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HANSARD

Wednesday, November 18, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2020 Fall Sitting

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

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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
Wednesday, November 18, 2020 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: Mr. Speaker, I would ask the Legislative Assembly to help me welcome a group of people who are truly transforming our economy and the Yukon with their hard work, dedication, and passion.

With us today is Samantha Hand, executive director of Skills Canada Yukon; Ziad Sahid, executive director of Tech Yukon; Lana Selbee, executive director of YuKonstruct Makerspace Society; Lauren Manekin Beille, manager, Innovation and Entrepreneurship, Yukon University; and William Lechuga, ideation and business acceleration director.

Thank you for coming today.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of IncubateNorth

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government, the Yukon Party Official Opposition, and the Third Party, the Yukon New Democratic Party, to pay tribute to Yukon University's incubator accelerator launch. Back in 2019, a pilot incubation program ran with three Yukon start-ups: Proskida, Appendo, and Yukon Soaps Company.

Based on the success of this pilot program, Yukon University has now opened their doors through the innovation and entrepreneurship team. IncubateNorth, Canada's first regional incubator, will welcome northern entrepreneurs and innovators with a market-ready solution with a support structure to grow their business in Yukon and beyond. This program targets growth-stage entrepreneurs and innovators, especially those with a viable product and early-stage market acceptance who are looking to scale in the marketplace.

Start-ups based in Yukon that are looking for support to grow and scale up and high-potential small- and medium-sized Yukon businesses in their growth stages can benefit from a unique support approach to grow their activities and benefit Yukon's economy in their community.

IncubateNorth's applications are now open, with the first intake beginning on December 1, 2020. This program is for entrepreneurs and innovators who sit at the crossroads of growth and are looking to launch to market, expand to a new market, or become export-ready or investment-ready. This

program has incredible potential to generate new and needed jobs and is more important than ever as we move through a pandemic and support a diversified economy.

Incubator programs are an important tool in supporting entrepreneurship, and we recognize this. They encourage business development and can stimulate economic growth and diversification. The Department of Economic Development has been pleased to support this program from conception to pilot to launch, and we are very pleased to see the program come to life.

I encourage Yukon entrepreneurs to apply and I look forward to seeing the resulting successes. I would like to thank Yukon University and particularly the team at Innovation and Entrepreneurship for their efforts and hard work. Congratulations on the launch of the program.

Applause

In recognition of Yukon Innovation Week and Canadian Innovation Week

Hon. Mr. Pillai: I rise on behalf of the Yukon Liberal government to pay tribute to Yukon Innovation Week in celebration of all Yukon innovators, change-makers, and entrepreneurs. This year, Yukon Innovation Week runs from November 16 to 22.

Innovation has the capacity to drive positive change and improvements in the way that we do things. Our ability to create and innovate enables us to adapt to changes or obstacles and advance our community. A recent example is the curbside pickups that many of our local businesses now offer as they explore ways to adapt their businesses and to operate safely during the pandemic.

While Yukon is known for its rich history and natural beauty, it is our legacy of creativity and our promising future that I would like to acknowledge today. In the 1980s, Yukon innovator and entrepreneur Albert Charles Rock invented a device that aided his recovery while in hospital after a car accident. This device measured blood flow and muscle temperature, which were critical metrics to gauge his recovery. The device was so successful that Albert developed it further to become a line of computerized data loggers used in NASA space shuttles and Indy cars among other things. His products have had a profound impact on medical devices, aerospace, and racing and led to the formation of a multi-million-dollar company. In recent times, we have had local entrepreneurs and companies, such as Proskida, Proof Data Technology, DiscoVelo, Aurum Skincare, Appendo, Two Mile Asset Management, Grandma Treesaw's Yukon Bannock, The Yukon Soaps Company, and Filo Technologies, which are all forging ahead with product development and taking care of business.

Others, such as Joel Brennan, are hard at work behind the scenes to advance their concepts and helping to further elevate the territory's start-up reputation in the process. Mr. Speaker, Joel's SUP Stick land paddles innovation is edging closer to commercialization, and I look forward to seeing it in action.

Yukon Innovation Week helps to raise awareness of the north's innovation and entrepreneurial community. Yukon's

ecosystem, providers, and supporters, such as YuKonstruct, Yukon University's Innovation and Entrepreneurship, and TechYukon, are hosting a series of great events at NorthLight Innovation to promote wider discussions on innovation within the start-up community. These events include a range of networking and knowledge-sharing events, such as tech talks with local entrepreneurs, business advice sessions with experts, and podcasts. In addition, Yukoners will have a chance to participate in innovation through the kickoff of the 2021 Yukon Innovation Prize and the celebration of innovation awards and a weekend hackathon. Public health protocols will be in place for everyone's safety.

Mr. Speaker, just as the creators of the Internet could never have imagined the impact that their technology would have on humanity, we can never predict the next breakthrough with any certainty. I encourage all Yukon thinkers and dreamers to stay the course and see their concepts through. Your innovation can deliver jobs; it can grow our economy; it can make Yukon a better place for all and even change the world.

I want to thank the following local organizations and their teams for coordinating Yukon Innovation Week: Yukon University, Skills Canada Yukon, YuKonstruct, and TechYukon.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize Canadian Innovation Week. It is amazing how far we've come in the world by applying knowledge and innovation to ideas to create new products, new ways of thinking, and new technologies.

Canadian innovation is something to be celebrated. We are fortunate to be home to some pretty brilliant minds and brilliant thinkers. Times are changing. Coding and other technology-related material has been injected into our school curriculums. Even kindergarten curriculums have evolved to include introduction to coding.

Many will remember growing up and building papier mâché volcanos in grade school. Today, kids are building robots and making apps. Innovation Week is going viral during the pandemic, as the minister said. What a brilliant way to bring people together to take part, share stories, learn new things, and celebrate innovation in Canada.

Think about all the ideas that came to life during this pandemic. This is innovation in action. Workplaces, schools, and businesses continue to be innovative in order to adapt to the ever-changing guidelines and recommendations to keep us safe, but also to keep life going.

This week, we recognize the innovative thinkers here at home who keep things going. Focus has shifted through the year from the normal to the new innovative normal. With new approaches, we see a number of positive things coming our way. Changes to fundraising approaches here at home for both the Festival of Trees and the Yukon T1D support network will see the town decked out in festive lights to see while raising money for some important causes. Change can be good and innovation can be better.

Thank you to all our bright minds and innovative thinkers. You have made things happen in a very challenging time. Keep thinking, keep innovating, and keep going.

Applause

Ms. Hanson: On behalf of the Yukon New Democratic Party caucus, I'm pleased to join in paying tribute to Yukon Innovation Week. The global impact of the COVID-19 pandemic has created a new and challenging environment for us all. These unprecedented times make us realize that, perhaps as never before, we as a community both need and celebrate those whose ingenuity, creativity, and persistence find opportunity in uncertainty.

Innovation runs through the veins of Yukon, from indigenous to settler. Surviving and thriving in this vast land requires one to be open to challenge. That openness creates an environment where more people have been asking what I call the "question behind the question" — the "what ifs?" Or "how could we?" Or "what about?"

Mr. Speaker, perhaps you, too, were part of the many people who, a number of years ago, attended a series of TEDx talks at the Yukon Arts Centre, organized by a couple of original thinkers in their own right: Nigel Allan and Lyn Hartley. These events offered some thought-provoking speakers who challenged the audiences to re-think some of the limitations we in Yukon place on ourselves and on the expectations we have for what is possible for us as individuals and as a territory.

Shortly after, we saw YuKonstruct open down in the Marwell area and then the (co)space downtown and ultimately the NorthLight Innovation centre. It has been fascinating to observe the broad spectrum of our community that engage in the crazy ideas of makers and entrepreneurs. When the YuKonstruct Makerspace Society reflected on one of their early members — a friend, septuagenarian Sandy Peacock, they said, "If you think you are too small to be effective, you have never been in bed with a mosquito." And she was "... a gentle swarm of mosquitos in every tent in Whitehorse."

I'm not drawing comparisons, but Yukon innovators are making their presence known, and innovators aren't afraid of asking questions, whether they're 12 or 80. They enjoy exploring ideas, being open to the possibilities they may find.

One of the speakers at that 2013 Yukon TEDx talk was Norman Fraser, and he made some observations that have remained with me. A technology innovator from Britain, he spoke about his experience creating spaces for ideas and business opportunities to grow.

He said that asking a better question has a habit of eliciting better answers. The best questions tap into previously buried veins of human creativity, sometimes unleashing answers that were literally unthinkable beforehand. One of his more thought-provoking questions was: What if the way we see our success is the limiting factor here in Yukon?

He went on to say that mineral extraction is the big success story. He said he was told this when he came to the Yukon. He said that, without disparaging the mineral industry, what if its

success is the problem? He went on to unpack that question with a few more questions.

He said that, given the choice, would you prefer to live in a diversified economy or in a non-diversified economy, and if your economy is not very diversified, would you choose the single industry to which you are so heavily exposed to be the historic boom-and-bust mineral industry? Questions, Mr. Speaker — he was posing questions.

Another question was — and he stressed that he was not being negative, but he said: Without reducing the size of the mineral sector, what would have to happen to make it amount to more than 10 percent of the Yukon economy?

So, without disparaging or reducing the mineral sector, what does that open up? What picture does that open? That is a challenging question that can lead to positive outcomes. Great leaps forward that transform society often emerge when creatively dissatisfied people start to question success and ask if there's a larger success to be won. During Innovation Week, NorthLight offers many opportunities to engage — as Inga Petri, who is exploring Yukon's global digital presence offering at the end of the week, puts it: Having bold conversations where current limitations are cast aside.

That's innovation, Mr. Speaker, and we applaud it.
Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Frost: Mr. Speaker, pursuant to section 13(3) of the *Hospital Act*, I have for tabling the annual report of the Yukon Hospital Corporation for the year 2019-20.

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

Are they any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House supports implementing an evidence-based approach to system planning and decision-making as recommended by the comprehensive health review.

Ms. Van Bibber: I rise today to give notice of the following motion:

THAT this House wishes the Yukon minor hockey product and Lethbridge Hurricanes captain Dylan Cozens the best of luck and good health as he attends Team Canada's selection camp in the leadup to the 2021 World Junior Hockey Championship in Edmonton.

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

THAT this House urges the Government of Yukon to ensure that students receiving the Yukon grant, the Yukon excellence awards, and Canada student loans receive them in a timely manner, ensuring students are able to pay their tuition and living expenses without penalty.

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

MINISTERIAL STATEMENT

Representative public service strategic plan

Hon. Mr. Mostyn: Mr. Speaker, the Government of Yukon is committed to achieving a public service that reflects the people we serve. This past year, our government endorsed *Breaking Trail Together: An Inclusive Yukon Public Service*. This is a long-term plan for achieving a representative public service that is inclusive of Yukon First Nation people. Each Yukon First Nation final agreement includes a provision in chapter 22 that requires the Yukon government to develop and implement such a plan to attain the goals of a representative public service. Our long-term plan addresses how we increase the representation of Yukon First Nation people so that our workforce is a more accurate reflection of Yukon.

Just as important as increasing representation, the plan also addresses how we will make our workplaces more inclusive for indigenous people. This new plan was developed in close collaboration with Yukon First Nation government representatives. The plan is aligned with one of our government's key priorities — working toward reconciliation. Increasing opportunities for training and capacity development with Yukon First Nations is also a key part of this. *Breaking Trail Together* includes a 10-year strategic plan and an operational plan that will be renewed every three years.

The plan is founded on three pillars, which include: responsive and barrier-free recruitment; culturally safe and supportive work environments; and training and development. The first pillar speaks to our recruitment efforts and includes a significant action that began on October 1. We launched our first hiring preference initiative aimed at increasing the number of indigenous employees at Yukon government. While competitions remain open to all candidates, this initiative gives preference to qualified indigenous people, with a priority to Yukon First Nation applicants. This pilot project will run for the next 18 months.

We will assess data collected during this pilot to determine the effectiveness of it and to determine other possible actions to support recruitment. While this preference pilot supports our representative public service goals, we also view it as a tangible action that moves reconciliation forward.

Diverse workplaces have a number of immediate benefits, which include the increased cultural competency and agility of our public service and more local knowledge of community issues, concerns, and values.

Reconciliation is an ongoing journey and remains a priority for our government during these challenging times. It requires each of us to examine ourselves and the role of our

public service and to consider how we can move forward in a positive way. *Breaking Trail Together* is a tangible demonstration of our commitment to reconciliation and the final agreements.

Ms. Van Bibber: I am pleased to rise in response to this ministerial statement regarding the Yukon government's plan for achieving a representative public service.

As we all know, the *Umbrella Final Agreement* and each of the individual First Nation final agreements include economic development provisions captured in chapter 22. Chapter 22 is an important aspect of the UFA and the final agreements because it speaks to the need to ensure that Yukon First Nations participate in and benefit from the Yukon economy.

The Yukon Party supports the UFA and the First Nation final agreements, and in particular, we support chapter 22 and believe that its implementation will help to grow our economy and create benefits for all Yukon citizens. We are pleased to see that this new plan was developed in collaboration with Yukon First Nations and takes steps toward meeting the commitments to chapter 22. According to the minister, this plan is based on three pillars: responsive and barrier-free recruitment; culturally safe and supportive work environments; and training and development. These pillars reflect the commitments of chapter 22.

Providing increased opportunity for First Nation citizens to receive training and development is a clear commitment of section 22.4.2 of the UFA. That section commits Yukon government and the Yukon First Nations to make apprenticeship programs more flexible and to promote greater participation by Yukon First Nation citizens in such programs. We would like the minister to expand on how this new plan achieves this commitment.

We are also supportive of measures to ensure that the Yukon government work environments are culturally supportive. Workplace initiatives that promote First Nation culture, like those led by the Public Service Commission, make the Yukon government a desirable place to work and strengthen our public service.

While we do support ensuring a responsive and barrier-free recruitment process for First Nation citizens, we do have some questions about the current pilot project that the minister has discussed. How successful has the program been to date since it was implemented on October 1? Is the hiring preference policy being implemented government-wide, or is it targeted at particular departments or particular jobs?

We have also received questions about the hiring of Outside First Nations, as opposed to just hiring First Nation Yukoners. We believe that the Yukon government should be using its hiring practices to ensure that opportunities are created for Yukon citizens to gain employment, develop skills, and advance their careers.

We are aware that the current policy is a pilot program, and we look forward to receiving the results in 18 months to see how successful it was or wasn't.

As I've said today, we support the implementation of chapter 22. We are happy to see measures aimed at increasing training and professional development, which will help to fulfill the commitments made in chapter 22.4 of the *Umbrella Final Agreement* and the First Nation final agreements.

Ms. Hanson: Mr. Speaker, I was hopeful, when I heard that there was to be a ministerial statement outlining how, 25 years after the coming into effect of the first four Yukon First Nation final agreements, the Government of Yukon was going to finally live up to the expectations and obligations set out in those agreements.

Chapter 22 of those agreements set out the Government of Yukon's legal obligations to implement a representative public service. These same provisions are also set out in the remaining seven Yukon First Nation final agreements. It is unfortunate that what Yukoners were offered today was a repeat infomercial on an announcement previously made on September 28 of this year.

We applaud the resilient persistence of the Yukon First Nation and CYFN representatives who, over the years, have worked with public service representatives to keep pushing that yardstick. Incremental progress is progress.

It goes without saying that the Yukon NDP believes that the First Nation final agreements not only set out legal obligations that the Yukon government is required to live up to, but we also believe that they reflect hopes and aspirations and a belief that the intent and spirit of a renewed relationship based on mutuality and respect will be acted upon.

The notion of an 18-month pilot project to increase representation of First Nation employees in the Yukon public service is, in and of itself, not a bad idea. It is equally reasonable to ask, after 25 years: Is that all there is?

The strategic plan referred to by the minister makes no mention of actual targets or measures for assessing the success of this pilot project. It does acknowledge the obstacles faced by some Yukon First Nation applicants seeking employment with Yukon government. I would ask the minister, in his response, to tell Yukoners when the "assessment of YG's staffing practices" to identify "obstacles and actions that could be taken to support hiring that is barrier free" will be complete. Equally important, the strategic plan makes reference to "establishing achievable targets and measures". When will this be done?

The minister has had several months to review the *Breaking Trail Together* strategic plan. As we head into operational and financial planning for the next fiscal year, what criteria has he asked the Yukon Public Service Commission to establish to set Yukon government-wide targets for achieving the objectives of chapter 22 as reflected in the strategic plan? What measures are to be taken — by whom — to achieve them — because, you know, Mr. Speaker, this is serious stuff.

The minister has announced publicly that, after 25 years, the Yukon government is going to take action on implementing a key provision of Yukon final agreements. As the minister responsible for the Yukon public service, he is responsible for ensuring that this commitment is lived up to, and he is accountable to all Yukoners through this Assembly to

demonstrate how he is doing so. That will be a ministerial statement worth looking forward to.

Hon. Mr. Mostyn: Mr. Speaker, I thank the members opposite for their general support of our initiative. As I stated, this is a very important part of our chapter 22 obligations, which has gone unfulfilled for far too long.

Multicultural work environments where employees work with and serve people from different backgrounds are today's reality. To support cross-cultural competence, the *Breaking Trail Together* plan also includes an action to introduce learning opportunities to develop these important intercultural competencies. For example, we'll be researching a potential elder-in-residence program to provide culturally appropriate supports for indigenous public servants.

