



Yukon Legislative Assembly

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HANSARD

Wednesday, December 9, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2020 Fall Sitting

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

CABINET MINISTERS

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

GOVERNMENT PRIVATE MEMBERS

Yukon Liberal Party

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

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

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

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Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, December 9, 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. Ms. McPhee: Mr. Speaker, I ask my colleagues to join me in welcoming Yukon University interim president, Dr. Maggie Matar. I recognize her, I hope, behind the mask, and I would like to welcome her here, joining us today. Thank you so much.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Order of Yukon inductees

Mr. Gallina: Mr. Speaker, on December 3, I presented a motion in this House congratulating the inductees into the Order of Yukon for 2020. Today I rise to pay tribute to these inductees on behalf of the Yukon Liberal government.

Keith Byram is the founder of Pelly Construction and a long-time supporter of Yukon community groups — Keith is the former chair of the Yukon Water Board and former president of the Yukon Association of Professional Engineers. Jack Cable is a former Liberal MLA and Commissioner of Yukon — Jack has volunteered for organizations, including Learning Disabilities Association of Yukon and the Law Society of Yukon. Bess Cooley is a master of Tlingit language and recognized for her work on genealogy and the inland Tlingit people. William Klassen — Bill Klassen — is a former RCMP officer in Teslin, wildlife biologist, conservation officer, and deputy minister for Yukon government. Bill and Rayanne recently moved. They no longer have their horses, and with the safety measures in place, my family and I will not be enjoying their horse-cart rides over the winter. Dr. Sally MacDonald has been a family physician in Yukon since 1980. Dr. MacDonald has delivered over 1,000 babies in this territory and continues to work, assisting Yukoners with end-of-life care. Agnes Mills is an elder for the Vuntut Gwitchin First Nation who has advanced the rights of indigenous peoples and is a national elder of the Thunderbird Partnership Foundation. Agnes was also the First Nation elder at the Whitehorse Correctional Centre. Doug Phillips is a small-business owner and volunteer. Doug has served on many Yukon boards and committees, as well as serving both as an MLA and the territory's Commissioner. Gertie Tom has made significant impacts on the revitalization of First Nation

languages throughout Yukon, including providing a basis for a practical writing system for the previously unwritten Northern Tutchone language. Ron Veale initiated the earliest civil actions regarding abuses suffered by indigenous children in residential schools and is recognized as the first Chief Justice of Yukon. Finally, Frances Woolsey, is a Ta'an Kwäch'an leader, elder, and promoter of indigenous cultures and traditions.

Each of these individuals has made significant impacts in Yukon's history with their respective roles. They are each leaders in their own respect and rightfully deserving of recognition for their continued contributions to Yukon. I am proud to call these people neighbours and to be sharing my home with individuals so incredibly passionate and dedicated to their communities.

Recognized as the highest honour bestowed by the Government of Yukon, I welcome each of these inductees to the Order of Yukon and thank them for their contributions to our territory.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to pay tribute to the 2020 Order of Yukon recipients. Ten Yukoners will be presented with the newest civilian honour for merit to those Yukoners who have made a significant contribution to the advancement of Yukon society.

During a virtual New Year's Levee, Commissioner Angélique Bernard will present these awards along with other Commissioner's awards. There is so much to say about each of these amazing people, but the time allotted for tributes will never do them justice, but I'll try to capture a few thoughts on each.

Elder Bessie Cooley for her continued work in sharing of culture, tradition, and caring. She's always smiling, soft spoken, and so enjoys being involved. The Member for Pelly-Nisutlin sends out a special, personal congratulations to Bessie.

Elder Gertie Tom for language revitalization, but also for her beadwork and sewing. She is a mainstay whenever there is a craft sale and, especially at this time of year, she will have a table loaded with her lovely handiwork.

Elder Agnes Mills, who was the First Nation elder at the Whitehorse Correctional Centre. I remember her working for the First Nation health department at the hospital, visiting and caring for First Nation patients and helping them to manoeuvre the system if needed — a quiet, soft-spoken beauty.

Elder Frances Woolsey and I sat on a board of directors together many years ago. I so admired her quiet strength and wisdom. She is recognized for her leadership in sharing her culture, and she always has a ready smile and time to share a story.

Keith Byram for his years as a local businessman and philanthropist — he and his family have been generous donors to major initiatives. This Christmas, the Yukon Hospital Foundation along with the Meadow Lakes golf course have united to host the Festival of Trees, raising funds for the Travis Adams foundation. From all the praises, it is another success.

Dr. Sally MacDonald is retired — not. She continues to give us her expertise and knowledge to help people who need end-of-life care and support, ensuring that patients are comfortable and that families are aware of the situation as it is ongoing. At times, her beautiful face shows stress, but Dr. MacDonald smiles and continues her amazing calling.

William Klassen has worn so many hats in his career and therefore is well known throughout the territory through his many jobs. He has also volunteered for many worthwhile organizations, such as the Salvation Army. If this were an ordinary year, he would be ringing the kettle bells.

The Hon. Ron Veale, former Chief Justice of Yukon, retired in July 2020. His career is varied and, I'm sure, chock-full of stories during his time as a lawyer, politician, and Chief Justice. He was also the backup to the Commissioner of Yukon, should both the Commissioner and the Administrator be unavailable to sign documents or assent to bills. Mr. Veale and his wife, Katherine, were guests of mine at many functions, and we shared many laughs.

Jack Cable was part of a law company — Cable, Veale and Cosco — before throwing his hat into the political arena, and he was an MLA for two terms. He was appointed Commissioner in 2000 and also volunteered for a few NGOs. Jack was always so kind and helpful to me while I was Administrator during his tenure.

Doug Phillips was an MLA for many years, a small business owner, and a volunteer. He was appointed Commissioner in 2010, and he so enjoyed his time in office. His sense of humour and laughter were always delightful to witness. He is a master gardener and loves the outdoor life of Yukon.

Now, one should see a pattern here: each of them volunteer, help, and give back to others in their communities. It also strikes me, as we tribute these honourees, that they have enriched the things that they have touched, and that is what the Order of Yukon was meant to embody. Although we cannot gather in person to celebrate this coming January 1, we can join virtually and are encouraged to do so. We wish them and their families all the best for the holiday season. Congratulations.

Applause

Ms. White: I rise on behalf of the Yukon NDP to join in celebration of 10 incredible individuals who are set to receive the 2020 Order of Yukon. These folks embody excellence and achievement in their fields, and we have heard about the outstanding contributions to the social, cultural, and economical well-being that they have made to Yukon and to the benefit of her residents.

We have heard about their contributions and accomplishments over the years from my colleagues, and I thank them for that. I know that we are all so close that we each have stories about all of these individuals. Our congratulations and thanks for a lifetime of service to others go out to Bess Cooley, Keith Byram, Doug Phillips, Jack Cable, Bill Klassen, Frances Woolsey, Sally MacDonald, Gertie Tom, Agnes Mills, and last but not least, Ron Veale.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Mostyn: I have for tabling two legislative returns responding to questions from the Member for Pelly-Nisutlin on November 23 and December 7 during Committee of the Whole.

Hon. Mr. Streicker: I have for tabling two documents: One is regarding private members' motions and analysis on recorded votes; and a second one is on rent protections across Canadian jurisdictions.

Hon. Ms. Frost: I have for tabling a legislative return in response to questions that have arisen in and out of the House over the course of the past few months and in response to Motion for the Production of Papers No. 21 requesting a detailed breakdown of COVID-19 expenditures in the *Second Appropriation Act 2020-21*.

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2) of the *Human Rights Act*, does appoint Julie Jai and Leah Robinson to the Yukon Human Rights Panel of Adjudicators for a term of three years, effective December 14, 2020; and

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2) of the *Human Rights Act*, does reappoint Marius Curteanu and Roxanne Larouche to the Yukon Human Rights Panel of Adjudicators for a term of three years, effective December 14, 2020.

Mr. Cathers: I rise to give notice of the following motion for the production of papers:

THAT this House urges the Minister of Community Services to table a detailed list by December 18, 2020, showing any additional equipment, training, or resources provided to Yukon Emergency Medical Services to help them deal with the pandemic, including:

(1) support for rural EMS volunteers;

(2) support for EMS staff on the ground; and

(3) support for EMS staff in the air.

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

THAT this House do issue an order for the return of all e-mails sent from the Liberal Cabinet Office to the Member for Riverdale North regarding House strategy, talking points for Liberal MLAs, or desired outcomes in the Legislative Assembly during all Spring and Fall Sittings since the last territorial election, as well as during the two-week period prior to those Sittings of the Legislative Assembly.

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

MINISTERIAL STATEMENT

Yukon Forum

Hon. Mr. Silver: I rise today to recognize the importance of the Yukon Forum. The forum has been critical in advancing our government's goal of building strong government-to-government relationships and collaborating on shared priorities with Yukon First Nations. The forum is a regular meeting between leaders of the Government of Yukon, Yukon First Nations, and the Council of Yukon First Nations.

When our government came into office, we committed to reinvigorating the forum and working closely with First Nations to find tangible solutions to challenges that meet the needs of all Yukoners. In January 2017, our government signed a declaration to renew the forum and committed to coming together at meetings four times a year. We have followed through on this promise, despite the pandemic, and on December 11, we will hold our 16th Yukon Forum since 2017.

We have made significant progress over the past four years, and I would like to highlight some of those for you here today. In 2017, we focused on establishing our shared priorities in setting up the right structures to ensure our success. In May 2017, we identified priority areas including: fiscal relations; collaborative processes for justice, health and social services, education, and heritage — and with the Government of Canada — and also land claims and self-governing implementation. These joint priorities addressed long-standing and complex issues of great importance to our government and to all Yukoners.

Under fiscal relations, we reached an agreement to clarify how resource royalties are shared under chapter 23 of the final agreements, as well as signing personal income tax-sharing agreements with First Nations with final agreements.

We have developed a new Yukon representative public service plan, which includes an 18-month Yukon First Nation and Canadian aboriginal hiring practice pilot that started in October 2020.

We signed a memorandum of understanding on mining and established a number of joint working groups on progressive reclamation, compliance monitoring, and enforcement. We also established an independent mineral development strategy panel, which will release their recommendations following public and stakeholder consultation very soon.

The list goes on, and I have more to say in my response. I am extremely proud, Mr. Speaker, of the progress that has been

made and the lasting relationships that we have formed through the Yukon Forum. I want to thank all Yukon First Nations for their collaboration over the past four years, and I look forward to continuing to work on priorities that benefit all Yukoners.

Ms. Van Bibber: Thank you for the update. We understand the importance of the Yukon Forum and, of course, the importance of working with First Nation governments. The Yukon Forum is an important avenue to build and maintain these relationships and advance reconciliation. We look forward to an update from the Premier at the conclusion of the Yukon Forum on December 11.

Ms. White: I feel that today I have been asked to respond to a ministerial statement on something as elusive as the sighting of an elephant shrew, one of the rarest animals on Earth. You might ask yourself why I make this comparison, and that's a good question.

Mr. Speaker, I know that these animals exist. I can find photos of them online and even read about the experience of others as they view these creatures, but I have never seen one myself and, until some date in the future, I won't have that opportunity.

There's a strong parallel to be drawn with the Yukon Forum. I know that the *Cooperation in Governance Act* stated what the purpose of the forum was when the act was first passed in 2005, because I can read about it. I can find photos of the forum online, and I can read press releases and listen to interviews about what has happened and what has been discussed. But to date, I, as an elected Member of the Legislative Assembly and a leader of a political territorial party, have never once been able to attend.

This Yukon government has said that the forum is for ministers and First Nation leadership, which I respect. However, it is unusual for intergovernmental fora to prohibit the presence of representatives of other parties represented in the Legislature or Parliament.

The Liberal government's insistence on excluding opposition leaders from attending as observers runs contrary to their avowals of openness and transparency. This is all the more mysterious given the fact that members of the Liberal caucus who aren't ministers are able to attend. So, what makes them different from other elected members of this Assembly?

We agree that intergovernmental meetings, such as the Yukon Forum, are important. They are an important part of the evolution of governance in the territory. We agree that finding common ground and setting goals together is important, but we also know the value of oversight and accountability.

We understand that, sometimes when a commitment is made, the follow-through is sometimes lost, and that's when it's important to have outside oversight. We look forward to the day when the Yukon Forum will be treated with the respect and openness that it deserves, rather than a carefully managed communications operation for the sitting government.

Over the past four years, we have seen indications that substantive issues remain on the table, and that is when the truth does leak out. Sometimes it's about the processes that the

Premier touts are ongoing. Process can often be used to provide cover for government indecision or, worse yet, the fear of making a decision. As a result, we have seen First Nations express concern that this government continues to act as if it is business as usual, whether it is mining and wetlands pending a wetlands strategy, or the development of a major industrial strategy absent land use plans, or failure to report on actions taken in response to the *Child and Family Services Act* Review Advisory Committee.

If nothing else, the Premier might be doing himself a favour by allowing opposition leaders into the tent as observers, which would provide opposition leaders with context for the complexities that the Premier has, to date, been unable to convey to this Assembly.

Unlike travelling to the other side of the planet to see the elephant shrew in person which seems unlikely, the Yukon Forum happens right here at home.

I look forward to a government that is unafraid of inviting all elected leaders of this Assembly into the tent as observers.

Hon. Mr. Silver: I would like to thank the members opposite for their statements and comments. As I did note in my opening list of accomplishments at the Yukon Forum, there is an impressive list of accomplishments. The member for the NDP says, “But there is much more work to be done” — and we completely agree with that.

We know that there is not a united voice, necessarily, when it comes to all different governments in the Yukon. The Yukon Forum is an extremely important part of us figuring out how to work together to commit to some of the policies and to really promote the extenuating work that the First Nation governments have been doing as they work to draw down on their self-government agreements.

We’ve worked with the federal government and the First Nation governments to sign a memorandum of understanding to reset the relationship, for example, under the *Yukon Environmental and Socio-economic Assessment Act*. Through this work, we have established an oversight group and have begun to do the work of reviewing and improving YESAA processes and legislation. We have worked together to create a plan to restart Yukon’s first land use planning process and set it up for success. This includes approving the *Peel Watershed Regional Land Use Plan* and starting land use planning discussions with a number of other First Nations.

Under health and social services, we are working together on four priority areas: child welfare, mental wellness, income assistance, and co-governance delivery models for services.

Under education, a Chiefs Committee on Education was established in 2019. We have signed a number of bilateral education agreements and transfer payment agreements with First Nations, and we are in discussions on a renewed joint education action plan — otherwise known as JEAP — and a Yukon First Nation school board.

Related to justice, we’re working with First Nations and Public Safety Canada to support community safety plans for a number of First Nations. We passed amendments in the *Corrections Act, 2009* and implemented recommendations

from the Loukidelis report on the Whitehorse Correctional Centre, including a forensic care team to support complex mental health needs for those in these correctional systems.

In May 2019, leaders also signed a memorandum of understanding to collaborate on heritage management.

