mothers Against Drunk Driving is a household name that has touched so many Canadians. They are passionate about providing resources, awareness, and education to make our roads, lakes, rivers, and trails safer.

With that, I would like to thank Jacquelyn Van Marck and Carlos Sanchez of MADD Whitehorse for their dedication and commitment to this important issue. Great strides have been made over the years to reduce impaired driving, but it continues to be a deadly problem in our territory. No matter how much we talk about it, we hear stories of lives cut short, stories of senseless and irresponsible choices made. We hear of impaired drivers speeding through school zones and residential communities in the middle of the afternoon. We know of young lives stolen, families broken, and our entire community grieving. We know the excuses, Mr. Speaker — "I'll just have one more", "I won't get caught", "There's no one on the roads", "It's too late for a cab", or "My house is just down the street."

I want all Yukoners to hear this: We have a serious problem and we need it to stop. Too many lives are lost and too many people are injured by something so absolutely preventable. Since 2014, Yukon's impaired driving rates have been more than five times the national rate — five times, Mr. Speaker — five times more than anywhere else in the country. Over the past year, the number of impaired charges laid around the territory works out to more than one per day. But even more troubling is that, according to MADD, four Canadians are killed every day from impaired driving — four per day.

It is not MADD's responsibility to fix this; this is on all of us. As we approach the holiday season, we must keep the sober driving message top of mind.

This week, MADD's Project Red Ribbon campaign begins. It runs from November 1 until early in the new year. Volunteers will distribute millions of red ribbons to Canadians to attach to their vehicles, key chains, purses, and backpacks. The ribbon is a small but powerful reminder for us to plan ahead for a safe ride home — take a cab, hop a bus, or arrange for a designated driver.

Our government works closely with MADD Whitehorse and our other partners to decrease the number of impaired drivers on our roadways through enforcement, education, and awareness. Also, our "decide before you ride" campaign ensures that Yukoners are aware of the dangers of driving impaired by drugs, especially young people. We are also working diligently to rewrite the Yukon's *Motor Vehicles Act* to make our roads safer.

But all in society have a role to play. If you drink or take drugs, do not drive. If a family member or a friend is impaired, don't let them drive. If you see someone on the road who you think may be impaired, don't turn a blind eye and don't hesitate — call 911. It's that simple. Road safety is everyone's business and everyone's responsibility.

On behalf of Highways and Public Works and the Yukon government, I would like to thank our local MADD chapter and the RCMP M Division. Your work is saving lives and giving

victims and survivors of this violent and senseless crime a voice and a face. Working together, we can make a difference.

Applause

Mr. Hassard: I am pleased to rise in the House today on behalf of the Yukon Party Official Opposition to acknowledge an organization that works year-round here in the territory to put an end to impaired driving — that, of course, is MADD Whitehorse.

This week we recognize MADD as they roll out the 2020 Project Red Ribbon campaign — a very important annual initiative that reminds us of the role each of us plays in the prevention of impaired driving.

When we tie a red ribbon to our vehicles, we do more than just promote awareness. We are taking a pledge to drive sober and to drive safely as winter, and soon the holiday season, descend upon us.

Road safety is the collective responsibility of all drivers and impairment comes in many forms, and we must be aware of this every time we get behind a wheel. While impairment from alcohol continues to be a major factor in vehicle collisions and incidents, we must be equally be aware that it can also result from drugs, medication, fatigue, and distraction.

I encourage all Yukoners to pick up the ribbon, display it with pride, and consider making a donation to the MADD Whitehorse chapter to help them continue their good work toward keeping our streets safe for Yukoners.

I would like to thank all of those who contribute to the safety of their friends, family, and neighbours by committing to never getting behind the wheel while impaired. Remember: There are always options. Take turns being a designated driver for your group, call a friend or family member for a ride, or take a cab. Parents, remind your older children to always be safe, never drive impaired or get into a vehicle if someone has been drinking, and be open to picking them up when they need it. If you suspect that someone is impaired behind the wheel, call 911. Report impaired drivers and help get them off the road. We would like to see all Yukoners have a safe and wonderful season.

Applause

Ms. White: I stand on behalf of the Yukon NDP caucus to recognize Mothers Against Drunk Driving and the Project Red Ribbon campaign. For more than three decades, MADD chapters across the country have been raising awareness about the risks and consequences of impaired driving through community initiatives and government lobbying. Our own Yukon chapter joined the national ranks in 2003 in the promotion of safe, sober, and responsible holiday driving. From now until the beginning of January, countless red ribbons will be distributed across the country and right here at home. The red ribbon is a small but important symbol of our commitment to sober driving.

While improvements have been made in the last three decades to reduce drinking and driving, it continues to be a deadly problem on Canadian roads. Despite laws, enforcement efforts, and public awareness about the dangers of driving

impaired, hundreds of people are killed, and tens of thousands are injured in alcohol- and/or drug-related crashes each year. Millions of people still drive impaired, in part because the likelihood of being stopped or charged is low, and this behaviour needs to stop. The victims of impaired driving include those directly involved in crashes caused by impaired drivers, as well as families and friends who cope with the loss or injury of loved ones. In the aftermath of an impaired driving crash, people often do not know where to turn. Amidst their grief, there are questions, concerns, and fears that can be overwhelming.

Each year, MADD Canada, through their network of specially trained volunteers and staff, offers services and resources to thousands of victims and survivors. The efforts of MADD are vital in keeping the message of sober driving top of mind during the holiday season, but that responsibility can't rest only with them. Never drive impaired or ride with an impaired driver. Plan ahead if you're going to be drinking or consuming cannabis or other drugs, call a cab, arrange a designated driver or stay the night, and absolutely call 911 if you see a driver who you suspect is impaired because it's up to all of us to do our part to keep each other safe.

Applause

In recognition of Buy Local November and Yukoner Appreciation Week

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government to pay tribute to Buy Local November and Yukoner Appreciation Week.

As we all know, the pandemic has hit some of our local businesses hard. Shopping locally should always be a priority for us but is now more important than ever. Local businesses employ the people you know, they sponsor the events that matter to you, and they diversify Yukon's economy.

Buy Local November is a new contest event put on by the Whitehorse Chamber of Commerce to support local shops, restaurants, and lodging. Purchases at participating businesses enter the shopper into a draw to win one of five \$1,500 gift cards to the business of their choice. The contest runs from today to November 30, with a draw taking place on December 4.

The beginning of November also kicks off Yukoner Appreciation Week. This year, there are 82 participating businesses offering deals to Yukoners. As an extra incentive, entries to the Buy Local November contest are doubled during the Yukoner Appreciation Week.

This year will mark the first time that Yukoner Appreciation Day has been expanded to an entire week-long event. This expansion and the Buy Local November contest have provided new incentives to shop locally in response to the impacts of COVID-19.

The extended Yukoner appreciation event offers a greater opportunity for people to shop and experience our local businesses with less rush. The full week will provide greater safety as well, with less shoppers active and, at the same time, more space for proper social distancing. Many businesses have also adapted their operations to provide options to customers.

I'm impressed by the ingenuity of Yukon's business professionals who have installed safety barriers, reconfigured their retail spaces, or pivoted to online services to protect their fellow Yukoners.

Buy Local November and Yukoner Appreciation Week is a great chance to reconnect with some of your favorite businesses, get a head start on holiday shopping, or discover a shop or restaurant that you have never visited before.

Also, I would just like to point out, of course, to support our local businesses in all of our communities — whether it be Whitehorse or right from Watson Lake to Dawson City or Beaver Creek or Old Crow — get out there, and if you are travelling through those communities, safely go in and purchase something — whether you're going through Carmacks or Haines Junction — spend as much money as you can locally. We also have so many fantastic business owners here in Yukon and I'm happy to see so many participating in these initiatives this November.

The holiday season is approaching quickly and I can't think of a better way to celebrate than with our own unique Yukon gifts and experiences. Let's all come together and make this season a truly Yukon Christmas.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize an event that Yukoners eagerly await year after year in Whitehorse and throughout the Yukon. The Whitehorse Chamber of Commerce Yukoner appreciation event looks a little different this year, with the event stretching over a week to allow for social distancing measures and safety protocols to be followed, but the spirit remains, Mr. Speaker.

Yukoner Appreciation Week will begin today and will continue through to November 8. This event will coincide with the chamber's "shop, dine, stay, and experience local" contest, which will run through the month of November. So, with an incredible 82 locations participating this year, shoppers can expect incredible deals and warm hospitality throughout the city. Contest details can be found at the Whitehorse Chamber of Commerce website or check out Buy Local Whitehorse.

There are additional chances to win prizes by stopping in participating locations this week. Buying local strengthens our communities and the local purchases keep the wealth in our community. It demonstrates community pride and each purchase or booking helps a local business stay in business in today's challenging economic climate.

Customer service is more personal at our small businesses and we get to see the same familiar faces each time we visit. Having a strong and sustainable local infrastructure and food network is not just smart; it is essential. So, by contributing to local business, we help to preserve existing local jobs and create new skilled jobs. Local businesses are also the most ardent supporters of our local events and of the great area amenities that make our communities so unique.

Buying local has been an important initiative here in the Yukon for many years, but never has it been more important to support our local owners and operators.

So, please take time to visit — whether today you might need a snowmobile, dog team, skis or snowshoes — at one of the shops and/or restaurants in your community this month and every month. Buy local with pride.

Applause

Ms. White: I rise on behalf of the Yukon NDP in celebration of the Whitehorse Chamber of Commerce Buy Local campaign.

This year's Yukoner Appreciation Day has been blown up into a week-long extravaganza from November 2 straight through to Sunday, November 8.

We know that this year hasn't been easy and we can all agree that it is always important to support the local businesses around us, but never more so than now. The uncertainty created by the COVID-19 pandemic has made the normal challenges for small businesses even more daunting. With amazing deals at 82 participating locations, there are a lot of reasons to celebrate local businesses. Remember to follow the "safe six" when shopping, dining, staying, and experiencing all that Whitehorse has to offer this week and — especially — have fun.

Applause

Speaker: Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House supports the fee waivers for aviation support in response to the COVID-19 pandemic.

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

THAT this House urges the Government of Yukon to extend the tourism accommodation section supplement until March 31, 2021.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to get out of the cannabis retail business by transferring online retail of cannabis to the private sector.

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

THAT this House urges the Government of Yukon to provide private sector cannabis retailers with the same access to e-commerce as the government online retailer.

I also give notice of the following motion:

THAT it is the opinion of this House that the Premier owes Yukoners an explanation of how Yukon farmers who heat with propane can get either a carbon tax rebate or carbon tax exemption.

I also give notice of the following motion:

THAT it is the opinion of this House that the Government House Leader should follow the long-standing practice of informing other House Leaders of the subject matter of ministerial statements at their morning meeting instead of changing the business of the day at the last minute.

Ms. McLeod: I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to provide the Yukon Hospital Corporation with the funding needed to complete a new secure medical unit in the shelved space above the Emergency department at Whitehorse General Hospital.

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

MINISTERIAL STATEMENT

Online procurement system

Hon. Mr. Mostyn: Mr. Speaker, our government is committed to building a stronger economic future for Yukoners. Procurement is key to this objective, and we have taken a number of steps to improve procurement in the territory with a focus on efficiency, effectiveness, and accountability. We continue to modernize procurement in a way that supports Yukon businesses and Yukon First Nation businesses, ensuring that they are well equipped to compete for and secure government contracts.

Over the past few years, we have heard from our business community that changes were needed to submit bids for government contracts. Many people were surprised that, in today's digital age, they were still required to print and deliver their bids in person in Whitehorse — an inconvenience for most businesses in a territory as large as ours, especially during a global pandemic. This was an area that desperately needed to be modernized in order to reflect the current realities of the world that we live in and do business in.

Today I am proud to provide an update to you on our new, more efficient online procurement system — one that will allow more businesses to get involved and successfully compete for government contracts. Our new e-procurement system — called “Yukon Bids and Tenders” — will significantly reduce red tape and make the entire procurement process easier, faster, and more reliable. This new, modern system has the ability to flag compliance errors, meaning that businesses no longer have to deal with the frustration of having their bids rejected for simple math errors, missing details, or a forgotten signature. Better yet, the platform is entirely free for anyone to use.

Our government is always looking for ways to save money, reduce red tape, and focus efforts where it maximizes economic benefit to Yukoners. Yukon Bids and Tenders will improve our capacity to review and analyze spending across government, enabling us to be smarter buyers. This is one of the many ways that we are improving value for Yukoners when it comes to government spending.

I am happy to share that all new public tenders are now posted on this improved platform, enabling contractors and suppliers to submit their bids entirely online. While we will continue to provide and accept paper copies of tender documents for the remainder of the year, tenders posted after January 1, 2021, will be completely paperless. As we transition away from paper, training is available online for businesses to learn how to create an account and use the system.

In the future, we will also be launching a vendor performance review program within the platform. This will allow our government to evaluate contractor performance to inform the awarding of future contracts. Good performance will be recognized, and where there is poor performance, the contractor will have clear information as to how they can improve.

Local businesses are an integral part of our economy and finding ways to make it easier for them to do business with us is a priority. Mr. Speaker, we are extremely proud of the new e-procurement system. It supports our enduring commitment to improve the economy and will help further drive competition and innovation in Yukon.

Mr. Hassard: I am happy to rise today to respond to this ministerial statement, but I would like to start off by saying that it is unfortunate that we were told at a meeting of House Leaders this morning that today's ministerial statement was on Xplornet — but I guess we are getting used to this government coming to work unprepared and without accurate information.

In regard to the statement that we did get, Mr. Speaker, the change to the new procurement system has been brought up as a issue by numerous individuals and businesses that supply the Yukon government. The prevailing sense of what I've heard about this new system is simply “Why”?

In his statement, the minister said that the main reason that his government has made this switch was to allow for the online submission of bids. While there is some benefit to allowing online bid submissions, I should note that some suppliers have viewed the requirement to submit a paper copy of their bid as a distinct advantage over Outside suppliers. It would seem that, if anything, the new system simply makes bidding on Yukon government tenders easier for Outside companies and it removes one of the few advantages that local suppliers have. I would be interested if the minister could provide some additional rationale as to why this new system was chosen.

How were Bids and Tenders chosen over any other platform? We know that the Government of Canada uses a system called MERX and the City of Whitehorse uses a system called Bonfire. You know, a common complaint from vendors is that the City of Whitehorse and the Yukon government do not better align their procurement — so we would appreciate it

if the minister can explain why Bids and Tenders was chosen over any other systems used by those other government bodies.