Mr. Speaker, we have heard from First Nations around the territory that they are very pleased with this forward movement on an issue long ignored by previous governments. I have personally heard this at many Yukon Forums since work began on this policy. So, Mr. Speaker, I have the utmost faith in our public servants within the Public Service Commission to get this done right and in a timely fashion.

Mr. Speaker, so much time has been spent discussing this. We're now actually seeing concrete action. I know the public service — the First Nations that helped write this — provided absolutely critical input into this new plan. The work has been really, really important to me. It's really, really important to the public service. I know that the Public Service Commission has worked incredibly hard on this plan. I'm a little bit dismayed by the tepid response that I got from the Member for Whitehorse Centre, but I would expect no less.

Mr. Speaker, reconciliation is, and will continue to be, a priority of our government. We are working with First Nations to overcome the harms caused by the past history of inequality and discrimination, and the current level of collaboration between the Yukon government and Yukon First Nation governments is unprecedented.

We are achieving meaningful change and tangible benefits for all Yukoners through a range of environmental, economic, and social projects that we are working on together.

Mr. Speaker, since coming into office, we have co-chaired 14 Yukon First Nations — and this is since 2017 — and these positive and productive discussions have led to tangible actions, including the development of this representative public service plan and a new joint senior executive committee to support a whole-of-government approach to collaboration.

These are things that government has never undertaken before. These are things where First Nations have not seen this level of engagement before. I am very proud of the work that the team at the Public Service Commission has done on this file. I am very comfortable with the progress that we are making as a government in this very important endeavour. I look forward to the future, Mr. Speaker, because together we will make great things happen.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: COVID-19 pandemic business relief funding

Mr. Hassard: It has been almost a month since the Minister of Tourism and Culture announced that the Government of Yukon has created a funding package of \$15 million to support the Yukon tourism industry through the challenges created by this pandemic. So far, only a fraction of that amount was identified for the accommodation sector. While businesses in the accommodation sector will certainly welcome this funding, other businesses in the tourism industry have asked when the rest of the \$15 million will be announced.

Can the minister tell us when the rest of the \$15-million funding package for the tourism industry will be announced?

Hon. Ms. McLean: Thank you for the question, Mr. Speaker. I am happy to talk to Yukoners today about the plans that we have for tourism in Yukon. It has been an incredibly challenging time, Mr. Speaker.

As I have spoken about many times in the House, our government was quick to respond to the global pandemic. We introduced a number of programs: the event cancellation fund; sick leave for workers; the tourism cooperative marketing fund; the essential workers fund; the Yukon business relief fund; and, yes, a couple of weeks ago — or maybe more — I announced that we are planning a \$15-million investment into the relief and recovery of the tourism sector through the pandemic. We continue to work with our partners on the details of this. We are working with the Yukon Bureau of Statistics to get the evidence that's needed to ensure that we have the right programs in place.

As I have stated before, we, on this side of the House, make our decisions based on good, solid evidence and work with our partners.

Mr. Hassard: This government has over \$12 million set aside to help Yukon businesses in the tourism industry, but they have not yet said what they plan to do with that money.

We are well into the winter season, and businesses that rely on visitors to the Yukon really are struggling. The hospitality sector, tour operators, RV parks — those are just a few of the many tourism-based businesses that are wondering about their future. Businesses know that the government has set aside all of this money for relief, but again, it hasn't said which businesses will be eligible or even when they will find out.

So, can the minister tell us which other sectors will be eligible to access this funding?

Hon. Ms. McLean: I will continue with my answer in terms of where we are at with the tourism relief and recovery dollars that we have allocated, but first I would like to just touch back on the Yukon business relief program, which was put in place very quickly after the pandemic had started. This was led by a whole-of-government approach, of course, but Economic Development did the really heavy lifting on this. As of November 4, 2020, we have had 519 applicants and \$5.6 million funded to Yukon businesses through this program. The current applicants that are receiving the majority of the funding through this business relief program are tourism businesses. That includes all of the sectors that the member opposite just mentioned — hospitality and all levels of tourism

businesses. That program still remains available to Yukon businesses. This is the envy of the country. I want to say again that we were the first jurisdiction in Canada to put in place such a program.

Mr. Hassard: Now, we know that the business relief fund is for fixed costs, but that is not what we are talking about. We are talking about the \$15 million that this minister has announced. She talks about getting information from the Bureau of Statistics. How about talking to some of those businesses that are hurting today? We are sure that the businesses in the tourism sector were happy to hear that the government has identified this \$15 million, but I think that they would really appreciate a bit more clarity about where that money is going to go, which businesses are going to be eligible, and which are not. But as with most things with this government, decisions and details have been significantly delayed.

So, has the government decided what they are doing with the money yet, or are they just waiting for an announcement, or are they still trying to figure out a plan of what to do with the money?

Hon. Ms. McLean: I am really happy that our government has sent the clear signal to our tourism sector that we are with you through this pandemic. We have identified \$15 million in this fiscal year and into the next two for relief and recovery. We are continuing to work with our partners.

Yes, we are working with the Yukon Bureau of Statistics, and that's directly with companies to assess the pulse of the businesses that are in need and to identify those that have potentially fallen through the cracks in terms of the programs that we have in place.

We will be making those final decisions based on the good evidence that we have collected. We are working with the Tourism Industry Association of Yukon. We are working with the Yukon Tourism Advisory Board. We are working with all of our partners. We have weekly webinars with the tourism industry. We have weekly meetings with TIAY, and we were just on a call yesterday talking about the current border situation and other issues that are related to tourism.

So, yes, we will be making those announcements when the decisions are final and when we have the right programs in place. I will be happy to share that with Yukoners. I'm looking forward to it.

Question re: Fixed election dates

Mr. Cathers: In speaking about the Liberals' cynical changes to the *Elections Act*, the Minister of Community Services told the Legislature that the main purpose of the legislation was so Yukoners could plan. He said that its main purpose is to help Yukoners plan, whether that's individual Yukoners, businesses, or public servants, with a foreknowledge of when there will be an election.

In contrast, yesterday, the Premier refused to tell Yukon citizens, businesses, and public servants when the election will be. How can the Liberals, with a straight face, tell Yukoners that the legislation is about giving Yukoners certainty about

when the election will be, but then turn around and refuse to tell Yukoners when the election will be?

Hon. Mr. Silver: This is a repeat question from yesterday. Again, we told the Legislature yesterday that we are busy with the pandemic, we're busy with the programs and services for Yukoners, we're busy with amazing programming, like what the Minister of Tourism and Culture just spoke about, and the members opposite are busy asking us when the next election is.

They wanted us to sit down in the Legislative Assembly and talk about a budget. They haven't asked a question about the budget yet — most questions are about other things.

Some Hon. Member: (Inaudible)

Hon. Mr. Silver: Yesterday, there was one question, after 18 hours of general debate — you are right.

But at the same time, Mr. Speaker, we're here to govern, and the members opposite are here to play politics.

Mr. Cathers: That's a very selective memory. The Premier knows that we have asked many questions about the budget. What we have yet to get is a straight answer.

One thing that the Premier did say yesterday is that, in his view, the current group of MLAs are elected for a five-year term. Anything less, according to him yesterday, would be unfair. He said that it would be unfair if he — and I quote: "... curtailed what everyone thought was a five-year term in the last election to a four-year term in this mandate."

If the Premier thinks that it would be unfair for anything less than a five-year term, that seems to mean that Yukoners should expect the election in November 2021. Will the Premier confirm that the next election will not be held until November 2021? It is a very simple question, Mr. Speaker — yes or no?

Hon. Mr. Silver: Mr. Speaker, I have answered this question ad nauseum at this point. We are very, very busy right now working to provide programs and services during a global pandemic. We did set the fixed dates for an election on a four-year cycle for the territorial elections in order to strengthen the democratic process. Fixed election dates will support the democratic principles of fairness, transparency, and accountability.

I am glad to see that the members opposite are now interested in these changes.

Mr. Cathers: Well, after not answering yesterday and then again today, it's not just three strikes of the Premier not answering a question; it's eight strikes.

It is now very clear that Liberal words don't match their actions. They have fallen into a clear pattern of arrogance and disregard for democracy. They promised electoral reform; instead, they broke that promise. They promised transparency; instead, they accepted over \$100,000 in secret corporate donations. They promised Yukoners the certainty of knowing when the next election would be, but they are breaking that promise, too. It is clear that Yukoners will have to wait for a change in government if they want to see action.

Will the Premier tell us when the next election will be so that Yukoners can begin planning for that change in government?

Hon. Mr. Silver: Mr. Speaker, I think “arrogance” is what the member opposite said yesterday about us being a one-term government. That is a pretty arrogant statement.

What we are doing is — currently, the timing of the elections is determined by the government of the day, with a five-year mandate timeline, as set out in the *Yukon Act*. The changes that we are making, again, are what we committed to in our platform commitment, as the Member for Whitehorse Centre continuously speaks off-mic to distract.

The government will retain the ability to call an election anytime before those fixed election dates. All other Canadian jurisdictions, with the exception of Nova Scotia, have fixed election dates on a four-year cycle.

The members opposite want to talk about elections; we want to talk about the supplementary budget. The members opposite want to ask us if we are going to speculate on things moving forward; we want to move forward and make sure that we pass this budget. We want to move into an area where we get a vaccine in place as well. We will continue to work, as a government, with partnerships with other governments — whether federal, First Nation, or municipal — when it comes to how we’re planning from the relief we need through COVID into the recovery when a vaccine is announced.

The opposition continues to ask us, “When is the election?” I thought they wanted to come here and do serious business in the Legislative Assembly. Now they want us to call an election, Mr. Speaker.

Question re: Yukon Liberal Party donations

Ms. White: Last month, I asked the Premier if he would disclose who gave \$100,000 in anonymous contributions to the Liberal Party in 2019. The Premier refused but later told the media that he would meet with his new treasurer and would consider disclosing more information. A month has passed, so hopefully this meeting happened and the Premier can be a bit more upfront today.

Is the Premier now willing to be transparent about who gave \$100,000 in anonymous donations to the Yukon Liberals last year?

Hon. Mr. Silver: Mr. Speaker, I don’t have anything to update the Legislative Assembly on. We’re not withholding any information. We were very clear with the fact that, in our campaigning, we’ve been well within the rules of the current system. Again, we have heard that the NDP is happy to collect thousands of dollars of Outside donations one year, but — the other time — they want to know exactly what’s happening here as far as some type of reform.

Again, we’ve talked about being in favour of capping donations from corporations and unions, but to answer the member opposite’s question, I don’t have anything to add right now as far as any conversations with the party.

Ms. White: Well, the Premier can attack the Yukon NDP all he wants, but he knows that our donors are Yukoners and that the Yukon NDP has twice as many donors as the Yukon Liberals. So, it’s just a matter of transparency, and I’m not sure why the Premier is so attached to keeping this

information from the public. Even earlier in his mandate, the Premier was more transparent.

As you know, the Liberals hold a fundraiser in a suite at Rogers Arena during a Canucks game every year. In the 2017 Elections Yukon report, the donors of this \$20,000 suite were publicly listed — well done. For 2018 and 2019, though, the information is kept secret.

So, why won’t the Premier tell Yukoners who paid for the \$20,000 suite at Rogers Arena in 2018 and 2019, just like he did in 2017?

Hon. Mr. Silver: Mr. Speaker, again, our party is following the campaign finance rules that are laid out. The member opposite makes it sound like we have the \$100,000 in the bank. This is money earned but doesn’t take into consideration money expended. For example, paying for our trips down to these fundraising events or, if they’re in Whitehorse — for example, the very successful leaders’ dinner and things like the bar services or the catering — those are the things that are taken into consideration with this \$100,000 item that the members opposite are trying to make seem like a one-donation piece, but it is not.

We are well within the current rules as they’re laid out — fantastic for the NDP to now be concentrating on local donations because that certainly was not the case in the past with national union contributions.

Ms. White: You know, it’s too bad, because the Premier is the only person who thinks that the Liberals receiving \$100,000 in anonymous donations is not an issue that Yukoners care about. The public has a right to know who has the ear of their government. In fact, a corporation needs to disclose publicly when they have a meeting or even just a phone conversation with the Premier, yet the same corporation can donate thousands of dollars to the Liberal Party, and that’s anonymous. Yukoners get that this doesn’t make any sense.

Another thing that makes no sense is the discrepancy between the Liberal’s financial statements and their report to Elections Yukon. We’ve obtained a copy of the 2019 Yukon Liberal Party financial statement, and it shows that the Liberal’s hockey fundraiser actually brought in \$33,000.

Will the Premier tell Yukoners who gave \$33,000 to the Liberals at their fundraiser in a suite at Rogers Arena?

Hon. Mr. Silver: Well, it wasn’t one person; that’s for sure. There were a whole bunch of different folks there, all of whom donated to the party in a way that is actually within the rules of the current fundraising rules.

The member opposite talks about transparency. One great thing that this government has done is to change the lobbyist registry, for example. The members opposite make it seem like we’re trying to hide something; we’re not. We’re working within the current rules and we’re changing legislation to make this government even more transparent.

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

Ms. Van Bibber: On Monday, we discussed the government’s decision, from staffing our borders 24 hours a day, to only staffing them from 9:00 a.m. to 6:00 p.m. I asked

how the government is enforcing the borders outside of those business hours. In response, the minister said — and I quote: “We have put in place measures to consider after hours — for example, video cameras and CEMA enforcement officers coming forward to do random checkstops in the evenings.”

Many Yukoners interpreted the minister’s statement that they had put in place these measures to mean that they had put these measures in place. Yesterday afternoon, the minister said that he actually didn’t mean to say that they had been put in place. Can the minister clarify: Has the government put in place measures, such as a video camera and random checkstops, at our borders for after hours?

Hon. Mr. Streicker: As I said in the Legislature during the ministerial statement, as I said yesterday in the Legislature, and as I said to the media, we are looking at these provisions. For example, when you’re going to put in place a video camera, you have to do a privacy analysis. I have checked with the department that this work has begun; yes, it has.

I have talked with them about putting in place some of our enforcement folks to do after hours. I think that the intention would be to do it randomly, to do it over a series of times. Our understanding, largely, is that it is folks from northern BC who are driving back and forth who don’t require at this point to have isolation requirements and/or transportation trucks which are supporting the Yukon. We don’t believe that there is a significant risk, but we are working to make sure that this is the case. I am happy to continue to look at this. I want to assure Yukoners that we will look, as we have for the past eight months, to protect their safety.

Ms. Van Bibber: You can forgive Yukoners for thinking that when the minister says that they have put in place measures that they actually put in place measures.

Another question I asked was about the cost of the new partnership with the Liard First Nation versus the cost of the old contract. Yesterday, the minister stated that the cost of the new partnership per month is \$116,000. However, under the old private sector contract, the cost per month was only \$62,000.

With the border now changing from being staffed 24 hours to only during business hours, I was curious as to why the cost to man the border has increased by nearly 90 percent.

Hon. Mr. Streicker: I don’t actually forgive the member opposite, because yesterday when she rose and misquoted me out of Hansard, I corrected the record and made the information explicit, to her and to everyone, that these were measures that we were working toward, not that they were in place.

With respect to the costs, I also pointed out that the costs that I gave her were for flagging contracts. What was not included there were costs for staffing — not “manning” but “staffing” — those borders, because it was from all sorts of departments: the Department of Environment, the Department of Energy, Mines and Resources, the Department of Tourism and Culture, my own department of the Liquor Corporation. That is how they were staffed, so those costs weren’t part of a contract; they were part of the dollars that I spoke to her about, in the \$2.2 million that we had in the supplementary budget, in order to keep Yukoners safe. That is what this is about,

Mr. Speaker. I am so happy that the members opposite are now interested in border controls, which by the way, you need a state of emergency to have.

Ms. Van Bibber: With regard to the border checkstops at Watson Lake, how are the rules enforced? For example, do the LFN staff at the border have enforcement powers or the legal ability to detain, stop, or turn anyone away? If not, can the minister elaborate a bit more on what enforcement measures are in place at the borders?

Hon. Mr. Streicker: It is a good question, although I did answer it yesterday for the member opposite. Let me answer it for Yukoners. What we put in place at our borders is for information and to help compliance. The people who are there are to make sure that declarations are filled out, but all people who enter into the territory from a jurisdiction where we have said they need to self-isolate are required to fill out one of those declarations. I thank her for giving me the opportunity to stand and say that.

Our CEMA enforcement officers are distributed across the Yukon, including here in the territory, and when there is an issue that arises, we will dispatch those CEMA enforcement officers.

As I pointed out yesterday, 85 percent of the time, it’s actually not something that has gone wrong, but it is just information that helps Yukoners to understand what’s going on. About 13 percent of the time, we correct it quickly with information and, again, through education. Two percent of the time, those enforcement officers issue tickets or sanctions.

Question re: COVID-19 pandemic impact to education system

Mr. Kent: According to yukon.ca, the Advisory Committee for Yukon Education was formed in January 2016, and the committee discusses and addresses education challenges and ways to support Yukon learners. This sounds like a perfect forum to share and discuss ideas around Education’s response to the COVID-19 pandemic. However, the first and only meeting of 2020 wasn’t held until September 9.