Mr. Speaker, our approach to federal engagement is shaped by our work with the Yukon Forum as well. Just this week, as we mentioned earlier this week, we carried out the tradition of Yukon Days, holding joint Yukon government and Yukon First Nation governments’ meetings with First Ministers. These meetings are an effective way for us to jointly advocate for shared issues and priorities. Intergovernmental collaboration on this scale has not been done before.

Yukon is leading the way in Canada and in this level of engagement and collaboration between First Nations and Yukon government — the work that we are doing through the Yukon Forum and in bodies such as the vision of *Together Today for our Children Tomorrow* — by supporting two-way communication and a fair and just partnership between indigenous and non-indigenous people.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: School busing

Mr. Kent: On August 12, the government announced that they were working with Standard Bus to add additional school buses for the 2020-21 school year to accommodate as many students as safely possible. A CBC story from August 19 says that the department was getting three additional school buses to meet these demands.

On November 10, the minister told this House that the buses had arrived and would be on the road in two weeks. Seeing no action, we asked for an update on the buses again on Friday, December 4 and again on Monday, December 7. However, we learned this morning from the *Whitehorse Star* that the buses are indeed ready to go, but Standard Bus is still waiting for the schedules from the Department of Education.

Considering the months of advanced notice, why hasn’t the government given the busing company the schedules yet?

Hon. Ms. McPhee: The health and safety of students and staff in the Department of Education and in the entire Yukon government is, of course, our first priority. To prevent the spread of COVID-19, school busing for the 2020-21 school year has had to be limited in order to meet the chief medical officer of health’s health and safety guidelines for school bus operations during the pandemic. As a result, we have not been able yet to accommodate as many non-eligible families as in previous years.

I think that it is incredibly important that Yukoners understand that we have been able to assign all eligible students who have registered for busing to a school bus this year — the number being 1,907 students.

Mr. Kent: So, we have three buses sitting in the yard at Standard Bus ready to go, waiting on schedules from the minister’s department. I am hoping that she actually answers that question here as part of the second one.

We have repeatedly brought up this important issue in the Legislative Assembly during this Fall Sitting. I say it's an important issue because this affects parents and students who are dealing with the pandemic, and they have been coming to us with their many concerns. The government has said that about 250 fewer students are riding the bus this year. Parents have to adjust work schedules to transport students to school and, in at least one case, a parent had to put their child in a taxicab to get them to school.

Information from the *Whitehorse Star* indicates that the department is not going to provide schedules for the new buses until the new year. So, can the minister tell us when the buses will be on the road and why the department has not provided the company with these schedules yet?

Hon. Ms. McPhee: We have obtained three additional buses specifically to support the non-eligible students and their families who want to ride a bus here in the territory, primarily here in Whitehorse. We have heard the concerns from these families, and we are working to deploy the three additional buses and to optimize the existing routes in ways that allow us to accommodate as many students as possible. This is a complex situation, a complex puzzle to unravel.

I would like to take the opportunity to recognize the very strident and difficult work being done at the Department of Education by the folks who work on the bus schedules and by the folks who work with the families who are seeking to be on a bus, even though they are not eligible to do so under the law. Nonetheless, we are working very closely with Standard Bus, which is working diligently to obtain the appropriate drivers.

The buses are ready to go. We expect good news with respect to that situation very soon.

Mr. Kent: Again, Standard Bus lines told the *Whitehorse Star* that the buses are ready to go. They're waiting on the schedules and routes from the Department of Education. This is another unfortunate case where the Liberals have dropped the ball on the timelines they committed to. It's an extremely important issue for Yukon families.

The Liberals were slow to order extra buses, and now they have been sitting idle for weeks in Standard's yard, waiting for the government to get them the necessary information. It looks like many will have been without bus service for the first five months of the school year because of these delays.

Can the minister tell us how much these additional three buses will cost, and if the money is coming from the \$4.1 million Canada sent us for school reopenings?

Hon. Ms. McPhee: I certainly concur that this is a serious situation for families here in the territory. I should note, however, that despite — well, COVID-19 has certainly thrown a wrench into this situation.

We ordered the buses in August, which was around the time that it was determined that they would be necessary — actually, maybe before that — I don't want to have those dates wrong — but in the summer. Nonetheless, they took a while to arrive, as everyone knows, because there has been a great demand for buses across the country. What I can indicate is that these buses have been ordered to obtain service and provide

service to students who are otherwise not eligible to ride the bus.

We are looking forward to providing that service. We have done so as quickly as has been possible. We want to make sure that all eligible students — well, they are already on the bus — but that the non-eligible students are served to the best possible routes, to the best possible routine. We are working closely with Standard Bus. I am very appreciative of their work. They have been a great partner with the Department of Education and with the folks at the Department of Education who have been working diligently to get this done.

What I can indicate is that, in a regular year, we often don't have non-eligible students scheduled until well into November.

Question re: Government of Yukon borrowing limit

Mr. Cathers: Earlier this year, we learned that the Liberal government had secretly gone to Ottawa and asked for the territory's debt cap to be doubled from \$400 million to \$800 million. This came out in June while the Legislature was adjourned during a pandemic and when the territory was under a state of emergency. In fact, the same day that the Liberals doubled the Yukon's debt limit, they announced the first extension of the state of emergency.

They didn't even put out a Government of Yukon press release to tell Yukoners about doubling our debt limit. It is pretty clear that the Liberal government was hoping that Yukoners simply wouldn't notice.

Why did the Premier use the pandemic to try to hide the fact that the Liberals were doubling the territory's debt cap?

Hon. Mr. Silver: We have been down this road quite a few times. I think that the Yukon Party is out of questions. Again, we brought up in the Legislative Assembly the fact that we were going to Ottawa and that this request was happening well before that. We have talked about that in the Legislative Assembly. The government's current borrowing limit is \$800 million, set by two regulations under the *Yukon Act*, which is Canadian legislation. It is allocated between Government of Yukon and the corporations — Yukon Development Corporation, Yukon Energy Corporation, Yukon Housing Corporation, and the Yukon Hospital Corporation.

The limit was increased earlier this year by the Government of Canada, and of the \$800-million borrowing limit that was set in the Yukon's borrowing limits regulations, \$590.5 million — which is about 73.8 percent — is still available to fulfill outstanding and future approvals of debt. We are very pleased to present this evidence of strong fiscal management.

As noted in our early AA rating issued by Standard & Poor's Global, a debt limit does not mean that the Yukon has incurred debt, and also, there has been no borrowing for general government purposes. Borrowing has been done by the corporations. Most of the borrowing that has been done to date has been by the Yukon Party.

Mr. Cathers: The Premier's government has borrowed tens of millions of dollars and he knows it very well.

We have asked the Premier many times in this House if he was going to get our debt limit increased. Let me quote his

responses. October 24, 2017, he said, “Have we touched the debt cap? No. Do we want to? No, we don’t want to. We want to make sure that we work inside of our means...”

October 2, 2018, he said, “I’ll just say up front that we’re not contemplating taking on any extra debt for our five-year capital plan...” He also said, “... I have said this a few times, but I don’t think the member opposite is paying attention to it — that we are not contemplating borrowing.”

Like many things the Premier says, his words didn’t end up being true, because we now know that the Liberals secretly went and got our debt cap doubled to \$800 million. Why did the Premier say one thing in this Assembly but then go and do the complete opposite?

Hon. Mr. Silver: I don’t know what the member opposite is talking about as far as doing the exact opposite. We were asked about whether or not we were going to ask the federal government about a debt limit. We spoke about that in the Legislative Assembly. It is no secret when you talk about it in the Legislative Assembly.

Our Yukon borrowing rate was last increased in 2012 to \$400 million. Our current borrowing — the amount of money that has been borrowed so far — is \$209 million, most of which occurred under the previous government and covers loans for the Yukon Hospital Corporation and the Yukon Development Corporation. I told this House in 2018 that we raised this issue with the federal Finance minister. I told this House in 2018 — let me repeat myself for the member opposite, who doesn’t like to listen to these answers.

The draft 10-year renewable electric plan — again, we have talked about this — includes proposed projects that would exceed about a half-billion dollars in spending. We are working with our federal partners. We are working with First Nation governments. We have made overtures that, if we were going to be spending money, this is something that we believe is a necessity in Yukon, but we are hoping that we can work with the federal government and First Nation governments in that pursuit. We have been very clear about that.

Again, Mr. Speaker, this is a federal decision, not a Cabinet decision. The members opposite want us to open up the Legislative Assembly for this, but at the same time, they’ve increased it a few times and never opened the Legislative Assembly for that debate.

Mr. Cathers: Mr. Speaker, the fact is that the Premier told us he didn’t want to touch the debt limit and then he secretly went and asked to get it doubled. The record shows that he has many times told Yukoners that the Liberals were not going to get the debt cap increased. Then they broke their word, did the complete opposite, and got it doubled to \$800 million.

Early in their time in office, the Liberals commissioned a Financial Advisory Panel to advise them on fiscal matters. That panel told them that, if the Liberals didn’t make changes to spending patterns, we’d reach our debt cap by 2020.

I’ll quote from that report: “If sensible and gradual changes can be made now, Yukoners will be in a strong, more sustainable position going forward.” Instead, many of the panel’s recommendations went ignored and the Premier and his colleagues have taken us deeper into debt.

When will Liberals come up with a plan to get out of debt, instead of taking us into the red by borrowing money every year?

Hon. Mr. Silver: Mr. Speaker, Yukoners deserve accurate information. Before COVID, what we did in this part of the government — in the Liberal government — is we actually got us to a surplus. Now, the member opposite is talking about a debt limit that has been increased and then saying that we took Yukoners into debt. No, we actually, before COVID, took Yukoners into a surplus — so I’ll correct that record right away.

Also, this can allow us to make major infrastructure investments and to support green energy plans. I’ve said that in the Legislative Assembly a few times, yet the member opposite is making it seem like we’ve never talked about that.

We’ve also said, in the Legislative Assembly in 2018, that we will be going to Ottawa and having this conversation, but the member opposite says we secretly went to Ottawa. Again, not the reality.

It sounds to me like the Yukon Party clearly does not support increasing the borrowing limit. The borrowing limit was increased under the Yukon Party, so I guess it’s okay when the Yukon Party does it, but when a Liberal government does it, I guess that’s not okay with them.

Question re: Inclusive and special education review

Ms. White: The Department of Education has embarked on an independent review of inclusive education. This review is one step in the department’s response to the Auditor General of Canada’s 2019 report on education that was critical of the department’s handling of students with special needs. Parents were pleased that the department had taken this step and were looking forward to taking part in this evaluation. After all, who knows more about the gaps experienced by families and their children than the parents themselves?

Unfortunately, parents have discovered that their opinions and suggestions are not actually being sought out. They are being told that they can share their experience, concerns, and even praise with their school council. It is then up to the council to pass these on.

Mr. Speaker, what kind of review on inclusive education would choose to exclude the very individuals who experience inclusion programs the most?

Hon. Ms. McPhee: I’m pleased to rise today to speak about the review of inclusive and special education. I will ask after this session, or in the very near future, to be able to speak with the member opposite because that’s certainly not the information that I have. I’m sure that she’s received it from a source and we should determine how to resolve that.

The department wants to ensure that students receive timely and effective supports for their learning needs and that the approach is consistent across the system. Back in 2019 — and actually before the Auditor General’s report came out in 2019 — we were working on a review of special and inclusive education, knowing that it was an area that needed improvement in our school system and in our Department of

Education. That work was supported by the report of the Auditor General of Canada when they wrote part of their recommendations. We have completely accepted those recommendations, and we are working with a consultant who is leading the review on inclusive and special education here in the territory.

Ms. White: Every family with a child with special needs experiences the education system differently. Some families might be perfectly happy with the services that their child receives, and their views should be included in this review. Equally, families who have difficult experiences should also have a voice in this evaluation process.

Surely, it is the point of this review to hear from all parties involved on how to deliver the best inclusive education, designed to meet the needs of individual children. Parents are demanding to be heard. Will the minister change this course and direct that parents have an opportunity to provide direct feedback as part of this review?

Hon. Ms. McPhee: It's not necessary to change the course because what has been described by the member opposite is exactly the plan going forward. The timeline for this review has unfortunately been extended due to COVID-19 into the 2020-21 school year. Obviously — perhaps not obviously — let's be clear: The consultant and the team of individuals working on this intended to meet individually with parents, students, families, and educators for the purposes of doing this work. That simply is not possible. Travelling to the communities is not advised. Travelling to face-to-face meetings is not advised.

The extension will provide more time and opportunities to safely connect and gather perspectives on these programs and services from students, families, central administration and school staff, Yukon First Nations, partners, and school communities.

Ms. White: So, parents are not the only ones concerned about the inclusive education review. The minister received a joint letter last week from the Yukon First Nation Education Directorate, the Yukon Teachers' Association, Autism Yukon, and LDAY. The letter states — and I quote: "The Yukon Government's planned complete and apparent avoidance of the OAG recommendations as part of the current review is deeply worrying and undermines the legitimacy and integrity of the review."

Those are very strong words from essential partners. What immediate action will the minister take to get the inclusive education review back on track?

Hon. Ms. McPhee: The Department of Education, the consultant who has been hired, the Auditor General of Canada, the individual families, students, and professional educators all agree that there is no point whatsoever in embarking on a review of inclusive and special education that will not be meaningful and real and bring about real change for the experiences of these students. The extension that has been given will provide more time and opportunities to safely connect and to gather perspectives on these programs and services from students — which are critical — from families — absolutely critical — central administration and their

experiences, and school staff, Yukon First Nations, our partners, and school communities.

This review and report will be used to frame a collaboration with Yukon First Nations and our education partners to respond to the feedback and the findings from this review and to together develop next steps and actions to improve and modernize these programs to more effectively support student learning and outcomes, which is truly what this is all about.

Question re: Government of Yukon borrowing limit

Mr. Cathers: As of March 31, 2017, the Yukon government had \$193.5 million in debt. What is the territory's current level of debt as of today?

Hon. Mr. Silver: I believe that the member opposite asked this question during Committee of the Whole. I will look back to see what the answer was at that time. I don't have that number in front of me.

Mr. Cathers: Most Yukoners would think that the Finance minister should actually know what the territory's debt is. The Premier probably wishes that his past comments in the House weren't recorded, but he has many times told us that the Liberals would not ask for our debt limit to be increased.

Let me just remind the Premier of his quotes when he misleadingly told Yukoners that the Liberals would not increase our debt limit. On October 24, 2017, he said — and I quote: "Have we touched the debt cap? No. Do we want to? No, we don't want to. We want to make sure that we work inside of our means..." On October 2, 2018, he said: "I'll just say up front that we're not contemplating taking on any extra debt..." He also said: "... I have said this a few times, but I don't think the member opposite is paying attention to it — that we are not contemplating borrowing."

Why would the Premier make these false claims when, in fact, the Liberals were going to ask that the debt limit be doubled?