Another question is: Was the old website an issue that had been identified as problematic by Yukon vendors? To our knowledge, the former website was controlled by Yukon government. Now our system is controlled by a multinational company with an office in Ontario. Several Yukon vendors have asked us how long the old website will remain active, how long the data and information on that site will remain accessible, and, of course, how much this transition cost. If we are maintaining the old site and paying for the new one, this raises some questions about whether or not we are actually going to save money on this transition.

How long is the contract with Bids and Tenders? Do we pay them per tender or do we pay them a flat rate? Are there performance indicators in this contract? These are all questions that have come to us from Yukon businesses that supply the Yukon government.

One ongoing issue that we've heard from the business community was the decision that this government made to cease the practice of releasing bid prices once the bids have been opened. Currently, bidders must wait anywhere from a few days to a few weeks and, in some cases, even longer than a month to see bid prices. Only successful bidders are notified when the prices are opened, so businesses must check back every day to see whether or not they have won a bid. It does not appear that the switch to the site fixed this issue, so perhaps the minister can explain why they no longer release bid prices right away and make businesses wait until the contract is awarded before they release that information.

I hope that the minister will answer these questions in his reply so that I can provide the answer to the many contractors and vendors who have approached us.

Ms. Hanson: On behalf of the NDP, I'm responding to the ministerial statement on the bid opportunities website — a website that has been open since August 2020.

The importance of having an efficient and effective government procurement system cannot be overstated. Government expenditures through a variety of contractual agreements are in the hundreds of millions of dollars every year, forming an important part of the viability of many of Yukon businesses' bottom lines — whether they are corporations or individual consultants. It is no secret that there have been many questions over the years about Yukon government contracting practices — questions of fairness, accuracy, value for money, and accountability.

A 2008 Yukon government report on the audit of contracts identified an inadequate management control framework, a lack of compliance with contract regulations, and an inability to demonstrate achievement of desired results for public expenditures with respect to efficiency and cost effectiveness. So, after reports and consultations in 2008, 2009, 2015, 2016 — and who knows how many others — now, in 2020, Yukon citizens and Yukon businesses can only hope that finally government has actually listened and has incorporated some of

the best practices that over the intervening years have been repeatedly brought forward.

We look forward to the evidence that the Bids and Tenders online system will in fact improve capacity to review and analyze spending across government. We look forward to real-time reporting.

I know that the minister boasts that all new public tenders are now posted on this new platform. However, what is not easily available for scrutiny by MLAs is the number of sole-source contracts, nor which departments make the most use of them, nor how many exceed the sole-source threshold, et cetera.

An example might be the sole-source contract or contracts issued late last week to address the chaos created by the Department of Health and Social Services' lack of planning for meal service for those most vulnerable, as when winter hits during a pandemic.

Perhaps the minister will offer insight as to the sole-source contracts issued to date and their value. In the meantime, we look forward to the effective implementation and monitoring of Yukon's online Bids and Tenders system.

Hon. Mr. Mostyn: I want to thank the Member for Whitehorse Centre for her insightful thoughts this afternoon. I do appreciate the care which she takes in preparing her answers and some of the insights that she provides.

The Leader of the Official Opposition has raised a few questions. I'll get to them in a minute. I think the main one was "Why?" I went into the reason why in my initial ministerial statement. I think that many of the answers are there, but I will say that the Bids and Tenders system is used by many jurisdictions across the country — some of which charge a fee, and it's important for businesses who use the Yukon-specific page to know that there are no fees charged.

I know that was an issue for one person — I think, who actually went through the Leader of the Official Opposition — and I hope that he has been reimbursed for paying for something you should get for free.

The new system includes a vendor performance review that will reward good performance, as I've said. We will provide more information on how vendor performance reviews work closer to the implementation phase for that component of that module of this system.

The Bids and Tenders system was developed by eSolutionsGroup. It's different from the procurement systems used by the City of Whitehorse and the Government of Canada. The member opposite has noted that. Yukon had specific needs for a new e-procurement system, including the ability to facilitate online bid submissions, host a future vendor performance review program, and to better analyze our procurement spending across government — which the Member for Whitehorse Centre has asked about this afternoon or noted this afternoon.

We are confident that this new system will be able to provide that information to us. Through the open-tendering process, eSolutionsGroup ranked the highest in our evaluation of all the proposals and, when the implementation process was ready to begin, we worked with other departments and the

business community to offer appropriate supports during implementation which included updates and training.

There were 330 businesses that participated in online interactive webinars in July and August to get the early information about how to use Bids and Tenders. A recorded version of the webinar is also continuously available online for viewing.

The Leader of the Official Opposition sort of criticized — a backhanded criticism — the Department of Highways and Public Works procurement office for the speed with which they were getting prices to contractors. I want to say that 48 percent of all prices were posted within one or two days. An additional 28 percent — up to 76 percent — were posted within four days. Only 13 percent of projects took five or more days to post, equalling about 13 percent, and 11 projects were cancelled, accounting for 11 percent of total projects. In these cases, the prices were not posted. We are posting bid prices as soon as bids are reviewed for compliance and we confirm the project and proceed with the budget in place.

There are all sorts of improvements that we have made in the procurement system. We will continue to do this. As I have said many, many times, procurement is a journey, not a destination. I am very happy with the progress that we have made on this file through the diligence and hard work of our procurement folks over at Highways and Public Works.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Fiscal management

Mr. Hassard: Last week, the Premier tabled the 2019-20 Public Accounts, which showed that his government ran a deficit. That was during a time when our economy was healthy and strong. That was before the health and economic crisis that we face now. So, instead of using years of strong economic activity to strengthen our fiscal position, the Liberals grew spending and put us in a deficit.

Can the Premier explain why the Liberals decided to run a deficit last year?

Hon. Mr. Silver: On a consolidated and non-consolidated basis — we need to make sure that we have a conversation about those two things separately — but on a consolidated level, Yukon continues to be one of only two jurisdictions in Canada with a net financial asset position.

When it comes to increased spending, the member opposite conveniently forgets that, last year before the pandemic — in the budget that we are currently in right now — we actually got to a place of surplus a year ahead of schedule. Of course, we are not in that great position now, as we debate the supplementary budget and costs associated with COVID — but it's a little disingenuous to say that we were in a deficit position. We forecasted a deficit position that year, in 2019-20, and in the Public Accounts, they came in and said that we were in a deficit position. It's not the same deficit position, but it is close.

When you take a look at the comparison between projects promised to get out the door and projects that actually got out

the door, compared to the Yukon Party, that gap has narrowed exponentially.

So, we will continue to have the fiscal responsibility that we have come to know here in the last four years, compared to the budgeting that was done through the opposition, which was done mostly in the political wing as opposed to in the budgetary offices.

Mr. Hassard: It is unfortunate that the Premier, four years in, still just wants to blame someone else and not consider looking forward and looking to the future.

You know, since last year's deficit budget, we now face a serious health crisis and an economic situation that has created a disaster for one of our primary economic sectors. In response to this, our deficit has ballooned to over \$30 million.

So, based on this projected spending plan, can the Premier tell us how big the deficit will be for 2020-21?

Hon. Mr. Silver: A question for the opposition: Which way is it? We are either spending enough money on health and social services or we're not; depending on which member of the Yukon Party gets up, we are either doing one or we're doing the other.

Mr. Speaker, on a non-consolidated basis, the government's annual deficit of \$2.9 million in 2019-20 compares to the \$5.8-million deficit in 2018-19 — so we are getting ourselves back up into a surplus position. Total revenues did increase and, while the expenses did increase as well, those expenses increased — 97 percent of the increases — are in the Department of Health and Social Services and the Department of Community Services.

So, on the one hand, the opposition will say that we are not spending enough money on health and social services; on the other hand, they are saying that we are spending too much money, and now we are in this situation.

Again, it depends on who we are talking to in the opposition — whether or not we are spending enough money or too much money in Health and Social Services. What we see here is that Public Accounts have been audited by the Governor General of Canada and received an unqualified audit opinion, which indicates that our financial systems are fairly and appropriately identified without any identified exceptions.

We are committing in our mains to put out money into the capital projects. We are, according to the Public Accounts, showing that we are doing a lot better job than the previous government did. That is not blaming the previous government; that is explaining that we are doing a good job here in this current government.

Mr. Hassard: The Premier seems to be all over the map on this. You know, the question I asked was: How big will the deficit be for 2020-21?

Right now, we are facing consecutive years of budget deficits. Rather than using those strong years of economic growth to pad our financial position, the Liberals chose to increase spending and grow government. They have now entered this pandemic and the resulting economic crisis is a deficit position.

Will the Premier now admit that the Liberals have put us into structural deficit?

Hon. Mr. Silver: When it comes to non-consolidated financial statements, what we've seen is an increase in the tangible capital assets here in Yukon. What does that mean? That means that this government is doing what the previous government did not. We're getting out the door the capital projects that we promised, not like the opposition — big bolster for mains, and then when the Public Accounts came in, we saw that they did not commit to the projects that they said they would spend. We are closing that gap a lot more than the previous government.

When it comes to financial position and a financial picture, before the pandemic, we were the envy of the rest of the country because we were in a surplus. We had a mild surplus. We did a year ahead of schedule, and we did that while also reducing small business taxes to Yukon businesses and also reducing people's personal income tax.

I'm not all over the map at all. It's the opposition that just cannot find a wedge to work on about this. When it comes to the finances of Yukon taxpayers and the taxpayers of Canada, this government is accountable. This government commits to certain capital assets and capital projects and the Public Accounts confirm that we actually make good on those promises.

Question re: Fiscal management

Mr. Cathers: On March 31, 2019, the Yukon had net financial assets of just under \$220 million. As of March 31 of this year, the Yukon's net financial assets are down to under \$172 million. That means that in one year, Yukoners lost almost \$50 million.

Can the Premier tell us where that \$50 million went?

Hon. Mr. Silver: The member opposite should be listening to the questions from his colleague. When we talk about the non-consolidated situation, what we have here is increased spending on tangible capital assets. What we're doing is taking advantage of the federal funding that is coming in. We have to put up 25-cent dollars versus their 75, and we're making good on those commitments.

The amount of money that we have spent so far on ICIP funding, which is extremely important funding for all the communities — again, these are the tangible capital assets that are necessary for our economy to thrive. We believe that we are in a good financial position right now. We believe that because we are getting these assets out the door. These are important pieces.

One only has to look back to the previous Office of the Auditor General's criticisms of the fact that the previous government did not do their job in upkeep of buildings. What you're seeing right now is that we have an obligation to Yukon taxpayers, but also to the business community as well, to make sure that the assets that we have out there are modernized, are retrofitted properly, and also that they are there to fit the needs of the business community and the communities as well — whether they be rec centres, schools, or working with the private sector to make sure that we have enough housing. These are the things that we are spending money on. I guess the

members opposite are saying that we probably shouldn't be spending that money.

Mr. Cathers: When the Liberals came into power, the Yukon government's total net financial assets were over \$274 million. As of March 31 of this year, our territory's net financial assets are down to below \$172 million. That means that Yukoners are over \$100 million poorer than when the Liberals took office. That was before the pandemic struck.

Now that the government is spending even more to address the effects of the pandemic, how long does the Premier expect it will take for the Yukon to enter a total net debt position?

Hon. Mr. Silver: Mr. Speaker, we will have an opportunity to have a more in-depth conversation about the differences between net financial assets and debts as we get into Committee of the Whole. Again, it is a complicated issue, but it is something that we have the ability to explain. What people need to know in the short response is that, on the non-consolidated deficit side, this year we were at \$2.9 million while the consolidated deficit was \$2.6 million. At the end of the fiscal year, non-consolidated debt was \$47.4 million while the consolidated net financial assets were at \$171.9 million.

Mr. Speaker, it is confusing to have a consolidated and then a non-consolidated budgetary process. We want to make sure that the information gets out there as clearly as possible, but we are in an enviable position to other jurisdictions when you take into consideration the consolidated financial situation that the member opposite speaks of — one of only two jurisdictions in Canada that has a positive signal there in Canada in all the provinces and territories. This speaks to the financial prudence that we put on the budgetary process, the added human resources that we put into the Finance department, and to the work of the Financial Advisory Panel.

We are making good on our financial commitments, Mr. Speaker. When you see us coming into a surplus position before the COVID pandemic a year ahead of schedule, that is the statistical analysis that proves our point.

Mr. Cathers: We understand the government's financial position very well, but unfortunately, it seems that the Premier is trying to use language that he thinks will confuse some Yukoners. Even during the good years, this Liberal government has been drawing down on Yukon's bank account. Our net financial assets have steadily declined since the Liberals have taken office; meanwhile, spending and the size of government have increased every year. The Yukon's debt has increased and we are likely now facing a structural deficit.

What is the Premier going to do when he runs out of Yukoners' money?

Hon. Mr. Silver: Wow — talk about trying to confuse Yukoners, Mr. Speaker. When it comes to the amount of money that we have borrowed so far, that's all Yukon Party. That's \$200-million worth of Yukon Party spending that's the borrowed money. We have increased the amount that we can, but we haven't borrowed that yet.

When we talk about financial assets, Mr. Speaker, the member opposite is trying to confuse people. The term that government uses when we reflect the differences here in a net financial asset or a net debt is — the differences between the

financial assets that we have and the liabilities. That's it. It's not the amount of money that we borrow, as the member opposite is trying to make you believe. The "financial assets" are assets that could be used to pay off existing liabilities or financial future operations. The term "liabilities" refers to the financial obligations outside of governments and individuals.

Now, why it is that we are in this situation right now? The largest contributor to the decrease in net financial assets has been the continued investment in tangible capital assets. These are the tangible capital assets that municipalities and First Nation governments — from community to community — are asking for us to invest in.

The member opposite is trying to confuse, Mr. Speaker. He said "borrowing". This is not borrowing. When we talk about net financial debt and net financial assets, it is not about borrowing. The Yukon Party is the one that borrowed all of the money out of our debt so far. This is about net financial debts and assets — two different things, Mr. Speaker. Shame.

Question re: COVID-19 pandemic — Yukon highway border enforcement

Ms. White: In a letter dated October 21, the Alaska governor and senators requested that the Prime Minister ease some restrictions on the Yukon-Alaska border. Specifically, they requested provisions to be made to allow Alaska citizens who normally spend their winter in the Lower 48 to be allowed to transit through Canada. Of course, this isn't a normal year.

Just today, Alaska announced 349 new cases of COVID-19 as well as one additional death. Currently, there are over 9,000 active cases of COVID-19 in Alaska. The prospect of increased travel from Alaska has many Yukoners concerned, especially those living in communities along the Alaska Highway corridor.