Why did the minister not convene this panel of experts to seek advice when she decided that schools would remain closed after spring break of this year?

Hon. Ms. McPhee: I think we should remind ourselves that, when schools were ordered to remain closed, we were at the beginning of a world pandemic, that schools and other organizations were being closed across the country on an immediate basis. We had a little bit of a buffer here in Yukon, because students were on March break, and there was initially a decision made that they would not come back immediately and then ultimately that school would not be in session during that period of time between March and June 12 here in Whitehorse, for the most part. All those decisions were made based on the advice from the chief medical officer of health.

Mr. Kent: When the announcement was made about schools reopening, consultations were scheduled to begin in May of this year to start planning for the fall reopening. Again, this committee would have been perfect to offer expert advice

to the minister and her colleagues on how best to return students to school. However, the minister ignored this valuable resource, and in fact they never even met until approximately three weeks after the school year started.

Why didn't the minister seek advice from this committee for the school reopening plan?

Hon. Ms. McPhee: Again, I think it's important to remind the members opposite — I know that Yukoners are well aware of the impact that COVID-19 and this world pandemic has had on their lives, but I'm not sure that the members opposite are taking it in the context that it is operating here in the territory: It is critical that we keep our students safe. We have managed, with the expertise of administrators, of teachers, and of experts in the field, to return some 5,700 students to Yukon schools across the territory on a daily basis. That is what our goal is. That is what is necessary and in the best interests of students. That is the work that the department does every day in conjunction with schools, administrators, and teachers, who I would certainly like to take the opportunity to thank here for their dedication, imagination, and concern for their students.

Mr. Kent: As I mentioned, the Advisory Committee for Yukon Education discusses and addresses education challenges and ways to support Yukon learners. What a great resource to have as you were preparing for and moving through the plans for this pandemic. Zoom meetings and conference calls could have been done, but as I mentioned, this committee has only met once this year, and that was on September 9. The previous meeting was in October of 2019.

Can the minister tell us when the next meeting of this committee is scheduled? What advice is she seeking from them regarding education challenges and ways to support Yukon learners?

Hon. Ms. McPhee: Mr. Speaker, again, I think it's critical to remind the members of the opposition but, more importantly, to speak to Yukoners about how these decisions are being made at the Department of Education. We are relying on the expertise of administrators and educators — their professionalism — and we are relying on the advice of the chief medical officer of health. We are also in consultation with other departments of education, ministers, and deputy ministers across the country. These are situations that every jurisdiction in Canada is struggling with.

May I say that I am very proud of the work that our department has done here and, in particular, our administrators and teachers. I have had the opportunity to visit four schools this week. They are coping. They are using their imagination. They are coming up with solutions for students and all of their work is focused on what is in the best interests of students.

Question re: School capacity

Mr. Kent: Earlier this Sitting, we asked about portables in a number of different schools around the Yukon. The portable at Porter Creek Secondary School here in Whitehorse had mould discovered in it and has been unavailable for us. Now that the minister has moved the MAD program back to where it belongs at Wood Street Centre School, can she update us on the portable at Porter Creek? Is remediation continuing,

and if so, when will the portable be ready and what will it be used for?

Hon. Mr. Mostyn: Mr. Speaker, I will consult with the department and get an answer for the member opposite immediately and see where we're at with this remediation.

Mr. Kent: Just to remind the minister: I did ask this question earlier in this Sitting, so we hoped that perhaps he would have undertaken to get that information. Since then, I noticed there's no legislative return and obviously he can't answer that question here today either.

We also asked about the portable that is used at Robert Service School in Dawson City as it was taken out of use due to mould concerns as well. There was money in this year's budget to address this situation. As I mentioned, we asked the minister to tell us how much was budgeted for this particular project and if it had been completed yet. He was unable to answer at the time, so we are curious if he can update us now on this situation.

Hon. Mr. Mostyn: Mr. Speaker, I would ask the member opposite to please repeat the question. I didn't hear it when he was talking. I'm sorry.

Speaker: Stop the clock for a second.

Thank you for repeating the question.

Mr. Kent: Thank you very much, Mr. Speaker.

At the time, we also asked about the portable that is used at Robert Service School in Dawson City as it was taken out of use due to mould concerns as well. There is money in this year's budget to address this situation. We asked the minister to tell us how much was budgeted for this particular project and if it had been completed yet; however, he was unable to answer at the time, so we're curious if he can update us now on this situation.

Hon. Mr. Mostyn: I appreciate the member opposite repeating his question. It is sometimes difficult to hear in here and I do have a hearing impairment, so thank you very much for that.

I think that the member opposite, as he just repeated, is talking about the Robert Service School and what work we are doing there. Providing Yukon students with safe, comfortable spaces to learn remains a priority for our government. When tests identified mould in the modular classrooms at Robert Service School, they were closed immediately. Education has found space for the displaced students in the main school building. Demolition of the existing modular classrooms is planned for this winter, with new modular classrooms ready by December 2021. Our department is working with Education on space planning for the school.

Mr. Kent: On October 21, the Minister of Highways and Public Works stated in this Legislature — and I will quote: "My colleague, the Minister of Education, is building elementary schools across the territory." We found this interesting, as there are currently no elementary schools under construction in the Yukon. We know that the Minister of Highways and Public Works has a long history of playing fast and loose with the facts.

So, how many elementary schools will this government have opened by the time of the next election?

Hon. Mr. Mostyn: I can say that imitation is the sincerest form of flattery, and I do appreciate the member opposite making use of the expression that I so aptly applied to them.

The Minister of Education — we have built the French first language school. That school was a model for execution. We have heard nothing but praise for that project, from both the French community and the contractor who actually worked on that school and who is local. We put a lot of people to work. We have a school that actually stands in great standing. It is a beautiful example of the future of education in the territory.

I know that we are now currently working on the new school in Whistle Bend. I know that we are also working with the First Nation up on the north highway to build a school in Burwash. There is lots of work going on here to actually revolutionize and provide the schools that the communities need.

In Burwash, we know that the former government just put down a layer of gravel and called it “done”. We are actually doing the work to provide education for our students, and I am very proud of my colleague, the Minister of Education, and the work that this government is doing together to actually make education better for our students.

Speaker: The time for Question Period has now elapsed.

Notice to call motion respecting committee report

Hon. Ms. McPhee: I give notice, pursuant to Standing Order 13(3), that the motion respecting Committee Reports No. 1, the motion for concurrence in the Standing Committee on Appointments to Major Government Boards and Committees’ 21st report, presented to the House on October 1, 2020, shall be called as government-designated business.

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

ORDERS OF THE DAY

GOVERNMENT PRIVATE MEMBERS’ BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 236, amendment to — *adjourned debate*

Clerk: Motion No. 236, standing in the name of the name of Mr. Adel, resuming debate on the amendment proposed by Mr. Kent; adjourned debate, the Hon. Mr. Streicker.

Speaker: Member for Mount Lorne-Southern Lakes, you have 15 minutes and 15 seconds remaining.

Hon. Mr. Streicker: Let’s recap a little bit. First of all, thank you to the Member for Copperbelt North, who brought forward this motion back on October 14. That was a more than a month ago.

Since then, this will be our third day debating this motion. In that debate, I just want to acknowledge that the Yukon Liberal private members have chosen to bring this forward at every opportunity. Why? Because we would love to hear from everyone in this Legislature about whether they believe we are

or are not in a state of emergency. The state of emergency, of course, is due to the pandemic, and it’s pursuant to the *Civil Emergency Measures Act*. That’s great.

Each time that the opposition — any member of the opposition — has risen to speak, they have brought forward amendments. I’m not supportive of this amendment in particular, although there are elements of it that I will speak in support of and I will do my best to provide some of the information that’s being sought through the amendment.

Here we are, back again today for a third time to pose the question to the members of this Legislature about whether or not they support the state of emergency.

When I was speaking to the amendment on October 28, I had just begun mentioning British Columbia, because last month, British Columbia had an election — a general provincial election. Out of that election, the British Columbia New Democratic Party was awarded a majority government.

I’m not sure if they won the majority of the votes, but often, as is the case, majority governments form with a minority of the votes, but then they have a majority of the seats. That is the way our current system works.

As that government looks at it, they stood up and they said that the most important thing that they had to do was the state of emergency, was to deal with the pandemic, and was to support the health and safety of British Columbians.

What they also did — which I’m not sure many people noticed or not, but I try to watch these things — is that they redeclared their state of emergency. They didn’t go to their Legislature, they didn’t welcome other parties to come and debate it, and no one batted an eye. No one blinked, because everyone understood that there was a state of emergency. There continues to be a state of emergency. In fact, what would have happened if they had not declared a state of emergency would have been much more shocking, because, if they did not declare a state of emergency, they wouldn’t be able to do many of the things that they are doing now to keep their provincial citizens safe and well.

What are we doing under that? It’s basically three things. They come from ministerial orders that flow from the state of emergency. They are: (1) to provide isolation requirements; (2) to provide controls at our border; and (3) to provide enforcement. Just today, through Question Period, I heard from members opposite that they are interested to see more border control, more enforcement. I have heard that during general debate on the budget, and I said, during my response to that question today, that, in fact, the authority for that flows from the fact of having declared a state of emergency.

So, am I to assume that the members opposite support the state of emergency? Well, we’re back for a third day to try to ask them to tell us. This amendment that was brought forward talks about being informed. So, I will do my best to provide that information. Let me start with why this is a big deal.

Since this motion was first brought forward by the Member for Copperbelt North to today, the world has increased the number of cases by 40 percent over one month. We are eight months or so into the pandemic — the global pandemic,

because it started well before that in China, where it was first discovered.

In the last month, it has increased by 40 percent globally. In the US, in Alaska, and in many Canadian provinces, we are in a second wave. It is serious.

We went from when this motion was first brought forward by the Member for Copperbelt North with Nunavut being the sole jurisdiction in Canada that did not have a case — but between then and now — yesterday, they had 60 cases — so from zero to 60. This was between when we first brought this motion forward to ask all legislators whether they support the state of emergency — yes or no. Today I understand that it's up to 70 — zero to 70. That's more than Prince Edward Island. Just compare those populations. I am so concerned for our northern neighbours in Nunavut. I am sure everybody here — our hearts go out to them and all those who work to address this difficult virus — this challenging thing.

If I were to use a phrase from my mother-in-law, I would say that I am “gobsmacked”. I am gobsmacked that we are here for the third day to try to find out whether the members — who argued that we absolutely needed to reconvene this Legislature in order to decide about this pandemic and to provide their input — have, for a third day, not yet responded to the main motion.

The amendment, though, asks for information, so the most important thing to understand is the epidemiology. Here is the simple, simple answer: COVID has not gone away. It is increasing, and it remains a significant and serious threat to the health and safety of Yukoners. There is no question about that. That is the basic answer. We continue, I think, to provide the members opposite access to the chief medical officer of health to provide that information. We certainly make many public statements and the chief medical officer makes many public statements about that epidemiology. It is information that we try to share with all Yukoners.

The second thing that is so critical about the state of emergency — which we have because of this global pandemic, this disease — that we've called under the *Civil Emergencies Measures Act* is this very, very simple piece of information to understand: If we want border control, if we want isolation requirements, if we want enforcement, the authority for that flows out of declaring a state of emergency — plain and simple.

When I meet with municipalities and First Nations and when we ask them about whether or not they feel we're in a state of emergency — which they are shocked to hear me ask, but I explain to them that it is important that I ask their opinion, and they don't take three days of debate to give it back to me — I get it back very quickly and it is: “Of course, we're in a state of emergency.” I have yet to hear from a municipality or First Nation or the federal government that they don't believe we're in a state of emergency.

But the opposition has said that we were not bringing the Legislature back to discuss this. They've asked for the opportunity to be here in this Legislature to do this very thing and we are the ones providing it, and we asked the question yet again. The amendment is asking us to break Cabinet confidentiality because of how it's worded. It would ask us for documents that come through to Cabinet, so no, I don't support

the amendment, Mr. Speaker. What I support is getting to a vote.

I understand that the issue itself is not simple; I understand the complexity. As a matter of fact, I expect criticism from the members opposite. It is their job to criticize us. It is their job to point out to us where we are and where we could do better. I thank them for that criticism.

What they need to do though is understand that, once you get into this complex grey situation, we still have to make a decision about what to do. When you're in the role of protecting the health and safety of the Yukon public, you need to make that call. You just need to make that decision. So, what I'm looking for today — I'm not supportive of the amendment as proposed; I haven't been supportive of the earlier amendments — I just want us to get to a vote. I implore the members opposite to get there; we'll see. Do they continue to rise to take a long period of time to debate this motion? Do they continue to bring forward amendments? That's what I'm looking forward to seeing — whether they do that or are they willing to get to this motion as the member — and I thank the Member for Copperbelt North for bringing forward this very straightforward, very succinct motion. Do the members of this Legislature support that in saying that we continue to be in a state of emergency?

Ms. Van Bibber: I rise to speak to the motion as amended. I would like to thank the Member for Copperbelt —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: Mr. Speaker, the member opposite just said, “the motion as amended.” I don't believe the motion is amended.

Speaker: I believe the member is speaking to the amendment. Yes.

Member for Porter Creek North.

Ms. Van Bibber: Thank you, Mr. Speaker, and thank you for the correction. I would like to thank the Member for Copperbelt North for bringing forward this motion. I believe it's important to our jobs as legislators to have access to the valuable information that leads government members to make the decisions they do.

When we stand in this House as opposition members with questions for the government on proposed legislation, on decisions made, on the budgeting process, or for any other reason, we do so because the information that informs those decisions is usually kept behind closed doors.

We are informed of these decisions at the same time as the public is informed. There is no transparency as to how decisions were made or what information led to the outcome, so standing here as legislators, we have questions, and as the member opposite said, that is our job. It is our job to ask questions. Government members do not seem to like it when

we ask questions or question their authority. We get veiled responses and limited reasoning, and this is not transparency.

When we reach out with questions, we do so on behalf of our constituents. We ask the questions so that, when it comes time to vote, we can have as much information at our disposal as possible so we can vote.

Yukoners have questions when it comes to the *Civil Emergency Measures Act*. They want to know why decisions made under CEMA are being made and what drove them. They are entitled to that information, and it should be our duty as legislators to be able to convey that information. Constituents call our office to tell us — their MLAs — about their problems and concerns, to inquire as to why the government is making decisions that are affecting them and their families, and to hopefully find solutions.

When we are asked why an order has been made under CEMA, we should be able to answer them, to provide some rationalization as to why it was implemented. Instead, we are left in a position where we have to question the government at every turn about how they came to the conclusion that says it is best for Yukoners.

To say that this government thrives on conflict is an understatement. Conflict is exactly what arises from governments who are fully informed while opposition members are left grasping at straws for bits of information to piece things together.

The Member for Watson Lake stated that the adoption of this amendment should be an incredible improvement to the original motion and would hopefully start a trend for this government, and I wholeheartedly agree. I am not only hopeful that it would start a trend for this government, but I also believe that it would help to live up to their broken promise of transparency and to their promise of openness.

The orders made by this government have created near-impossible situations for individuals, for families, for businesses, and more. We have seen unintended consequences flood our communities. These consequences resulted in isolation, postponed surgeries, crime, fatalities, and more, and we have nothing to tell our constituents. We reassure them that these orders are in their best interest. We cannot reassure them because we have no information on our side to validate those reassurances.

I recently received a call from a constituent who was unable to schedule a much-needed surgery. Surgeries have resumed since being put on hold earlier this year, and doctors want to get through their wait-list, but they are being put off for another year. People are suffering because this government created a backlog and now the effects are being felt — so much so that they are unable to clear the backlog effectively.

The *Civil Emergency Measures Act* was declared at the end of March. The government has effectively abused the act to sign order after order without sharing information or reasons with the public or other legislators. They have done so without democratic scrutiny, without accountability, and without oversight. The fact that this government would like us to agree to a motion to simply support the state of emergency without discussion is appalling.

It is not that we do not support CEMA. While we support the government's ability to provide relief measures to Yukoners, we do not support the way they have decided to go about it behind closed doors.

We have members of the public and business communities who have come together to challenge the orders made by this government. Mr. Speaker, instead of government simply extending the state of emergency again and again, they should show Yukoners why it is to their benefit that they are doing so and provide the information about what they are basing their decisions on.

This government has had a “we know best” attitude since day one. They spent years blaming the previous government rather than moving forward. They refuse to answer questions in the House — instead, bemoaning that the opposition is secretly hoping that the Liberal government will fail. We are kept in the dark, but keeping us in the dark is keeping Yukoners in the dark. Keeping information from opposition MLAs is keeping information from Yukoners.

What the government ministers who stand in Question Period every day don't seem to realize is that the majority of questions we ask in the House come directly from our constituents. They are questions that they ask and we are unable to answer. We don't have the information to inform our constituents, so we ask. We get haughty responses or no answers. We are told about the history to a problem rather than solutions they propose, and we get nowhere.

We have committees that would review so many of the orders that have been rammed through by this government — committees where members are expected to work together to provide input and make decisions. If the Premier and the government were so dead set against calling back the Legislature to sit this summer to review and oversee the pandemic response, we, at the very least, have committees consisting of members of all parties to do this work — committees providing democratic oversight in the absence of or in addition to the Legislature. Instead of taking advantage of these avenues of oversight, it is “we know best”. Everything is brought to us and the public on a need-to-know basis and it's becoming very apparent that the government thinks that we don't need to know.