Hon. Mr. Silver: I guess they are definitely out of questions. They are asking the same question again — two times in one day. We have talked in the Legislative Assembly here. We have given numbers during Committee of the Whole. I believe that the numbers I gave at that time — and I just have to double-check if they are still accurate, but I assume they are: Yukon Development Corporation at \$157.8 million; Yukon Hospital Corporation at \$33.2 million; the Yukon Housing Corporation at \$2.7 million; and Yukon College at \$1 million. Again, with the members opposite, I have to make sure that I have the most up-to-date information as far as what we've borrowed so far.

We've talked about borrowing limits as well, and we've talked about the fact that the members opposite — their information is not, in fact, correct when he says that we secretly went to Ottawa. We spoke about how we've talked in the Legislative Assembly about that. We've also talked about how we have these incredible green energy projects that are coming into fruition. We hope to not increase our debt, but it's good to have that \$800 million for things that Yukoners have told us are extremely important to them, which is green energy. We will

continue to work with First Nation governments and the federal government as well. I spoke to the Prime Minister of Canada about exactly this issue just yesterday in our phone call — about how important it is that green energy projects are recognized not only in Yukon, but by the federal government.

Mr. Cathers: It's not very comforting that the Finance minister has lost track of how much they're borrowing. The Premier tries to dismiss this as no big deal, but in fact, their spending is a big deal.

The Premier's hand-picked Financial Advisory Panel actually made a recommendation about the territory's debt limit. They suggested that the territory's debt limit be indexed to 15 percent of the territory's GDP. The panel's report goes on to point out that this would mean that the territory's debt cap should only increase to \$485 million by 2020. I'll table that part of the report since the Premier seems to have conveniently forgotten it.

Again, that's the Premier's own Financial Advisory Panel suggesting that the debt cap only increase to \$485 million, yet the Premier secretly asked for it to be increased to \$800 million.

Why did the Premier ignore his own independent Financial Advisory Panel's advice about getting the Liberals' spending under control?

Hon. Mr. Silver: So, Mr. Speaker, again, I think that the Financial Advisory Panel will be very pleased that we actually got to a surplus — not a deficit, as the member opposite would have you believe — a year ahead of schedule. It's very unscrupulous for the member opposite to try to confuse Yukoners between a borrowing limit and an actual surplus. He did the same thing when we were in Committee of the Whole about debt anchors. We believe one of the best debt anchors is to have a surplus compared to a deficit, but again, the member opposite makes it seem like there is something else going on.

All the personal attacks aside from the member opposite about my —

Some Hon. Member: (Inaudible)

Speaker's statement

Speaker: I haven't exactly heard personal attacks, no. I've heard concerns raised about the competing narratives and discharging duties in the minister's capacity. So, you can sit down, yes.

Some Hon. Member: (Inaudible)

Speaker: Well, the last thing he said was "personal attacks".

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: He also referred to quoting the Financial Advisory Panel report as being "unscrupulous", and I think that counts as insulting language that is contrary to the Standing Order 19(i).

Speaker: On the point of order, the Hon. Premier.

Hon. Mr. Silver: That's not the unscrupulous part — sorry.

Speaker's ruling

Speaker: I don't love "unscrupulous". I'll review that with the Clerks-at-the-Table and return, if necessary.

Hon. Mr. Silver: My point being made is that we increased a borrowing limit, but what we also did was balance our budget into a surplus. We told Yukoners why we were going for the increase in the borrowing limit, and we have talked about that ad nauseum in the Legislative Assembly. We have also made reference to the fact that most of the debt that we currently have in the Yukon is because the Yukon Party spent money that they didn't have. They went out and increased that debt. We have not — not to the rate that they had.

We have increased the limit — yes — but the members opposite increased the limit as well. In 2009, the borrowing limit was \$300 million, up from \$138 million. So, they increased it at that time — more than doubling it. They also increased it again in 2012. But, again, good for the goose — I guess not good for the gander.

Question re: COVID-19 testing for children

Mr. Hassard: On September 23, the government announced that it was exploring the possibility of offering COVID-19 gargle tests for children in Yukon as opposed to nasal swab tests. During the October 7 COVID-19 update, the chief medical officer of health reported to Yukoners that the gargle test would be available in Whitehorse in a matter of weeks and throughout the territory after that. That was over two months ago.

At that time, we were waiting on a supply of the tests. Can the minister tell us: Have we received a supply of the tests yet or not?

Hon. Ms. Frost: Throughout our response to COVID-19, we have taken an evidence-based approach to testing. After receiving tests at the lab in British Columbia for disease control — the goals that had been set in terms of technology and the processes that have been established — we are definitely taking advice from our chief medical officer of health to determine which testing options are best suited for Yukon.

The direction for testing is done in collaboration with the chief medical officer of health. I would just like to acknowledge that. The response for testing for all Yukoners is done in collaboration and the best practices are done under the advice and guidance of the chief medical officer of health.

Mr. Hassard: I was actually asking the minister about the gargle test. I was hoping that she would have maybe had some answers around that. I would think that this would be more of a priority for the minister.

We have all seen an increased number of children getting tested. Multiple daycares have closed while children of all ages await results. We have also heard from parents that many children really struggle with the nasal swabs, which is further complicating getting kids tested. These gargle tests are available throughout BC and have been rolling out across the country.

Can the minister tell Yukon parents when the gargle test will be available to children here in the Yukon?

Hon. Ms. Frost: What I can tell Yukoners is that Yukon uses the gold standard test, which is processed through the BC communicable disease centre. I appreciate the question around children and childcare centres. Certainly, these are a key priority for this government. Yukoners should know that the advice that we take around testing and the best methods is under the advice and guidance of the chief medical officer of health. I would like to acknowledge the expertise in terms of the testing, the epidemiology, and how we proceed with our approach to COVID here in the Yukon. It is great work by the team in terms of keeping Yukoners safe.

I know that we have had some concerns brought to our attention. Those are discussions that are being had by the experts. When the recommendations come with respect to changes, certainly I would be happy to let Yukoners know the approaches under the guidance and direction of the chief medical officer.

Mr. Hassard: Unfortunately, we get a lot more words but no answers to the question.

Let's review this: In late September, the Liberal government told Yukoners that they were looking at options for this test. On October 7, we were told that these tests would be available in — and I quote: "... a matter of weeks, not long." Then we were just waiting on a supply. Since then, multiple jurisdictions have rolled these tests out. We know that many Yukon kids are struggling with the nasal swabs and we know that there is an alternative out there.

So, why, Mr. Speaker, isn't this new kid-friendly test more of a priority for this government?

Hon. Ms. Frost: I would like to take this time to advise Yukoners that, in terms of testing methods and methodologies, we certainly take the advice of the chief medical officer of health, as we proceed. We are waiting at the moment for the chief medical officer's advice on when and if this test will be implemented here and how it fits within Yukon's overall testing strategy.

The member opposite is not the expert, so I would rather rely on the expertise of the medical professionals who are best suited to give us the advice on the approaches — appreciating, again, that we have a multitude of pressures. The chief medical officer and the team are working as quickly as they can. They are doing a very excellent job in providing supports to Yukoners and keeping Yukoners safe, and that is what we have to tell Yukoners. They are safe, the resources are there, and the supports are in place to keep Yukoners safe. I am very proud of that and I will keep standing up to say thank you to the experts — thank you for the advice and the guidance on the practices that we follow here in Yukon.

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

ORDERS OF THE DAY

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 358

Clerk: Motion No. 358, standing in the name of Ms. White.

Speaker: It is moved by the Member for Takhini-Kopper King:

THAT this House urges the Government of Yukon, under the authority of the *Civil Emergency Measures Act*, to declare a rent-increase moratorium until July 1, 2021.

Ms. White: I will just note that, at this point, I don't have the information that the Minister of Community Services tabled and his cross-jurisdictional comparisons, so I am hoping that I will have it for my closing statement.

I am happy to speak to this motion about preventing rent increases until the end of June 2021.

We know that the pandemic has been difficult for a lot of Yukoners, and part of my job is to question whether the government is doing enough to support people.

I believe that this is our chance at helping folks with one of their biggest monthly costs by preventing those costs from being increased for at least a few months.

Some Hon. Members: (Inaudible)

Speaker's statement

Speaker: Order, please. Order.

The Member for Takhini-Kopper King has the floor. If members wish to engage in useful conversations, they can take those conversations outside of the Assembly. Thank you very much.

Member for Takhini-Kopper King, please.

Ms. White: Thank you, Mr. Speaker.

What I was saying before I was interrupted by members across the way is that I believe that this is our chance at helping folks with one of their biggest monthly costs by preventing that cost from being increased for at least a few months.

It's important to mention that this isn't a permanent fix to housing costs, nor is it a permanent solution to housing availability. Government has recognized that rental housing in the territory is so high that they introduced the Canada-Yukon housing benefit as a way to offset housing costs.

In this motion, we're not talking about creating more rental housing because, realistically, that wouldn't help anyone until that housing was completed. We're not talking about capping rent prices, because we understand that such a concept can be polarizing and ultimately we're looking for support for tenants right now and we don't want to get into a value-based argument about rent caps.

What we're proposing will help folks directly as we keep working to get through this pandemic together. Rent right now is the biggest cost that many Yukoners have to pay each and every month, and ensuring that this cost doesn't increase during a pandemic should be our priority in making life here more affordable. That's true at any given time, but it's something we

really need to be aware of right now because, for a lot of folks, their working lives have changed. Some have lost their jobs, and it's possible that others aren't working as many hours as they used to.

Mr. Speaker, it's too bad, because you can't top up the wages of folks who have lost their jobs. So, this is a way to help them. It's something we can do that says, "Hey, we see you, we're here for you, and we're going to get through this together."

What we're proposing isn't new; it's actually something that a lot of other places have done. Across Canada, other governments have announced that rent won't be increasing well into 2021 and even beyond. Just below us, in British Columbia, they have frozen their rent increases until July 2021, and they have capped the 2021 increases to 1.4 percent. In Ontario — as I mentioned before — the Conservative government under Doug Ford — not known as the most progressive of individuals — has frozen their rent increases until December 2021.

There has also been a movement to establish how much landlords can raise rent, but even a one percent increase in rent can be hard to afford when you make less than \$14 an hour. It's time that we follow the lead of others and do the same here in Yukon.

Yukoners haven't had it any easier than folks in other places and we need to continue to help and support them in whatever ways we can. This motion would create a little stability for renters during this pandemic. It would mean that the rent of Yukoners wouldn't increase while we all get our bearings on this whole thing.

We're eight months into this. Things aren't going back to normal yet. We can't even project when life as we knew it will return. Many folks whose work realities have changed back in March still haven't recovered. We know that they will in time, and this is a way to help bridge that gap with certainty.

A rent increase freeze or a moratorium, as the motion calls it, will make it so that Yukoners don't see the cost of one of most basic needs go up. It's important that we get this passed because it means giving Yukoners some assurance that they'll be able to continue to afford what they need to live and that they can count on the stability of their housing costs, at least until the middle of next year.

So, that's what we're trying to do today. We want to ensure that tenants don't face increased costs of rent until July 1, 2021. We want to support Yukoners who are struggling through this pandemic by ensuring that rent doesn't increase until July 1, 2021. I think we can do that.

We've asked that the minister look at doing this under the *Civil Emergency Measures Act* because we believe that there is a lot of flexibility there and we believe that this can help Yukoners. I hope that we are able to do that today.

I believe it's more accurate to say that what this motion will do is make it so Yukoners can continue to afford to live during this pandemic. I look forward to hearing from my colleagues and I hope that we come to a successful resolution on this.

Hon. Mr. Streicker: On December 1, I think we were in debate here in Committee of the Whole on Community Services and there was an exchange between me and the Member for Takhini-Kopper King where we were talking about this. She had raised questions about this as a possibility.

I said then, and I'll say it again, that in order for me to try to think about this, there are always steps that I would take to begin with. The first step that I talked about trying to do was getting a cross-jurisdictional look. I did table that this morning. I will work to get a copy for the member opposite. That cross-jurisdictional look just says, "What are other jurisdictions doing?" I think that it is important to put it into the context as well of: "What are we doing in terms of supports for folks around rent?"

So, I will go over a little bit of what we have done so far, and I will go over a little bit of what other jurisdictions are doing. Then I also said that I would talk to various groups, and I named two of them — the Yukon Anti-Poverty Coalition and the Yukon Residential Landlord Association. I have not had an opportunity to talk to those groups as of yet, but that is sort of always where I would start. I had been hoping to hear whether the member opposite had that opportunity yet. I didn't hear that in opening remarks — maybe in closing — we'll see. I haven't had what I would call a full opportunity in order to try to look at this question.

When COVID first hit and we were here in the Legislature and we were debating the budget, one of the requests that came from the Third Party was that we put in place eviction protection. We agreed with that. I remember the Premier coming to talk to me about how we could do it and the tools that we would have at our disposal, because we hadn't even declared the state of emergency at that point. Noting that I can't put it in place without that state of emergency, we used a regulation-making authority under the *Residential Landlord and Tenant Act* and then later on updated and augmented it through a ministerial order.

What we did was to say right away that, if someone had a loss of income due to COVID-19 or if they were self-isolating, we would protect them from being evicted. But we went beyond that, Mr. Acting Speaker; we went and looked at how to support Yukoners during this whole time. So, we came out with a rent supplement program, and we also put in place the update through the ministerial order — that if there were rent arrears, there could be a period of time of deferral for paying those rent arrears, and we did that through multiple calls with some of those groups that I was talking about earlier.

There was a six-month rent deferral as well. There are others who will talk about this, but the federal government came out with programs to support folks — for example, the civil emergency response benefit. We worked to make sure that there was not a clawback under the civil emergency response benefit during COVID-19. We put in place the minimum wage top-up for low-income workers — essential workers on the front lines. There was a series of ways that we went to support and protect those people who might not have as much means at their disposal.

One of the things that I noted, by way of the motion, is that — first of all, the suggestion was to use a ministerial order. I have been criticized quite often about using ministerial orders — that they are not an appropriate tool. I note that they are exactly the tool that is under the *Civil Emergency Measures Act*, that they are a good tool if it's an emergency, and that they are there to help protect and support Yukoners. The first question here is: Is this an emergency? Well, yes, we're within the emergency, but I think that the pressure that was there at the beginning of this pandemic is not necessarily the same pressure that is being felt today.

I took some time to try to look back at the rent survey that is put out by the Yukon Bureau of Statistics to try to see whether rents had changed. Part of the conversation that's before us today came from an example that the Member for Takhini-Kopper King cited — where there was someone whose condominium rent had been going up very significantly — but I have not yet seen that it is the norm that's out there. I checked in with the residential tenancies office to ask whether there was any change in the types of files that they were working on during COVID-19. The answer was no — that there had not been an uptick. I looked at the Bureau of Statistics rent survey. Unfortunately, the one that we'll talk about — this past October — is due out in the next month or so, so we don't have that information in front of us. But what I could see, up until the early parts of the pandemic, was that rents had not changed significantly over time, so I wasn't sure whether there is a demonstrated need around using a ministerial order. But as I said earlier in debate, I'm happy to try to do more groundwork on this question to try to see whether there is an issue.