Has the Premier expressed concern to the Prime Minister about this request to facilitate travel from Alaska through the Yukon?

Hon. Mr. Silver: Thank you to the member opposite for the opportunity to address this issue. On the officials level between the federal government and our government, we have been communicating our opinion on this. It hasn't reached a political level. By that, I mean that the Alaska government has not reached out to me specifically on this specific issue. The last time that the Alaskans reached out to me was on a different issue — a very similar issue about one-offs on border provisions. I informed the Alaska government at that time that those decisions are made at the federal level and that we will pass their concerns on to the federal government in that capacity.

But to answer the member's question specifically, I haven't been reached out to by the Alaska officials. If they do, I will of course take that call, but our officials have communicated this situation to the federal government, which is the decider when it comes to international borders.

Ms. White: I had asked whether or not the Premier had spoken to the Prime Minister about his concerns.

Yukon has maintained a low number of COVID-19 cases, but last week's tragic news is a reminder that we cannot let our

guard down. Thanks to the chief medical officer of health, Yukoners know that the "safe six" is the best way to keep each other safe, but when looking at the situation in the United States, it's clear that not all Americans have heard the same message.

Alaska Governor Mike Dunleavy, who asked to ease restrictions at the Yukon/Alaska border, has recently stated that Alaska is entering a COVID-19 acceleration phase. Since the end of September, enforcement at Yukon's southeastern border has been replaced by an information kiosk that is only in place for nine hours a day.

How is YG ensuring that all those who transit through Yukon's communities on their way to Alaska respect the public health measures taken to keep our communities safe?

Hon. Mr. Streicker: I'll start off by saying that we work very closely with the federal government and with the Canada Border Services Agency — CBSA.

We do talk with our counterparts often. We do express at all times our concerns about Alaskans transiting the Yukon and we want to make sure that they stay safe. I would like to give a big shout-out to the CBSA because they worked very closely with us over the summer to tighten all of those controls and to make things safer for Yukoners.

There is a suite of answers and I'll start — and if I don't get done, Mr. Speaker, I hope to get up again to answer further. We do all sorts of things. We have declarations for all people coming through Canada. They have a placard which they have on their windows. They have a time period during which they have to go through. There is data sharing between the Canada Border Services Agency and us. We have follow-up systems. The member opposite, I think, was not quite correct — we have staff at our southern borders during the daytime when the peak of traffic is coming through and we have evening-time kiosks for declarations — and we work to tighten that up at all times.

We are working to keep the Yukon safe, including for those Alaskans travelling through to do so in a safe way as well.

Ms. White: Yukon's rural communities have had it tough during the pandemic and this is especially true of communities along the Alaska Highway corridor.

With reduced border enforcement, our communities are at a greater risk than before. The community of Watson Lake is in a unique situation as an entry point without the control and support that the US/Canada border provides. Community safety is directly affected by whether or not travellers respect public health guidelines.

Have any additional resources been put in place to support border communities, especially when it comes to ensuring that travellers respect public health measures?

Hon. Mr. Streicker: I don't think the risk is increasing right now. In fact, I think the risk is decreasing. However, we continue to work with communities — for example, with Watson Lake. We have been working with them, in particular, and with the Liard First Nation to work with them about a contract — dealing with them to provide some of the services that we do for border enforcement — border control — so actually, that work is ongoing at all times.

What I want to say, Mr. Speaker — there was something that the member opposite noted with the number of cases in Alaska. When we first had our first statement of emergency declared here, there were about 60 cases in Alaska. When we extended it, three months after that fact, there were about 600 cases in Alaska. When we extended it again in September, there were about 6,000 cases in Alaska. During all of that time, having roughly 40,000 Americans pass through, we don't know yet of a single case of COVID being transferred, and I would like to thank all of the folks who have maintained border enforcement and all of those rules — which got set up very quickly — and who have done a really terrific job to keep our communities safe, including working with those communities.

I would just like to thank them because they have done a wonderful job at keeping our communities safe.

Question re: Yukon Water Board wetlands hearing

Ms. Hanson: Last week, the Yukon Water Board conducted a public interest hearing on placer mining and wetlands — the Water Board's first public interest hearing in over 10 years.

Wetlands are fragile ecosystems that play a vital role in maintaining the health of wildlife. When disturbed, these ecosystems cannot be returned to their natural state. The intensity of placer mining in the Indian River valley near Dawson City has been well-documented. In her presentation to the board, the Chief of the Tr'ondëk Hwëch'in First Nation clearly stated that, despite reclamation efforts, the damage done to wetlands in this area is already beyond repair. The Tr'ondëk Hwëch'in First Nation is calling for wetlands to be off-limits to placer mining.

Does this government support the Tr'ondëk Hwëch'in First Nation's call to prevent further placer mining in the Indian River wetland?

Hon. Mr. Silver: We are very committed to working with First Nations and interested parties to ensure that activities in wetlands are regulated in a way that balances conservation and development. Work is ongoing for a territory-wide wetlands policy that will guide the responsible development of wetlands.

In the interim, projects will continue to be reviewed through the assessment and regulatory process. A Yukon wetlands policy is targeted to be finalized in the next year. We will be actively participating with the Yukon Water Board, YESAB, and others. The Yukon government has been very, very clear that we do not intend to issue any orders prohibiting activities in wetlands — more work has to be done therein with our policy. Similarly, the Yukon Water Board will continue to consider water licence applications.

Ms. Hanson: Yukon government has indeed promised a wetlands policy for years. We are on — at least, at last count — draft six. There are no protections in place to this date. While they drag their feet, more irreversible damage is done to Yukon's wetlands.

In 2016, the Yukon Environmental and Socio-economic Assessment Board recommended that placer mining not occur in undisturbed wetlands. The decision document issued in 2017

shows that this Yukon government chose to reject that recommendation and to allow mining in more undisturbed wetlands, just as their Yukon Party predecessors had done before them. The cumulative impacts of mining in Indian River valley wetlands have been characterized as “death by a thousand cuts or a thousand projects” by the Tr'ondëk Hwëch'in director of natural resources.

Why does this government allow mining in undisturbed wetlands contrary to repeated YESAB recommendations?

Hon. Mr. Silver: As I have said, we are working to develop — in cooperation with lots of different partners, including First Nations, municipalities, industry, and conservation groups — a wetlands policy. The member opposite is correct — it's high time that we do have a wetlands policy. There was nothing to go on when we got into government and we are working to make this a reality.

We have been working with the First Nations and also the placer industry on a policy and guidelines for the protection and the reclamation of wetlands affected by placer miners in the Indian River watershed. While we are working on developing a final policy, we have implemented an interim approach when it comes to the reclamation in the Indian River wetlands area.

The member opposite is incorrect — we have been moving the needle on this. This approach is intended to strike an appropriate balance between conservation and the development interests in the area.

Ms. Hanson: I guess the Premier's words would be news to the Chief of the Tr'ondëk Hwëch'in First Nation and the Na-Cho Nyäk Dun. The Premier either doesn't understand or chooses to ignore that the damage done to wetlands cannot be undone.

In its closing statement at last week's Water Board hearing, the Yukon government rejected the option of placing temporary protection on wetlands until land use planning is complete. The Chief of Tr'ondëk Hwëch'in shared with the Water Board that the spiritual and cultural connection to the traditional territory of the Tr'ondëk Hwëch'in is disrupted by the destruction of wetlands.

Ducks Unlimited, CPAWS Yukon, and the Yukon Conservation Society have all highlighted the need to understand and take into account the cumulative impact of the many projects taking place in the Indian River watershed.

Can this government tell Yukoners how they factor in the cumulative impact — the cumulative impact — of mining in the Indian River watershed in their decisions to allow the continued destruction of wetlands?

Hon. Mr. Pillai: Again, I think it's important to table a couple of things here. First of all, we have been involved in the submissions through the Water Board process. This summer, I had the opportunity to spend some time in the Indian River with both the proponents and our compliance and monitoring inspection teams, looking from operation to operation at what was happening, as well as taking into consideration — some for interim measures, where we are really looking to ensure that we have the appropriate protocols on how we deal with bogs and fens. We are looking at our plans to ensure that we do have appropriate reclamation happening.

The Member for Whitehorse Centre can make this seem like a simple solution. I think what we have heard today is that the individuals across will absolutely shut down everything there. That is about 80 percent of what actual activity is happening. Also, again this summer, we saw the complexity of the connectivity within our economic ecosystem and what would have happened if communities like Dawson City didn't have 75 or 80 percent of that activity. There are 400 people — 200 of them Yukoners — out there working from place to place. We are committed to getting this right — but, again, it is more complex than the members opposite are putting out there.

Question re: COVID-19 pandemic business relief funding

Mr. Istchenko: The temporary support for events fund program ran from March 7, 2020, to July 31, 2020. It helped Yukon businesses and NGOs affected by the cancellation of major events. Can the minister tell us how much was spent under this initiative and how many applicants were approved?

Hon. Ms. McLean: This was a measure that was put into place very quickly from our government to help support businesses around the time when the Arctic Winter Games was first cancelled.

I have taken that over — Tourism and Culture has that within our supplementary budget, and we will be talking about that more specifically when we get into the supplementary. Right now, the program received 90 applicants for 24 events. We paid out \$1.665 million from April 1 to September 3. The program was transferred over to the Department of Tourism and Culture. The Department of Economic Development administered this program initially and we have now taken it over to our department.

I'm happy to get up to answer further questions.

Mr. Istchenko: So, this program was designed to help Yukon businesses and NGOs affected by the cancellation of major events. It specifically covered events open to the general public that expected more than 50 participants during the period of March 7 to July 31; however, during that time period, there were a number of private ticketed events that were cancelled due to COVID-19 restrictions. For example, many weddings were cancelled due to the restrictions. Large events such as the Geoscience Forum have changed to virtual gatherings. So, businesses including caterers, event organizers, and rental companies were impacted which means that the private sector lost a lot of income. However, because some of these events were not technically public events, they were not eligible for support.

Why did the government choose to restrict the fund to only events that were open to the public?

Hon. Ms. McLean: I'm happy to answer these further questions about the event relief fund.

Again, this was a measure that was put in place very quickly to alleviate the pressure that our businesses were experiencing as a result of the cancellation of the Arctic Winter Games and the cancellation of the Yukon Native Hockey Tournament. There were a number of other events that received

— relief was given out for the cancellation of the Dawson City Music Festival — a number of other big events that happen.

Again, we had considered 24 events and I have to remind the member opposite as well that, during that time, we were quick to put the Yukon business relief program in place. Losses that businesses were experiencing during that time frame were certainly compensated through that fund. Again, we were one of the first jurisdictions in Canada to put these types of relief in place. I know that the Minister of Economic Development, the Premier, and I met with the business community almost immediately upon knowing that the Arctic Winter Games would be cancelled and helped to put this together quickly.

Mr. Istchenko: My previous question was about why the government chose to restrict the fund to only events that were open to the public. I highlighted some of those businesses that were affected by not being able to apply.

As I mentioned, the fund expired on July 31. However, COVID restrictions for gatherings are still in place. As a result, many large fall and winter events are being scaled back, negatively impacted, or even cancelled.

Will the minister reinstate this program to cover off the large events that were already planned for the remainder of this year, and will they make it retroactive to August 1, 2020?

Hon. Mr. Pillai: There are a couple of points that I would like to touch on from question 2 and into question 3.

First, I think that all Yukoners know that the work being done between Economic Development and Tourism and Culture really focused on ensuring that we supported those businesses that were impacted. We had the opportunity, of course, through the business relief program — as the Minister of Tourism and Culture spoke to — to ensure that, when events were cancelled — such as private events like a wedding or such — the revenue loss would be identified by that company. If they had hit that threshold of reduced revenue, they would then be able to apply to the business relief fund.

In the case of events such as the Geoscience Forum, we met with the Yukon Chamber of Mines about a week and a half ago. We received a letter of thanks for a very productive meeting and also thanking us for our financial contribution this year to the new format — again, stepping up where we can to make sure that some of those events, in their new format, are still successful.

I think that we will look at this again on a case-by-case basis. If the Member for Kluane has any particular events that he thinks we should look at — that are outside of a program — please let us know. Just send us an e-mail or put it in writing, and we will review that and work with my colleague to ensure that we have an opportunity to see if our programs are meeting the mark.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 15: *Corporate Statutes Amendment Act (2020)* — Second Reading

Clerk: Second reading, Bill No. 15, standing in the name of the Hon. Mr. Streicker.

Hon. Mr. Streicker: I move that Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, be now read a second time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, be now read a second time.

Hon. Mr. Streicker: It is my privilege and honour to introduce Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*. This bill amends the 2018 *Societies Act*. Additionally, for reasons of consistency among our corporate statutes, it also contains amendments to the *Business Corporations Act* and the *Cooperative Associations Act*.

As members will recall, the new *Societies Act* was created to provide a clearer governance and operational framework for today's societies and replace our 30-year-old legislation. It was assented to at the end of the 2018 Fall Session. Since then, we have continued to develop the accompanying regulations, which are now complete.

Additional work to ensure that our Yukon corporate online registry database can manage the various legislative changes is also nearly complete. Yukon's 2018 *Societies Act* was modelled after British Columbia's *Societies Act*, which was proclaimed in 2016. Between the proclamation of the BC statute in mid-2019, British Columbia stakeholders provided their government with extensive feedback. The BC government used this feedback as the basis for an engagement on a number of proposed amendments to improve their act. We took the opportunity to review BC's mostly technical proposed amendments set out in their engagement to inform some of the amendments before us today. I would like to take a few moments to talk about some of these amendments.

While the majority of the amendments in the bill regard the 2018 *Societies Act*, we have taken this opportunity to also amend the *Business Corporations Act* and the *Cooperative Associations Act*. As each of these acts create distinct legal entities with shareholders or members and are operated by elected directors, it is important that, to the degree possible, the acts are consistent with each other.

Societies, business corporations, and cooperative associations are legal entities. They can enter contracts, hire and fire, and sue or be sued.

As directors are the operating minds of these organizations, they effectively make most organizations' major decisions, including legal and financial decisions. Directors, in some cases, can be personally liable for those decisions. The bill before us contains a number of clarifications regarding the qualifications of directors. With this bill, all organizations' directors must meet certain requirements, including being at

least the age of majority, not being bankrupt, and acting with honesty, good faith, and due diligence.

Amendments to the *Business Corporations Act*, *Cooperative Associations Act*, and the 2018 *Societies Act* add certainty as to who can and cannot be a director. Included are changes that resolve concerns regarding the 2018 *Societies Act* raised by the Yukon Human Rights Commission.

I would just like to take a moment to thank the Human Rights Commission for their efforts in working with me and with the department.