I look forward to hearing from others hopefully from both sides of the House this week as to why they agree or disagree with this amendment and why they would like to continue to withhold information. It is in the best interests of all Yukoners that this amendment is adopted today.

Mr. Istchenko: As the minister said earlier, it is our job to bring criticism to the government and to ask questions. A popular government without popular information or the means of acquiring it — it is a tragedy waiting to happen.

Knowledge and information about what a government is doing and why it is doing it is the only vaccine to a failed democracy. If Yukoners are to be able to make valid judgments on government policy, then Yukoners would have the greatest access to information possible. That's why we're speaking to this amendment right now. How can any community see any

progress, or how can a democracy continue to survive, without continuing an informed and intelligent debate? How can we be continuing an informed debate without information? Those are wise words, but I must point out that the government is asking us to have a debate without providing any information, which leads one to assume that the government does not want to see progress.

I guess they also do not want to see informed debate or oversight. People are guaranteed access to information through our *Access to Information and Protection of Privacy Act* — well, sometimes they are. But it exists. It provides, by way of statute, the default right to information. Indeed, it is for government to say why you can't have the information rather than for a citizen to say why they should. But the existence of the *Access to Information and Protection of Privacy Act* does not prevent the government from proactively providing information. That is what this amendment is about, Mr. Speaker — proactively providing information to allow for informed debate and an informed decision and for ensuring that Yukoners and elected representatives can have information, which in turn allows for a democracy to continue to function.

Unfortunately, the principles of sharing information — transparency, openness, accountability — have become broken under the current Liberal government. You just have to speak to journalists who have been trying to get information out of the government for the last several months as they do their jobs of keeping government to account. They'll tell you about the frustration in getting clear answers from the government. They'll tell you about the frustration of getting anything but talking points. They'll tell you about the frustration of getting the minister to do an interview explaining the government's response or spending during a pandemic.

However, this sharing of information in a timely and accurate fashion is necessary for accurate reporting and for Yukoners being able to understand — it's important — and properly assess what the government of the day is doing.

Yet many Yukoners will tell you that information sharing has become worse under the current government. It has become more difficult to get answers from the government. Some Yukoners felt they even needed to take this Liberal government to court over their lack of information sharing during this pandemic. That's a major problem. If you ask constituents, they just want information and answers from the government. Some constituents just seek access to information about themselves and how government decisions impact their day-to-day life, and they are entitled to do that. They are entitled to know what it is the government is doing and why they are doing it.

Anyone who has listened to the Legislature over the past four weeks will know that getting any answer out of this government is like pulling teeth. It took us two weeks to get details from the Minister of Health and Social Services on department spending. We still don't have any details from the Premier on how the Safe Restart money is being spent. The Education minister is still not sharing with Yukoners — Yukon families, Yukon students or anyone — how it is that her government will get classes back to full time. That's why this amendment is so important. It makes sure that MLAs and

Yukoners can have the information that government has to inform these decisions.

I do not think it is wise for the government to continue to withhold this information from Yukoners. It's necessary for Yukon citizens if they want to contribute to debates. It's necessary for the good governance and proper oversight and scrutiny of government decision-making. I have heard from many constituents over the last several months who have questions about how things are affecting them, from busing to economic relief to restrictions on public gatherings. People just want to know what this all means for them and why the government is making certain decisions.

These are not unreasonable questions in my view, and I think that the government needs to do a better job of sharing these answers with them. They are just trying to understand why the government is doing what it is doing. That can be at the local, territorial, or federal government level. Of course, today we are focused on the territorial government.

Unfortunately, what happens when you ask the government for information is that they talk in circles with non-answers and gaslighting, all in an attempt to deny shared information and seeks to wear the askers down through this process — wear them right down.

Despite the government's attempt at avoiding scrutiny and providing non-answers, the number of questions is increasing. In fact, people are more interested in information than they have been in the past. Look at the number of people watching the Facebook live videos of weekly press conferences discussing the pandemic. People care, Mr. Speaker, and they care because they are looking for answers.

What we are seeing is that more and more Yukoners are becoming frustrated at the inability to get information or straight answers from the government, which is why my colleague brought forward this important amendment.

The idea that all Members of the Legislative Assembly should have the same information — that just makes sense — before we vote on something so that we are informed on what we're voting on — that's a fair and reasonable request.

This isn't to say that anyone is critical of the government's decisions. I've said this earlier — I bet some are, but I also bet some are in favour of a lot of the decisions that are made. But transparency and accountability are not about popularity. That shouldn't matter. What should and does matter is that the government would want to share information with the citizens and other elected representatives, which has not been the case to date.

Despite the wishes of the Liberals, Yukoners believe that our democracy and debate should be allowed to continue. I've heard from many constituents over the summer about the pandemic and the government's actions through it — the state of emergency — seeking information from me on all manner of things. I think that it's great. It is a great thing that finally, after months, we're allowed to give this topic debate in this House — and it deserves it.

It is a great opportunity to be here in this House and talk about the important issues such as democracy and accountability. Rising in this House and debating these issues

is a great honour indeed. It is for all of us. To speak to these important issues on behalf of our constituents and hundreds of other Yukoners who have reached out to us as elected representatives, it is a privilege. I respect that privilege.

Yukoners would have preferred it if we had this discussion and debate months ago, but of course, the Liberals prevented that. As you will remember, we really have not been able to speak to these issues because the Liberals did not allow for the return of the Legislature through the summer. So, I would once again — and I'll say this — thank the Member for Copperbelt North for bringing this motion — this original Motion No. 236 — and, of course, the Member for Copperbelt South for improving it so we can talk about why it is important for the government to share information. It gives all members an opportunity to weigh in on why undermining parliamentary oversight and our respected democracy is just wrong.

It also gives all members the opportunity to reflect on democratic tendencies of this Liberal government. As I said earlier in debate, I think that the original motion was a good start, but it seems that it's missing some key principles that respect democracy. That principle is the importance of sharing information for informed debate.

The amendment before us today goes a long way to providing the democratic oversight that the Liberal government refused to allow us over the past six or seven months, and it will help us to ensure that the Liberal government does not fall back on its undemocratic tendencies.

Mr. Speaker, we need to know that we have the information before us and all Yukoners whenever we discuss these topics so that we can provide the information and pass it on to our constituents. We are elected members for various ridings and communities of the Yukon. We must be able to debate and provide democratic oversight to the government's decisions. A stable and working democracy assures Yukoners that we do our due diligence and make correct decisions on behalf of everyone.

Beyond providing certainty, it is just the right thing to do. As you know, Mr. Speaker, when the pandemic began, it moved very quickly around the world. Before long, it was right here on our doorstep. In the Yukon, although we are lucky to date, we are not immune. The minister spoke about Nunavut a little while ago. We have seen a few cases here over many months and a few more in the past couple of weeks. I have heard from constituents who are nervous. I have heard from some who are skeptical. Others are cautious, optimistic, or pessimistic, depending on their nature. People come to us as their MLAs seeking answers to learn about what is happening and what the government is doing. That is how democracy functions. As elected representatives, we are supposed to have information to allow us to debate and consider government policies. Then we are able to ask informed questions about them and truly provide oversight of the government's actions. We need to be able to ask these questions on behalf of our constituents in the Legislative Assembly, which is the physical home of our territory's democracy.

To be entirely clear, this idea that there should be a provision of democratic oversight of the government is not

about opposing the government; it's not even about criticizing the government. It's not about criticizing or opposing the state of emergency. In fact, as we have said many times, we will be supporting this motion, regardless of whether or not our amendment passes, but what we are wanting to debate here in the Legislature today — and in the past — and to get on the record is the fact that it is important to provide this democratic oversight of the government. Liberals do not like to hear or listen to that, but it's a fact. It's about scrutinizing and providing oversight of government to ensure that they are representing and making the best decisions on behalf of Yukoners.

The government, with this motion and through some of the comments by its ministers over the past six months, wants to make an issue and have a political fight. It's disappointing. The Liberals want to play politics with this pandemic. This does not serve Yukoners. I worry that, if the Liberals continue down this path, they will end up hurting our territory's response to the pandemic, which eventually hurts Yukoners.

This highly partisan and undemocratic approach by the Liberal government does not serve the public health needs well, and it does not serve the economic recovery well. What serves us is a government that is open and transparent about their decisions and that allows elected representatives to provide oversight — how and why things got to where they are today. That is what gives government and their actions legitimacy, and it starts with the information sharing as outlined in today's amendment.

Information sharing — we have heard from many Yukoners who were shocked to hear that the Liberal government was not providing opposition parties information on the government's response. Guess what, Mr. Speaker? When other jurisdictions did this, and provided this oversight to elected representatives from other parties, the opposition parties supported the extension of the state of emergency. I guess the question that we must ask is: Why is the Liberal government not providing the same level of transparency? I have said this before, but I want to say that we have done some right things in our early response to the pandemic — absolutely, yes. By taking precautions early on, we kept our caseload relatively low. That is awesome.

Initially, they did act a little too slowly. They said that everything was good and that anyone asking for quicker action was paranoid. If they weren't so resistant to early action, then we might have even lower cases.

But, anyway, one major issue that has come up to me as an MLA throughout the pandemic, the state of emergency, and the subsequent extension has, of course, been our proximity to Alaska. Perhaps, in part, due to our closeness to Alaska, the Alaska Highway, the Haines Road, our friends in Haines, our friends in Northway, and our friends in Skagway — we have many of them. With the Alaska Highway connection — where we must allow Alaskans and US citizens to travel through our territory — I have often heard concerns about transmission related to highway travel. We recognize that this is a difficult balance. No one has ever denied this.

All that we are asking for is information and the ability to debate these things and ask about them in the Legislative Assembly. So, I want to be able to respond to my constituents and say, "Here is what the government is doing to keep us safe along the Alaska Highway." Yukoners have reached out, looking for information and input that went into the government's control along the Alaska Highway through the state of emergency. How much was spent enforcing travel along the Alaska Highway? How many public servants were operating as patrol or security guards along the highway? How many people were turned away from going to downtown Whitehorse? How are we reducing transmission at our gas stations and restaurants along the Alaska Highway? Why did the Liberals and the Minister of Community Services issue a list of approved businesses along the Alaska Highway that left a number of business establishments off the list?

We heard from a lot of businesses that were upset with the Minister of Community Services for picking winners and losers and leaving businesses behind. When these businesses reached out to us and reached out to me asking why the minister would unfairly harm their businesses, we wish we had the information to explain to them why we had this decision or the opportunity to provide some input.

People are looking for that information about the Mayo Road Cut-off or the Carcross Cut-off. What controls are in place at these locations to keep folks on the required travel routes? These are not tough questions, and they are definitely not trick questions, but they are questions that Yukoners have, and they expect their elected representatives to be able to ask them, which is why so many Yukoners were surprised that the Liberal government refused to allow for democratic oversight of their decisions.

Some of our communities are well-known tourism and event hubs. Many of them have been devastated by the decision to close the borders. Again, this is not a criticism of the decision to close the borders or to restrict the borders, but these types of issues are important for lawmakers to discuss before the government makes the decisions.

These communities and their tourism businesses rely wholeheartedly on visitors and the economy that it brings to fill rooms, to eat at local eateries or restaurants, buy souvenirs, or take tours. Tourism and business operators whom my colleagues and I have spoken with over the last month and continue to speak to — the tourism industry is a deeply interdependent network of operators. It's people's lives, it's jobs, and it's the future of their families that they are worried about, and they want their government to share this information.

Employers and employees both feel the impacts. If the business can't remain viable, then unfortunately we will see layoffs, and this means that Yukoners will be put in a position where they can't pay their bills, they can't pay their mortgages, they can't buy groceries, and the list goes on. That is a scary thought.

It's very frustrating, sitting here on the opposition benches, and you have families who are struggling, reaching out for information, and then the government will not even respond to

a letter or e-mail from us. These are the types of issues that democratic oversight allows us to debate — and consider all sides of an argument. Not that the ultimate decision would necessarily change, but all of the issues and concerns would have been considered.

It isn't enough for the government to just say, "Trust us." That's not how democratic oversight works. The initial implementation of the first round of emergency measures took place when everyone was scrambling to make sense in a senseless world. No one from our side has said that we should have slowed that process down by requiring legislative debate beforehand.

We know that things were moving quickly and that the government had to act quickly, but the first emergency was for 90 days. Then the government extended it for another 90 days and then, Mr. Speaker, another 90 days. So, before both of these extensions, the government had 90 days of time to allow for democratic oversight of the extensions.

They could have come back at the time between any of those periods for a couple of days of sitting in this Legislature to allow for debate, to allow for oversight — a little bit of scrutiny. But instead they chose not to; instead they shut down democracy and insisted that they didn't need any help. So, when measures are extended and things are put into place without asking all members, we get into trouble. Democratic oversight is set aside and decisions are instead made in a "we know what's best" fashion. It's not how things should work, and it's very disappointing that the Liberals used their majority power in this way. Yukoners definitely deserve to know what is happening and that they are being equally represented in this process, especially since a lot of these moves could easily have received the support or at least the understanding of why they needed to be implemented.

I'll say again that, by sharing this information on these measures, it would likely have made the government stance on decisions more palatable. The undemocratic approach that has been taken by this government has really hurt the public image as well; I firmly believe that.

This is another important point: The government's actions are now going to cost the government millions in legal fees with the *Canadian Charter of Rights and Freedoms* decision that is at the courts right now. That is millions of dollars. Scrutiny was sorely lacking over the last year and a half by not calling us back to the Legislative Assembly. So, Mr. Speaker, I look forward to the government supporting this amendment, and I also look forward to hearing from others.

I'll just leave it with this thought: Mr. Speaker, I'm glad that we're here today having this discussion.

Mr. Hassard: I'm happy to have the opportunity to rise today to speak to this amendment.

The amendment really is about information, and of course, information is so important, but equally important is the accuracy of the information.

On Monday, we heard the Minister of Community Services, when he was asked about how borders are being patrolled after hours, responded — and just to quote Hansard:

“We have put in place measures to consider after hours — for example — video cameras and CEMA enforcement officers coming forward to do random checkstops in the evening. We will work to make sure that it is safe.”

Earlier today in Question Period, the minister incorrectly stated that he didn’t say that. In fact, he even proceeded to what I think many would refer to as “mansplain” to the Member for Porter Creek North. Again, Mr. Speaker, just to help the minister out, I will quote again from Hansard. This is what he said here in this Legislature — and I quote: “We have put in place measures to consider after hours — for example — video cameras and CEMA enforcement officers coming forward to do random checkstops in the evening. We will work to make sure that it is safe.” Mr. Speaker, you understand the importance of information. That is what this amendment is about; it’s information.

I think that the original motion brought forward by the Member for Copperbelt North was really a good start. The problem was that it just was not complete. To support the state of emergency that has been in place for hundreds of days is totally supportable, but what about democracy? How do we support our democratic principles? How do we support democratic oversight? That is an important part of this discussion as well. I am not sure — maybe the Member for Copperbelt North doesn’t think so. By omitting anything in his original motion, you really get the sense that he doesn’t think democratic oversight is important at all. This is what I would say is a second chance for the Member for Copperbelt North, but maybe it’s the fourth chance for the Member for Copperbelt North to see the error in his ways, I guess.

I guess this kind of puts the emphasis on the importance of this amendment because it really does give the members opposite an opportunity to look at where they’ve gone wrong to improve on this motion.

We agree that the motion was important, but we think equally, or more so, that the amendment is more important. It speaks to the importance of ensuring that all MLAs have the same information as government members do when debating, reviewing, and considering states of emergency and other emergency measures. It leaves you wondering if the Member for Copperbelt North and his colleagues do not agree with openness and transparency. Are they opposed to this?

The Member for Copperbelt North and his Liberal colleagues really have painted this in black and white terms. Either you agree that there is an emergency or you don’t. Unfortunately, I think that this really misses the point. There is an old saying: “Miss the point by a mile”; they may have got two miles out of this one.

We’ve said for months that we aren’t necessarily against the measures brought into place under the emergency. What we’re against is the abuse of the power and the undermining of democracy by this government. It’s about oversight. It’s about debate and having all of that information — everyone having the same information right here in front of us.

I think that this government really has become renowned for providing non-answers or talking in circles or pretending like questions weren’t even asked. I start to wonder if they don’t

trust people to have information. That’s unfortunate, because Yukoners are reasonable people. If you give people the information to explain why you did something, chances are they’ll understand your point of view, even if they don’t necessarily agree with you. Even if they disagree with the ultimate decision, they will support you if they think that you’re doing the right thing. But that’s the fundamental difference between this authoritarian and undemocratic Liberal government and the opposition parties.

The Liberals do not trust Yukoners to have access to information. By doing this, they fail to recognize the fact that the details of the actions taken by government do have a profound effect on the lives of citizens. No matter what the government’s intentions are, government is not the sole source of all knowledge within the territory. In fact, it does not fully understand the impact of all of their decisions on businesses, citizens, and others in the same way that those people who live and work outside of the public sector do on a regular basis.

The remarks made by the Liberals so far this Sitting on the issue about being very tone-deaf and even arrogantly dismissive of Yukoners whose lives are affected by this and of business owners, who are so upset by the decisions — again, this isn’t to say that the government hasn’t done the right thing in the actions that they have taken, but it’s to say that they’ve done the wrong thing by not sharing information with Yukoners.