The final thing that I looked at when I saw the motion come forward from the Member for Takhini-Kopper King was that it gave this date of July 1. Well, the ministerial orders are in effect while an emergency is in effect. We just extended the state of emergency earlier this week and, as we did that, it's an extension. It can extend for up to 90 days, and then, if you need to go further again, as we've debated often in this House lately, you would then have to put in place an extension for that through an order-in-council.

If I count July 1 and if we count the beginning of this week on the extension of the state of emergency, we would need two more extensions to get to July 1. I don't know what's going to happen yet with the emergency. We're hearing now about the rollout of vaccines. That's welcome news — even hopeful news — and we'll see where things are at, but I just note that, in the way that the motion is worded, we would need to figure out what is happening because the state of emergency — if it ceases to exist, then so would the ministerial orders.

I believe in ministerial orders. I think that they are a good tool, although part of the incongruity for me is to hear criticism, generally, about ministerial orders and then, whenever I try to ask for specifics, the only two that I've had so far are: "Please introduce a ministerial order around online cannabis sales", and today, another around a moratorium on rent increases. I agree that this is a worthy topic to look into, although I would want to balance it out with this look on what the other aspects are for

the work that we're doing to support Yukoners. I want to continue to try to understand some of those questions.

Very quickly, and just looking at the other jurisdictions, the two that I think currently have something in place right now are British Columbia and Ontario, as the member opposite noted. There was some early work by Nova Scotia and Manitoba, but those have lapsed. It was earlier in the pandemic when the situation was more extreme and more uncertain. Other jurisdictions have not done this. So, there are, I guess, examples of it across the country, but not everyone is doing it — that is for sure. It's not that most are doing it; in fact, there are a couple of examples.

If we were going to do it, I think that the important thing would be to do that analysis here, as I've said, and look at how various groups would receive this and what impact it might have on the Yukon. I haven't yet understood whether the need is there. The indicators to me are that, sure, we are in the pandemic and there are pressures, but maybe they are being dealt with by the wage top-up, maybe they are being dealt with by the additional supports that are given through Social Services, or maybe they are being dealt with through the Yukon Housing Corporation. That is what I'm not sure of.

I was hoping to hear a little more from the Member for Takhini-Kopper King about whether any of that work had happened or about whether, in her investigations leading up to this motion, she had more than that one example of the condominium where the rent had gone up significantly. Looking at this, I would want to try to understand that this would be an important program broadly, because it is significant to sit there and say that we are going to freeze rents.

Let me back up for a moment. When we were talking about deferring rent, we had some very good conversations with the Yukon Residential Landlord Association where we talked about the risks that were out there for the community of renters.

We talked about the pressures that this might put on them as landlords, because for some of them, it is their livelihood. You want to be careful that you are not trying to affect their income as well. So, I had productive conversations with the Yukon Residential Landlord Association, and you may recall, Mr. Acting Speaker, that when we came out with some of those programs here, we actually had the Yukon Residential Landlord Association writing a letter in support of that.

So, I think that this is all important work and I look forward to further debate on the motion to just understand some of those ongoing questions about sort of a broader sense of whether this is the right solution for the situation that we have right now. But I will continue to say — as I said in debate in Committee of the Whole — I am happy to continue to follow up on it and look at it, if that work hasn't as yet happened.

Ms. Hanson: I intend to make my comments brief. I am kind of disappointed. Actually, I am doubly disappointed with the response I heard from the minister just now, because — despite what the minister has said — yes, we appreciate and I think that tenants do appreciate the notion of a rent deferral, but a deferral is a delay. The reality is that, for many people — as my colleague, the Member for Takhini-Kopper King has put it

— the crunch is now. We are talking about trying to avoid more debt or more people facing the possibility of not having a place to live. We know that, in the Yukon — for people with middle and lower incomes — the cost of your housing is above the 30-percent threshold that we would say is acceptable.

I had hoped that the minister might have approached this through a lens of social justice. I know that he referenced the Yukon Anti-Poverty Coalition, and I know that he has supported the work of that entity — that body — over the years, but to equate the power base and the constituents represented by the Yukon Anti-Poverty Coalition and the landlord association — those are very different.

Consider this, Mr. Speaker: Under the law as it stands today, a landlord can increase the rent once a year by any amount. My colleague has said that she's not asking this government to consider a cap on rent; she's simply saying that there be no increase — a delay, a moratorium — until we have sorted it out.

Now, if the minister was sincere and serious in his response to wanting to assist ordinary citizens to survive this very uncertain period, and if he was concerned about the use and the reference to the *Civil Emergency Measures Act*, then he could have simply said — as we have seen many times in this Legislative Assembly every time opposition members —

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Minister of Energy, Mines and Resources, on a point of order.

Hon. Mr. Pillai: I would just like to point out Standing Order 19(g): "(g) imputes false or unavowed motives..." The comment was made that, if the minister — I believe, to paraphrase — was sincere about his actions — and so I believe that this is imputing false motives. My sense is that the minister is very sincere about the work that he's doing and that he does care about those folks, and he's giving a data-based argument here.

Speaker's ruling

Speaker: My gut reaction, right now, is that it's a dispute among members and that it's a different narrative and characterization of approaches that could be taken, but I will review Hansard and return, if necessary.

The Member for Whitehorse Centre, please.

Ms. Hanson: As I was saying — I was trying to point out that the opportunity — the power — as the minister has demonstrated in the past, if he hasn't liked something that has been put forward by the opposition — and in every instance, the government has — they have come forward with amendments to what has been put forward by opposition members in this Legislative Assembly. I think that we would have welcomed that. We would have welcomed something that indicated a recognition by this government that the playing field is not level and that recognized that there is a need to prevent what we see as rent evictions.

I will note that, in addition to the actions taken by BC and Ontario, Nova Scotia — I think it's November 20 — they called it a "rent eviction action", which put a control — and the Premier in Nova Scotia basically described it — they're not allowing any increases of more than two percent.

Now, we're not asking for a cap, but we also recognize — and the minister has recognized — that it's very plausible and it's legal for increases of two percent, 10 percent, 20 percent, or 30 percent. As we see the squeeze increase in this town for available, affordable rent, those pressures increase. Maybe he doesn't travel in circles where that's happening, but it's a reality.

So, the motion that was put forward was an attempt to get a reflection from this House that we recognize that not everybody can afford adequate housing. Not everybody has access to it. The playing field is not level. There are those who own and those who don't and those who rent from those who own.

We're simply saying that, for a period — now, it could be an extension to match the current order that's under CEMA. The government has many ways of enacting this. We're not government, Mr. Speaker; we're the opposition. The minister has many, many, many skilled professional advisors who can assist him with coming up with an equitable approach to addressing this very real situation.

It's not up to the minister individually to come up with these resolutions. Maybe the minister hasn't figured this out yet — he has many skilled professionals who are able to advise him if he gives that direction. That's what we're looking for. That's what we're looking for from this government — to give the direction in order to create a fair environment and an equitable environment. We want to make sure that people are not going to be forced out.

So, we're prepared to say that there will be no increases for a period of time until we get through this awful period of time and until we get through to where the light is shining on the other side. Right now, it's not. We may see vaccines, but the announcements we've heard this week for the rollout of vaccines in the Yukon is not until well into the new year. The minister knows that. So, why would he even suggest that things would become the new normal in January, February, and March? It's not going to happen.

I guess we could hope for better. My colleague and I will continue to hope for better. Unfortunately, today is not one of those days that we will see that hope realized. It is sad and so it is kind of disappointing — very disappointing. It is not just "kind of" — it is disappointing. I can't say much more about it because, really, it will just be another one of those Wednesdays where the government says, "Disagree". That is unfortunate. What they are saying is that they disagree with the lived reality of a lot of Yukon citizens.

Ms. Van Bibber: I am pleased to respond to this motion on behalf of the Yukon Party.

As we all know, the Yukon is facing challenging economic times as a result of the COVID-19 pandemic. We have seen a huge hit to our tourism industry and the many businesses that

rely on visitors to the territory. We have seen our hospitality sector — which depends on Yukoners getting out and about and, more importantly, getting together — take a huge hit. This has been going on for months, and we are starting to see the impacts that are taking hold as businesses rely on the holiday season to cap off their year. They are unlikely to make it through.

All of this means that Yukoners will be losing their jobs and losing their income. Of course, the situation has not impacted all Yukoners equally. As we know, some Yukoners have been hit harder than others. We believe that it is important that the different levels of government that are providing relief to citizens recognize this. Earlier this year, when all levels of government were scrambling to respond to the emergency pandemic, policy-makers rightly chose speed and generosity over effectiveness and accuracy when they were developing their relief programs.

The programs like CERB, for example, were policies and programs that were to get money into Canadian pockets quickly. It was not designed to necessarily get it there just to those who qualified or needed it. While it may have met a certain need at the time, it will certainly have consequences when tax time rolls around.

Now, when we turn to this motion, we note that we certainly agree with the intent. We know that some Yukon renters are facing difficulty at this time. We know that some Yukon renters need support, and we certainly support different levels of government working together to provide them with the support that they need to get through this, but we do have some concerns about the policy prescription contemplated in this motion.

Rather than limit what landlords and property owners can charge for the use of their property, we wonder if providing direct support to renters who need it may be the better option.

We also note that this motion is silent on the impact that this will have on the landlords and property owners. It is easy to dismiss property owners, but the reality is that they are Yukoners too and, in many cases, depend on the income from their properties to provide for their families.

Throughout this pandemic, the cost for property owners has not stopped rising. We have seen taxes go up. We have heard that insurance has become a real problem for many property owners, and insurance costs are rising dramatically. Condo rates are increasing very dramatically as well. All of the fixed costs associated with owning property have been going up, despite the challenging economic times that we all face.

So, I do worry about this going without also providing support to those who have costs increasing endlessly under the Liberals. We are concerned about offering support for one group of Yukoners at the expense of another group of Yukoners. It just doesn't seem fair and equitable, so we need to consider supporting both sides of this.

We support the intent and the efforts to date by all governments to assist Yukoners and businesses. We believe that we need to make sure that we strike that balance so that we aren't leaving any folks behind.

Hon. Ms. Frost: As the Minister responsible for the Yukon Housing Corporation, certainly homes and shelter are always on the top of my mind. We know that Yukoners across the housing continuum face a variety of circumstances, especially during a worldwide pandemic. We work hard to provide Yukoners with a variety of housing solutions to meet their needs. My colleague, the Minister of Community Services, highlighted some of what we have done here in the Yukon, with the efforts around the eviction protection, rent supplement program, rent deferrals, no clawback on CERB, and the minimum wage top-up. Significant work and effort have been put into place to ensure that we provide the necessary supports to Yukoners during this very difficult time.

I acknowledge that the previous COVID-19 rent assist program that went directly to landlords presented some challenges. I note the comments that were just made in terms of direct support needs to go to the renters. That consideration has been taken into advisement as we look at the early announcements, so we perhaps have learned some things from that. We know that the pretext to raise rent — that we form some relationships with the landlords and, of course, the tenants. Now what we essentially have done with dealing with the rent assist is — the resources are going directly now to the renters. The program for relief is there. We've learned from the infancy of the program and made some adjustments.

The new Canada-Yukon housing benefit that was just launched last month goes directly to the tenant with this program. Landlords are not informed whether their tenant is receiving financial assistance. This ensures that the privacy of the tenant is respected and that they continue to live and pay their rent in dignity.

With that, under the Canada-Yukon housing benefit and depending on household income or the size of the family, applicants can receive \$200, \$400, \$600, or \$800 per month, which is paid directly to the tenant. There are supports in place. The program is available to Yukon households that make less than the affordable housing income limit, which is \$103,000 in gross household income per year.

From the data that I received this morning, 92 households are using the Canada-Yukon housing benefit. This means that our Liberal government has already assisted 92 households, alleviating anxieties related to keeping a roof over their heads during this very difficult time.

Under the *Residential Landlord and Tenant Act*, a landlord cannot increase the rent during the first year. If the landlord wants to increase the rent, they need to give 90 days' notice prior to the increase.

Lastly, it can only happen once every year. The motion up for debate seems to imply that Yukon landlords are exploiting the pandemic to raise rents at the expense of vulnerable tenants. I just want to assure Yukoners that we are certainly keeping those things in mind as we look at our programs as we roll them out, ensuring equity and fairness.

As the Minister responsible for the Yukon Housing Corporation, I asked the member opposite to share with us some evidence, perhaps, with the work that has been done so that we can help Yukoners and alleviate some of the situations.

Yukoners have been grappling with housing challenges now for more than a decade. There are many factors involved. The remedy brought forward by the opposition is not something new. I see that it is something that we've been confronted with for quite a long time. We have made significant efforts on this side of the House to address housing pressures across the Yukon, looking at providing supports to struggling Yukoners with the relief that they certainly need, ensuring that those are put in place.

I would venture to say that it wouldn't be very effective for Yukoners if we only just deal with the one issue now. We have been dealing with it for quite some time and taken multiple approaches in addressing the challenges that we've seen. We have worked with our partners, we are responsive, and we continue to bring tangible solutions to Yukoners, not blanket orders with an arbitrary time frame. We want to work with Yukoners to address many of the challenges that they are confronted with.

We have done a number of really great, innovative things in terms of quick, timely action to the pandemic and some of the stresses experienced from the pandemic, such as loss of jobs, perhaps, and deferring rent and of course ensuring that there was a rent supplement in place. I would just give a shout-out to Yukon Housing Corporation for the great work that they're doing. We will keep moving, working for Yukoners, working in the best interests of Yukoners, and finding concrete solutions that actually make a difference at the end of every month. We will continue to do that here on this side of the House — working with our partners to ensure a fair and equitable environment for all Yukoners.

We are always learning. As I indicated earlier, we had the first tranche of initiatives that went out and we have made some adjustments, having learned from that, and we look forward to further discussion.

Hon. Mr. Pillai: In opening the debate, one of the things that I really wanted to listen to — which I did — was what information we are going to have to substantiate this policy decision. Was there going to be some data shared with us? Would the Leader of the Third Party talk about some discussions that she had with constituents? Would she reflect on discussions that she might have had with other organizations concerning this particular case, where we're talking about not increasing rent for six months? Because I think — I would hope — that the Leader of the Third Party was coming with a policy decision to try to fix a particular problem, and the particular problem, I thought, was the fact that there were some people in a situation where they were maybe behind on rent — or there was some due diligence done in that sense.

We didn't get any of that information. Also, her colleague got up and spoke. What we did hear were comments such as that her colleague was "very disappointed" because of the comments from the minister and she had "hoped for better", and the reason that we should do this is so we can reach out to people and say, "Hey, we see you" is the other piece.

That's great, and from a sentimental standpoint, I think it makes a lot of points. What I was hoping for was that we were

going to debate the fact that, right now, there are a number of individuals who are potentially behind in rent payments, and we were going to substantiate that. I'm not saying that this may not be the case, but it was not put forward.