The bill clarifies that an individual may not be a director if they are subject to a guardianship order under the *Adult Protection and Decision-Making Act* regarding their inability to manage their own financial and/or legal affairs. Individuals subject to guardianship orders that are not in regard to the ability to manage their own financial or legal affairs would be eligible to be directors.

Mr. Speaker, recent struggles with COVID-19 have affected our societies. The prohibition against gatherings of 10 or more meant that societies could not conduct the meetings required for them to maintain their status in the societies registry. This potentially put them in default of the *Societies Act*. For some, it risked affecting their ability to fundraise and receive government funding. We have temporarily remedied this problem with an order under our *Civil Emergency Measures Act*. The order allows organizations to meet electronically and/or by teleconference even if bylaws forbid such meetings. A permanent remedy must be included in the statutes governing these organizations.

The 2018 *Societies Act*, once proclaimed, and the *Business Corporations Act* allow meetings to be held electronically and/or by telecommunications. This bill contains amendments to the *Cooperative Associations Act* that will also allow these types of meetings, subject to bylaw provisions, on a permanent basis.

I will now review provisions of the bill that specifically amend the 2018 *Societies Act*. Many of the fine details of governance and operation of a society are contained in a society's bylaws. These bylaws must comply with certain sections of the act, but there is flexibility as to their contents. For societies that wish to use a standard set of bylaws prepared by the government, we had included the requirement in the 2018 act that the new regulations must contain a complete set of model bylaws to be available for societies' use. Upon further review by the department and by legal counsel, we determined that requiring that model bylaws be contained in the regulations is too restricting, particularly if the model bylaws require future changes.

Mr. Speaker, we have therefore included an amendment setting out that the regulations may, but are not required to, contain a set of model bylaws. We will make a complete set of model bylaws for use by societies permanently available on the department website. These bylaws will be available online when the legislation is proclaimed.

Mr. Speaker, because directors are sometimes legally responsible for some society matters and decisions, it is essential that societies maintain up-to-date reporting of

directors' terms of office and their contact information. The bill before us includes amendments that clarify the information required to be included in a register of directors. The register must list full and up-to-date contact details for each society director. It must also include the start and end date of their terms of office. This is important in the context of being able to contact directors regarding society matters and regarding possible internal legal disputes.

Another amendment requires that changes of directors of a society or changes of directors' addresses must be filed within 30 days of the change. This can be done either as part of a society's annual report or as a separate filing, depending on the circumstances. The bill also clarifies the information that must be contained in a society's register of members and allows societies to contact members by e-mail if members have given their e-mail addresses as part of their contact information. For privacy reasons, a society's membership register is created only so that members can be contacted regarding society matters. For this reason, the register must not contain any information other than the member's name, the date they became a member, and how to contact them.

Mr. Speaker, upon payment of the required fees, any person other than a society's directors and members will be allowed access to some society records; however, information gained from viewing or copying a society's records in any circumstances can be used only for purposes regarding society business.

The 2018 *Societies Act* allows individuals to request copies of certain society records. As we have been made aware of some communication issues regarding when such copies have been prepared and are ready to be picked up, the bill also clarifies that a society will notify a recipient when a requested copy of a record is ready for pickup.

Mr. Speaker, as the issue of documentation of payments to society employees and contractors has been raised in a number of circumstances, the amendments clarify that a society's annual financial statements must show which employment positions and contractors were paid more than a certain minimum amount during the fiscal year and how much those positions were paid. The minimum amount is being set in the regulations at \$75,000.

The amount of remuneration paid during the fiscal year will be rounded to the nearest \$5,000. For clarity, the financial statements will not have to name the employee, only the position.

Mr. Speaker, we have had at least one occasion where a society director has informed us that they have resigned and then claimed that the society has not, as required, sent confirmation of the resignation to the registry. This sets up a potential dispute between the director and the society and it raises a number of legal issues. In order to provide a mechanism to resolve such disputes, the bill contains amendments that will allow an aggrieved individual to apply to court for an order that the society file the necessary document reflecting a director's resignation, for example.

The amendments also contain a provision clarifying that a director cannot appoint a proxy to take their place at a directors

meeting. Mr. Speaker, at a time when attending physical meetings can be problematic, the bill adds a provision by mail — subject to a society's bylaws — that allows a director's resolution to be approved without meeting.

The process is straightforward. A notice is sent to all of the directors, giving a minimum of 14 days — or the number of days set in the society's bylaws which must be at least 14 days — for a response. The notice must include the text of the resolution and the day by which directors must either consent or disagree.

The 2018 act requires that directors and officers disclose to the board of directors any conflicts of interest that they may have regarding any matter that is being discussed and that they leave the directors meeting during the discussion. Because such a director or officer may have valuable information regarding the discussion, the bill includes an amendment that allows that individual to stay if a majority of the directors request that the conflicted director or officer not leave the meeting. The bill also contains amendments that clarify processes for reviving societies that have previously been dissolved.

Once proclaimed, this bill and the 2018 *Societies Act* will provide consistency of regulation and governance for Yukon organizations and more complete governance and organizational frameworks for Yukon societies. In order to implement this new legislation, our Yukon corporate online registry must be updated to account for the changes in the law. That process should soon be complete. We hope to have the new societies legislation up and running by the end of this calendar year. Our next task is to educate societies about the new legislation and the tools available to them.

Before proclamation, we will be organizing training sessions and publishing materials that will help societies familiarize themselves with and transition to the new legislation.

I thank societies for their patience while we have undertaken the modernization of this legislation. It will provide modern-day governance that meets the needs of today's Yukon societies and the people they serve for years to come.

I thank the officials from the Department of Community Services and the Department of Justice for their work with the new societies act and in preparing this bill.

Ms. Van Bibber: I thank the minister for a very good update on Bill No. 15. I too would like to thank the department officials and the drafters for all of the work done on Bill No. 15, *Corporate Statutes Amendment Act (2020)*.

The amendments in this statutes act provide clarification and assist to ensure that confusion that may be caused by any new additions and changes is alleviated for businesses, corporations, and societies. This bill includes amendments to the *Business Corporations Act*, the *Cooperative Associations Act*, and the *Societies Act*.

One such amendment that is seen across the three acts is to provide that a person who is incapable of managing their legal matters or financial affairs is disqualified from being a director of a corporation. One would think this is common sense; however, to actually state it in the act will be beneficial for

companies or societies in order for them to manage their boards in a manner that does not leave room for discretion or interpretation on this matter.

Other amendments include diversifying the way in which these groups are able to meet. In our digital virtual world, the ability for directors to meet by telephone or another communication medium will be welcomed by many. This would allow for businesses to carry on in these uncertain times. We've seen so much disruption of business due to the pandemic restrictions, and today was a reminder that sometimes Mother Nature has her own disruptions planned for our everyday lives.

This bill ensures that information is readily available to directors on request. As well, it provides clarification and ensures provisions that meetings can run smoothly and direction can be provided by said entities.

With that said, and being very brief, we will be voting in favour of Bill No. 15 and look forward to going into Committee of the Whole for a few questions.

Ms. White: Just in speaking right now to Bill No. 15, I think that it's really important to note that, when concerns were raised last time when this legislation was open from the People First Society of Yukon, it was making sure that those with intellectual disabilities still have the ability to participate on boards. I appreciate that there was some clarification as to what positions individuals with intellectual disabilities or neurodivergence could have on boards. That has been addressed in this.

Also, I would like to give full credit to the Paradise Music Festival. That was the first NGO that I know of that held a virtual AGM online, long before they were sure it was going to be acceptable. The good news is that it was approved after they held it, and they were the first ones.

We will have questions as we go through in Committee of the Whole but, for now, those are my comments.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard on second reading of Bill No. 15?

Hon. Mr. Streicker: I would like to thank the members opposite for their comments here at second reading. I am looking forward to Committee of the Whole. I will keep my opening remarks brief so that we can get into those questions. I look forward to speaking further to this bill.

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.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: 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 16 yea, nil nay.

Speaker: The yeas have it. I declare the motion carried.
Motion for second reading of Bill No. 15 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Mr. Adel): I will now call Committee of the Whole to order. The matter before the Committee is general debate on Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 15: Corporate Statutes Amendment Act (2020)

Deputy Chair: The matter before the Committee is general debate on Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*.

Is there any general debate?

Hon. Mr. Streicker: I will just take a moment to introduce the officials who are coming in. We have with us again Ms. Louise Michaud, who is the Assistant Deputy Minister of Corporate Policy and Consumer Affairs, and Ms. Bhreagh Dabbs of the Legislative Counsel office. We are also again joined by Jess, who is in training as Ms. Michaud's guide dog.

I am just going to make a few opening remarks for us all, given that we just had second reading moments ago here in the House. The primary purpose of this bill is to further modernize the Yukon's 2018 *Societies Act*. The purpose of this legislation is to provide our more than 800 Yukon societies with improved guidance on processes regarding their creation, governance, and operations.

The bill also amends the *Business Corporations Act* and the *Cooperative Associations Act* for consistency of comparable provisions in the three statutes.

The Yukon Human Rights Commission expressed concern that language in the 2018 *Societies Act* preventing individuals subject to guardianship orders that limited their rights to manage their own affairs from being directors was too broad. This bill narrows the language to prohibit only individuals subject to guardianship orders preventing them from managing their own financial affairs and/or legal matters from being directors. These changes will apply to the new *Societies Act*, the *Business Corporations Act*, and the *Cooperative Associations Act*.

Mr. Deputy Chair, the amendments to the 2018 *Societies Act* contained in Bill No. 15 will make good legislation even better. I am happy to hear questions from members opposite and I will do my best to provide responses.

Ms. Van Bibber: I too welcome the officials and Jess into the House today.

The explanatory note on the *Corporate Statutes Amendment Act (2020)* says that the act is amended to provide that a person who is incapable of managing their legal matters or financial affairs is disqualified from being a director of a corporation. Who decides if a person is incapable of managing their own personal legal matters or financial affairs?

Hon. Mr. Streicker: Under the *Adult Protection and Decision-Making Act* is where the rules are laid out around decisions of whether someone is capable or requires guardianship. I think the question from the member opposite is: Who decides? Ultimately, it is a court. There is an application to the court for guardianship, and that's where it's decided.

There are categories under which that guardianship can be described. That's what the Human Rights Commission came and talked to us about. Sometimes those categories deal with financial matters or legal affairs, but sometimes they deal with health or personal issues. The thinking was that there are people who may be under guardianship but still have the ability to manage their own legal and financial affairs and therefore, if they can manage their own legal or financial affairs, then the thinking is that they should also be able to sit as directors on a board, whether that board be for a society or a corporation or a cooperative.

The notion was to try to make the ability, or the types of boards for people to be able to sit on, as inclusive as possible while not putting themselves or the society that they would represent on that board at risk.

Ms. Van Bibber: The bill states that there is a requirement that a society provide a copy of its register of directors to a person upon request. Can you define a "person"?

Is it anybody who wants to find out about a certain society? Or is it limited to who can access information about a society?

Hon. Mr. Streicker: The answer is that anyone has access to it. I just will note for the House that what they get access to is how to contact — how to contact those directors.

We also, in the act, say that you can't use the information that you would get — that list of people — for, say, advertising reasons. It has to be for the purposes of that board. Whether that board is a society board, a corporate board, or a cooperative board; it has to be for business with or dealings with that board.

That's the caveat that's in there. Anyone has access, but you are restricted as to what you are allowed to do with that information.

Ms. Van Bibber: Thank you for that answer.

In section 2 (11)(a), it refers to "a person who is not an individual". Can the minister clarify this clause for the public, please?

Hon. Mr. Streicker: Under section 4(2), there is something that is going to be added in, and it is talking about a person who is not an individual — if I have the right section, that's great. What it is really saying is that, if we are going to have someone who is a director, we don't want a corporation to be a director, but corporations, under the law, are considered "persons", so that is why you have to differentiate that it has to be an individual. That is what that small subclause is treating.

Ms. Van Bibber: There was an amendment made to this bill that reflects that a director may not act by proxy at a meeting of directors. Can the minister confirm what other proxy actions will be eliminated across the board for all meetings?

Hon. Mr. Streicker: The one place that this proxy is explicitly prohibited is around directors because they have a higher responsibility to the board — a fiduciary responsibility, for example — and that they are not able to use proxy. Members could use proxy unless the society's bylaws prohibited it. In other places, we are just silent, which means that it really will depend on whether the society wishes to allow that by their own rules or not, but in terms of the one place where it is explicitly not allowed, it is for directors of the board.

So, think of that as the president, the vice-president, or the treasurer. They are not able to use proxies because they have that higher responsibility to the board.

Ms. Van Bibber: In the changes to the *Cooperative Associations Act*, there is an addition to subsection 19(9), which says, under subsection 11, that a person is not qualified to be a director if they have been convicted in Yukon or elsewhere of an offence involving fraud or theft, unless five years have elapsed. How did the five-year determination come about?

Hon. Mr. Streicker: What we are talking about here is — suppose that there is someone who has done something fraudulent in the past — especially where it deals with financial issues — then should they be allowed on a board as a director?

What this bill is proposing is that, after the person has dealt with that issue — paid their fine or whatever the remedial action is against that fraudulent behaviour — then there should be a period of time by which they are disallowed, but it shouldn't be forever. It is a reasonable amount of time. The question posed by the member opposite is "Why five?" Well, it was just trying

to come up with an amount of time that doesn't extend out too far but isn't the next day. BC chose five years. We modelled a lot of our work on this act — as I have said a couple of times today — on the work that BC did, so we followed their lead and went with five years.

Ms. Van Bibber: Section 30(2) states that if a person requests a copy of a financial statement or register of directors of a society and pays a fee for the copy, the society must provide the person with a copy of the financial statements or register of directors.

Can the minister clarify who is entitled to receive this information? Is it open to the general public or limited in some way?

Hon. Mr. Streicker: The question that, I believe, was asked by the Member for Porter Creek North was whether anybody will have access to that information. The general answer is yes — all persons can get access to the financials. But there are a couple of things worth noting.

The first one is that, if you're not a member of that society and you're requesting the financials, the corporate online registry or department can charge a nominal fee. It's not saying that we will, but it's that a fee could be charged — sort of like an administrative fee to recover. To answer the very specific question: Who has the ability to request this information? The answer is anyone.

Ms. Van Bibber: That's interesting. We've heard that the government is working on a broader review of this *Societies Act*. Can the minister confirm that this department is working on a comprehensive review of the *Societies Act*? If so, can he provide us with an update?