I can only try to guess the motivations of the Liberals or the Member for Copperbelt North in refusing to share information with Yukoners, but it’s fundamentally undemocratic. This Liberal government should not be afraid to share this information.

As I have said, Yukoners are more than willing to accept information and be reasonable about it, especially if the information helps explain why things are being done. A quote that has always resonated with me speaks to this: “Truth never damages a cause that is just.” Mr. Speaker, I’m sure you are well aware that this was Gandhi, and it’s as true today as it was then. I think it’s important to reflect on as we discuss the amendment that we’re talking about here today.

It’s at the core of this amendment, making sure that everyone has all the information. I know why government might be opposed to this, of course. It has been weeks and weeks of debate in the House, and we have ministers who refuse to share information about spending. The Premier refuses to share and, in some cases, actively hides information about his government’s decisions during the pandemic.

We have seen the Premier politically interfere in the ATIPP process. As a matter of fact —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Government House Leader, on a point of order.

Hon. Ms. McPhee: Thank you, Mr. Speaker. I appreciate that this onslaught of insults is fun for some people here, but I heard you say the other day that personalizing debate was inappropriate in the Legislature. He has just accused the

Premier of what would be unparliamentary behaviour, and I ask that remark to be withdrawn.

Speaker: The Member for Lake Laberge, on the point of order.

Mr. Cathers: I think that the Government House Leader heard the Leader of the Official Opposition wrong. She also did not cite the standing order in making her point of order. In fact, what I heard the Leader of the Official Opposition talk about were actions of the Premier outside this House, in interfering in the ATIPP process. He did not, in fact, accuse the Premier of taking actions inside the House, contrary to that, as the minister suggested. It would seem to be that it is simply a dispute between members and that the Government House Leader just doesn't like the facts that the Leader of the Official Opposition is laying on the record.

Speaker: The Government House Leader, on the point of order.

Hon. Ms. McPhee: I don't have any trouble with facts, Mr. Speaker. What I have trouble with is accusations of criminal behaviour in this House or outside of it.

Speaker: The Member for Lake Laberge, on the point of order.

Mr. Cathers: I don't think that the — in fact, I know that the Leader of the Official Opposition did not accuse the Premier of violating the *Criminal Code*. That is an inference made entirely by the Government House Leader herself that he said that. He clearly did not accuse the Premier of violating the *Criminal Code of Canada*.

Speaker's ruling

Speaker: I will review Hansard. What I did hear about one sentence before the point of order, however, was that the Leader of the Official Opposition alleged that there was some active hiding. In my view —

Some Hon. Member: (Inaudible)

Speaker: But the Chair cared about it, so I would ask the Leader of the Official Opposition to perhaps avoid framing submissions that way going forward.

Mr. Hassard: I certainly will make an attempt to avoid that.

Just continuing, I think that it is interesting — going off of what we were just discussing on the point of order — the other day in Question Period, the Premier stood up and said, "I didn't destroy any evidence," and that is kind of an odd thing, I think, for anyone to say, but especially for the Premier to say in the Legislature.

One thing I can say for certain, Mr. Speaker, is the fact that we certainly feel that this Liberal government is undemocratic. We have seen a letter from the former Clerk of this Assembly on electoral reform. The letter was not made public for quite a length of time and the reason was the fact that the Liberal was critical of the Liberals' undemocratic actions on electoral reform. You know, the government used Members' Services Board as a way to maybe keep that letter from seeing the light of day. I think that's just one more reason why it's so important

for the House to support this amendment with the idea that all MLAs should have access to the same information.

We certainly would like to get this amendment to a vote today. We hope the government sees the error in their ways and votes in favour of this amendment. Yes, we support democracy. We support ensuring that we're open and transparent and it shouldn't be controversial. It will be interesting to see if the Member for Copperbelt North and his colleagues vote in favour of this amendment.

Mr. Speaker, I don't think it's controversial at all to ensure that all MLAs have the same information when voting on or debating issues. Right now, the lack of public process and democratic oversight of government actions and how they're making those decisions or how they've made those decisions is very problematic. In fact, the lack of sharing information is the central point of a court case against the Liberal government right now. The Liberal government is actually being taken to court right now over their abuse of democracy and rights.

They're being challenged on not respecting the *Canadian Charter of Rights and Freedoms*. It's certainly noteworthy. Imagine what former Prime Minister Trudeau would think of that if he found out that a Liberal government was abusing the *Charter of Rights and Freedoms* in this way. To be honest, Mr. Speaker, I think he would probably roll over in his grave.

Whether or not the court will agree with their application or whether other Yukoners agree with their application is a matter for the courts and respectively for Yukoners to decide. It's not my intent here to argue the merits or non-merits of the court case, but it's an important and telling sign that the Liberals will go to such lengths to keep information from Yukoners.

I can only imagine what the former editor of the *Yukon News* would have written on the topic of the Liberal government being taken to court for charter violations. I'm sure that it's probably a bit of a sensitive topic on that side of the benches right now.

As members will recall, it's not just us who have said that there are concerns over a lack of information sharing from the government. In fact, it's not just citizens and businesses who have criticized the government for lack of transparency. In fact, those who have expressed concern with the approach taken by the government include the retired Clerk of the Yukon Legislative Assembly — of course, Dr. Floyd McCormick.

Mr. McCormick — I had the pleasure of working with him while he spent a few years of my life here, sitting at this Table, and I certainly enjoyed working with him and really appreciated his advice and support and his years of knowledge and experience on topics just like this.

So, interestingly, in his current role as a private citizen, he repeatedly expressed his views on the importance of democratic accountability — certainly a laudable cause to take up for sure. I'm sure that you too, Mr. Speaker, remember from your time working with him that he was an invaluable source of knowledge, precedence, and understanding of procedure and the importance of our democratic institutions. I'm certainly not taking anything away from the current Clerk of the Assembly.

When we heard the former Clerk say that this isn't entirely — when we heard what he said — and it wasn't any different from my own point of view, but I will quote from what he stated in the public domain on social media: “The Yukon government's response to the pandemic may be completely justified. The Legislative Assembly now gets to debate the state of emergency declaration — 201 days after it was first made. The lack of scrutiny & accountability is a problem the govt need to address.” That was 201 days a couple of weeks ago — so 201-plus.

I think it's a good time to mention that, if the government really thought it was important to get the opposition to vote on the state of emergency, they would have recalled the Legislature during the summer of one of those hundreds of times that we asked to let us come here and let us vote on these things.

What I really want to note and emphasize is that, first of all, we do agree that a public health emergency requires a government to act, and yes, of course, part of that government response does include public health orders and likely emergency orders under the *Civil Emergency Measures Act*, considering the structure of our legislation. However, this doesn't mean that we can just toss transparency and information sharing and democracy aside, as this government has done over the past number of months.

The importance of legislative accountability and oversight is increased during a time of emergency such as this, not decreased. It should also be noted that there's a difference between a pandemic occurring, such as this one did, and another emergency occurring, and there is a need for government to act quickly in a manner that eliminates the possibility of a reasonable public or democratic process in the lead-up to implementing orders in a time-sensitive emergency.

However, once that period of emergency has gone on for an extended period of time, it's important that those measures be subject to public process, including democratic debate and scrutiny. The use of emergency powers for an extended period of time without any legislative or democratic oversight is fundamentally inconsistent with the principle of accountability that is vital to a functioning democracy. It is also contrary to the nature of an emergency.

So, the Liberals have abused power for months with an unprecedented lack of oversight, transparency, or accountability. But, Mr. Speaker, I think that's why this amendment is so important. The information part is vital so that everyone has the same information moving forward and people can truly understand why the government makes the decisions that it does.

With that, Mr. Speaker, I look forward to hearing from members of the opposition. We haven't heard from many of them today. We've heard criticisms when there isn't as much — as many members speaking as possible — so hopefully, we hear from them and we get to a vote and vote in favour of this amendment.

Mr. Cathers: I'm pleased to finally have the opportunity to speak to this motion and this amendment here today.

I do have to begin by noting: We've seen some bizarre statements coming from the Minister of Community Services and some of the Liberal backbenchers. Earlier today, the minister actually said that he hasn't heard us say if we support the state of emergency. That's truly a bizarre statement. Unless the minister hasn't been listening to what's said in the House or reading the Blues, that statement is factually untrue, because we have been very clear about our position on this and have stated it multiple times in the House. On multiple days, we have been very clear about the fact that the Yukon Party does recognize the need to take action, including using the *Civil Emergency Measures Act*. But where we do not agree with what the government wants is that we're not prepared to give them a blank cheque. I should point out that, if the Liberal government actually cared about the Official Opposition's views and the Third Party's views on the declaration of a state of emergency, they would have brought this matter to the Legislative Assembly over half a year ago instead of waiting to the point where we're now 236 days after the declaration of a state of emergency. They've shot down every amendment brought forward by other members to their motion and continue to try to play games on their original motion. It's just another example of this government that is arrogant, autocratic, unwilling to work with other parties, and unwilling to share information with other parties or Yukoners.

I should remind this House that, in fact, this Liberal government is currently being sued by Yukoners related to their actions —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Porter Creek Centre, on a point of order.

Mr. Gallina: I believe that the Member for Lake Laberge is in contravention of Standing Order 19(f), “... refers to any matter that is pending in a court or before a judge for judicial determination where any person may be prejudiced in such a matter by the reference.”

Mr. Speaker, I ask you to ask the member to recall his comments and apologize to this House.

Speaker: The Member for Lake Laberge, on the point of order.

Mr. Cathers: That was a pretty desperate attempt by the member. That section does refer to whether that reference would be prejudicial in nature. Of course, I simply reminded members that the government is being sued. It's no different from comments that other members have made many times in this Assembly, including about the government being sued in this very court action that we are discussing.

Speaker's ruling

Speaker: I think it's open for the Member for Lake Laberge to refer to the fact that there is a litigation. Obviously, the Member for Lake Laberge, based on some of the findings

from the Chair and from other prior assemblies, is fairly limited in getting into the detail or commenting on the merits or demerits of the litigation, but in my view, referencing the existence of the litigation is permissible.

Mr. Cathers: Thank you, Mr. Speaker. This amendment does relate very directly to the issue of information. The amendment proposed by my colleague, the Member for Copperbelt South, is related to requesting the provision of all Members of the Legislative Assembly the same information that informs the Yukon government's decisions on whether to implement or extend the state of emergency.

As per your direction, I am not going to comment in detail on the court action being filed against the government. It is very relevant to note the fact that they are being sued for their refusal to share information with the public and their undemocratic actions.

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Porter Creek Centre, on a point of order.

Mr. Gallina: I will refer to Standing Order 19(f) and the Member for Lake Laberge providing details and his assertion — or the merits — of why the government is being sued, which you just spoke to only a minute ago. I charge the member for contravening Standing Order 19(f), and I would ask him to apologize to this House and retract his statements.

Speaker: The Member for Lake Laberge, on the point of order.

Mr. Cathers: I believe that this is no different from the point of order that the Liberal backbencher brought forward that you just ruled on. I was commenting at a very high level on the nature of the fact that the government is being sued, and it seems substantively identical to the point that the member just previously brought forward.

Some Hon. Member: (Inaudible)

Speaker: I have heard enough for now. Thank you.

Speaker's ruling

Speaker: There are pleadings out there, which we don't have before us, so, ultimately, I think it probably would not be — what the Member for Lake Laberge is arguably starting to do is likely just to start to go down a recitation or at least a summary of what the pleadings are, which, I guess, are in the public domain.

But I would ask the Member for Lake Laberge to keep his comments with respect to the litigation — while honouring the spirit and intent of Standing Order 19(f) — at a very, very high level.

Mr. Cathers: I will, of course, follow your instruction, and, in fact, that is what I was doing before the Member for — whatever riding he is from — Porter Creek Centre, I think it is. He was making assumptions about where he thought I might go next, and, in fact, I was just reminding the House of the facts that are in the public domain — facts that have been reported in newspapers, as well as on the radio — and the member is just

very sensitive to the criticism that we are levying, on behalf of Yukoners, about the actions of this government.

I would note as well — I do have to remind the very sensitive Liberal member who brought that up that the statements that we have seen by the Liberals that really ignore the facts of what the Official Opposition has repeatedly said in this Legislative Assembly could really possibly be — well, I won't say that word.

Some Hon. Member: (Inaudible)

Speaker's statement

Speaker: First of all, I did not hear what the Member for Lake Laberge just said in approximately his last sentence, so I am not going to be in a position to rule, if that is — because you were back and forth. So, I did not hear what the Member for Lake Laberge just said.

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Member for Porter Creek Centre, on a point of order.

Mr. Gallina: I am having trouble understanding what the Member for Lake Laberge — how he is referring to the amendment that is actually being debated right now. I would charge him with being in contravention of Standing Order 19(b)(i), which is speaking to matters other than the question at hand.

The amendment is an important amendment. Important dialogue is taking place, and I would ask the Member for Lake Laberge to speak to the amendment that is before this House.

Speaker: The Member for Lake Laberge, on the point of order with respect to Standing Order 19(b)(i).

Mr. Cathers: I was speaking to the amendment. I was very directly talking about the topic of information as mentioned in the amendment. If the Member for Porter Creek Centre would actually allow me continue what I am saying rather than repeatedly interrupting me on points of order — which so far have all turned out to be bogus — he would understand better the connection to the amendment.

I believe that this is just a dispute between members. If the Member for Porter Creek Centre would allow me to continue, he will see very directly the relevance to the amendment.

Speaker's statement

Speaker: I'm just going to remind myself, for the benefit of this discussion — I'm going to review what the amendment actually is.

The second portion is: "(2) the provision to all Members of the Legislative Assembly of the same information that informs the Government of Yukon's decision on whether to implement and extend the current state of emergency".

I'm listening.

Mr. Cathers: Thank you, Mr. Speaker. In speaking to the amendment, what I want to talk about — this is about information, and part of information includes the ability to

debate and to hold the government accountable. I know that we've seen from the interventions today by a Liberal member that they don't like some of the criticism levied against the government, but I have to remind the member — and indeed, the entire Liberal government — that there are Yukoners right now whose lives are being affected by these ministerial orders that the government has brought in under the *Civil Emergency Measures Act*. There are a lot more Yukoners outside this House who are upset about the government's lack of information sharing than there are inside this House. That is the purpose of this amendment. That is directly why my colleague, the Member for Copperbelt South, brought it forward.

We've seen some pretty weak excuses presented by the government. The Minister of Community Services claimed that they couldn't provide this information because it would violate Cabinet confidence. Well, there are a couple of problems with the ridiculous argument. To begin with, Cabinet of the day has the ability to waive Cabinet confidence when it so chooses. Additionally, if there are, in fact, truly some details there that relate to actually sensitive matters, such as related to personnel or something else that can't be shared in a public domain, the government has an easy option open to it.

In fact, an option that we have proposed at least five times throughout this year is to make sure of an all-party committee. All-party committees, as a matter of course — if there are matters related to personnel or other sensitive matters — don't share information that they shouldn't share in a public venue.

To ask that all MLAs be provided with this information is very reasonable. We believe that, in most cases, that information should also be shared with the public, but the wording of the motion brought forward by my colleague, the Member for Copperbelt South, allows for the potential that some of the information currently seen only by Cabinet might fall into the category that could be shared with MLAs on a confidential basis but could perhaps, in some specific instances, not be immediately made public afterward.

We're seeing the Liberals grasp at increasingly flimsy straws in their attempt to justify refusing to share information, refusing to accept any amendments brought forward by opposition members, refusing to agree to all-party committees — unless it's the one that they proposed that they were directly in a conflict of interest in, given the way that they structured it, and called out for such by the former Clerk of the Assembly in his current capacity as a private citizen, Dr. Floyd McCormick.

I want to move back to some of the comments that the Minister of Community Services made earlier today in talking about this matter. The minister said something on Monday and, earlier today, blamed the Member for Porter Creek North and the media for talking about what he said. As noted in the CBC article, which, for the reference of Hansard, is online, entitled “As COVID-19 cases climb across the country, Yukon MLAs question border controls...” It is dated November 17, 2020.

In that article, there is reference to the fact that my colleague, the Member for Porter Creek North, also questioned the border controls now in place in the Yukon. “Since Oct. 1, Yukon's non-international land borders have been staffed from

9 a.m. to 6 p.m. daily, when they had previously been staffed 24 hours per day.”

That is then relying on the assumption, as noted later in the article: “Travellers crossing into Yukon are required to stop and sign a declaration, and provide their self-isolation plan if arriving from somewhere other than B.C., the N.W.T. or Nunavut.”

My colleague asked “... whether reduced staffing at the borders has made them less secure” — saying, “How many travelers have entered the Yukon during these unstaffed hours?”

The minister was then quoted by CBC. It says — and I will quote from the article while not referring to the minister by his name, which the article does — so, name of the minister — “... also said the government is doing other things to ensure compliance at the border, such as installing video cameras and having enforcement officers do random checkstops in the evening.”

So, after that, then my colleague earlier today asked him a question about it. He bizarrely not only claimed not to have made those statements, but personally attacked the Member for Porter Creek North and asked her to apologize. I would remind the minister and his colleagues — if you look on page 1863 of Hansard from November 16, the minister said, when talking about video cameras —

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker (Mr. Hutton): Member for Porter Creek Centre, on a point of order.