The member opposite — every two weeks, the opposition has the opportunity to come forward with a motion, and so weeks of opportunity to make phone calls, build a case for this, and to bring it up more than what we saw. We found out last night that this was going to be called, and so what I did was I made phone calls last night and I spent the morning reaching out to people, trying to find out if this is a real issue at this particular time.

The other thing that the motion does — it just gives a blanket. It says that, under the authority of the civil emergency, we declare a rent-increase moratorium. So, not clarified in the preamble and not clarified in the motion — I assume that this is rent for everybody. That would be both residential as well as commercial rent, which, if it is tabled on the floor, is what I believe to be accurate.

So, we certainly appreciate that COVID-19 is having great impacts here in the Yukon and across the board for individuals, families, businesses, and not-for-profits. Our government has been working extremely hard to implement programs and ministerial orders to support in every way that we can. Right now, what we are seeing — there was some information that was shared from other jurisdictions. What was tabled this morning, I think, was just information that is publicly available. I think that most jurisdictions right now, in most cases, are in a bit of a different situation.

Our unemployment rate, first of all — if we're talking about what are the real data points — as of last week was 4.2 percent, and we compare it across the country. I think Nova Scotia, which was reflected, is even two points higher than that, and then you go up. That comparison is apples to apples across.

The latest statistical information that I saw is that we have 900 people currently who are unemployed, and so the member opposite reflected on that. There are people who are out there and they might not be working full time. Their incomes may have come down. My colleagues have talked about the multitude of programs from two levels of government that have offset some of those pressures, but in this particular case, we were talking about 900 people who are unemployed.

Now, 900 people unemployed right now looking for work is the same number of people who were unemployed at this time one year ago. If it is a point where it is such a compression right now that we're looking at, why did the members opposite in 2015, when there were 1,300 people out of work on average, or in 2016, when there were more — there were actually more people in difficult positions in 2015 and 2016 than there are right now as we go through the COVID process. Not only that, we are looking at the 1,400 — and I will say that I might have to clarify this. I have reached out to the department. I read a piece of information a month ago — a couple of weeks ago, at the earliest — and we had 1,400 jobs that I thought were available to folks. Now, that might not be where they want to work. I know that there were lots of places where I have worked but where I did not want to work, but I did that because, at the

time, I had to pay my rent, I had to pay my mortgage, or I had to pay my bills.

In the current situation, we have 1,400 jobs — that was put out there — that are available. I think that the average rate is about \$18.80, which is just under \$19. Members opposite, over and over, have come and said, “Look — what are we looking at from a living-wage perspective?” Those numbers are quite close, as I remember, and we have 900 people.

So, we have more jobs available right now than we have folks unemployed. We have the same number unemployed — last year, in October or November, with the same situation, we did not have the NDP come forward and say, at this point — so, it does make good sense.

Do you know what it is? I believe that I’m hearing from the Yukon Party that they are also in agreement that this, as it’s tabled — they talked a little bit about maybe some other work that could be done, and they may table an amendment to this to reflect on their thoughts. But right now, my sense is that, if the Yukon Party and our government vote this down — what this is really about is: “We’re nice; you’re mean” — and that’s what it’s about. “We’re the ones who care; you don’t care” and this is about going out and saying, “Hey, we see you.” At the end of the day, you have to have a mix of actually making some policy decisions based on data points as well.

So, what has happened? I have reached out to landlords and talked to them last night and today, and some of the challenges — first of all, in some cases, their costs have gone up. I know that the member opposite from the Yukon Party said that some of these are Liberal costs. I think that, at the municipal level, there have been increases in cost. In some of those cases, I have called to the member opposite’s own riding and called people who are owners of trailer parks.

Do you know what they’re finding? In some cases, the tenants who are there are not behind. In one case, there was one tenant — they are not going to reveal who that is, but there was one tenant who had to pay the rent. They had been working with that individual to ensure that they have the opportunity to pay the rent at this time.

So, again, what we’re seeing is, from a residential standpoint — then I called the Whitehorse chamber and said, look — I know that the Leader of the Third Party — if they’re going to go and do their homework and come in with this, they are going to make a call. They’re going to probably call the Whitehorse chamber because the Whitehorse chamber would be a great spot to speak with, because it would give you a sense — this is, as the Member for Porter Creek North said — we’re talking about all Yukoners, not just people who are renting, but the people who have saved their money, invested in an asset, and now they’re renting it out. Folks may just say that they are sitting up high on a hill because they have it.

Look — for anybody who has rented a space, it’s also a tough ride sometimes. You have individuals who come in and sometimes they’re not respectful of your place. It doesn’t matter what socio-economic background they are coming from — sometimes that’s just the situation.

So, reaching out and talking to the Yukon Residential Landlord Association — but also talking to the chamber

because they have done a tremendous amount of work. They have a subcommittee that focuses on this — Mr. Hartling — and in those cases, no contact from the NDP on this one.

Again, coming in with a good argument, it hits most people. At the door during an election — to be able to walk up to someone’s door and say, “You know what? I tried to make sure that there was a rent freeze, but the other folks voted it down.” So, just picking pieces of information — I’m sure that it would make great fodder: “The Yukon Party and the Liberals don’t care about you, but I care about you.” Well, you know what? It doesn’t hold weight. The work wasn’t done.

I urge the member opposite to reach out to the chamber, have a sit-down, put some information together, and maybe reach out to folks as well, and then bring it back. It would change the discussion, Mr. Speaker. It would change the discussion if we walked in here today and it was based on the things that are happening.

On the commercial side, that’s another story. I also took some time this morning and last night to start reaching out. The commercial side, which also would be encompassed in this — we are not seeing delinquency. The reason that we are not is because we put the business relief program in place. At the start, we had 500 businesses that received those dollars. That money flowed through so all the rents were paid. We ensured that we put in a foundational piece of policy that could support all of those other businesses. If folks went out, maybe took their life savings and had a building, and they were renting it to two small business owners — what ended up happening was that those small business owners could continue to have their space and pay their rent.

I think that this motion maybe would have been more focused and been better — because what we are doing now is that we are saying to all of the individuals out there on the commercial side of things, which are still seeing a potential increase in the costs that they have to spend to the municipality for the services that are paid — in some cases, as the Member for Porter Creek North touched on, we are seeing some challenges with insurance that has gone up — and definitely for strata title buildings and for others. So, you’re in a position where those costs are escalating, but we are coming in — I think, on that side — to solve a problem that doesn’t exist with this particular motion.

The Member for Whitehorse Centre can laugh, but what I’m saying is that I have made the calls and done the work that they didn’t do. What I found is that I haven’t had one case in those discussions where we’re seeing people falling behind because of COVID when it comes to commercial. She can mock or laugh, but spend some time, make some phone calls, and do some work before you bring it in and have that discussion.

I think that it’s important, as I touched on, to speak to these individuals and understand what the impacts would be to the landlords, which has not been touched on. First, I think the question that we need to ask is: What evidence is there to support the moratorium on rent increases? There was absolutely zero evidence presented to us today other than to make us feel

like we're the bad people and the folks across the way are the only people who care.

Are the supports already in place and not doing what they're intended to do? I think those supports that we've put in place have been very — one of the senior folks just said to me today that, from a public policy perspective, the business relief program — the way that money has impacted our community and how it's ensured that we're shoring up so many different areas — whether it be paying their bills to utilities or it has to do with ensuring their relationship with financial institutions was still in place or the fact that they were making sure that others who provide services to them have that money.

What are businesses hearing from their employees? Is it a factor? In recruitment, what are business owners faced with in terms of their rental costs? What are landlords' perspectives? I'm not sure. What are the large numbers of tenants to fall?

Again, what we are asked today is to walk in and put six months in place — and I don't want to reflect on everything that came from the Whitehorse chamber, but what I would say is that I think it's worth it for folks to have a call. That particular call — I think it's just to speak to them and have a discussion about their prerogative and some of the things that they're seeing and the rental market that's here. As we also touched on, when you think about the different federal programs — I'm not going to analyze the effectiveness of them, but I think that, in most cases, we saw increases for central workers in some cases here, and we talked a bit about it. We also talked about CERB and other programs that have been available.

I'm just trying to figure out why this time right now — based on COVID — but when we go back and we actually look and reflect on the information that we have and we dig into it — if it's about the fact that, just in general, that — as touched on — the rent is just, overall within the community and the territory, at this particular level and because that rent is high, we should do it. I don't believe that is where you want to use the *Civil Emergency Measures Act* because I think the *Civil Emergency Measures Act* is actually pertaining to what's happening around COVID, not because of significant growth, not because of the population increase — not because of all those other things — the many things — that are driving some pressure on rental.

As well, one of the comments that was made was that this could potentially signal to folks that maybe they shouldn't make an investment into building more rental units. I'm not saying that's correct; I'm just saying that's what was said today. Maybe that's how folks would approach that.

The comments were — what does this do to a free market, when you're seeing the lack of available rental housing in the marketplace? What does this look like for the economics of building market rentals? We should also consider what has happened in other jurisdictions and the caps piece — and the member opposite did touch on that and said that it's contentious — I'm going to leave that — on increases, compared to what happens here in the Yukon. I'm curious to see how regularly landlords implement rent increases.

I also went back 20 years the other day — because I listened to the member opposite on pad rental increases and

how much they were jumping and what was happening. It did seem accurate when I heard that, and it wasn't accurate, because I used to pay it. I listened a lot in the House about the member opposite — and I appreciate the work that she does on behalf of her constituents, but sometimes, actually having made that investment myself — having lived at 27-7 Prospector Road — I don't know of anybody else, but I at least have that experience. I don't know if the member opposite had paid any pad rent previous to this or understood what that relationship was, but actually, the relationship with the landlord at the time was great. The increases were very low, going back — and I believe — and I think I have it — about \$150 was what I was paying for my pad rent. In most cases, people were very flexible with me.

I knew what I was getting into. I have listened to this argument for three or four years from the member opposite. I knew what I was getting into. It was an opportunity for me. I had a pad rent I had to pay, but it was also an opportunity for me to build equity, which I did. There are many, many former — the leader of the NDP had lived around the corner from me previously, just in that area — and lots of different business owners. What a great place to go in and have — I knew what I was getting into and I knew that I couldn't move the asset, because there was nowhere to move the asset to, but I knew that it was a flexible way for me to build some equity as a young individual and then be able to transfer that.

I always thought that the pad rental increments were fair. I think that it's a good discussion.

I think, hopefully — the Third Party probably won't agree with anything I said, but I do believe that we can agree that there is a bit of a lack of information, other than it is — I guess I can leave it at that — it's based on feeling and sending a message. I don't know how many people we're sending the message to. I think, for one member or for one party, they will have an opportunity to go out on the street and tell that they've done it — but again, it doesn't seem to me that the policy work was done and the background was done.

Some of the folks, I think too — I didn't have a chance to reach out to the Anti-Poverty Coalition, and I apologize; I didn't. The member opposite may have and in closing remarks could reflect — maybe the Anti-Poverty Coalition has said, "Look, besides the compression, we have this many people right now who we're hearing..." — and it could be in the closing remarks. I appreciate that. So, they'll be there and we'll have a bit of a sense, at least, from there.

Even with that being said, I also believe — other than the anecdotal information, I think that it's important to reach out to others on this particular topic and just to do the work before it's brought forward — something this significant where it's just a carte blanche policy decision.

Speaker: Is there any further debate on Motion No. 358? If the member now speaks, she will close debate.

Does any other member wish to be heard on debate of Motion No. 358?

Ms. White: I have to say that I'm extremely disappointed but not surprised by the government's response to this motion. They've done nothing to bring more protection for tenants through their whole mandate, so it would be surprising if they would start today.

Actually, there was one exception: They did bring in a three-month ban on evictions at the start of the pandemic. But it's important to note that they only did that after the Yukon NDP made it a condition to pass their budget with little oversight.

The minister flagged concerns with the date and his issue with the date of July 1 is irrelevant. Obviously, if the civil emergency doesn't last until July 1 — wouldn't that be fantastic? — then the order would be void.

The minister asked — and I've heard it from two ministers now — if I've talked to the landlord association and the Anti-Poverty Coalition. You know what, Mr. Speaker? I have spoken to tenants. I continue to hear from tenants. They are the people right now who need the help. Sometimes I ask myself if the minister and I live in different worlds. Landlords in Whitehorse have seen their property value increase in the last calendar year. Will they make it through this pandemic? I think that they will. Tenants right now who are facing hundreds of dollars in rent increases are at risk of losing their homes in the middle of a pandemic. They are the ones who need the help. The fact that the minister is asking if the situation is an emergency shows how disconnected he is from the reality of tenants.

The minister says that he went and asked the residential tenancies office if the situation has changed and if anyone has come forward with these concerns, and he said no. I am not surprised, because in the very real example that I used — and it wasn't a condo association, actually; it was someone who rents an apartment. When we were going through the notice of their rent increase, we talked about the possibility of going to the residential tenancies office. I said, "Well, the reality is that this is legal. You are being given three months' notification. They can increase your rent to whatever they want."

It is super fascinating that the Minister of Energy, Mines and Resources and of Economic Development said that I have been silent on it. If he had gone back to the debate in 2012 between the Minister of Community Services of the day and me, I actually tried to amend the legislation at the time. If anyone was to read through that, they would understand the pain of that debate. It was not pleasant. To be honest, it was hard. I am also the first one to say that I did not realize all the mistakes in that legislation until they started to come forward.

I appreciate that the Minister of Economic Development lived in a trailer park and he talked about the rent. Well, in Prospector Trailer Court, it's now \$395 per month if you pay in the first three days. It is not surprising that the landlord and tenants board has not seen any changes, because nothing has changed; that is the problem. Landlords are able to increase the rent by however much they want once every 12 months. It is not illegal. I have said that it is not illegal. Is it right to increase someone's rent by 30 percent, 40 percent, 50 percent, or 100 percent? That's a matter of opinion. I believe that I have a

different opinion than others. Why would the residential tenancies office hear about it? Well, the truth of the matter is that they wouldn't, because it is totally legal.

So, to wrap it up, Mr. Speaker, I think it is interesting, because this government is refusing to take action to protect tenants, which makes them no better than the Yukon Party, which also ignored the concerns from tenants during its 15 years of power.

Yukon laws allow for unlimited annual rent increases, and today, neither the minister nor government members have explained why they think that this is appropriate. We don't think that there are any circumstances that justify such large rent increases, but it is important to note, despite the fact that I was accused that I was going to tank the rental housing market, that our motion wasn't even asking to put a permanent end to rent increases. It wasn't even asking for a calendar year. All that our motion did was to ask to put a hold on rent increases until July — six and a half months. That is what I was asking for. That is all we're asking for. Let tenants get through the pandemic without being at risk of losing their homes because of rent increases, and the government has said no. It is too bad.