Hon. Mr. Streicker: We have been doing a big review. We started several years ago with public meetings and broad community engagement. That is what led to 2018 and this is the end of that big review. So, there is no other review that is going on. This is the work that we have been doing all along — so there might be a bit of misunderstanding out there in the public about what is happening.

We wanted to update the *Societies Act*. We came here in the fall of 2018, and that act made it through this House. My recollection is that it was unanimous here in support of that bill. Then we began work on the regulations and we had that dialogue — even as the act was on the floor of the House — with the Human Rights Commission. That was their request, so we looked for a solution around that. That included amending the act another time. At the same time, we took the opportunity to update a few other things in support of COVID and things like that. We are at the tail end of it all.

If the Member for Porter Creek North knows of organizations that are concerned, please — I'm happy to speak with them or for her to speak with them and explain that this is the end of all of that work. As I said in my second reading speech, our goal is that, by the end of this calendar year, we get in place the supports for the online registry, the ability to work with societies to inform them about the changes that are here, and to work with them in the rollout.

Ms. Van Bibber: Just one other follow-up in this virtual world of AGMs and new ways of doing business — has the

department found it difficult or challenging to adjust to this new way of doing business? Is this going to be ongoing?

Hon. Mr. Streicker: I think, as with many departments, the folks at Corporate Affairs have worked to be flexible so as to be supportive of societies. Like everyone here, I am sure that they, too, have gotten used to Zoom meetings and online things. Their experience with societies is that societies have been pretty nimble.

The department heard from many societies right away about concerns that were arising out of COVID. The first thing that they asked us to do was to make sure that we were moving our transfer payment agreements to those societies so that they were financially whole as COVID hit. So, we asked all departments to try to accelerate their movement of cash to societies. I don't have a report in front of me about how quickly that happened, but I know that within my own societies — because each department would support different societies — I know that we moved that money.

The next thing was about how to support societies so that they didn't go offside. So, that was around extending the date of AGMs, which was done by ministerial order — from my recollection — and then, secondly, it was to allow — through ministerial order — that societies could meet electronically even if they did not have a bylaw in place which would allow it. That is one of the things that we are going to be fixing here through these amendments — to make that permanent. Because we see now that this is where societies are moving, right? They are able to use technology to their advantage while maintaining that integrity of connection to their members. I feel that is the way that they moved and will continue to move, and so I am happy that we used ministerial orders to start but that now we are trying to fix this permanently.

I think we are still working on other issues. For example, another issue arises because of rules around — how long between one financial statement to the next? COVID has lasted — I don't want to say longer than we thought, but it's longer term — so there are all these little things that — we have to make sure to keep societies and boards whole. Through no fault of their own, they are just not able to achieve the rules as they have been previously set. I think that there is a new direction taken by both societies and the department. I think they are working closely to try to keep societies whole.

Ms. Van Bibber: Again, thank you to the department officials for being here and assisting the minister. I will turn it over to my colleague from the Third Party.

Ms. White: I was just going to seek some clarification around amendments to the *Societies Act*, mostly because I realize that when I asked the question or made the statement earlier, I thought that I should get that clarified.

When I brought up my concerns around people being able to participate who have intellectual disabilities or neurodivergence, it was — for example, the People First Society of Yukon, which is a chapter of the People First of Canada. The membership is made up of people with intellectual disabilities.

Can the minister walk me through how a board such as People First functions? How would it differ, based on these amendments?

Hon. Mr. Streicker: I will start and then I will maybe get some more clarification.

I remember meeting with People First when the first *Societies Act* bill was before us. We had conversations together and with the Human Rights Commission, and the basic issue was: What is the type of intellectual disability? If the type of intellectual disability is dealing with financial or legal matters — that was the criteria by which we said that those folks should not be encumbered with the responsibility of a board. It wouldn't be fair to them and it wouldn't be fair to that board.

We talked about the ability of societies to have non-voting directors or people who were supportive of it and who were allowed to be there if they were not capable legally or financially, but we wouldn't give them that full responsibility.

On the other hand, if their intellectual disability was of a nature of something personal or health-related — well, no problem — because that's not going to affect those individuals' ability to sit on a board and take the responsibility of those decisions. That was where the line got figured out. We actually got there pretty quickly in conversation with the Human Rights Commission and in conversation with the department and other organizations like People First. It took time, though, to find the right way to thread that needle legally and that's what we have before us in terms of this bill.

Now, maybe we'll get into more specifics and I will try to answer more detailed questions — but I'll just start there for now.

Ms. White: I thank the minister for that answer. I was just going over the note that had been sent to me by one of the officials that had also been forwarded to Inclusion Yukon. Really it was just getting the clarification. I appreciate that folks will still be able to participate on boards and I respect the parameters.

With that, I don't have any further questions.

Deputy Chair: Is there any further general debate on Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*?

Seeing none, we will proceed to clause-by-clause debate.

On Clause 1

Clause 1 agreed to

Ms. White: Mr. Deputy Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all remaining clauses and the title of Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, read and agreed to.

Unanimous consent re deeming all remaining clauses and the title of Bill No. 15 read and agreed to

Deputy Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of the Committee of the Whole to deem all remaining clauses and the title of Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted. *Clauses 2 to 25 deemed read and agreed to*

On Title

Title agreed to

Hon. Mr. Streicker: Mr. Deputy Chair, I move that you report Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, without amendment.

Deputy Chair: It has been moved by Mr. Streicker that the Chair report Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, without amendment.

Motion agreed to

Deputy Chair: The matter now before the Committee is continuing general debate on Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 205: Second Appropriation Act 2020-21 — continued

Deputy Chair: The matter before the Committee is continuing debate on Bill No. 205, entitled *Second Appropriation Act 2020-21*. Is there any further general debate?

Mr. Cathers: Beginning debate again today on this supplementary budget, we will again continue to ask for information.

I will begin by starting with — the Premier has tossed around figures for funding for the Yukon Hospital Corporation that certainly do not seem to line up with the facts as we see them from the Public Accounts and the budget book. I would like to ask him just to begin by being specific when he is talking about increases to the Hospital Corporation.

Can he tell us which lines he is talking about and from which document? Because we are being told that funding is increased for the hospital. Meanwhile, we know from the Minister of Health and Social Services' comments during debate in the spring of 2017 — she acknowledged that the increase to the hospital's core budget was, in fact, just one percent for that fiscal year.

In looking through the Public Accounts — again, of course, we recognize that most people do not go through the Public Accounts or have the time to do that. That's part of why they elect us to scrutinize the decisions made by government, including the financial decisions.

The hospital has a core budget but, in addition to that, there are also a number of specific items that vary — sometimes very

significantly — from year to year based on what capital projects are underway. They can include funding, for example, that is included in the budget for the Meditech program — we're happy to see that proceeding. It is something that in fact we called for — the Meditech upgrade; now IHealth. We urged the government to do it back three and a half years ago. I'm pleased to see they are following through and are moving forward.

When there is funding for something such as that or funding for other new programs — such as the orthopaedic program — those amounts should not be confused with the core budget for the Hospital Corporation — as it appears the Minister of Finance was doing inadvertently or deliberately the other day. The individual line items — if one looks, for example, at page 199 in the Public Accounts that the Premier just tabled — for the last year that we actually have the actuals for — since of course the revised supplementary estimate we're dealing with today is an estimate — the actual spending for the previous year becomes very relevant when we're trying to compare the budget for the current year versus what was actually spent in the previous year.

I see here in schedule 9, under the Hospital Corporation, that in addition to operational funding, there are breakdowns of specific amounts for the Watson Lake hospital, for the Dawson City hospital, for the orthopaedic program, for the territorial health investment fund/Meditech, for First Nation health, for the secure medical unit, for laboratory services, for telemedicine, for the cataract plan, for the OB/GYN program, for the MS program, and — last but not least on that list — for the Yukon Hospital Foundation. All of those amounts, added up, make up the grand total. What I'm asking the Premier to do is to, instead of — first of all, to explain where he's getting his numbers from — because they certainly do not line up with our understanding of the rate of increase — be specific about which pages from which documents he's citing.

Secondly — and a very important question — how much has the core funding for the Hospital Corporation increased during this mandate? We know that it went up one percent during the first year. What has been the actual rate of increase or decrease in each of the years that this government has been in office?

Hon. Mr. Silver: The member opposite — before we concluded general debate the other day for the day — asked a number of questions, and so I'm going to get to those first and then I'll get to his specific questions on Yukon Hospital spending.

One of the questions asked before we ended the other day was about full-time equivalent positions. In the Blues, that would be page 1610. The question was: What will the total number of FTEs be after the 118.9 positions have been added?

Mr. Deputy Chair, as of Supplementary No. 1, there will be a total of 5,193 FTEs. This is an increase of 88.2 — which constitutes 1.7 percent — over the 2020-21 main estimates. At that time, the number of FTEs was 5,104.8. The increase includes 13 permanent and 75.2 term FTEs.

So, the majority of these additional positions are for COVID-19 supports and they ensure that we continue to provide high-level services for Yukon. But again, it's worth

noting that there are 13 permanents in that number. The total number of FTEs also reflected an increase of 30.8 FTEs between the 2019-20 and 2020-21 main estimates.

The member opposite also asked about Hospital Corporation funding the other day as well — asking about tabling documents and to show where the funding has increased for the Hospital Corporation but also if this reflects an increase of the Yukon Hospital Corporation's core budget — again, asking that question here today.

The total budget for the Yukon Hospital Corporation for 2020-21 is \$81.3 million for its core operations and other requirements. This is an 8.6-percent increase over the 2019-20 mains. The increase of the 8.6 percent includes: increases in core funding for two fiscal years of about five percent; increases for the orthopaedics and IHealth/Meditech; and also one-time funding initiatives and pension solvency.

Now, between the 2015-16 fiscal year and the 2020-21 fiscal year, the YHC O&M has increased almost 29 percent. The increase is comprised of the following: a 10-percent increase in core funding, averaging two percent over the last five years; a 14-percent increase for new programs added to base for MRIs, Emergency department expansion, First Nation health, and lab testing; there was a three-percent increase for one-time funding for more OBs, ultrasound in the community, and pension solvency; and also two-percent additional funding to the base funding for ongoing costs for chemotherapy — which is good news for Yukoners, with the additional services that we now provide in the territory.

We are closely working with the Hospital Corporation to ensure that the proposed budget meets their core funding needs. We are pleased to support the work of the Yukon Hospital Corporation through the supplementary budget tabled in the House. We are committed to ensuring that the Hospital Corporation is supported throughout our territory's response to the pandemic and also just through general operations.

In the *Supplementary Estimates No. 1* for 2020-21, we are providing the Hospital Corporation with \$6 million — \$6,012,424 — in additional COVID funding to support COVID preparedness — for example, making changes to the Emergency department, lost revenue, increased staffing, and the purchase of additional supplies.

As you see, Mr. Deputy Chair, we are talking O&M compared to capital. As you know, capital budgets can be cyclical — or “lumpy” is a good way of describing it — because there are significant increases in capital budgets during years with major building construction or renovations. One of those boom periods for the Yukon Hospital Corporation budget was during the 2015-2017 era, where the MRI and the ER capital projects were allocated between \$17 million and then \$23 million per year. Including this year-over-year comparison in the budget would be misleading in one direction or the other, as it does boom in those particular years. But, again, when it comes to the O&M, we give the numbers as far as the increases — and the core funding — we gave some details there as well.

Again, the Minister of Health and Social Services will be up here as that department gets debated in that supplementary

budget, so any more specific questions on that can come from the good minister and her team.

We also had a question the last time that we were on the floor of the Legislative Assembly talking about the supplementary budget from the member opposite — talking about the borrowing limits. I guess the question was: Can we explain why we denied any interest in increasing the borrowing limit in May 2017 and then somehow did the opposite? It was something about the borrowing limit. Basically, Mr. Deputy Chair, the government's current borrowing limit was increased earlier this year by the Government of Canada to \$800 million. Increasing the Yukon's borrowing limit allows us to invest in major infrastructure that benefits all Yukoners. Of the \$800-million borrowing limit set by the Yukon borrowing limits regulation, \$590.5 million — or 73.8 percent — of this money is still available to fulfill outstanding and future approvals of that. The debt limit is set by two regulations under the *Yukon Act* of Canada and is allocated between the Government of Yukon and the corporations — Yukon Development Corporation, Yukon Energy Corporation, Yukon Housing Corporation, and Yukon Hospital Corporation.

As far as department borrowing — there is no department borrowing going on in this borrowing limit — just to clarify. It is all corporations.

Out of the outstanding amount, our government is responsible for just over \$20 million of that debt. The rest, of course, was incurred under the Yukon Party.

The member opposite then pivoted to questions about water licences for miners and what the number of placer miners awaiting a water licence is — what the number is there. How long are the delays, and is data available on how many people are affected by this? The Yukon Water Board delegates to the chief of placer mining for the purposes of licensing. This is done to provide a single licensing window where the placer mining land use authorization is adjudicated along with the water licence. It is designed to be a more efficient system.

The number of licences that remain in front of the Water Board for adjudication — there are a number of them. The board continues to process licences monthly. Currently, there are 17 licences before the board. Six of these were submitted in mid- to late summer and have not been processed yet. The remaining 11 have been before the board for longer. These longer timelines are due to proponents' non-responses for information requested. Others are on pause due to wetlands issues and matters currently being explored with this hearing in the public interest, as we saw last week.

There was also a question about stakeholder and public consultations held since the onset of the pandemic. The Government of Yukon has engaged broadly with the public a number of times since the onset of the pandemic, despite what the member opposite is saying. This includes engagements that run through the Department of Education with students, parents, and teachers; the NGO sector survey; and also the ECO/chief medical officer of health-led community well-being survey — which is a herculean effort, if you ask me.

As far as government-to-government discussions — the Government of Yukon continues to speak weekly with

communities and First Nation leadership throughout the pandemic. I spoke to leadership just today, actually, at the Kwanlin Dün Cultural Centre.

The significant dialogue also included — and continues to include — regular discussions between the Health Emergency Operations team and the Emergency Coordination Centre with Yukon communities and First Nation governments to ensure that concerns are heard and addressed as they arise.

In addition to this, Mr. Deputy Chair, the government has also met with the business advisory committee and tourism advisory committees, set up immediately since we were dealing with this pandemic. A new Yukon Tourism Advisory Board was appointed March 19, 2020, to provide advice to the Minister of Tourism and Culture on strategic tourism issues affecting the industry, as industry and government work to implement the *Yukon Tourism Development Strategy* — a long-overdue government initiative.

The Government of Yukon established a COVID-19 Business Advisory Council, as I discussed, to ensure that the needs of the Yukon business community are heard as we address the economic impacts of COVID-19. I believe that was announced March 25. The council includes stakeholders from a wide variety of sectors who contribute their knowledge and experience and represent diverse aspects of all of Yukon's different economic stakeholders.