Mr. Gallina: Thank you very much, Mr. Deputy Speaker. I believe I just heard the Member for Lake Laberge charge that the Minister of Community Services was motivated in attacking another member. I believe that's in contravention of Standing Order 19(g), and I would ask you to have the member apologize and retract that statement.

Deputy Speaker: Mr. Cathers, on the point of order.

Mr. Cathers: On this bizarre point of order brought forward by the member, I did not impute motive. I did refer to the minister's action and I characterized his criticism of the Member for Porter Creek North as an attack, which I believe was an accurate characterization of the way that he responded to my colleague. I don't believe it's a point of order; it is just an area again — this Liberal backbencher is very sensitive to the criticism being lobbied at this Liberal government.

Deputy Speaker's ruling

Deputy Speaker: I tend to agree. This is a dispute among members, so the Member for Lake Laberge can continue.

Mr. Cathers: Thank you, Mr. Deputy Speaker.

So, I mentioned what the media reported. Again, that is in an article on CBC dated November 17. I was just beginning to — when I was interrupted by the fourth point of order, I think, brought forward by the Member for Porter Creek Centre.

I was quoting what the minister said during the tail end of his ministerial statement or whatever the proper term is actually for the response of the minister after members have responded to a ministerial statement.

The minister himself talked about "... video cameras and CEMA enforcement officers coming forward to do random checkpoints in the evenings." The minister also said — and I quote: "We have put in place measures..." when he talked about those specific steps. I will allow that it is possible that the minister misspoke and meant to say that they were considering putting those measures in place, but that's not what he said.

Instead of correcting his comments — whether he was factually wrong at the time or whether he realized that he made a mistake later — his response was to criticize CBC reporters and my colleague, the Member for Porter Creek North. His actions could really be best described as gaslighting, where he is trying to make those reporters and my colleague think that they were somehow the ones who made a mistake.

It is really fitting in keeping with the way this Liberal government has managed throughout the pandemic where — just as in reference to this amendment — there has been a lack of information sharing. We have seen today the bizarre claim that they somehow can't share information that so far only Cabinet has seen without presumably the sky falling somehow. The minister didn't specify exactly what the consequences would be of sharing it, but I will remind them that they are a government elected by the public. They are accountable to this Assembly — or they are supposed to be — and the information that they have belongs to the public and should be shared with the public unless there is a compelling reason why it actually can't be.

The pandemic is not just supposed to be a good excuse to avoid accountability, avoid sharing information, avoid answering questions, avoid answering budget questions, and refuse to have your actions under the *Civil Emergency Measures Act* questioned, debated, or scrutinized by Members of the Legislative Assembly. The approach that is being taken is very unfortunate, as some of my colleagues and I have mentioned. When we talk about the requests that we have brought forward, including information sharing — that's something where it is not just us asking; we hear it repeatedly from Yukoners.

Again, when we look at the mischaracterizations by the government of what the Official Opposition has been doing — when we look through Hansard, we can very clearly see and very clearly state that we support the need to take action under the *Civil Emergency Measures Act* because of the current structure of our legislation. But another area where I do have to challenge the minister for his factually incorrect statements in this Assembly is when earlier, in his attack toward my colleague, he claimed that you need a state of emergency for border control. That is not factually true.

In fact, an option that was open to government — as I have mentioned before in this Legislative Assembly — is to bring into place legislation, as some jurisdictions such as Ontario have done — bringing forward matters that are time-limited in nature and that apply to the pandemic. They could have

addressed those matters through legislation either this fall or in fact, earlier this year. If they had brought it forward, all of the content of the ministerial orders could have been fully addressed through legislation and debated in this Assembly rather than done under the *Civil Emergency Measures Act*. They simply chose not to take that approach but to suggest, as the minister did — in fact, he more than suggested it — he out and out stated that you had to have a state of emergency for border control. That is factually incorrect.

The minister could have instead tabled legislation related to the pandemic and, had those measures been reasonable, he could have expected that the Official Opposition would have supported those measures. We do not support the approach that the government has taken of repeated top-down decision-making — a refusal to have ministerial orders subject to public review or review by a committee of the Legislative Assembly.

Unfortunately, we see that we are up here on this Groundhog Day motion where they have brought back again Motion No. 236, continuing to spin and misrepresent what has been said by the Official Opposition when they know very well that we do recognize the need to take action. We have said very clearly, repeatedly, that we recognize that, at the start of the pandemic, there was a need to take action quickly. There was a need to move forward with ministerial orders at the time. Due to the nature of the pandemic, action had to be taken in a quick manner, but we are now 236 days after the government declared a pandemic and declared a state of emergency. The excuses are getting thinner and thinner. The spin is getting more and more ridiculous from the Liberal Party, and ultimately, Yukoners are smarter than the Liberal Party thinks they are. They will see through the excuses, secrecy, and ridiculous spin games that we see from this Liberal government and realize what the facts are.

In returning to talk about the specific content of the amendment proposed by my colleague, it's about information. It's asking that all MLAs have access to the same information that informs the government's decision on whether to implement and whether to extend a state of emergency. We don't have access to that same information.

As I noted earlier, there is no good reason why government cannot share the information Cabinet received. If there's something very specific that can only be shared confidentially with MLAs that cannot be made public, we're prepared to entertain that possibility, but instead, we see government refusing to share information, making factually incorrect statements repeatedly, gaslighting when MLAs ask them reasonable questions, and taking an approach that is arrogant, autocratic, elitist, and secretive. In light of some of the other things going on, including their infamous \$100,000 in secret donations, it is not inspiring public confidence that this Liberal government remembers who they were elected to serve when their response to MLAs, in seeking the same information the government used to make its decision, basically boils down to saying, "The truth? You can't handle the truth."

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker: Minister of Economic Development, on a point of order.

Hon. Mr. Pillai: I think that there has been at least one, if not two, occasions where the term “gaslighting” has been used. I would like to cite Standing Order 19(g) about imputing false motives. I don’t think anything that has been done here on the sharing of information has been focused on any kind of psychological manipulation. I think it is sad to hear that, so I would ask that the member opposite withdraw his statement.

Deputy Speaker: Member for Lake Laberge, on the point of order.

Mr. Cathers: I would first of all have to point out that the minister suggested that we were characterizing the sharing of information as “gaslighting”. In fact, we were characterizing the minister’s comments and refusal to share information as gaslighting. My understanding is that this term has been used in this Legislative Assembly previously without it being ruled out of order. It certainly seems to fit the situation.

Deputy Speaker’s ruling

Deputy Speaker: I will take it under advisement. I believe that it has been ruled against both ways in this Legislative Assembly. I will take it under review and get back to members.

Member for Lake Laberge, you have 46 seconds left.

Mr. Cathers: Thank you, Mr. Deputy Speaker. In wrapping up my comments, I do have to point out that government doesn’t need to be afraid to share public information with the public. It would, in fact, increase public confidence that the decisions government makes are reasonable because, in the absence of information, people become increasingly suspicious of this Liberal government and its autocratic, undemocratic decisions.

Hon. Mr. Pillai: There has been much said over the last number of days on this particular topic when we have had a chance to debate. Actually, at least on this side of the floor, we were looking for one of two words, really: yes or no. We are on pace right now for 60,000 words versus one of those two words.

Yukoners are very, very intelligent people. They have watched this. They know that this is gamesmanship. They know that sitting together — whether on the street talking to a constituent or citizen or whether you are at the kitchen table with a family member — it has been a very hot topic about how the Yukon should handle this emergency.

What we have heard today from members across the way — even on the legal proceedings that seem to be underway — is that they have already made a judgment call on that. All you would have to do is go back to Hansard and review the statements of the Member for Pelly-Nisutlin.

Right away, even though there seems to be a debate that’s underway — one where it’s being positioned around democracy, another that seems to be positioned on what to do — you can see the undertones. Yukoners, absolutely, are shrewd, intelligent people who will catch up on those

statements — some of those legal proceedings that are quite significant — and that the Yukon Party seems to have already made a judgment on that. All you would have to do is go back, and we can share those words.

We have also heard this debate based on a lack of information. I may have the wrong information, but I thought what had happened is that the members of the opposition, on over 20 different occasions this summer and into the year, met with the chief medical officer of health. I believe that this happened. They may have forgotten about that, but it would be very interesting to know that, if they were having that level of engagement, there would be information being passed on.

In the work that we had to undertake around the economy, I listened to the briefings to the public that happened three times a week — just like any member of the public. I actually didn’t sit in on 20 separate briefings. The information that has been shared is the information that we have.

I interfaced with the business community. It was said here that we haven’t listened to Yukoners. When we have been challenged on our decisions around the economy, the problem with that is that the decision-making is being reflected upon us, but all you would have to do is see the statements from the business advisory group, a very comprehensive group of business leaders. We would meet; they would provide me with, essentially, a mini mandate letter, and then we followed through on those actions.

We had a very symbiotic relationship with many sectors to understand how to build policy very quickly and then turn that policy into effective and efficient programs. That’s partially why the federal Government of Canada has now adopted two of our programs and potentially a third program. I think that this speaks volumes for the capacity and the innovation of the public service in the Yukon.

Under that pressure, although there were lots of challenges from the Official Opposition on what the success looked like, we see that reflected in the data that is coming through around many aspects of our economy.

No information being passed on, yet 20 separate meetings for the opposition — no information for the public, yet press conferences three times a week where people had many opportunities.

As MLAs, I know that, on this side of the House — and I’m sure on the other side of the House or I would hope — non-stop interaction with business leaders — in my case, because of the portfolios — the mining sector, constituents — people who are concerned.

I’m perplexed, because when I look across, especially at the Official Opposition, three of the members represent rural ridings and one right on the edge — a rural riding but right on the city’s edge, really close to the city. In all of those cases, what I heard — just like going, Mr. Speaker, to your community — was a real fear from community to community around what can happen.

I think what we’re seeing is that it’s being played out in Nunavut right now. I had an opportunity this morning to be on the phone with officials from Nunavut on an FPT call, and I shared our concern and sympathy to those right now who are

dealing with such a significant infection rate in a small community. That's what I've heard from Yukoners, whether it be Haines Junction — real fear and getting some difference of opinions coming out of there — or Watson Lake — real concern around what was happening — as well as the communities of Ross River and Teslin.

It's intriguing. It's this tightrope walk where, on one side, there are business owners. Yes, we've listened to business owners. We've worked with business owners throughout this entire process. Hearing those community leaders, there seems to be a real contrast between what the community leaders were saying — whether it be First Nations, municipalities, or whatever it may be — and what the MLAs are saying from the Official Opposition who represent those areas. I don't know why, because I think that they are in tune with their communities, but there is a real divergence in perspective. I don't know if that's because of the portion of the political base that they represent and they don't feel like they want to alienate them, so they have to sort of appeal to that, yet the people who they actually represent as well in their communities and those community leaders — they don't seem to be on a consistent stand with those individuals.

That, I think, has been interesting. Once again, as we look through this, the business advisory group — we've spent the amount of time — whether it was the weekly meetings, the advice that we had — that continuation. So, I think that, when we think about the business owners, there has been so much interaction with them.

There was a bit of a quote from a former employee here in the Legislative Assembly, and the Leader of the Official Opposition talked about how it has taken us 201 days to get here — plus a couple of days — because we've had almost 60,000 words from when we started this debate until now. Of course, that many words take time, even though Yukoners just want a yes or a no. I think the leaders in the communities that the MLAs for the Official Opposition represent want to know: yes or no? They want to know: How would you handle this if you were in government? Would you take a stand on this? Would you make the tough decisions that have to be made? I don't think anybody — out of all the MLAs who are here in the Assembly — ever had taken on the thought that they wanted to be in this position, but that's part of the job. You have to make the tough calls. As a Cabinet, we've had to do that. You have to make them in a timely manner. When you do that, you have to understand that, inevitably, you have to be accountable. What that means is that you will stand by those decisions. Those decisions that you have made, you will have to live with. They will be on your shoulders for the rest of your time, whether you're in this Assembly or you're out in the private sector or whatever you do. People will look back. I think, for this side of the floor, those tough decisions — we felt they were the right decisions to make. We felt that the health and well-being of Yukoners was the priority. We felt that, in order to have a strong economy and to have all of those other elements, you need to have healthy people. We look at what has happened in other provinces where there have been certain moves made to provide maybe some more flexibility with big populations

and with a lot of different individuals moving through those geographic areas. You see it each and every day. You see leaders from across the country having to deal with the repercussions of those policy decisions.

Also, you see the health care professionals calling out in those jurisdictions — calling out to say to their leaders: "Please, can you take a look at a different matrix of decision-making?" — because they feel that this one is so detrimental to the health of the population that those individuals represent.

So, again, it wasn't a big surprise that we would walk into day three of more debate without getting to the answer. I think that we have felt on this side of the floor that the continuation of the debate is truly the answer that we are getting from the Official Opposition. That is the answer. They have answered it, but they have taken that one word and expanded it — probably by the end of the day — to 60,000 words.

I had a quick discussion with the Minister of Justice, and there were some comments made about her work — and, again, lack of opportunity here. I think that she said — the minister personally wrote to the Official Opposition four times and offered it up — to come in. "Is it information?" — that is what we heard over and over again — four times, to come into the Legislative Assembly. The commitment was made to bring all departments in to ask any of the questions that were needed.

I am trying to square up the fact that this offer is still a barrier to providing information and to answering questions. All departments — ask your questions. Here is the offer again — no. Here is the offer again — no. Here is the offer again — four times. Then what we have is 60,000 words, spinning the fact that we weren't going to provide any information. To quote the Member from Lake Laberge — Yukoners are smart people. Yukoners are smart people, and they are hearing this. For those who haven't, we can share it with them.

I think, really, that what we have come to understand is that this will probably go on all afternoon again. We hope that we can get to a point where we can vote on this.

The Official Opposition is more than welcome to bring back a motion that's not exactly the same — we know that we can't do that — but a motion that they feel, in the future, better reflects the debate they want to have. At this particular time, we're trying to get a sense of if people are supporting the state of emergency — if that question is just as relevant today as it was previously, based on the circumstances that are in front of us as a region, as the north, and as a country.

Hopefully, we will have that opportunity today. We likely won't, but hopefully we will, and Yukoners will understand how each and every one of the parties that are represented in this Legislative Assembly would handle a situation such as this. They know how we would, and we stand by that. Hopefully, we will see what our friends across the way would.

Some Hon. Members: Division.

Division

Deputy Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Ms. McPhee: Disagree.

Hon. Ms. Frost: Disagree.

Hon. Mr. Pillai: Disagree.

Mr. Adel: Disagree.

Mr. Hutton: Disagree.

Hon. Mr. Mostyn: Disagree.

Hon. Mr. Streicker: Disagree.

Hon. Ms. McLean: Disagree.

Mr. Gallina: Disagree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Mr. Cathers: Agree.

Mr. Istchenko: Agree.

Ms. Van Bibber: Agree.

Ms. White: Agree.

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

Speaker: The nays have it. I declare the amendment negated.

Amendment to Motion No. 236 negated

Speaker's statement

Speaker: Briefly, before we proceed — and I can provide perhaps some more fulsome reasons when I have time to review with the Clerks-at-the-Table — the term “gaslighting” has been used a few times this afternoon. My recollection is that, in the spring of this year and perhaps even in the fall of 2019, this has been dealt with. It has been found to be out of order. It is — what I have here from the *Urban Dictionary*: “A form of intimidation or psychological abuse, sometimes called Ambient Abuse where false information is presented to the victim, making them doubt their own memory, perception and quite often, their sanity.”

I don't think that this helps to advance debate in the Yukon Legislative Assembly. So, although we, of course, are loathe in the Westminster system to categorize words or to itemize words that are not permitted — because that is difficult — “gaslighting” is out. I think that we have some certainty on that word.

Mr. Kent: Just a point of clarification. I know that the Deputy Speaker was in the Chair when the point of order was called and ruled on with respect to that term, and I think that he mentioned that it had been ruled either way, so that is incorrect, just given your research.

Speaker: I don't think that it has been ruled either way, but the Clerks and I can review that and can respond, but my gut reaction is that it was ruled previously out of order. The definition provided in the *Urban Dictionary* is not particularly flattering, so I don't think that it would flatter members to be using that with any regularity or frequency.

We are back to debate on the main motion. If the member now speaks, he will close debate.

Does any other member wish to be heard?

Ms. White: I apologize to my colleagues, Mr. Speaker. I had forgotten where we started initially.

I think that the one thing that no one will disagree with is that the last eight months have been hard, and there are some people who are thriving working from home, and there are people who are wilting working from home. It is affecting students differently, and it is affecting people across all spectrums differently. I don't think that there is any way to disagree with that.

When this motion — I apologize to the Member for Copperbelt North that I forgot where it came forward from initially — it just says: “THAT this House supports the current state of emergency in Yukon.” I appreciate that, but I think that there is a way that we can strengthen it so that it is clear and more precise. I don't believe that it weakens the motion at all. What it does do is that it mentions COVID-19, which I believe is pretty important since that is the whole reason why we have a civil emergency currently and why we are in this situation. I think that it is very straightforward. So, my hope is that my colleagues will support it so we can get to a vote. I disagree with a lot of what has been said today, because one could call it “mud” or whatever is being slung across both ways. I don't think that we need to do that. I think that what folks need from us right now, as people listening to leadership, is our ability to work together. I hear what my colleagues from the Yukon Party are saying, and I understand where they are coming from. I can hear what the members of the Liberal caucus are saying, and I understand that too.