There is a quote on my wall that I am going to end with because, when people are facing this right now, tenants — if they choose to read Hansard or choose to listen to Hansard — will figure out where we stand. When they look back at the time in the middle of a pandemic when their rents increase substantially — they will look back and they will remember that it was this government that left them at that point.

So, I have this quote on my wall because sometimes we have talked about the challenges of this job. We do; we have talked about it. It says, "Hope has two beautiful daughters. Their names are Anger and Courage — anger at the way things are, and courage to see that they do not remain as they are."

I live forever in hope, but I am not without anger or courage.

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.

Mr. Gallina: Disagree.

Mr. Kent: Disagree.

Mr. Cathers: Disagree.

Mr. Istchenko: Disagree.

Ms. Van Bibber: Disagree.

Ms. McLeod: Disagree.

Ms. White: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are two yea, 14 nay.

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

Motion No. 358 negatived

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Hutton): Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

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

Chair: The matter before the Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Is there any further general debate?

Department of Energy, Mines, and Resources — continued

Hon. Mr. Pillai: Again, I just want to thank the officials for coming back in to support, Deputy Minister Paul Moore, and Assistant Deputy Minister Shirley Abercrombie. Really, at this point, I think that we were having some discussions yesterday. We are limited in our time and it's probably best to just cede the floor to the member opposite and get into the questions and answers.

Mr. Kent: I too would like to welcome the officials who are here to support the minister for the afternoon and the discussions we are having.

As the minister mentioned, we had very limited time yesterday afternoon to talk about some of the issues in Energy, Mines and Resources.

We left off talking about forestry. A couple of questions that I had, just skimming through the Blues, on end of day, yesterday — I guess we'll start with the southeast Yukon forest management plan or forestry plan.

The minister had said that — and he can correct me if I'm mistaken — there has been recent outreach to the new chief and administration of the Liard First Nation. I think he said it was within the last couple of weeks, so I'm curious on the timing — if he has any timing on when the transfer payment agreement that he talked about might be signed off on and if he can provide us with the amount of that transfer payment agreement.

Building on that, when can we expect to see a southeast Yukon forestry plan developed?

Hon. Mr. Pillai: A little bit more context around that question concerning southeast Yukon. The forest resources management plan, which is what we're talking about — this is the TPA that would help fund this work. Management plans provide certainty for Yukon's land base, identify sustainable forest management practices, and foster economic opportunities for Yukoners.

We work closely with the First Nations to plan how to manage our forests and have collaborated on management plans for the Whitehorse, Southern Lakes, Haines Junction, Dawson, and Teslin regions. The Whitehorse and Southern Lakes forestry management plans have been approved by the Government of Yukon, as well as two of the three First Nation governments. Final approval will hopefully occur in the next few weeks.

I'm going to focus on that — that's really around the southern lakes. The member opposite would also probably have worked on this one. One First Nation — we're just waiting on a signature. Three First Nations are involved in that work, and two nations have signed off.

I have had positive conversations with the chief of the First Nation that has not. There were some concerns on how that policy may affect some other work that they have been doing. I think we have done a good job of being able to alleviate any of those concerns.

A forest resources management plan for southeast Yukon is top priority for Government of Yukon forest management branch. The member opposite is correct.

I had sent a letter that was built by the forest management branch in Energy, Mines and Resources really communicating to Liard First Nation that we feel that this is a priority for us and that it's important for us to begin that work. I said a couple weeks — and I'll stick with that. Sometimes two days feel like two weeks. I know the member opposite would understand. I think, without going back — I didn't check last night. I think it's within the last couple of weeks that the letter went out.

Again, I think there are a couple other important things just to touch on about southeast Yukon. As I remember, we still have — I'll have to get the amount on what the TPA is. I was just saying that my correspondence really reflected on the fact that there is a transfer payment agreement ready to go. I think

that there were some early conversations. I believe that what has happened now is that the branch has gone back and made sure that it is going to meet the work plan that is being discussed by both parties. Concerning this, Liard First Nation voiced an interest in establishing a forestry table to address forestry concerns at a government-to-government level and indicated that they would like to move forward with a forest management planning contingent on funding arrangements to support participation in the process.

Discussions are underway. Once a funding agreement is finalized — so there could be some edits to the original TPA that we had built. There are new elected officials there. Government of Yukon can initiate and collaborate on forestry resources management planning.

As required under the *Forest Resources Act*, the establishment of a forest resources management plan requires consultation with First Nations that have overlapping traditional territories within the proposed planning boundary, which also includes Kaska Nation, both settled and unsettled First Nations, as well as transboundary. We will have correspondence. In that area, there are a few different nations that have assertion that we'll have to speak to.

I'm just going to take a quick look through my notes. We still have a pretty substantial amount of available fibre that can be harvested there. I think that it's important just to touch on that. My recollection — in my last briefing with the Forestry branch — was that the amount that was allotted, permitted — and I think it was directly with the development corporation for Liard First Nation — First Kaska — that there was a pretty significant amount of wood that could be cut. I think that we still weren't hitting that total amount. It's important to note that, as I remember, there still was an ability for some wood to be harvested there.

The member opposite touched on it before. There is wood across the border. There have been some folks in the Kaska Nation who have been cutting and selling to Yukon. They would be permitted by the BC government to do that. I think what happens is that they get checked when they stop here. I believe that the permits get reviewed at weigh stations or something along those lines, and then they move in.

Overall, some of our most substantial harvesters are still coming out of Watson Lake. There are a couple of entrepreneurs who have been pretty key to ensuring that there is a wood supply in the Yukon — more on the side of firewood — and so there's quite a bit of wood coming up.

Members opposite have made it known that there is a long history of entrepreneurs who work in that field in Watson Lake. The chamber from Watson Lake has reached out to me. We talked a little bit about it in Question Period. They wanted to meet with me directly. I am committed to doing that. We have essentially been going seven days a week, and that's what will happen until December 22. I am just working with our staff to make sure that they know that I can go down and have that meeting. I was hoping to have it before Christmas. I don't know if I will get down on December 23. It might happen in early January, but that conversation is really about — the chamber

really wants to know what the plan is because it is a very significant part of the economy in Watson Lake.

As well, there was interest previously — we touched on it yesterday — about some of the fires from two years ago that took place on the Robert Campbell Highway. There was interest at that particular point. It was still early. We were still dealing with smoldering fibre at that particular time. It wasn't time to harvest yet, but I know that it is going to be key to get in there and take a look at the wood there. It's usually a couple of years — while you can still harvest that — and there is still going to be value in some of those burn areas.

That is our update for southeast Yukon. Hopefully, that answers the questions — other than that we will, with the deputy minister, go back to take a look at the TPA. I should know the protocol about bringing the number in. I will just check on what that is. The member opposite might be aware, but if that's something that can be brought to the House, we can put it into our overall legislative return for some of the questions that we didn't have all the answers for.

Mr. Kent: I'm just curious if the minister can just give us a sense of when he would expect the southeast Yukon forestry plan to be in place. Perhaps he touched on that — and I apologize if he did — in his response. Then he mentioned that there is a quite a lot of timber still available. Is that for fuel-wood purposes or for sawlogs? Is that amount dedicated to the LFN or First Kaska, or are there sawlogs and fuel wood available to the broader public in any areas down in southeast Yukon?

Hon. Mr. Pillai: On the first question, I haven't given a timeline on concluding negotiations concerning the work. Part of that is because — well, for a couple of reasons. First, I want to make sure that I have a sense — if the work plan has been amended — and I haven't had an opportunity to see it, so I am going to take a look at the work plan. The reason that I think the work plan could be amended is because there are some discussions about the TPA being amended, so I want to see what the fullness is and if the scope has changed. Secondly, it is always difficult to predetermine the conclusion of what is a discussion/negotiation to some extent, because there are two parties involved and that can be difficult. I should look at the work plan before I start to provide any idea. This has been a really important piece of work, and the member opposite would be aware. Lots of folks have wanted to get this completed, and that is something that we are committed to doing, working with LFN. I will leave it — to name a date on it — because I think that might be a little inappropriate without having all of the information.

My understanding is that the permit is provided, I believe, to First Kaska. I can follow up with some other information about other opportunities for folks who are running businesses to go in and cut — who are outside of that one indigenous corporation and what the other opportunities are for folks in the area in southeast Yukon — and get that information back.

Yes, I was referring to the fact that I just know — in a briefing that we had, the acting director had mentioned that there's a permit there, but it wasn't being fully used. That is what I remember.

Both the member opposite and I — and we touched on this yesterday — have been working to try to — I believe it's one of the member opposite's constituents and one of the folks whom I have been trying to support — we have been pretty active in that. When I left here last night, that's the call that I was making on the way home. That's really about trying to access the sawlogs. Maybe we can get into a little more detail on that and what's happening around Whitehorse, but my understanding is that most of the wood that's coming from Watson Lake is wood that's being used for firewood.

I think we're seeing sawlogs coming from places that are closer to Whitehorse. Now we have some stuff happening on some of our firesmattered areas between here and Teslin, and I can speak to that. I would probably have to do a little bit more research on where the rest are — but that's my understanding — that it's mostly firewood and it's coming out and moving as far as — I talked to some folks this week, and they said that it's moving as far as Faro, if not further, at this particular point.

Mr. Kent: I appreciate that, and hopefully the minister is able to arrange a time to meet with the Watson Lake Chamber of Commerce as soon as possible in the new year or perhaps at some point virtually before then.

That said, I do want to touch on the Whitehorse and Southern Lakes Forest Resources Management Plan. I have the first few pages of the plan here that was recommended in 2019 by a working group of officials, I believe, with Kwanlin Dün, Ta'an Kwäch'än, Carcross/Tagish First Nation, and the Government of Yukon.

I am curious, though — we're a little over a year since this recommendation was sent. I believe that the minister, during a Question Period response earlier this Sitting, did mention that there was one of the parties that they were still working with to get them to sign on. If he's able to, I would be interested to know which one of the First Nations that is — or perhaps it's the Government of Yukon — but which one of the First Nations it is.

With respect to that plan, as well — I know that it says here that the first priority, after it's accepted, is to establish an implementation agreement and identify areas for timber harvesting and fuel abatement.

I think that there are only three active timber harvest plans in this region. There is one at Lewes Marsh that is currently going through the YESAA process. There is the Marsh Lake timber harvest plan, which is nearing the end of its life, I think, for sawlogs. There is also one at Lubbock, which is currently undergoing a licence renewal by another operator. I know that there are a couple of small mill operators that supply a lot of the local product to retailers and others around town. One that the minister referenced is a constituent of mine, then there is another gentleman who works down in the Lubbock THP, and I have seen some correspondence from one of the local retailers to the minister about that project as well.

I am curious with respect to the south Yukon plan — when the minister expects — or if the minister expects — all the parties to agree to it so that implementation can start and if there is a timber supply analysis done for the region or additional

timber harvest plans being contemplated for this Whitehorse and Southern Lakes forest management region.

Hon. Mr. Pillai: The outstanding signature is with the Carcross/Tagish First Nation — there was some planning, I believe, underway by Carcross/Tagish. A multitude of First Nations have done some First Nation planning — usually very close to their primary community. I know that work has been done in Haines Junction with Champagne and Aishihik First Nations as well. I think that there were policy concerns. It was a valid conversation where some of the folks — I believe that, in Carcross, it is the Land Management Board. Each clan has one or two representatives who sit in that group. There were some conversations that have occurred. I think that our team has done a good job reaching out and ensuring that those two pieces of work can coexist.

When we think about access to fibre and the work that Community Services has been doing around the member opposite's riding in the Mary Lake area — when you take into consideration the magnitude of fire mitigation that has to be done — even that alone, you're talking about some very significant amounts of fibre. This summer, for instance, I think First Nations fire did — I believe it was like six hectares, something in that range. Then of course there has been another contract that has been let.

I think, first of all, part of our focus is to ensure that we know — working with the branch, working with Community Services, and working with the private sector to understand what exactly is available there. Some of that is more extensive work on ensuring that we bring in technical professionals to understand what's there for fibre. Are there sawlogs? Is it just firewood? Those things that are really important. I think we have to — as a group, we're really focusing on having the two departments work together and take a look at that. It's going to be first.

The reason I bring that up is because I feel good about moving toward signing. I had a discussion with Chief Dickson and my sense was that the chief was going back to talk to their technical teams, but I'm hoping to see this done pretty quickly. I want to be open to the Assembly and say that, before we were dealing with COVID, I was hoping that we would be concluding that work in the spring of 2020 and now we're coming to the end of 2020. So, I'm hoping that this work will be concluded and that we can start to implement.

I don't think that's going to necessarily preclude us from having other areas where we can access fibre. I did discuss with the First Nation some work around the Lewes Marsh, and I know that at least one entrepreneur and operator has gone out and had some discussions. I think that they brought out government officials and just sort of showed what the treatment would look like in that particular area.

I think it's important to share with people — and anybody who has discussions with some of these folks — and I think probably for myself and the members opposite — one thing that I was pleasantly surprised at is — I think a lot of people maybe don't know, but these operators are harvesting just outside of town. In most cases, the treatment that they're using is quite minimal, really — when you're looking at a track skidder

having basically a towline cable to pull out the trees. Then what they're doing is they're using those saw logs, but the saw logs are being — in most cases, they're going to one of our local hardware and wood supply stores just outside of town. It is a great situation. I think what has happened is that this particular operator has stated that they will take as much wood as they can from these operators.

You don't get a situation very often where the value added is happening, and then that wood is being transported to the retailer and the retailer, in some cases, is only miles away. So, you're not shipping wood from another jurisdiction, and then, in turn, we know that there has been a real run on wood and supplies this year because people have been home and wanting to do home improvements, so there has been a real demand.

Again, these folks — people don't know, maybe, that they're out there operating, but they're buying wood that has been delivered from just miles away.

I did receive that e-mail concerning the Lubbock area, and I think that there was some concern around the fact that the operator was being asked, I think, to move some of the infrastructure that was there. I have requested to look into that. I don't have more information, other than that. There are some of these spots that are going through environmental assessment or renewals for the permits. We're just closely watching that. Inevitably, we'll see those decisions come from an environmental assessment, and they'll go to the technical teams to come up with decision documents.

Other than that, I think that gives a bit of a picture — looking to implement after the signature is done. My sense is that — what I'm being informed of — is that we're pretty close here on that signature, so it will be in 2021 — looking to do the work and implement. Again, I don't want folks to think that this is going to stop us from being able to go into some of these areas between Whitehorse and Carcross/Southern Lakes and still be able to cut, because we have another very significant amount of wood that we have to deal with just outside of town. It's the right thing to do, and it's going to help us with our biomass.

The annual allowable cut limit in southeast — just for the record, and I'll get back on how much is used — is 128,000 board metres. That's what it is, but I'm going to find out exactly how much — hopefully today, and if not today, we'll get back to you — of that 128,000 metres is being used on annual time.

Mr. Kent: That 128,000 cubic metres is for southeast Yukon.

I don't think the minister caught this part of my question about the Southern Lakes piece, but is there a timber supply analysis or additional timber harvest plans being contemplated for the Whitehorse and Southern Lakes Forest Resources Management Plan?