They informed the Department of Economic Development with local business intelligence, identified best practices — sometimes even showing us their books — they recommended mitigation strategies to address the effects of COVID-19. In total, there have been hundreds — hundreds — of meetings with stakeholders over the last seven months — yet the member opposite made a picture that seemed to be saying that we haven't engaged anybody as we went down the road of providing programs, services, and relief for First Nation businesses and individuals and communities as we grapple with a global pandemic.

I think that's it. I will cede the floor to the member opposite for further questions.

Mr. Cathers: In terms of the discussions — first of all — that the Premier referenced with other levels of government and businesses related to the pandemic — I would acknowledge that there have been some discussions, but it is also something that some might refer to as “consultation by invitation”.

For the Yukon businesses and citizens who have been affected by sweeping ministerial orders and who have had their lives restricted and affected by them, it is a real issue out there. People are frustrated that their lives are being affected and they're not involved in the process and don't really have the opportunity — either before the issuance of those orders or afterwards — to do — as I suggested on several occasions — even the simple exercise of government asking people: What is working? What isn't? What can we do better?

I'm going to move on from that one though.

I do appreciate the Premier providing more specific numbers regarding funding for the Hospital Corporation. If I heard him correctly, I believe that he cited an 8.6-percent increase in core funding in the last year compared to the

2019-20 mains. While that's great to see an 8.6-percent increase in core funding, I would point out that the number that the Premier provided for the total increase in core funding over the life of this government was 10 percent. One can subtract 8.6 from 10 and see how lean the picture has been leading up to this.

I am pleased that the government seems to have taken more appropriate action this current fiscal year, but it does speak to the strain that the Yukon Hospital Corporation is under.

I also want to point out — just in terms of the Premier, earlier today, talking about the growth of government — he seemed to be trying to suggest that because we've been critical of the lack of funding for the Hospital Corporation and because much of the government's increase in funding was in Health and Social Services, that somehow the two were mutually incompatible issues to say that funding — mutually incompatible positions, I should say — to say that funding was inadequate for the Hospital Corporation and then have concerns with the growth of government overall, including in the Department of Health and Social Services.

What I just want to make reference to for the Premier — to make sure he understands our point — and also for anyone who is listening on the radio or reading Hansard — if you look at the Yukon hospitals' proportion of the total government budget, whether it be the projected amounts included in the supplementary estimates — or I'll use the actual number from schedule 9, page 199 of the Public Accounts — showing \$81,041,282 in actual funding for the fiscal year that ended on March 31 — that number is less than the growth of government expenses in that fiscal year. Total expenses, according to page 3 of the Public Accounts, increased by \$81.5 million, which is a growth across government of more than the entire funding for the Hospital Corporation. So, the growth of government overall is exceeding the hospitals' portion of that funding. So, I hope that's clarified for the Premier.

There are a number of areas where we do continue to have outstanding questions related to the budget and to the supplementary, Mr. Deputy Chair. That includes in the area of the extended-family care agreements that have been referenced a number of times. We saw that as part of where the government went overbudget in the last fiscal year. We also see additional funding in this fiscal year for it. But we still don't really have a program description from government of what it's actually doing — what the set-up is, who would receive funding under these agreements, what the nature of that relationship would be, and how much would be provided under them.

I do want to clarify that government frequently likes to suggest when we ask questions that we must disagree with what they're doing. But often, as in this case, we don't have enough information yet from the government to know whether we agree with the structure or don't agree with the structure.

I would just ask the Premier — now that there is this new area of significant growth in government spending — to provide us with more detail on what that does and for the details as to the structure of those agreements.

Hon. Mr. Silver: In general debate here, we don't have information specific to the extended-family care agreements,

but the good news is that the department will be here to speak in volumes on programs and services related to the supplementary budget when it comes to that particular question.

If the member has some general questions about funding, we can try to find some numbers through the supplementary budget as far as money being allocated to the hospital, compared to Health and Social Services — but an agreement in policy or principle, with a very specific agreement — I believe that, in the spirit of openness and transparency, to have a dialogue with the minister responsible and her team here to not only talk about the money available, but also the intent of the programs, where we've come, and where we're going as we look at the independent review and implementation of all those recommendations — I think that this would be where the answers would be best suited. The good news is that the department is listening, so they will know that this question is coming when they appear here in Committee of the Whole.

Mr. Cathers: I was hoping we would get at least a little bit more information from the Premier about this area because it is a new area and one where, as the Premier may recall, we were previously advised by officials and there were some questions about whether the act, in fact, enabled agreements of that type. The indication was that they were something that was allowable. The Premier and I debated this earlier in the spring. I have that somewhere in front of me, but I don't have the copy of Hansard right at my fingertips, so I won't quote from it — but we did debate it. Unfortunately, we are now at the point where — it began in the last fiscal year. We are now well into the current fiscal year and it's an area in which we only have only a very high-level explanation of what it does.

Unfortunately, to date, when we have asked for information about it, the answers from the minister have really mischaracterized our questions and haven't provided us information. So, I would appreciate it if the Premier could get back later in debate with that information since, unfortunately, to date, the indication has been that the minister is unwilling to provide that information.

I want to move on to another area, and that relates to the question of the recovery from the pandemic. We have seen predictions in areas such as the government's parks strategy that seemed to predict the growth of tourism being unaffected by the pandemic, while — as we have heard — indications from officials in another department are that the government's GDP trajectory overall is not expected to return to predicted levels until 2025, if all went well.

Can the Premier indicate what projections the government is currently using for recovery of the tourism industry, when they expect this to occur, and how they expect it to affect the various sectors? In a question of gross domestic product generally, when does he expect government's GDP to get back on track with the previous predictions? Would he agree that it is 2025, or does he have a different year in mind for that expected return?

Again, I couch that with the fact that I do realize that no one has a crystal ball, and those predictions are, by their nature, not something that anyone in the world right now can set in

stone — but we are just asking for the information about what predictions and information the government is relying on at this point in time when they are making their decisions.

Hon. Mr. Silver: There are three things outstanding here. The member opposite commented — two questions ago — about the business community — talking about some of the business communities that he has heard from. I was just speaking offline here with the Minister of Economic Development, who has not been off the phone, off the meetings, or off the attention of the business community since March.

If the member opposite just says “anecdotal” and doesn’t have to respond here in the Legislative Assembly — if he knows of any business that has not been directly in communication here with the minister and his team, we would like to know who — because it’s extremely important information as we go from triage into relief and then into recovery. That’s extremely important information.

The information that we received from the hoteliers, the information that we’ve received from travel destination folks, small businesses, retail — it has been absolutely necessary for the programs that we’ve put out the door. I think that, if the member opposite has some businesses that he knows of that believe that they have not been a part of the conversation or have not been involved, then we would absolutely love to know who that is.

This weekend alone, I could barely get a word in edgewise with the Minister of Economic Development because of all the calls that he was taking from the business community.

When it comes to numbers and when it comes to Family and Children’s Services — we have already stood up in general debates to speak about the allocation of funding. Of course, when it comes to Family and Children’s Services, our whole point here is to support the well-being of children, youth, and families. We do that through protection; we do that through interventions; we do that through coordination, advocacy — all of this strengthening our families and our communities.

We’ve gone through from the main estimates what that number breakdown is in general, but I would ask the member opposite to ask specific questions and to pass that to the specific departments. We could go through the operation and maintenance that we reported here in the Legislative Assembly: program management from the mains — \$8,635,000; family services — operation and maintenance for family services, as allocated in the mains, was just under \$5 million — or more specifically, \$4,000,981; child placement services — the amount allocated in the 2020-2021 main estimates for child placement services was \$3,660,000; early childhood and prevention services — \$11,076,000; youth justice — \$4,573,000; and child assessment and treatment services — \$11,000,994.

When it comes to capital — we’ve had a conversation about the capital programs as well, but I think the member opposite was talking specifically about O&M. The breakdown past that — there was not an opportunity during the mains, as we had unanimous consent to convene early here in the Legislative Assembly, but the department will be up in the

supplementary and be able to answer any specific questions on the breakdown of those values.

When it comes to GDP, the member opposite knows that there is a whole series of statistical analysis that we do from our own internal conversations and our own internal investigations and statistics. Through the *Interim Fiscal and Economic Update*, we provide the expectations through that documentation for Yukon’s finances and the economy, and we do that every year with our mains — we put that information out. Despite increasing funding from the federal government, the impact of the COVID-19 pandemic is the primary driver of a downward revision of our statistical analysis from those days in the surplus projection, resulting in that forecasted deficit of \$31.6 million, and that is where we are here today.

When it comes specifically to the GDP — you know, as per our own internal numbers from the Department of Finance early on in the fall here, in September — our most updated GDP forecast internally was that real GDP was forecast to grow by 0.8 percent in 2020, which represented 5.4 percentage points lower than was forecast in March, reflecting significant economic costs associated with COVID-19 and measures taken to minimize potential transmission therein. This would make us one of the only Canadian jurisdictions with positive GDP growth for the year from that forecast, further demonstrating our strong economic and fiscal foundation.

As far as GDP assumptions go, there is also the Conference Board of Canada, which summarizes economic activity. GDP forecasts, again — I have said this in opposition, and I say this in government — they are always filled with uncertainty. As we predicted growth to begin the year, who would have thought that there would be a pandemic — let alone in just regular years — there are definitely things that shift and switch those forecasts. Forecasts are an excellent analysis of the future, but the future is always unknown.

We can take all of the best information that we have, we can make the best assumptions on timing of future events, and we can talk about comparing our results with other experts in the field. There is constant analysis going on — not only internally with us, but also with the Conference Board of Canada. We meet once a year — an annual meeting with the Finance ministers — that is actually where I first met my current deputy minister; he was acting as another deputy minister at that time — but conversations with the Bank of Canada — presentations therein. Also, they were very helpful as we go through our predictions for the future.

This *Interim Fiscal and Economic Update* — again, no exception as far as how we do our predictions. Again, with the asterisk of how there is a lot of uncertainty there, but there is no exception this year in our update — despite the fact that it was released in unprecedented economic times and significant uncertainty. To explain these circumstances to Yukoners, we provided background to the economic outlook — on pages 9 and 10 of that document for the member opposite. We have researched what these economists and other private sector experts are saying about the long-term effects on the Canadian economy. We took a closer look at those to make forecasts for the Yukon economy.

The Conference Board of Canada summarized that, for most provinces, economic activity will not return to pre-COVID-19 levels until the second half of 2021. For Yukon, this has already happened, as growth continues — albeit small growth. Our forecast suggests that, because of this flattened growth curve this year, it will take until about 2024 for GDP to recover back on the same growth track that was forecasted in pre-COVID March budget times.

Mr. Deputy Chair, I say that with all the preamble because, again, GDP forecasts are absolutely forecasts. They are filled with uncertainty. One of the biggest things that are going to really shepherd in the economic recovery will be a vaccine. It is anybody's guess as to when that's going to happen — when the vaccine gets passed by the medical community as safe for the public and safe for Canadians, who the companies are going to be that will do the distribution, and how quickly a country like Canada will get the herd immunity percentages of that vaccine and then implemented. Suffice it to say that, once that process starts, we will see — I'm sure of it, as the one certainty as far as forecasts — a change in the forecasts based on when that happens. We are hopeful to see that sooner rather than later, but I don't like to speculate on when that is going to be.

Deputy Chair: Would members like to take a short break?

All Hon. Members: Agreed.

Deputy Chair: We will recess for 15 minutes.

Recess

Deputy Chair: Committee of the Whole will now come to order. Is there any further general debate?

Mr. Cathers: Just in resuming debate — could the Premier just confirm what the projected growth of revenue and expenses is this year, as of the revised supplementary estimates, both in dollar terms and in terms of percentage — what is that growth rate for both revenues and expenses? I'm talking about across government as a whole or on a consolidated basis — if he could please provide that number.

As well, in the area of personnel growth, I was making reference to a previous debate where the Premier had indicated a growth of 450 positions in government since taking office — which, in addition to the ones provided this year — our understanding is that total growth of full-time equivalent positions would be 568, according to the government's numbers. Could the Premier please confirm if this number is correct, or if there has been some adjustment compared to what he had previously indicated? The addition this year of 118 new positions — could he please indicate what the total growth is once the new positions contained in the supplementary budget have been added to government, compared to when his government took office?

Hon. Mr. Silver: I will say as well for the member opposite that it's really difficult to hear what he is saying. If he could speak up, that would be great.

I am not sure exactly what his question was as far as revenue and expenses. We could talk about what has been voted to date and then what the revised vote is. That's what we are

here with the supplementary estimate to do — to show that revised vote.

From our revenue for the mains, that was \$1.5 billion. To be specific, it was \$1,525,871,000. The change that we're seeing now with the revised vote is \$1,567,946,000, for a change of \$42,075,000. When it comes to expenses, in 2020-21 — when we came out with the mains, our expenses were a negative number, obviously, of \$1.5 billion. To be specific, it was \$1,521,765,000. The revised vote is \$1,599,558,000, for a change of minus \$77,793,000. So, with those numbers, when calculated, we were at a surplus of just over \$4 million — \$4,106,000. With the revised vote, that puts us into a deficit situation. The revised vote is an extra \$31,612,000 in total, so that brings us to a deficit of \$35,718,000.

When it comes to the FTEs, we have been on the floor a few times talking about the FTEs. We talked again today that, in *Supplementary Estimates No. 1*, there is an increase of 13 permanent and 75.2 term FTEs — or 1.7 percent — from the 2020-21 main estimates. In the 2020-21 main estimates, we communicated that we had 5,104.8 full-time equivalents — or FTEs — reported by our government to support programs and services. We have also spoken about how the majority of this increase is attributable to the Government of Canada's response to the COVID-19 pandemic and also provides a continued level of services that are expected by Yukoners.

During the first portion of the year, the government also temporarily redistributed staff from various departments to assist with COVID-related supports as needed. The majority of these staff have now returned to their substantive positions and the government is taking steps to strategically recruit staff necessary to support COVID-19 measures and public health over the long term. We've come a long way in the last few months since COVID reared its ugly head. The government departments proved exceptionally resilient in being able to use the complement of FTEs that we have. What we saw is a dedicated public service that sprung into action in very confusing times, where people were making provisions to work from home — having the virtual client set-up in record time. Again, I don't mind ever coming into the Legislative Assembly and thanking Highways and Public Works for the amount of amazing work the tech departments did to get the public servants home and able to work very quickly.