What I am hoping is that, with this amendment that I am going to propose — I would like to consider this to be a leaf of peace, one that I think all members could support because it is not contentious. I have worked very hard to not make it contentious.

Amendment proposed

Ms. White: I move:

THAT Motion No. 236 be amended by inserting the phrase “under the *Civil Emergency Measures Act* to respond to the COVID-19 pandemic” after the words “in Yukon”.

Speaker: The Leader of the Third Party has the copies for other members, which will now be distributed.

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Copperbelt South, on a point of order.

Mr. Kent: Mr. Speaker, I know that you are reviewing the amendment for orderliness. If it is deemed to be in order, I am just requesting a 10-minute recess for our caucus to take a look at the amendment — and I'm sure other members will as well.

Speaker's statement

Speaker: To comply with COVID-19 distancing measures and to allow for the members to review the proposed amendment, the House will recess for 10 minutes.

Recess

Speaker: I have had an opportunity to review the proposed amendment with the Clerks-at-the-Table and can advise that it's procedurally in order. Therefore, it has been moved by the Member for Takhini-Kopper King:

THAT Motion No. 236 be amended by inserting the phrase "under the *Civil Emergency Measures Act* to respond to the COVID-19 pandemic" after the words "in Yukon".

Ms. White: I thank everyone for helping me to figure out what expression it was I was looking for. I was extending an olive branch of peace. That was what I was trying to do. I believe that there is commonality here.

I believe that each side has valid points to make and that they are important and represent all across the Yukon. I'm not going to say that I listened really closely over the last number of days, but I have been listening and have done some reading and things.

The amendment that I propose will say — this is how it will read. It will say: "THAT this House supports the current state of emergency in Yukon under the *Civil Emergency Measures Act* to respond to the COVID-19 pandemic."

There are a couple of reasons why that is the way I have chosen to go. I think it's important that we talk about CEMA — the *Civil Emergency Measures Act*. As we know, that's the tool that's being used right now to declare a state of emergency. We know that is the reason why we're able to have border controls and that is the reason why we have been able to make those decisions.

I appreciate the current state of emergency, but let's call it what it is: it's the COVID-19 pandemic. We hear over and over again how it's a world pandemic, it's an international pandemic, it's all these things — it's all true.

So, really, what this is just trying to do is be more clear, and I believe it does that. I don't believe it takes away from the initial motion; I believe it strengthens it. I don't think that it's helpful for me to look around or to say what I don't like about this side or that side.

I think we all have a responsibility here, and we all work for the people of the Yukon. This is just making that a little bit stronger and hoping that we can find commonality here. With that, I hope to hear some positive remarks from my colleagues. That's all I have for right now.

Mr. Cathers: I'm pleased to rise. I would like to thank the Member for Takhini-Kopper King for bringing forward this amendment and for joining us in what has been an effort by both the Official Opposition as well as the Third Party to make positive changes to the original motion.

As you will recall previously in this Assembly in debate on this motion, we have debated three proposed amendments which have not been successful. I hope this one will break the pattern and that the government will support it. I thank the Leader of the NDP and her colleague for their support of amendments that we have proposed to the original motion.

The motion brought forward by the Member for Takhini-Kopper King clarifies the fact that the declaration of a state of

emergency in the Yukon is, under the *Civil Emergency Measures Act*, a very factual statement. It recognizes that it's a response to the COVID-19 pandemic. I'm not going to seek to explain exactly what her intent was in doing that, but I will tell you why I believe that is necessary and those words are beneficial. That is, it seemed to me, that there is a pattern of government — once declaring a state of emergency this year, the Liberal government having a tendency to use the declaration of a state of emergency as a matter of convenience, not just a matter of necessity.

An example of that was in the legislation that we recently saw tabled to ban single-use plastic bags, where the government itself brings forward legislation that they tabled in this House this Sitting. Actually, in their handouts provided to members of the opposition and to media — when asked about how this might relate to the pandemic and whether there was any need to potentially suspend that because of it — the handout had indicated that it was their plan simply to use the *Civil Emergency Measures Act* and a ministerial order if they felt that they had to suspend it.

That, in my view, is a clearly unnecessary and improper use of the civil emergency powers for a matter of convenience, because they could have ensured that the legislation that they tabled this Sitting, in fact, itself provided the ability, if required, to make such a delay or suspension of the ban, but they chose not to do so — straying into using, in my view, the declaration of emergency under the *Civil Emergency Measures Act* and the powers associated with it for matters of convenience, not just matters of necessity.

In speaking to this amendment and talking about the specific wording that is referenced in here and the fact that it applies to the COVID-19 pandemic — again, the reason that I believe that this is a positive amendment proposed by the Member for Takhini-Kopper King is that it makes it clear what the purpose of the emergency declaration is. If the government, after voting against amendments that have previously been proposed — the first of which sought to see that any future extensions to the current state of emergency would have to be debated in the Legislative Assembly prior to implementation; the second amendment to this motion that they wouldn't support would have provided that the Standing Committee on Statutory Instruments would review, call witnesses, and study all the ministerial orders and orders-in-council issued during the state of emergency; and the third amendment that they voted against just a few minutes ago this afternoon sought only information — that being the provision to all Members of the Legislative Assembly of the same information that informs the Yukon government's decision on whether to implement or extend the state of emergency.

So, now we see amendment proposal number 4 brought forward by the Member for Takhini-Kopper King. What it would do is make it clear that the state of emergency is specific to the COVID-19 pandemic. I don't know if the government is planning to support this or to vote against it, but if they won't even support this amendment, it does make one note that their unwillingness to cooperate with members of the Official Opposition and the Third Party is reaching new heights or new

lows, whichever you prefer to characterize it as. They have shown themselves to be unwilling to share information. For example, when we were discussing information earlier in the context of debate on this motion and proposed amendments — had the government thought it necessary to specify that they had to keep certain types of information confidential because of reasons related to personnel or something else — if they brought forward a specific reasonable amendment to our proposed amendment, we would have been willing to entertain it. But they simply stood on the principle that they were going to refuse to accept any proposals from the Official Opposition. They were going to refuse again — they have refused at least five times — to work together in an all-party committee related to the pandemic and they've shot down every previous amendment that has been tabled to Motion No. 236 —

Speaker's statement

Speaker: This doesn't come up very often, but I think the Member for Lake Laberge is out of order with respect to Standing Order 19(e). You've been reflecting upon the votes which have taken place and have been decided by the Assembly with respect to three amendments. I believe that squarely falls within Standing Order 19(e); I think it does. I mean, the House has voted on these amendments. The decision has been made. I believe it's a fairly settled parliamentary principle that the members do not then reflect upon the previous debate — the fulsome debate which has taken place.

I certainly welcome to be corrected by my Clerks-at-the-Table at some point. Like I said, this hasn't come up very often over the course of the last four years, but it just seems to me that it's pretty squarely within the ambit of that standing order — unless I'm mistaken.

Mr. Cathers: I would respectfully encourage the Speaker to review the matter with the Clerks and I will simply note that it's my understanding, based on my time in the House, that it has never been used to prevent members from talking about the context of previous debate on a motion. My understanding of that Standing Order 19(e) was that — unless a member is actually making specific substantive proposals, such as an amendment or a motion, to reconsider a previous vote — they can't engage in a long narrative that suggests a matter should be reconsidered once it has been addressed.

Speaker: I don't anticipate that the Member for Lake Laberge is going to go on much further about the previous votes. I will certainly confer with my Clerks before tomorrow on this topic. It seemed to me that was kind of squarely within the consideration of that standing order.

Like I said, it hasn't come up very often during the 34th.

Mr. Cathers: It hasn't come up very often at all actually during my time.

I respect that, Mr. Speaker. I would encourage you to review it with the Clerks. While respecting your indication, I would simply note that what I will try to do in respecting that is — it has been my understanding that talking about the debate that has occurred on the motion, including related to amendments, has been allowed here in the past because it can

often — a comment, for example, that one member might make on an amendment might relate very directly to the substance of a motion not amended and it becomes very difficult for anyone, including presiding officers, to parse which comment is specific to the main motion versus just an amendment.

In moving on and talking about the amendment brought forward by the Member for Takhini-Kopper King, I would just note that it is the fourth in a series of proposed constructive amendments to Motion No. 236. She makes specific reference to the *Civil Emergency Measures Act* and the pandemic, and I would note that we have repeatedly in this Assembly — despite the government's attempts to mischaracterize our comments, we do recognize there was a need to take action, including public health orders and orders under the *Civil Emergency Measures Act* related to the pandemic. Where we will disagree is that we do believe that, rather than all matters which may emerge being dealt with through ministerial orders under the *Civil Emergency Measures Act*, when it is possible to do so, it would be better for government to propose those measures through legislation or temporary legislation that could be brought forward and debated in this Legislative Assembly, such as has been done in jurisdictions like Ontario, where members from all parties have recognized that there is a need to take action related to the pandemic, but the government has chosen, rather than simply Cabinet deliberating and debating on those rules, to allow some of them to be dealt with through legislation that was intended to be temporary during the duration of the pandemic.

I thought there was something else I wanted to mention. I just want to note, in closing, the comment that the Member for Takhini-Kopper King made in speaking to this. She talked about how this pandemic was affecting people differently. She is absolutely correct with that statement. As she noted, some people are thriving and enjoying changes that, in some cases, for some people, have provided them more time with their children, or it has been a forced reason to slow down from the pace of life, but there are also other people who are having great difficulty dealing with the impacts of the pandemic.

We know that there have been national surveys showing that there has been a rise in mental health issues for people in the pandemic with, if memory serves, a survey indicating that over half of Canadians reported that their mental health had gone downhill during the pandemic — ranging from just being less happy to actually having serious problems. In some cases, it is having a great impact on people's mental health. For some people, especially those in the private sector, it has had a dramatic impact on their finances and their future.

Being specific does matter. I welcome the amendment from the Member for Takhini-Kopper King. I want to again note, as I have previously in debate, that some people are seeing a very big impact to their finances. There are people I have heard from, constituents and other Yukoners, who have seen the pandemic have a dramatic impact on their hopes for the future. In some cases, people are dealing with the loss of their dreams and their plans. There are people who have had businesses that were thriving and doing very well before the pandemic hit, who expected that 2020 would be a good year for

them. They thought it would bring prosperity to their business and their family. They thought it would be one more step along whatever their particular path and their particular dreams were for the future, and then it hit, and some of them are still trying to figure out not only how to get through but what comes next. There are business owners who were very hopeful prior to the pandemic that are currently wondering if their businesses will survive. In some cases, they are not optimistic about that prospect.

So, all of this — beyond the specific wording in a motion, beyond any of the amendments that are debated here in this Assembly — it's important for the government to remember that, as we debate this yet another day, there are Yukoners out there who care about information that's provided to them. They care about the details of ministerial orders. They care about the rules that are in place. As other members, indeed, in this case, from all parties have alluded to, there are strong opinions out within the public. There are people who would like more restrictions and people who would like less restrictions. There are people who are worried about the borders being open to BC and people who would like to see borders open to Alberta and other jurisdictions. Ultimately, what we have stood for in this debate — what we've stood for during this Sitting — indeed, throughout the pandemic and we will continue to stand for — are the principles that, whenever possible, information should be shared with the public so that people know why government is making the decisions. They are fully informed about the facts and can make their own conclusions.

We have stood for and will continue to stand for the principles of democratic debate regarding not just the declaration of a state of emergency, but in fact the rules imposed under it that are affecting people's lives. I believe strongly that people have a right to be consulted on the rules that are affecting their lives — that they have a right to their input being considered and they have a right to expect that their democratically elected representatives from all parties will give due consideration to that input and will make decisions based in part on what they hear from the people of the Yukon.

We recognize that public health information is important, but as I have said previously and as a number of my colleagues in the Official Opposition Yukon Party have acknowledged, government does not simply know everything that is affecting Yukoners' lives. No one person in government knows everything about the effects of this pandemic on Yukoners. No person, no department, no party has all of the solutions or all of the answers. Indeed, what this pandemic should provide — and I would again encourage the government to recognize the importance of listening to people, of providing the opportunity for input on the rules that are affecting their lives, considering what's affecting them, hearing their input and then using that as part of the information that helps government decide how to proceed throughout the remainder of this pandemic.

So, with that, Mr. Speaker, I will wrap up my comments. I thank all of my colleagues who proposed amendments for doing so, including the Member for Takhini-Kopper King for proposing this one. I hope that the government will see fit to support this amendment to this motion.

Mr. Gallina: Thanks for the opportunity to speak to the amendment brought forward by the Member for Takhini-Kopper King, the Leader of the Third Party. I just want to say thank you for the heads-up. It is appreciated. The member reached out to the Liberal caucus and shared the amendment and gave us a heads-up. I think that our caucus has seen the olive branch that has come across. Yes, we will acknowledge that an olive branch was extended, and we're thankful for that.

Mr. Speaker, the motion before us and the amendment that is being proposed — the motion before us is intentionally succinct. It is deliberately simple and asks a simple question. It asks the question of the members of this House if they are supportive of the current state of emergency or not.

By adding the *Civil Emergency Measures Act* to this, it fundamentally changes the question that is before us. The question is: Are we supportive of the current state of emergency? We are, Mr. Speaker, and we have heard from opposition members that they are as well and that they want to vote on this. But I would note, as other members in the Assembly have stated today, that Yukoners are smart. Yukoners are very smart and Yukoners know that we have spent three sitting days — 60,000 words — of opposition members bringing forward amendment after amendment and explaining why they are not comfortable getting to a vote. What that tells me, Mr. Speaker, is that there is that —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Leader of the Third Party, on the point of order.

Ms. White: Mr. Speaker, right now, it appears to me that this is in contravention of Standing Order 19(b)(i), which is the question under discussion. It is a very direct amendment that I proposed and it doesn't have to do with the 60,000 words — it's just about 15 words maximum.

Speaker: Member for Porter Creek Centre, on the point of order.

Mr. Gallina: Mr. Speaker, I'm speaking to the motion. I'm explaining why we're not supportive of this motion.

Speaker's ruling

Speaker: We're on the amendment right now. Just for everyone's benefit, it's to insert the phrase "under the *Civil Emergency Measures Act* to respond to the COVID-19 pandemic". So, yes, your comments should eventually or fairly quickly get back to that subject matter.

Mr. Gallina: Mr. Speaker, we have not had many speakers in debate. We have listened to the amendments that have been brought forward. We have listened to all of the amendments from the Official Opposition. We've listened to the amendments brought forward by the Leader of the Third Party. I will reiterate that the motion before us is intentionally succinct. We would like to get to a vote. We're prepared to show Yukoners that we have taken a position. I think Yukoners are expecting us, as elected officials, to be leaders to address

this pandemic as we have been doing and state where we are on the state of emergency.

We do appreciate the heads-up that the member from the Third Party gave to us. We will not be supporting this amendment.

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: Disagree.

Hon. Ms. McPhee: Disagree.

Hon. Ms. Frost: Disagree.

Hon. Mr. Pillai: Disagree.

Mr. Adel: Disagree.

Mr. Hutton: Disagree.

Hon. Mr. Mostyn: Disagree.

Hon. Mr. Streicker: Disagree.

Hon. Ms. McLean: Disagree.

Mr. Gallina: Disagree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Mr. Cathers: Agree.

Mr. Istchenko: Agree.

Ms. Van Bibber: Agree.

Ms. White: Agree.

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

Speaker: The nays have it. I declare the amendment defeated.

Amendment to Motion No. 236 negatived

Speaker: We will return to the debate on the main motion.

Mr. Istchenko: I just have a few more things to say on the main motion — a few points I would like to get across. I do want to thank the Member for Copperbelt North for bringing the motion forward. I know the Liberals have been a little uncomfortable through this debate. Their very actions show that they don't want to be here to hear about how undemocratic they have been, but these are important conversations to have, and these are important issues.

I do appreciate all comments from members regarding this debate, although the Liberals really haven't had that much participation in it, likely because, like I said, they're a little embarrassed of their record on this issue — but oh, well.

So, what I want to do is weigh in on some additional considerations — the most important considerations about this motion. The thing that has occurred to me most throughout this pandemic has been the government's undemocratic use of ministerial orders under CEMA.

The government declared a state of emergency in March 2020 with no debate — not even basic information sharing. They made this declaration without any consultation with Yukoners and without any debate or input from any other legislators. While we can agree that many of the actions — and you've heard this — taken were necessary in effect, the problem is that these actions should have been under scrutiny by the Legislative Assembly.

I do have to say that it's really disappointing that the Member for Copperbelt North seems to be opposed to democratic oversight. They should have been subject to a vote, Mr. Speaker.

As others have pointed out, in its current form, the CEMA is designed to respond traditionally to short-term emergencies like fires and floods. It was never meant to grant the government all types of powers that have been exercised by the Liberals and certainly not for this length of time and definitely not without democratic oversight. It's really too bad that the Liberals abused power and shut down this democratic oversight.

After they declared the state of emergency in March 2020 — and in particular, the Minister of Community Services — he began to start issuing a range of ministerial orders with powers afforded to him through CEMA. It's important that these ministerial orders were extremely wide-ranging. They included matters such as the way Yukoners are taxed. They included granting the government the ability to unilaterally alter contracts with third parties.