Hon. Mr. Pillai: One of our next steps will be the timber supply analysis, so that work still has to be undertaken. What is important for us to decide is how we are going to do that work. This has been a discussion that has been quite live, so the question right now will be: Are we going to work with proponents? In some cases, proponents have gone out and have hired their own technical expertise to do that timber harvest

analysis. Our branch has the expertise to do it. Sometimes the branch goes out and accesses others who will do that work. Community Services does the same.

What I hope to see is that we are becoming pretty client-centered and understand that working with those folks who are in that industry and trying to make sure that we can get them the best possible information — whatever that route is going to be — so that they understand the most efficient and effective way to get in there and get the type of fibre that they need. Of course, we are talking about firewood; we're talking, in some cases, about material or fibre for biomass and, in other cases, things such as sawlogs.

Mr. Kent: I wanted to touch quickly on the fuelwood or the firewood aspect. We did talk yesterday — and the minister referenced it again today — about how quite a lot of the fuel wood — not all of it, but a lot of it — that comes into the Whitehorse area and other areas is being hauled out of northern British Columbia, right across the border. On the Stewart-Cassiar, there was a substantial fire there a number of years ago, and I think that is where a lot of the fuel wood is being accessed. An operator and a constituent of mine who operates in the Mount Sima industrial area is getting supply out of there, as are others. There is some coming in, of course, from southwest Yukon in the Kluane area, as well.

But just given the fact that firewood — just looking at the last campground contract, for instance — from northern British Columbia is being hauled as far north as Dawson as part of that, I am curious if the minister or his officials in the Forest Management branch are looking at additional areas for fuel-wood supply, especially given some of the fires that were close to existing infrastructure and on public lands — if there is any work being done on that so we can get fuel-wood supply a little bit closer to some of the communities that require access to that firewood.

Hon. Mr. Pillai: People in all communities that are accessible to Yukon highways have access to fuel-wood harvesting areas on public land. The Government of Yukon continues to identify and develop new areas for cutting fuel wood in addition to the areas already in place.

In the Whitehorse area, a new personal-use fuel-wood area has been made available to the public within the Little Fox Lake timber harvest plan. Several developments have occurred in the Dawson area to increase access to timber. A new forest resources road within the French Gulch timber harvest plan was completed in September, enabling access to both commercial and personal fuel-wood opportunities. Two new personal fuel-wood areas are now open within the French Gulch timber harvest plan.

We work collaboratively with First Nations and the Yukon Wood Products Association and with the local woodcutters to provide a secure wood supply for commercial operators to support their businesses.

We are exploring strategic harvesting programs that will reduce the risk of forest fire around our communities and increase fuel-wood supply for Yukoners. We have partnered with the City of Whitehorse on a new pilot project to encourage

harvesting in specific areas to make more fuel wood available and to reduce forest density around the city.

This project began in July 2020 and is expected to run until July 2021. We are pleased with the initial response and uptake to this pilot project. Thirty personal-use fuel-wood permits have been issued so far, representing a total harvest of up to 750 cubic metres, which is about 330 cords of firewood.

We are also committed to developing opportunities for accessing forest biomass — whether it is for heat, energy, or other uses — through forest management planning industry engagement. We are collaborating with the Department of Highways and Public Works on this initiative.

We are working collaboratively with the Department of Community Services on fuel abatement treatment projects to encourage greater fibre utilization. To add to that, as the member opposite said, we have this extensive mitigation that has to be done with communities across the Yukon, and we think that there are some real opportunities there to extract and harvest. Then, here in Whitehorse, even that work that was done last year — I think it was about 250 cords that were pulled. It is pretty substantial when you think about all the permits — the 250 cords that were pulled just out at Mary Lake.

We really just touched on that area, so some of that work was done with First Nation fire. I think that we are looking at different types of treatment as well, where we have the opportunity to potentially do a more mechanized process, which will give us the ability to more quickly pull wood out of there.

We are developing a pilot program that will provide funding for certain forestry planning and construction activities. We are also working collaboratively with the Department of Community Services and the Ta'an Kwäch'än Council to develop a management plan to clean up and utilize blown-down trees from a wind event that caused a significant disturbance in Deep Creek. We touched on this a little bit yesterday, Mr. Chair. That alone is extremely extensive. I know that Community Services has already gone in there. They have brought their FireSmart specialists. They have done a bit of work by analyzing what they believe is there for fibre. I think that it goes all the way to Kusawa.

I think that they are also in the midst — I think they are going to do it on Friday; they haven't had a chance yet — of getting ready to take a drone over that entire area. That drone will give us an even better sense of what is there. We might have to prioritize some of that cut. There is a lot of wood there. There are thousands and thousands of trees that have been blown down just from that one windy afternoon we had. Inside some of the most populated areas, there is extensive opportunity.

The only other piece I would add is that I think that there are opportunities for cutting fuel. We are trying to ensure that most of our woodcutters are close. There is just a difference between entrepreneurs and the business relationships. Some of those bigger contracts are with the Department of Environment and provide fuel wood to campsites. Now the company that was doing it last year has been acquired by somebody else. They are, of course, making different business relationships and there

are different people who are selling wood to them from Watson Lake and locally. I know that the demand is still there, but I do believe that there are people cutting close to town. I don't think that the only place we can source the wood is out of the southeast. I think that some of those entrepreneurs who have real investment in that type of work are primarily based out of southeast Yukon. Some of the folks who are local have stopped cutting. One of our top three cutters went back to university and is now doing a degree in commerce. He is on the Dean's List instead of being out cutting. There are other folks who like to keep it pretty small. They have retired from their previous occupation, and now they're just cutting.

Again, I just want to say, I think that there's wood that we are making available. The branch is putting in the infrastructure, so I don't think necessarily the fact that wood is going all the way to Dawson — I think it's because there are entrepreneurs who are really good at what they do, and they have opened up a bunch of different markets.

Mr. Kent: I kind of wanted to move on to some different topics, but I do have a couple of other questions on forestry, but I'll save those and send them in a letter or perhaps in a written question that I'll table before we're done, with respect to commercial use and amounts available for commercial cutters versus the personal use areas that the minister identified.

I wanted to switch gears now and talk about abandoned mines for a little bit. I know that there are a number of abandoned projects that the Yukon government still maintains responsibility for, but the first one I wanted to talk about was Faro. I know that the federal government took responsibility for that back a couple of years ago now — or three years ago — however long that was. I'm just curious as to if the minister can provide us with a status update on the contracts at Faro.

I know that there was a substantial one just done, I believe, for the diversion of one of the creeks. I think it was Rose Creek — I'm not 100-percent sure. I know that contract is wrapping up or is completed now. I'm curious as to when some other contracts might be let with respect to the Faro mine. I think the final remediation plan is going through the environmental assessment process right now, so hopefully we get an opportunity to see that completed soon so that remediation work can be continued and hopefully completed — with ongoing monitoring, of course — at that mine site.

Hon. Mr. Pillai: The Government of Yukon is pleased that the Government of Canada is able to undertake urgent works and other improvements to address the water quality concerns at the Faro mine site. We actively participate in the governance, as the member opposite touched on, at the Faro project and we provide regulatory oversight as the project progresses toward remediation.

The Government of Yukon's role is to ensure the long-term protection of human health and the environment and that Yukon First Nations and Yukon communities benefit from the urgent works construction activities from the remediation project.

In August 2020, the Government of Canada and the Government of Yukon signed a transition agreement that

clarifies roles and responsibilities on how to deliver Faro mine remediation.

I am just going to go through a timeline to answer some of the questions from the member opposite on the care and maintenance. In 2018, changes in roles and responsibilities were implemented to ensure uninterrupted services at the Faro mine site. In May 2018, the Government of Canada assumed responsibility of care and maintenance operations. In July 2018, the Government of Canada awarded its interim construction manager contract to Parsons to oversee urgent works and sight upgrades.

As the interim construction manager, Parsons, I think, was issued nearly \$60 million in contracts for urgent work projects to date. Pelly Construction, in partnership with Dena Nezziddi Development Corporation of Ross River, was issued a contract estimated at \$44 million for the multi-year North Fork-Rose Creek diversion channel realignment. In October 2020, the North Fork realignment project was completed and clean water is now flowing through the channel.

Other urgent work projects include upgrades to the Cross Valley water treatment and electrical improvements across the site.

Other Yukon companies benefiting from contract awards include C McLeod Contracting, Mercer Contracting, Norcope Enterprises, and Cobalt Construction.

Several companies working at the Faro mine complex have signed joint venture agreements with local First Nations. For example, Tu-Lidlini, a Ross River Dena-owned company, supplies fuel at the site.

In July 2020, the Government of Canada initiated a procurement process for the main construction and care and maintenance manager by issuing a request for information. The request for information includes an optional pre-tender Faro site visit that was scheduled for September 16.

I just asked the officials — to answer that question, I think that's concluded. I have a sense that there might be some work extending on for a little while with Parsons. Then the bigger piece of work — and the bigger piece of work, which is a very significant piece of work and is the substantial amount — my sense is that it's getting close for them to put that out. I don't have a date. I've just checked with officials. We don't have a date on when Canada is putting it out, but I know that it's very substantial. We understand it to be the bulk of the rest of this work. As the member opposite knows, if we do the calculations — I'm probably putting myself out a little bit on this. I think that about \$1.3 billion was the total cost. We're talking a very significant amount of money. If we add up the work to date, there has probably been hundreds of millions, and now we're talking about the remainder of that work that is still coming.

I think there will be a lot of interest on that because this is something that, when you start to talk those numbers — what we've all tried to do is to just make sure that we're trying to get as much local impact as possible. We're happy to have Pelly there and all of these other companies that are working. This other contract that is coming out and is going to be let by Canada is probably going to garner a lot of attention — that's my sense — at the highest level for the general. Probably some

of the bigger firms in the world are going to be likely competing on this.

We're going to talk a bit about abandoned mines here, and these projects that have been moving along for a while are going to have a really substantial impact on our economy. Whether that's in Carmacks, Dawson, Mayo, or Faro, the monies are in place by the federal government.

We are in meetings in Ottawa — the day that I remember hearing that the abandoned mines budget had passed about a year and a half ago, for all of the north, including our projects here.

That's a bit of background on the care and maintenance piece of this.

Mr. Kent: Moving over to the Ketzá project for a second, I know that there was a clause in the devolution transfer agreement where the Yukon government had to pay a fairly significant amount of the initial design expenses for remediation. Has that work started? Can the minister provide us with an update of exactly how much that is going to cost Yukon taxpayers when it comes to the Ketzá mine?

Hon. Mr. Pillai: I'll just touch on three different pieces of information here. The work at the Ketzá River mine site for 2021 is budgeted at \$3.49 million. That was a budget that we put through for care and maintenance, monitoring, and project management. The Government of Yukon contracted Boreal Engineering Ltd. to provide care and maintenance services, and that's going until the end of March 2021.

The approach to remediation planning at the Ketzá site is significantly different from that used at other type 2 sites, which was alluded to in the question. An MOU has been signed by Yukon and the federal government to establish an approach for remediation by using an independent assessor.

Activity there, of course, took place after devolution and was not the same as our other type 2 sites. It was really trying to figure out whose liability it was. Was it Yukon government's or the federal government's? Inside of that, by using an independent assessor to outline pre- and post-devolution liabilities and assign responsibility to each of the governments and develop a remediation plan for the site to set a standard — and review care and maintenance costs and determine eligibility for the Yukon government to be reimbursed by the federal government — the member opposite is correct that we did have to lay out some dollars, and we are waiting to see what that will look like.

The independent assessor is going to be selected by both governments and affected First Nations. We have primarily had discussions with the Kaska, but also pretty significant conversations with the Teslin Tlingit Council on the activities that are happening there. I have to check — maybe also the Selkirk First Nation, but the conversations that I have seen have been mostly with Ross River and the Teslin Tlingit Council.

The Yukon government will be responsible for payments of an independent assessor, currently estimated to cost \$5 million in total. Indigenous and Northern Affairs Canada has agreed to contribute up to \$750,000 toward the advancement of the design. Indigenous and Northern Affairs Canada will be responsible for the costs associated with the finalization of the

remediation plan, completion of an environmental assessment and permitting, and implementation of the remediation work for those liabilities identified as pre-devolution.

A bit more background: Since 2015, the Government of Yukon has been responsible. We have touched on that. Fast-forwarding, the Government of Yukon — we talked about Boreal Engineering, which we have in place for March 2021. In their role as care and maintenance contractor, Boreal Engineering has entered into a lease agreement with Dena Nezziddi, which is the Ross River Dena Council development corporation, to lease a 15-room camp for an 18-month period. A public tender process is planned for the fall of this year and beyond for 2021. A contract was issued to Cobalt Construction as well, through a public tender process, in June 2019 to replace one of the five bridges along the Ketza access road. Installation of the bridge was completed in September 2019, and a public tender process is planned in 2021 to replace bridge 4.

Yes, so it is — it's Kaska and Teslin Tlingit Council that we have been in discussions with.

I believe, to answer those questions, a little background — a lot of the work is still underway. We know we have that commitment, and we have to put \$5 million out. For both governments, it's not until that assessor has really completed their work that we're going to have a real sense of what the true costs are for both Canada and the Yukon at this time.

Mr. Kent: I was looking to get some updates on some of the other projects that the Yukon still has responsibility for, but I want to be mindful of the time here today, as there are a number of things I want to touch on. If we do have time, I'll come back to them. But my last question with respect to assessment and abandoned mines, looking at the 2020-21 mains — and I stand to be corrected by the minister if my numbers are off — but it looks like, for assessment and abandoned mines, there is \$15.352 million in expenditures, with recoveries from the federal government of \$9.67 million. So, that leaves us with a fairly healthy deficit when it comes to what we're expending on assessment and abandoned mines and what we're recovering from Canada on that line item. So, I'm curious as to if the minister would be able to just perhaps explain that deficit for us here today, and where those dollars are being spent.

Hon. Mr. Pillai: The Assessment and Abandoned Mines branch — we didn't have a chance — it was the very last day, and we were wrapping up here in the springtime, so we didn't have an opportunity to go through some of these key points on the EMR budget. So, I'm going to just read back through, and it should give us a pretty good sense of that \$15.4 million that was touched on.

The Assessment and Abandoned Mines branch directs and oversees remediation of type 2 mines in accordance with the devolution transfer agreement. This includes — so, these costs were for planning, design, and construction of remedial solutions, as well as ongoing care and maintenance, as works that are supported by the annual Canada funding agreements.

The total operations and maintenance estimates for the branch are \$15.4 million, with \$1.8 million covering the 18 full-time employees.

The \$13 million for operating and support costs includes \$2.2 million in Yukon government funding for the independent assessor work at the Ketza mine site as per the devolution transfer agreement — it is anticipated that we are moving to complete that work now; \$3 million is for the Wolverine mine water treatment work; and \$7.7 million in federally funded expenditures for Faro, Mount Nansen, Clinton Creek, Ketza, and United Keno Hill.