Also, looking at things like the emergency response teams, the human resources that we saw in the old library here in this main administrative building — what a hubbub of activities — all public servants in other substantive roles switching, augmenting, being flexible, working well into the evening and on weekends to respond to the pandemic. We've seen Dr. Hanley speak about how the medical community across the world, in Canada, and here has been able to respond to the pandemic through what they've learned over the past seven and eight months — so too has the public service — being able to get back into their substantive positions, but also as we strategically recruit staff to continue to provide all of the necessary information statistics, information sharing with governments — intergovernmental but also First Nation governments, municipal governments, and the federal

government. It has been truly an honour to be the Premier of such a responsible, responsive, mature, and sophisticated public service.

I'm not sure if there are any other questions. I do have the areas of growth broken down per department if the member opposite wants me to go into some of the highlights as to the full-time equivalents and the change between the mains and the 13 permanent and the 75.2 term FTEs — representing 1.7 percent of the total complement of the 2020-21 main estimates' FTE count.

Mr. Cathers: I thank the Premier for that information. If he would provide that breakdown by department, that would be appreciated. I apologize — I was speaking in a conversational tone, and I guess the microphone didn't pick it up that well before. What I was asking the Premier about was — he obviously didn't quite hear what I was asking — two things.

One was about the supplementary estimates — in comparison to the previous fiscal year — what the increase is expected to look like, compared to the fiscal year that wrapped up in March of this year — what the percentage increase would be — the expected increase in expenses, and the expected increase in revenues. Because, as the Premier will be aware, that is one of the ways that the information is presented in the Public Accounts — a comparison of the previous fiscal year and the percentage growth in those areas.

If he could just provide that information of the supplementary estimates that are tabled — if this ends up being the “actual” before the end of the fiscal year, what would that percentage of growth look like in comparison to the previous fiscal year?

The other question was just about growth of full-time equivalent positions since government took office. I was making reference to — and I now have in front of me for reference the page in Hansard — just for the Premier's reference and the reference of Hansard, in March 2019, when the Premier and I discussed the growth of full-time equivalent positions, on page 4012 of Hansard, the Premier stated — and I quote: “Again, if all these positions are hired, the total growth of FTEs by the end of the fiscal year will be 450...” Looking at that number and the increase this year of 118, it appears that the growth of government since the Premier and his Cabinet took office would be 568 FTEs, but we know that in the past there have been adjustments between numbers that we have been given by the Premier and his colleagues and what actually occurred.

So, I am just asking the Premier to confirm: Is that the correct number, as he understands it — that the growth would be 568 FTEs since taking office? If that is not correct, could he advise what the actual number is?

Hon. Mr. Silver: Thank you very much, Mr. Deputy Chair, and thank you to the member opposite. I can hear him clearly now, so that's a good level.

I will have to get back to the member opposite as far as from when we took office. Every year, we do get asked — from the mains — what our FTE count is and if we can provide that information. Every supplementary, we update that. We just gave the update with the 2020-21 main estimates. We had a

number that was 5,104.8 full-time equivalents. As of this supplementary estimate, there is an increase of 13 permanent and 75.2 term FTEs — or 1.7 percent — from the 2020-21 mains. That is the most up-to-date information that we have. As the member opposite did specify, in my answer, I said that if all hires happen, then these are the numbers that we would have. These are the most up-to-date numbers that we do have, based on this supplementary estimate.

But what I will do is — I will look back over the years to see if I can provide an update of total FTEs since — I guess that's the best way of saying that, Mr. Deputy Chair.

I might have to ask the member opposite for a clarification. When he is talking about expenses or revenues based on this year, it almost sounds like the member opposite wants me to get into a predicting mode of moving into the end of this fiscal year and speculate as to where we are going to be at the end of the year. I will ask him to clarify if that's what the question is or not.

We have supplementary estimates that are in right now — two words there — “supplementary estimates”; one word is “estimate” — so we are giving, in this estimate, the best predictions of where we are and also looking for the vote to spend the supplementary estimate dollar values.

We have spoken at length as to why we are here in a deficit position based on the COVID-19 pandemic and the resulting significant increases in spending, as well as decreased user fees and tax revenues. I don't know if the member opposite wants me to use those trajectories to speculate into the future for the complete year or not, but when he gets to his feet, I will ask him for a clarification on that question.

We did talk about how — to date, what I can say is that the increase in operation and maintenance is primarily driven by public health measures, testing, contact tracing, emergency management, coordination and enforcement, and targeted financial and economic supports for businesses, families, and communities. Also noted is that if we take a look at a per capita spend — compared to other jurisdictions, we are in a very good place as far as the budgetary strain that we've been put under — that the taxpayers have been put under — from the government spending here. We think that we are in a good place and that we have provided programs and services to businesses that just cannot be offered in other jurisdictions in Canada as we're spending through the supplementary budget here.

Again, it's hard to speculate how the epidemiology goes and where we're going to be in a couple of months, but we will note that there is a substantial increase in recoveries, for example, that is being illustrated in the supplementary estimates — which talks about a strong collaborative approach between our government and the federal government. All provinces and territories are addressing those urgent needs in the pandemic. Being in on those weekly conversations, it does make me a very proud Canadian to know that every jurisdiction is working together, not only in sharing information about the epidemiology and the medical world, but also coordinated efforts to talk about the manufacturing of PPE and supply chain management.

To say that the level of conversation and sharing — which had already been really moving forward really well in the Council of the Federation in the last three years — it just went into hyperdrive when it was specific about the costs and the needs of each government as we work through the pandemic. The sharing has been amazing.

I mean, we have always enjoyed a very collegial relationship with Health and Social Services and our ability to get first in line when we get into BC and Alberta for medevacs and medical travel — but to see, right across the nation, governments coming together — it was pretty extraordinary.

But again, the recovery end of that conversation — again, showing the strong evidence of the federal government listening to the provinces and territories as far as the specific needs therein.

We spoke out as well — with the supplementary estimates — about the decrease in capital expenditures and the main drivers therein — delays of the fibre optic project, for example, due to ongoing permitting processes. Partially offset in this is additional work that has been done to increase electrical capacity in the territory by the development corporation. Again, this money is spent but also fully recoverable from Ottawa.

When it comes to the specific numbers of where we are here today — best numbers to complement the main estimate numbers now with the supplementary estimates — the forecast of an increase of \$95.9 million in O&M gross spending to date, with offset recoveries of \$58 million. Capital spending is forecasted to decrease by \$3.7 million, with a decrease of \$5.9 million in recoveries therein.

Revenues are expected to decrease by \$10 million. These changes are forecasted to result in — as I said a couple of times now in the Legislative Assembly — \$31.6 million. The year-end net debt is forecasted to be \$117.7 million. Overall, these changes show a government responding to the global pandemic while ensuring that Yukoners receive those core services that they need and expect.

I'll leave it at that right now for, again, a summary of the spending best estimates to this point — also, when it comes to looking at the mains to supplementary budgets, revenue increased — the 2019-20 mains to the 2020-21 supplementary budget where we are now — the increase in revenues from that time to now is actually 2.9 percent.

This is from the interim fiscal and economic update. If the member opposite would turn to page 3 of that, he would see this chart — chart 1 — of fiscal indicators. We have also seen expenses for some of these periods increase as well — but, again, if the information is not available in the *2020-21 Interim Fiscal and Economic Update* or in my response so far — I will cede the floor to the member opposite to see if I completely answered his question or not.

Mr. Cathers: Just to clarify — I may have not explained that clearly, but basically what I'm looking for is something that states it in a way — comparable to how it's reflected on page 3 of the Public Accounts where, for the last fiscal year, it tells us that total revenues from year to year increased by \$75.8 million — five percent — while total expenses increased

by \$81.5 million — six percent. That is the way it was reflected in the Public Accounts.

What I am asking for — and I will try to explain this a little more concisely — recognizing that we are at the supplementary estimate point in the fiscal year, based on the current projections, what would the sentence say at the end of the fiscal year as far as how much our total revenues increased compared to the last year and how much total expenses increased compared to the last fiscal year?

Hon. Mr. Silver: Again, what I think that the member opposite is asking me to do is to speculate as to where we will be by the end of this year. Again, that is what the Public Accounts are for.

I'm not going to speculate. My response the last time that I was up was to point out that the specifics that got us from a surplus in the mains to a deficit here are all done under extraordinary circumstances. What we've been doing successfully over the past four years is — we're doing a lot of our budgeting up front. We really believe that we've done an extraordinary job — a whole-of-government job — of coordinating the smaller finance departments in each of the departments with Finance. The work that Highways and Public Works does now in our budget considerations and Community Services — or “finance-lite” as some call it — just an amazing group of financial individuals who all come together.

We started the budgeting process earlier than the previous government, and we're into it very, very quickly through the variance reports. The whole structure has changed as far as how we get information as quickly as possible, which allows us to do a lot of the budgeting right up front in the mains. We've seen in previous years where our supplementary budgets have been minuscule.

In this case — in this situation — there is no trend to be followed because all of our expenses have increased due to COVID. The recoveries have increased due to COVID. We've seen announcements from the federal government where they'll give up to 10 percent of the ICIP funding for each jurisdiction in Canada at 100-percent dollars, as opposed to the deal that we had before for the territories, which was a 75/25 percent split.

There are just so many moving parts right now as far as what has happened from the mains and the presentation therein, moving all the way forward to now — what “triage” meant and looked like as it goes into relief.

Now, as the nation hopefully starts looking toward recovery very soon in the new year — that's a different change as well. We've gone through different phases of our plan — of our path forward. Each one of those phases is unique on its own. I hope that we never go back to those stages ever again — but for us to predict what's going to happen tomorrow, next week, or next year is something that I won't do on the floor of the Legislative Assembly; I won't predict.

What I will do is reiterate the information that we've given from the Public Accounts. A great example — the Public Accounts can talk about the revenues — the non-consolidated revenues over the main estimates — in comparison. Again, as we take a look at the Public Accounts that were tabled in the Legislative Assembly last week, we can see that there was a

\$15.9-million increase in the non-consolidated revenues over the mains.

That was driven by contributions and service agreements — including Government of Canada revenues, which were \$10.5 million over the budget amount — as well as taxes in general revenues of \$3.5 million over the 2019-20 budget. If you take a look at that statement alone, Mr. Deputy Chair, and think that in a year that, just at the end of it, had some COVID considerations, there were still some changes in revenue from Canada. Just that one variable changed in a mostly non-COVID budgetary year.

Again, you could look at the non-consolidated expenses as well. There was a \$14.4-million increase in those expenses, driven by an increase of \$31.7 million in Community Services and \$11.2 million in Health and Social Services, offset by decreases of \$7.3 million in the Public Service Commission and \$6.9 million in the transfer payments to Yukon Housing Corporation. The increase was lower than was anticipated in the supplementary estimates.

Again, this was mostly in a year where COVID was not rearing its ugly head. For me to speculate on this trajectory or on this pathway would be — I would say that would be a dangerous prediction that most likely would not come true in that each month has been laden with its own individual circumstances, concerns, and issues. They hopefully will not be duplicated into November, December, January, and February of this fiscal year. They will come with their own concerns. They will come with their own considerations. We will continue to give the information as quickly as it becomes pertinent to do so when it comes to the fiscal year spending, non-consolidated numbers compared to consolidated numbers — and I will leave the forecasting to the estimates.

Mr. Cathers: Well, unfortunately, that was a fairly long and evasive answer to a fairly straightforward question. I was acknowledging in my question that, of course, the numbers can change from what is in the supplementary and we are in uncertain times, but I was asking the Premier to provide that comparative information. Unfortunately, I got everything but that in the reply.

I am just going to move on to another area as it relates to government spending during a pandemic. We have seen a budget that has increased the deficit. The information presented by government is that, largely, most of their increase in spending since the spring is related to the pandemic. That leaves us with the question, ultimately: Does the government have any sort of limit to its spending regarding COVID? Will it spend endlessly? Will it spend to a certain point? If so, what is that point? Is it based on a percentage of gross domestic product or tied to an outcome, such as keeping businesses that currently exist open until COVID is done?

In making reference to that — I'm talking about the type of thing that was described in the Premier's Financial Advisory Panel report, where they talked about a "fiscal anchor". I'm just asking the — I won't read the full excerpt from that; it's a rather lengthy though interesting read — but an excerpt from that report notes — on page 28 of the government's Financial Advisory Panel report — quote: "It is important to emphasize

that a good fiscal anchor is one that is easily understood and easily monitored by voters. That is, it should reflect the wishes of citizens but for it to do that, citizens need to be able to easily verify whether their wishes are being satisfied. This is what makes defining simple terms of a fiscal anchor — such as a debt/GDP target — attractive. But even simple definitions require transparency in budget reporting."

Again, ending the quote from that and using one more quick quote from it which states, on the same page: "There is a wide variety of forms that a fiscal anchor can take."

So, what I'm asking in that regard is: What does the Premier see as the path forward? Is the government just planning on spending whatever it sees as necessary? Or what is their idea of a fiscal anchor in terms of defining the limits of the spending and the outcomes associated with that?

Hon. Mr. Silver: This is a question asked of every government in the world right now — federal governments and, in Canada, the provincial/territorial governments. We take a look at what we have spent compared to other jurisdictions. We have given that number of a per capita expenditure so far. We are well within a fiscally prudent plan and numbers when it comes to that spending.

Again — just for the record — the member opposite talks about \$88.7 million that we're talking about in the supplementary budget dedicated to COVID. What also needs to be said in the same breath, Mr. Deputy Chair, is that \$52.9 million of those dollars are recoverable as well. You can take a look at the programs that we have out the door — including the fixed costs to businesses — a program that is just not available right across Canada, but it's available here — \$30,000 a month to businesses. We've seen the cap of that increase as we partner with CanNor and extend it — the timelines on this funding were extended — the caps and provisions therein. We definitely did that hand in glove with the Business Advisory Council.

It is extremely important to know that — when you take a look in the context of other jurisdictions and the financial situations that they found themselves in before the pandemic started and also a comparison of expenditures versus recoveries to date — we are the envy of a lot of jurisdictions in Canada for our ability to start this year with a fiscal surplus, but also, at the same time, provide very quick responses to the community, as it needs — based upon COVID — whether that be in cancellation relief and recovery, whether that be in reduction of fees — those types of things — supports for the aviation community, supports for tourism, rent provisions, and sick leave provisions that are being modelled right across Canada — Yukon's support and relief has been fiscally prudent but, at the same time, catered to the needs of Yukoners.

Is there a formula, as far as a dollar value of capping out? Again, these are unprecedented times. We want to make sure that the spending that we do is sound and fiscally responsible, and I believe that, to date, compared to other jurisdictions in Canada, we have proven that. We have proven to be in a good financial position.