During this time, the Yukon government also doubled Yukon's debt cap — no debate, no information sharing. They gave themselves the ability to borrow hundreds of millions of dollars during the pandemic. They hid this from the public, by the way, and they did this after directly telling the Legislature many times over the years that they would not do it. I think they fibbed about that.

We do know that the Yukon government has drastically increased spending, and it has indeed sunk the territory into a massive debt. We wonder how much the debt-cap space is going to be used.

I want to be clear that we're not necessarily opposed to any government spending to address this pandemic. We understand that money is required to address this issue. This is about scrutiny and oversight.

The Liberals seem to interpret scrutiny as a bad thing, as if people are mad at them. Just to be clear, it's just democracy in action. It happens everywhere. The Liberals don't like to talk about these things. In fact, we've seen them complain that people would dare to ask them the question. That's an issue for another day.

Bringing these things in without debate or discussions is not the right thing to do. Seriously, you can be 100-percent right, but it doesn't matter if you don't respect democracy. Millions of Canadians, Mr. Speaker, have fought wars so that we can have the right to sit here in this House and debate. We should be proud of that and not take it for granted. That's why we're so concerned that the Liberals refuse to let this debate happen.

But I guess the Liberals are just a day late and a dollar short on democracy. This issue should be debated. We need to be able to ask questions about their implementation — perhaps not in an urgent fashion if they need to be implemented immediately — but definitely if they are going to be extended for long periods of time. It's essential that this be allowed to happen — not months and months down the road and not with: "Oh, just trust us."

By the way, it's very difficult to trust the Liberal Party that frequently shares incorrect information with Yukoners. It's difficult to trust the Liberal Party that hides \$100,000 in donations. So, no, we're not just going to trust you and ask no questions.

I was elected, as was every other member in here, to ask questions, so I'm not going to play along with the Liberal game of abusing democracy.

The government had 90 days between each extension of the state of emergency to allow for the Legislature and debate the vote on these issues. I think that they should have allowed for a debate. We've been saying that. I don't think that it's a bad thing. It allows us to consider all of the issues — and guess what? If the government shares the information and works collaboratively with everyone, they might find that they just get agreement.

It's not a bad thing. It's called "democracy in action". I think it speaks to the importance of the debate that we have had here, because I really worry that, by shutting down the Legislature and not allowing our democracy to work, the government may have overstepped its legal and constituent — their obligations — sorry.

I have a lot of businesses, restaurants, and tourism operators in the riding of Kluane that are suffering due to government decisions. I think everyone recognizes — and I know my business community and the people in the riding of Kluane really recognize — the importance of taking action to protect against this pandemic, but they want to know that their democracy is working and that their elected representatives can scrutinize these decisions and provide input on their behalf.

The Minister of Tourism and Culture won't even tell us what the government is doing for tourism recovery. She announced one thing, and we're waiting and the business community is waiting. Again, that's very disappointing as well. I think it is a little bit out of touch with the industry, which is extremely concerned and worried about their future.

Anyway, I'll move on to one last thing. Earlier this year, the Government of Northwest Territories announced that it was rolling back its border restrictions to more closely align with the *Canadian Charter of Rights and Freedoms*. Now, the NWT's previous border restrictions were similar to Yukon's restrictions. On May 27, the Canadian Civil Liberties Association wrote to the Yukon Liberal government with concerns that their border restrictions were in violation of section 6 of the *Canadian Charter of Rights and Freedoms*. Those measures were, of course, implemented without any legislative oversight or scrutiny. The Yukon Party then called on the government to release its legal advice, indicating that

these actions were consistent with the Charter, and they refused to share the information.

I'm sure you're a little bit shocked to hear that, Mr. Speaker, but disappointingly, it is true. Ultimately, the whole issue raised serious concerns about whether the Yukon government violated the rights of Yukoners. Since then, there has been a court challenge by a number of Yukon businesses of the Yukon government's actions. I'll leave it to others to comment on that further, but the important thing to stress is that the actions of government deserve scrutiny at the best of times, but they deserve scrutiny even more if there is a belief that those actions may have violated the *Canadian Charter of Rights and Freedoms*. In addition to these contentious actions, the government ultimately made over two dozen ministerial orders under the *Civil Emergency Measures Act*.

We believe, on this side, that each of those orders deserved scrutiny. They could all have been very well justified, but why not allow for scrutiny and debate, even after the fact, unless, of course, maybe you just don't like democracy?

So, just for the Member for Porter Creek Centre, sometimes it does take time and multiple amendments to get a point across of how undemocratic the Liberal government is being. With that, Mr. Speaker, I'll close my remarks, and I am happy to support this motion.

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

Does any other member wish to be heard on debate on Motion No. 236?

Mr. Adel: I truly appreciate all the time and effort that has gone into this, but I remain resolute to the motion as it stands. It's simple. We don't need to change it. It's out there for everybody to see.

With all the comments going back and forth about lack of transparency and the subversion of democracy, it would seem a bit rich to me, but that is just my opinion. This motion, and the CEMA motions, allow three main things to keep Yukoners safe: border control, self-isolation rules, and the ability to enforce it.

Now, I spend a lot of time out talking to constituents and people on the street, and the majority of people whom I talk to say that they would rather be safe. They don't mind what we're doing. As far as they are concerned, you don't fight a fire by committee. So, this motion has a simple question, and it is time for us to stand up, as members of this House — do we put the health and safety of Yukoners first, or not? Yes or no?

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Mr. Hutton: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Mr. Cathers: Agree.

Mr. Istchenko: Agree.

Ms. Van Bibber: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 16 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.
Motion No. 236 agreed to

Motion No. 237

Clerk: Motion No. 237, standing in the name of Mr. Gallina.

Speaker: It is moved by the Member for Porter Creek Centre:

THAT this House supports meeting or exceeding the targets laid out in *Our Clean Future — A Yukon strategy for climate change, energy and a green economy*, including the greenhouse gas emissions and renewable energy targets.

Mr. Gallina: I'm happy that we are speaking to this motion today. I wanted to start by saying that private members' motions are important opportunities for backbenchers and private members and for opposition members to bring forward those issues that are important to constituents, to MLAs, to the community, and to Yukoners.

This is definitely an issue and a strategy that has been brought forward that is significant and has impact on all Yukoners for multiple generations. I know that many MLAs here in the Assembly believe that the climate is changing, and it's changing at a rapid pace and is affecting the north in ways that have never been seen before — and it is being affected differently by those jurisdictions down south.

Today, I am going to speak about *Our Clean Future* and the strategy that this Liberal government has put together, has delivered to Yukoners. I'm going to touch on the report on climate change that the Auditor General delivered to Yukoners and to this Assembly in 2017, which set out very clear actions that needed to be taken by the Yukon government to address climate change here in the territory.

I believe that the *Our Clean Future* strategy — in identifying the reduction of emissions, ensuring reliable energy, adapting to the impacts of climate change, and building a green economy — is a strategy that Yukoners stand behind and that addresses a lot of the gaps that were brought forward by the Office of the Auditor General.

I would also like to set the stage for colleagues — other MLAs — to provide their input into this strategy. I think that

it's important for opposition members to bring criticism forward. It is important for debate to happen to bring ideas forward that can be discussed, can be assessed, and can be considered. I genuinely feel that in this Assembly. This is what we get to do. We bring those issues forward that are important to us. We debate them, we make decisions on them, and we show Yukoners where we stand.

I believe that Yukoners are proud, passionate, and caring people. They value highly our natural resources, our untouched landscapes, and our unparalleled access to wilderness, which is quite unique — quite unique indeed, throughout the globe. Many Yukoners can point to examples of climate change that they have personally witnessed. There are numerous examples that are documented here in the territory, and I think that all of us, as individuals and Yukoners, who have spent time here and time on the land would agree that the climate is changing, and it is having significant impacts on our wildlife, on our environment, on our people, and on our ways of life. Even if those ways of life aren't by traditional means, I believe that we are all impacted.

Some make reference to the mildness of our winters, with the fall season extending further into November every year. This past summer was one of the wettest summers on record in Yukon, yet in BC, they continue to break records for forest fires. We have seen significant wildfires here in the territory lately — in past years. I know that the Minister of Community Services is working to be able to be prepared for large wildfire outbreaks that might occur, because we are seeing how the Earth is changing. We are seeing these changes here in the territory — significantly.

It is hard to ignore the experiences that we have witnessed. The *Our Clean Future* strategy addresses four key points in moving Yukon forward — four key points in moving Yukon forward to a clean future that multiple generations will benefit from. This plan outlines a reduction in gas emissions.

It sets a path forward for ensuring reliable, affordable, and renewable energy. It states plans and ideas with measurable outcomes to adapt to climate change. As this Liberal government has spoken to many times, it's a balance between ensuring that the necessary measures are in place to protect the environment, but also to build a green economy that Yukoners can thrive in — that they can have their livelihood be here in the territory supporting climate action.

I know, to a degree, where the Official Opposition stands in addressing, accepting, and recognizing climate change. I see this in the strategies that were brought forward by the previous government and how the previous government addressed climate change — that's what I'm going from — from the documents that were prepared and the priority that the previous government placed on climate change in the territory.

In 2017, the Office of the Auditor General prepared a performance audit. The performance audit had the Office of the Auditor General assess all provinces and territories in Canada and speak to climate change in those jurisdictions. The primary source of that information, as it was compiled from 2016 to 2017 — the information primarily used in Yukon's contribution — was meetings with departments and a 2006 strategy that the

Auditor General used to assess how Yukon was planning to address climate change.

In quoting from the report delivered by the Auditor General to this Assembly — and I'll quote: "According to the Intergovernmental Panel on Climate Change, a leading cause of climate change is the emission into the atmosphere of greenhouse gases, such as carbon dioxide, from fossil fuel combustion and industrial processes. Yukon is a small emitter of greenhouse gases, but like other places in the North, it is disproportionately affected by climate change."

Mr. Speaker, I would say that "disproportionately affected" is a polite way of saying that Yukon's climate is changing at three times the speed of the rest of Canada. "Disproportionately affected" is one way that we're actually able to see climate change before our eyes at a much more rapid pace than in other jurisdictions throughout Canada and throughout the world.

Temperatures in northern Canada have increased by 2.3 degrees since 1948. Rain and snowfall have increased by approximately six percent. This is significant, Mr. Speaker. These are significant margins and are increases that we take seriously, and they have significant impacts on Yukoners.

Our Clean Future has identified a number of impacts that Yukon has experienced so far and will continue to experience due to our rapid rise in temperature. Those experiences include permafrost thaw, which is damaging buildings, roads, shifting landscapes, and negatively impacting ecosystems. We're seeing that throughout the territory. There's debate regularly in this House about the Ross River School and the mitigation efforts that are underway to keep Yukoners, students, teachers, and faculty members safe in that changing environment.

Changing weather and conditions on the land are reducing access to country foods, deepening food security concerns, and impacting health and cultural identities.

Mr. Speaker, I spoke to that previously. Climate change in the Yukon is impacting people's ways of life, especially those who rely on traditional methods for sustainability and security.

There are more frequent extreme weather events that can destroy habitats and homes and cause flooding. That's identified in the *Our Clean Future* strategy. There is glacier melt, which is affecting river flow patterns, water temperatures, and aquatic health. Mr. Speaker, we've seen ice caves collapse in Kluane. We've seen rivers stop flowing. These are significant changes.

From the Auditor General's report, I'll continue to quote: "This audit focused on whether selected Government of Yukon departments had worked to reduce greenhouse gas emissions and to adapt to the impacts of climate change, taking into account present and future generations. The departments selected for the audit were the Department of Environment; the Department of Energy, Mines and Resources; the Department of Highways and Public Works; and the Department of Community Services."

When we examine the greenhouse gas emissions based on industry, it makes sense why these departments were selected. Transportation, which includes both roads and aviation, is responsible for 61 percent of Yukon's greenhouse gas

emissions. Heating and electrical generation account for 24 percent. Mining accounts for 10 percent of the total greenhouse gas emissions in our territory annually. Collectively, that is 95 percent.

The Auditor General's report continues with — and I quote: "This audit is important because Yukon is experiencing significant climatic changes, which can affect its land, wildlife, and people. These changes can be damaging to infrastructure, ecosystems, and traditional ways of life.

"In 2016, many legislative audit offices across Canada decided to look at the issue of climate change and developed similar audit approaches and questions to examine climate change action within their governments. As part of this initiative, the Office of the Auditor General of Canada decided to do federal and territorial climate change audits ... We concluded that the Department of Environment, the Department of Energy, Mines and Resources, and the Department of Community Services had not worked sufficiently to adapt to the impacts of climate change. We also concluded that the Department of Environment, the Department of Energy, Mines and Resources, the Department of Highways and Public Works, and the Department of Community Services had not worked sufficiently to reduce greenhouse gas emissions."

Mr. Speaker, this government took those recommendations and those points very seriously and formed the basis of the strategy that is before us today.

The Auditor General's report continues — and I quote: "Overall, we found that the Government of Yukon created a strategy, an action plan, and two progress reports to respond to climate change. In developing these items, the government took good first steps toward providing leadership and direction for responding to climate change. However, the commitments in the government's action plan and progress reports were weak and not prioritized. In addition, deficiencies in the Climate Change Secretariat's reporting made it difficult to assess progress on the government's climate change actions.

"These findings matter because the government's development of a strategy and action plan are key to establishing priorities, roles and responsibilities, and actions for its response to climate change. Furthermore, by reporting clearly and consistently on the progress it makes in meeting its climate change commitments, the government helps keep the public informed and strengthens its accountability."

Our Clean Future — A Yukon strategy for climate change, energy and a green economy is a strategy that puts Yukoners first. It recognizes the challenges and costs associated if we do not modernize our approach in managing our changing environment and climate change.

The Auditor General's office made a number of recommendations. I'm going to take a few minutes to speak to those recommendations and speak to how this government responded to those recommendations and built those specific recommendations into the strategy that we have here today for Yukoners.

The Auditor General's report put forward a number of recommendations including — and I quote: "The Climate Change Secretariat, working with departments and other

stakeholders, should prepare a comprehensive, territory-wide risk assessment to help prioritize commitments to manage the impacts of climate change.”

This government consulted with industry professionals, leaders across our territory, communities, First Nations, elders, and Yukoners alike. The engagement and preparation of this strategy, and what was fed into the pages before us today, was a significant undertaking — a significant undertaking by many of my colleagues — and it’s reflected in the support for this document and support for the strategy, for the ability for people to understand the strategy and where Yukoners are going and how this government plans to work with stakeholders to address climate change in the territory.

This strategy accounts for the challenges that many of our remote communities will face. It identifies the necessary actions required to ensure that every part of the territory is involved in our steps forward toward a greener future — in every part of the territory, that all stakeholders are considered.

By bringing this motion here today, this includes all of us in the Assembly today. This includes all of us having our say in what this document means to us as individuals, to us as MLAs, and to us as a party. This is our opportunity. This is another opportunity for us to have this conversation.

The *Our Clean Future* strategy presented by this government identifies the intended levels of reduction for greenhouse gas emissions because we do believe in setting targets. Setting targets is not easy, but we’re committed to setting targets. We’re committed to helping Yukoners understand what our goals are and how we plan to achieve reaching those goals — what that means to us. What does it mean to have to reach those goals?

Mr. Speaker, a 30-percent reduction in greenhouse gas emissions is bold. I would agree that it’s very bold. I would also agree that it is necessary. I also believe that Yukoners feel that it is a bold target and that it is also a necessary target. I believe that Yukoners stand behind reaching that target in reduction to greenhouse gases. I feel like this strategy outlines how reductions will happen and sets the stage for stakeholders, for advocates, and for community members to support reaching those targets as well.

The Auditor General’s report continues — and I quote: “Overall, we found that although the Department of Environment, the Department of Energy, Mines and Resources, and the Department of Community Services had begun to lay the groundwork for adapting to climate change by gathering information, they took limited concrete action. In our opinion, the benefits of gathering information are fully realized only when the information is used to take action in a timely manner.

“These findings matter because to respond effectively to climate change, the government must take concrete and timely action, given the severity of climate change impacts and the speed with which they are expected to occur.”

Mr. Speaker, the points that the Auditor General makes — in collaboration between departments and finding matters and addressing them in a timely manner, taking concrete action — refer to reports that were released and a strategy that was prepared in 2006. That strategy, at the time, was one of the last

climate strategies to be presented and prepared by a province or territory in Canada.

I know that Yukoners want more than what was previously prepared in addressing climate change in the territory. Yukoners have asked for more action to address climate change. They have asked for clear vision. They’ve asked for an opportunity to feed into what those plans and strategies look like.

Mr. Speaker, they want the ability to support a green economy that will both address and take climate action and provide a livelihood. We’re starting to see the fruits of the engagement that this community and Yukoners throughout the territory are taking. The time for action is long, long overdue.

As I mentioned, over a decade ago, in 2006, the former Yukon Party government was responsible for releasing a climate strategy, and that was one of the last jurisdictions in Canada to do so. Subsequent to the release of their strategy, a report was issued by the same government that removed greenhouse gas emission targets and allocated no costs and proposed no budget for addressing this crisis.

Speaker: Order, please.

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

Debate on Motion No. 237 accordingly adjourned

The House adjourned at 5:30 p.m.

The following sessional paper was tabled November 18, 2020:

34-3-56

Yukon Hospitals Year in Review 2019-20 (Frost)