Now, God forbid that the pandemic continues not for weeks or months but years — before a vaccine — let's say, in

the worst-case scenario, you know, you have more years coming out — well, we will adjust and we will adjust with the federal government as well. This is a partnership, when it comes to COVID relief — as you see the numbers of \$88.7 million spent but also \$52.9 million recovered from the federal government — it is a partnership. It is not going out and spending without an understanding of the conversations that we have had at the Finance ministers' tables — of which I am the only Premier who is also at that table as the Finance minister, which is a great benefit to Yukon — to be in both of those conversations, as we were talking about per capita funding versus base-plus funding and how important that is to smaller jurisdictions — and to relay to the federal Minister of Finance but also to the other provinces' and territories' Finance ministers — the conversations on a national level with the premiers. It has been very important — a very important dialogue to help pinpoint the federal funding so that it actually has a better understanding or a better target in the territories but also in smaller jurisdictions.

We are seeing a lot of the smaller jurisdictions say, "Us too. We want to be on this base-plus situation that is being given to the territories."

What we want to do is make sure that our fiscal strategy matches up with making sure that we support the needs of Yukoners. I believe that we have done a good job in that so far. We are not out of the woods yet, and we have much farther to go. But when it comes to asking me to predict how much spending is going to happen on COVID — again, it is very hard to predict that. Right now, if you take a look at outlier provinces or territories that are spending or having to make cuts to come up with some financial relief — we are not there. We are in a different situation. We have seen cuts in health care in Alberta just mentioned within the last couple of weeks — and my heart goes out to Premier Kenney, his government, and the Province of Alberta. We have seen similar experiences right across Canada when it comes to supports. We believe that we are in a really good fiscal position to continue to listen to Yukoners, the business community, the NGOs, and families to make sure that we have the fiscal wherewithal and the fiscal strategy to be able to work with them to make sure that their needs are identified.

I will leave it there for now.

Mr. Cathers: What I got from that is that the government doesn't have a fiscal anchor.

I note that it is not just something coming from the Official Opposition — the suggestion that there should be one. The Premier's own Financial Advisory Panel provided advice and it spent several pages in their report talking about the value of a fiscal anchor and the fact that it can take different forms.

Just giving some context in comparison to what is going on at the federal level, there is, for example — I'm going to quote briefly from an article from the Business Council of Canada about it that was posted on their website, at <https://thebusinesscouncil.ca/publications/we-lost-our-fiscal-anchor-were-going-to-need-a-new-one/>. In that piece written by Robert Asselin, I believe it was — I am just going to quote a section from it: "Fiscal anchors serve as notional ceilings or caps to the levels of public spending, deficits, and debt that

governments are prepared to reach in their fiscal policy. They serve many purposes including:

"1. Retaining the confidence of lenders and global markets (i.e., credit access at favorable rates);

"2. Establishing a positive investment climate for businesses;

"3. Providing a measure of fiscal discipline inside government. If the Finance Minister doesn't have one, it becomes very difficult for her to put any sorts of constraints on her colleagues in Cabinet and caucus; and

"4. Ensuring that the government has the ability to respond to further economic shocks and unforeseen crises.

"Before COVID-19, the current government's fiscal anchor was a decreasing debt-to-GDP ratio. That anchor has disappeared.

"The question before the government is: What should its fiscal anchor be going forward?"

That, again, is a quote from an article about the federal government, talking about the value of a fiscal anchor. I want to emphasize that both that credible source and, again, this government's own Financial Advisory Panel in their report talked about the value of a fiscal anchor. It's not just a public-relations tool. It's not just something for members of the opposition to ask the government about. The value of it is both transparency for voters and the reasons that I cited, which is that it does do things, including establishing a positive investment climate for businesses and retaining the confidence of lenders in global markets.

Without a fiscal anchor in place, we are all left wondering just how far the government will go in spending and how are they measuring success? How far are they prepared to go in terms of subsidizing sections of the economy that aren't working or borrowing money to invest in infrastructure that may itself have value but also will have to be paid for by the next government and future generations? That is why we are asking the government these questions. If the government doesn't have even in its own mind a fiscal anchor to define what success is, then we are not clear about their priorities, and Yukoners will not be clear about their priorities or the limits of how they will approach things.

If the Premier could provide any more information in response to that, we would appreciate it.

Hon. Mr. Silver: I would say that, as a government, in the last four years, we have really blossomed, going from GDP predictions, which is what we heard from the previous government, to a consideration of Canadian jurisdiction comparisons and the Yukon comparison of net debt versus net financial assets, the GDP ratio as a financial anchor — again, we definitely have those numbers. I wonder if the member opposite would agree that our borrowing rate should be on one of those fiscal anchors. I know that, with the previous government, it wasn't.

Before I talk about the vision moving forward, let's talk about a Canadian jurisdictional comparison of net financial assets or net debt to the gross domestic product, which would be an anchor. It would be exactly what the member opposite talks about.

The Public Accounts talks about this in their report, showing graphs and charts of a Canadian jurisdiction comparison when it comes to these types of financial anchors. The Yukon and Nunavut are the only jurisdictions that have a positive ratio when it comes to these two variables. A positive ratio indicates banked resources to financial future operations and obligations. A negative ratio would indicate that a government must rely on any future revenues and discharge existing liabilities, and that's not a situation that we want to be in, and we're not, thankfully.

The member opposite first asked the question about me speculating as to COVID spending based on an anchor and then said, "Based on your answer, you don't have a financial anchor." That's not true, Mr. Deputy Chair, and the member opposite knows that. I will expand on that as well — to go from where we were to where we are. I've often said that GDP itself in a vacuum is not an indication of how well you are doing as a society.

What does help us get better information on where we are as a society and how wealthy we are as a region in Canada would be the Canadian Index of Wellbeing. We relaunched our commitment to this project in partnership with the Canadian Index of Wellbeing and the chief medical officer of health. We have a new survey that's out. We put it out originally in February. It was a random draw — a sample of 1,502 Yukon households. We were very pleased to have 340 surveys completed before the data collection was permanently suspended back in February due to COVID-19 — or into March. We reissued the survey, and that was opened up to all residents over the age of 18 and received more than 4,500 online and written responses before August 27.

Again, taking a look at GDP is one thing as far as how we are doing comparatively. Moving that from an anchor of sorts — of comparing net financial assets or debts to the gross domestic product — is something that the Public Accounts talks about and how, when we're taking a look at these anchors, the Yukon is in an enviable position compared to other jurisdictions.

The member opposite says that we don't have one. Well, that's just not true.

Looking even further past that, if we were actually trying to figure out the collective wealth of a region — and wealth is more than just GDP. Wealth is health. It is educational opportunities. It is the ability for communities to communicate with each other for the greater good. It is reconciliation. It is all of these pieces — and the amount of effort and resources that we have put into this Canadian Index of Wellbeing — again, this isn't a "pat yourself on the back" type of exercise. This is a context piece. This is a context piece to see how we compare to other jurisdictions in Canada. That's really important to this Yukon Liberal government. The work that we do here is ongoing.

Each year that we have gone through this, we have been criticized by the opposition about these indexes. First, the criticisms were that they weren't locally specific enough. We have changed them so that they have more provisions of locally pertinent context. We then switched — in these COVID times

— to partner with the chief medical officer of health as that department worked with its colleagues right across the nation and then used that comparison as well in the survey. These results of this survey are going to help us to better understand not only some of the unintended consequences of the pandemic, but they will also help us to decide the anchor — what we are anchored in — where we are when it comes to our revenues and our wealth compared to other jurisdictions.

This is more of a complicated look, which is exactly what we as a government can do. We have our sophisticated government. It's due time that we as a government start looking at these more intricate analyses of our health and well-being and of our wealth therein. I am happy to say that, based on financial anchors identified directly in the Public Accounts that compare Public Accounts and the summation of the year and taking a look at the different jurisdictions when it comes to these anchors, as the member opposite speaks about — we are in an enviable position there, but it is not enough.

We need to look at the well-being of our communities. We need to take a look at programs and services. We need to take a look at double standards in health care that the minister of health care has been identifying since the day she took over that office and work with the departments to change the Department of Finance to the Yukon Financial Advisory Panel, to change for the better the health care system through the independent review and to work collaboratively with governments not only on health and housing, but also with the financial considerations. We have coordinated a whole-of-government approach over the last four years that we are extremely proud of. I am extremely proud of the public servants who have provided amazing insight into how we need to move forward, past just considerations of GDP.

Mr. Cathers: I just want to again quote from page 28 of the government's Financial Advisory Panel report: "It is important to emphasize that a good fiscal anchor is one that is easily understood and easily monitored by voters." So, I asked the Premier a question about the government's fiscal anchor, whether they had one, and what it was. What I got back in response was a long list of everything under the sun. While some of those things such as the Canadian Index of Wellbeing — and talking about work on reconciliation and talking about any of the other sundry things that the Premier listed — may have their value, they don't meet the definition from the government's own Financial Advisory Panel report of being something that is easily understood and easily monitored by voters.

Again, I am going to remind the Premier of what that sentence said — and I quote: "It is important to emphasize that a good fiscal anchor is one that is easily understood and easily monitored by voters." The long list of things that the Premier went on to talk about — the whole-of-government and touched on a long list of the government's talking points. But the Premier didn't really answer the question about the fiscal anchor, and it is unfortunate that he couldn't answer — or was unwilling to answer — that simple, straightforward question, so I will give him another opportunity.

Hon. Mr. Silver: The member opposite conveniently forgot to mention in his response that the lion's share of my answer to his question — there's a financial anchor that's identified directly in Public Accounts. The member opposite is screaming, "Where is your anchor? Where is your anchor?" Well, we just talked about it. It's on page 10. That's an anchor — when you compare financial assets or debts to the gross domestic product.

I did ask him a question as well. When it came to the Financial Advisory Panel, I think a lot of the conversation therein was a debt anchor — an anchor to GDP — as far as considering what our debt limits should be. I'm wondering if the member opposite, in their time in government when they increased the debt limit each time — did they do that based on a debt anchor? Which one was that? That would be an interesting response from him to see what their anchor was when they received the substantial increases to our debt limit at that time.

I would also say that surplus versus deficit is also an anchor. When we strive to have a surplus, that, to me, is a good indication or a good weighted anchor as to how we are financially doing. In the mains, before COVID, we had a surplus. It is interesting that the member opposite, in his response, glazed over the fact that it was the lion's share of my response.

I did then pivot to another point. When I was in opposition, I asked questions about the GDP. I often wondered: Is that enough? Now, in the role of Finance minister and having the privilege of not only working inside of this government — and to change the Department of Finance from a budgetary stamp after the political decisions were made — to turn that into a comprehensive Department of Finance where we got rid of positions that had conflicts of interest by increasing the hires, by having a more comprehensive piece of the financial department as we looked at the Management Board process, the Cabinet process, adding in the Cabinet Committees on Priorities and Planning, the Cabinet committees therein before the Cabinet process — all of these things were, in my opinion, an ability for this territorial government to be in a position where we can have those conversations about how we compare when we take a look at these anchors.

As I have read from the current Public Accounts, which was tabled last week, we are in an enviable position when it comes to these debt anchors, which the member opposite says we do not have. Well, if we don't have it, then why in the Public Accounts are we seeing a positive ratio in a debt anchor here, where Yukon and Nunavut are the only jurisdictions in Canada to have a positive ratio therein? Taking a look at some of these numbers of federal, provincial, and territorial governments, their net assets and debt GDP ratios on the calendar year are negative numbers — for Newfoundland, close to 50 percent. Negative numbers for our friends and family in Québec — again, around 40 percent or more, negative. Looking at the closest jurisdiction with a negative would be Alberta. Again, we are seeing some interesting situations there, but they are in a negative in these positions.

Yukon and Nunavut are the only two that have a positive relationship in this particular ratio. Again, as far as an anchor goes, us coming to the mains with a surplus situation as opposed to a deficit, again, is a good indication from a very specific financial consideration as to how we rate.

I then pivoted from that conversation to say: "Is that enough?" Is it enough for a government to rely 100 percent on just GDP? No. On a debt anchor compared to GDP? That's getting better for sure, but still not enough, in my opinion and in the opinion of my ministers and colleagues here in the Yukon Liberal government. We need to do more. That is why we have put significant resources into working with the University of Waterloo and working with the chief medical officer of health to establish a Yukon-specific Canadian index of well-being, doing the surveys to get out there past the fiscal considerations and into the realm of well-being.

We could parlay that into a bigger conversation of the initiatives that we have done as a government to pivot from waiting until someone is sick to meeting somebody where they are and then do our best to create healthy, vibrant communities right across Yukon when it comes to health care. We could take a look at how we have put many more resources and dollars into mental health services and supports.

Again, these are extremely important things that GDP ratios to debt — again, I'm not saying that those are negative things or not good things to look at, but it's not the full picture. The full picture is looking at these other considerations.

I believe that over the years — going into the fourth of a five-year mandate — we have done a lot of work. We've done a lot of work to balance the budget pre-COVID. We've done a lot of work to do an analysis and comparison of other jurisdictions as far as debt anchors go, but we've gone even further than that. We've gone further than that in our analysis of where we are as Yukoners compared to other jurisdictions when it comes to really important considerations — education, health care, and you name it.

Now, do we have a long way to go? Yes. Anybody who just stops and rests on their laurels — that's not good. We have many, many things that we still need to work on. We could pivot to our file on reconciliation and the good work that we've done with the Council of Yukon First Nations and the individual First Nation governments, but we still have so far to go on the concept of reconciliation.

We could take a look at the legislative changes that we've done for the LGBTQ2S+ community, and we could say that we have so much further to go. We could take a look at the monumental changes to legislation in the departments that we've done — and that seemed to just not have been a priority in the five years previous — and say that we've done a lot of work there, but we have a lot still to go.

Mr. Deputy Chair, when it comes to a debt-to-GDP anchor — Public Accounts, page 10. But, further to that, there's more to the story, and that story is continuing and evolving.

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

Deputy Chair: It has been moved by Mr. Silver that the Chair report progress.

Motion agreed to

Hon. Mr. Silver: Mr. Deputy Chair, I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by Mr. Silver that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Adel: Mr. Speaker, Committee of the Whole has considered Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, and directed me to report the bill without amendment.

Mr. Speaker, Committee of the Whole has also considered Bill No. 205, entitled *Second Appropriation Act 2020-21*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Silver: Mr. Speaker, I move that the House do now adjourn.

Speaker: It has been moved by the Hon. Premier 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 5:28 p.m.