There is also \$516,000 in transfer payments provided to affected First Nations and the Town of Faro for their participation in type 2 mines clean-up activity. Government of Yukon funds \$50,000 of that and the remainder is federally funded at \$466,000.

So, with some minor exceptions, the federal government is funding all of the work, including personnel on the five type 2 mines as follows: Faro — \$1.3 million; Ketza — \$3.5 million; Mount Nansen — \$2 million; Clinton Creek — \$2.8 million; and United Keno Hill — \$50,000. That is the breakdown of the \$13 million.

Mr. Kent: Thank you; I appreciate that. I thank the minister for indulging me on some questions on the mains that we didn't get a chance to talk about in the spring.

I do have some questions now on the energy side of things. I just wanted to go back to a couple of platform commitments that the Liberal Party made in 2016 around energy. There are two in particular that jumped off the page at me. One was “working with communities and the utility companies to convert all street lighting to LED”, and the second one was to “pursue federal funding for energy research”. So, I am just kind of looking for an update from the minister on those two commitments that were made in the 2016 Liberal platform.

Hon. Mr. Pillai: Some of the work is led through Yukon Development Corporation, some of the work is work that we are doing here, and sometimes we partner up between both. First in the platform — from a standpoint of leveraging federal funds — and I'll talk a little bit about energy efficiency initiatives, which is really part of the work. Shane Andre and folks — and of course ADM Abercrombie is here — they have done an exceptional job of going out and getting the federal money to do some of that work.

I would say that, if I look at specifically that platform commitment — both of those that we've touched on — one, I have to think about our work where — it has not actually been through Yukon Energy. What we've done is we've done it through — or not through Energy, Mines and Resources, but through Yukon Energy.

We're lucky enough to have a PhD that specializes and is really focused on energy in the north. What we have been able to do on that project to be able to help communities is go out and have a research centre at the university. The individual who is there doing that work is supporting all three territories, but has done a tremendous amount of work in the Yukon.

All the utilities have contributed across the north. So, he is working pan-territorially, but he has also been key — I'll give you a couple of examples — to meet that commitment. When we were doing the work early on — where we were getting the finalized work on the independent power production — not the

actual policy work, even though he has an opportunity to put some interventions in on that, but more around — I'll give you the example of Old Crow.

You have the Vuntut Gwitchin at the table and you have ATCO at the table — because they're the folks who are there currently supplying the energy needs and now they're negotiating the purchase of that energy. So, having Dr. Michael Ross — to have him be able to come in and help through that work — we've been really lucky — a pretty unique situation — great because of the university playing a role in it and really focusing on the research side of things.

That's some of the work we've done. I will say, on other energy efficiencies — again, Government of Yukon's popular energy efficiency initiatives are successfully encouraging Yukon residents and local businesses to conserve and reduce energy.

I think that we have completed the work in Old Crow — and I'm mad at myself that I can't remember — I think the LED conversion at Old Crow is the equivalent to — I want to say 5,000 litres of diesel. But then you have to take into consideration the cost of flying all that diesel in. So, it makes some pretty substantial changes. It might come up here in some of my notes.

Teslin — again, another spot where we've gone in and now we're seeing some of the new lights that are coming out that are converting and some of the new highway work that is done and the LEDs that are there.

I'll just go through a bit of this and then I'll see if I have any other information. I'll commit to — when we get into debate for Yukon Development Corporation, where we've used some of our funds through IREI to offset that cost in conjunction — I'll make sure that I have a better scan of all of the communities.

To date, for residential — participants in the residential energy efficiency rebate programs have saved enough energy to power 4,273 average Yukon homes for one year. They saved \$13.8 million in energy costs and avoided emitting 55,140 tonnes of greenhouse gases. Heating accounts for about 21 percent of Yukon's total greenhouse gas — so of course this is pretty substantial. I just want to go through this because there is a lot of great work that is done by the Energy branch. They're so busy on so many of these programs.

As of August 2020, 32 commercial and institutional projects were completed through our energy retrofit program, significantly reducing their greenhouse gas emissions. Thanks to the Government of Canada's support, we're offering a retrofit program for local government buildings. This program focuses on improving the energy use in larger buildings, like community centres or main administration buildings of First Nation communities or municipalities.

We want to acknowledge that these incentive programs are funded in part through the Government of Canada's low carbon economy leadership fund. Our programs are assisting Yukoners to meet our climate change commitments, lessen our energy consumption, and increase our use of renewable energy — and ultimately sustain and protect the Yukon's environment.

I'm just going to see if I can get any other key data points. I think I'll leave it at that — anyway, a couple communities that were there.

I think we've been able to illustrate here that the branch has done a really exceptional job of being able to leverage money. Working with the Minister of Community Services through their bilateral relationships and fulfilling that commitment of having an expert here based at our post-secondary institution who is not only helping support communities in Yukon, but is working on helping with the development of microgrids pan-territorially — so, it is really key work.

Mr. Kent: Just a couple more questions on the energy side of things. I know that in the *Our Clean Future* document, there are a number of electric vehicles that the government is hoping to have on the roads by 2030, I believe. I am curious as to if the minister has some baseline on how many electric vehicles are on the road now and if he could perhaps remind us what the goal is in that climate plan to get to with respect to electric vehicles.

I then just wanted to ask a quick question about whether or not the minister has an update for us — I know that, in the early stages of the current government's mandate, there was an IPP proposed for a wind farm on Haeckel Hill by a company. I haven't seen anything recently by that company, so I'm wondering if that project is still active or if the minister has an update on that project for the House today.

Hon. Mr. Pillai: If the member opposite would give me a little latitude here, I'm just going to go back and answer a few questions concerning the LED conversions and some of the work that we've done.

Out in the communities — for the record, there are: the Na-Cho Nyäk Dun First Nation government house conversion to LED lighting, building controls, and door sweep seals — so not only street lights in communities, but also in some of the bigger buildings; the Champagne and Aishihik First Nations main administration building door seals, occupancy sensors, roof insulation, boiler adjustments, AC replacement, ventilation, heat recovery ventilator, and insulation upgrade; White River First Nation door sweep seals, programmable thermostats, LED lighting, insulation upgrades, and heat recovery ventilator; Selkirk Development Corporation Selkirk Centre door sweep seals, LED lighting, occupancy sensors; and the Village of Carmacks municipal administration building windows, occupancy-based thermostats, variable flow devices, door seals, pipe insulation, LED lighting again, and air-handling unit upgrades.

I just think it is important. This is a lot of work here by folks. So, there is Lumel Studios' solar project completed as well. That was the same with the branch — and that was a project to install a new PV system expected to supply 26,950 kilowatt hours of electricity per year. The system was completed in June of 2020.

There was the Whitehorse Curling Club solar project as well — again, it was a big one with a PV system for about 76,000 kilowatt hours of electricity per year on that one, for a rebate of \$40,000. The Guild Hall — another one — 3,768

kilowatt hours that will be saved on that particular project. Whitehorse Cross Country Ski Club upgraded its trail lighting with the help of the good energy program — 13 lights were converted to LED, saving 5,306 kilowatt hours of electricity per year. The ski club received a grant of almost \$4,000. Yukon Spaces — an upgrade to Dawson Lodge, completed — so, this was the project that involved upgrades to appliances, controls, lighting, insulation, HVAC — these improvements are expected to save just over 200,000 kilowatt hours of energy each year. The Yukon Spaces received a rebate of just under \$30,000.

High level — Village of Haines Junction St. Elias Convention Centre — work being done right now — the same types of work. The Village of Haines Junction recreational complex; the Village of Teslin municipal centre — this is again controls, LED lighting — the Village of Mayo community centre; Kluane First Nation main administration building; Na-Cho Nyäk Dun, Bedrock Motel; Tr'ondëk Hwëch'in Community Hall; Tr'ondëk Hwëch'in First Nation community support centre — almost all of these have LED lighting as part of the scope of the work. The City of Dawson — some of that work is still underway, which is City Hall and Gertie's and the public works building; Selkirk First Nation main administration building and capital works building — so, energy audit reviews are being done now, and that will help define some of the scope of that work — Little Salmon Carmacks First Nation health and social services centre and services building; and Carcross/Tagish First Nation main administration building and capital works. So, there is very significant work done in that particular area.

When we talk about electric vehicles — part of what we have done is we have added two more DC fast chargers that were installed December 1 in Haines Junction at the Da Kù Cultural Centre and one at the Army Beach day use area in Marsh Lake. These two units will bring the territory's total number up to five and help extend this. I think that we might even have more at this point — I can go back and check — but a very significant number of electric vehicles. We have five chargers right now — three installed, two in Whitehorse.

So, the Energy branch — talking about *Our Clean Future* — what our current number is and what our estimated numbers are. The Energy branch has good energy programs — broaden again our clean transportation, increase support for renewable heating systems for residential, commercial, and municipal clients. As of November 2020, the Energy branch has issued rebates for 122 e-bikes — there seemed to be a real run on e-bikes and we were hearing from the retailers that people were really buying them up — and 17 electric vehicles at that particular time. The target is upward of almost 5,000. We are talking about 4,800 zero-emission vehicles by 2030.

I have asked the Yukon Energy Corporation to provide the opposition with a bit of a rundown on their 10-year plan. That is important because, when you take a look at the increased demand — what does that look like? Are you getting people to buy electric vehicles and are you just shifting that demand back onto fossil, or do you have a plan in place that identifies assets that will produce renewable energy? They have put a lot of

work into their 10-year renewable plan. We know that the Yukon Energy Corporation and Yukon Development Corporation will be coming in as witnesses. There have been a lot of discussions in the House around what is happening there. I have asked them to send that out so that whoever is going to be asking the witnesses questions will have a real sense of the entire plan, and it gives a little bit more ability for the opposition to have more focused questions when the individuals come in to see us.

Concerning the IPP, a lot of this work is Energy, Mines and Resources, but also through the Yukon Development Corporation. What is important for folks to know is that the pricing mechanisms that we have used for the independent power production — the witnesses will come in. Probably mostly the Member for Lake Laberge — I don't get to debate, say, energy on this one. I have to commend the folks on the IPP, and I'll just touch on Haeckel Hill, but we priced it at the cost of thermal. We priced it at the cost of diesel.

I've heard in the House bigger conversations around how other jurisdictions paid a pretty significant price for that power. Ontario is one of the jurisdictions that gets reflected on in the House during debate. What we tried to do — because we were late in the country to be putting the IPP in comparably. We were the first territory, but it was new. One of the conversations that we had — there was some work done, but when we started to get to identify the mechanism and look at pricing, we said, "Let's take a look at what happened across the country. What are the best practices? Where have there been some problems?" That was really part of our focus when we built this. Then we did the pricing mechanism at whatever it is — it's just around 17 cents in the on-grid area, which is what we're paying to displace. So, we've built a good mechanism. Part of that also means that we've also contributed to some of the capital costs.

With Haeckel, to answer that question — yes, Haeckel Hill is there still. We've worked with the company and with Kwanlin Dün — Chu Níikwän, the partners — to ensure that some of the federal funding money that they've looked to use met the criteria. There was some simple stuff administratively that we had to work through to make sure that those funds could be used. Now we're there and we're looking at Haeckel. I had this discussion with somebody yesterday. I think we're looking at breaking ground this spring. That's just under four — I'll go through some of these quickly — some of the other ones that we have. Maybe I'll just go with that.

So, there are nine projects that have been advanced through the standing offer program and pre-application process. Three projects are unsolicited proposals. Only two projects have energy purchase agreements with the respective utilities. These are Solvest, north Klondike Highway solar energy project under the standing offer program, and the Vuntut Gwitchin government solar energy project under the unsolicited proposal program. Only the Vuntut Gwitchin government solar energy project is constructed and awaiting connection to the grid.

The policy is enabling energy projects in all four of Yukon's diesel-dependent communities — so we have the Vuntut Gwitchin solar project in Old Crow. The airport is constructed and awaiting connection to the community grid,

and the travel of technician staff to do the installation has been delayed. We were hoping to see that live at the end of July.

It was the plan to have indigenous leaders and others across the country — we were actually hoping to have the energy ministers from across the north go to see that good work, but that was held up.

The Kluane First Nation wind project again has broken ground and received regulatory. Part of what happened — this was work under the previous government — was that there was money put aside. I think that it was about \$1 million in Energy, Mines and Resources. We have been waiting to spend those dollars, but the problem is that the company that was identified to supply the hardware on the Kluane project went bankrupt. Those are the folks they were working with. I know that Kluane now is recalibrating. We are still committed to doing that work with them. We will probably use the Arctic energy fund, which fits that perfectly to be able to fund.

The White River solar project with Beaver Creek is at the pre-feasibility stage. We have done a lot of work on that. We have brought in the federal government and multiple Yukon government departments. Highways and Public Works has been at that table as well, ensuring that there are opportunities. Everyone has really been trying to put their shoulders behind that one. That is another one.

Liard First Nation is preparing to develop a significant renewable energy project as well. They have looked at different work from biomass to solar.

Another thing that I would like to put on the record is something that came up during Question Period. When you look at the bigger energy projects in the Yukon, there has been a lot of discussion about how you ensure that you are respecting chapter 22 when you're building the projects. Chapter 22 identifies the amount of equity that First Nations would invest in a particular project. It is 25 percent. Sometimes you would double it up or go down that route, but what is important is that, while we are looking at these energy projects, we are looking to have First Nation governments go out and build them. If there is assistance required, we are there to provide that — “we” being the Yukon Energy Corporation and others. When you commit to buy energy from somebody, that's also a liability.

We heard a lot about it today — and we've talked a little bit about our energy plans. But in some cases, just making a commitment to buy energy from somebody affects your debt. It's not that you are going out and borrowing a bunch of money. All that you're doing is making a commitment that you are going to buy potentially clean energy from somebody so that you can ensure that you have enough energy in your grid, but there is an accounting treatment that has to happen. I think that we will discuss that a bit more as we go through things. That is one of the reasons why it is important for us to have that room. We want to be able to have clean energy.

It doesn't matter what kind of energy you are buying, but if you are committing to buying energy from somebody else, there is an accounting treatment that has to be taken into consideration.

Mr. Kent: I appreciate the projects that the minister went through there. Apologies again if he did mention that

initial wind farm on Haeckel Hill. Has the proponent just moved away from that project, or is it still being considered and still being evaluated through the department or the Yukon Energy Corporation or Yukon Development Corporation?

Hon. Mr. Pillai: It is. We maybe added too much other stuff there.

It is moving forward — leveraged money in conjunction with Yukon Development Corporation. I have worked with the Minister of Community Services on that because our overall infrastructure funding sits with Community Services. So, yes, we are looking at that project — breaking ground in early 2021 when they can get up on that hill. The pieces have come together, and it is the same company that the member opposite might have spoken with, and Chu Niikwän is there as well, so you have a joint venture between them and Kwanlin Dün.

Mr. Kent: I just wanted to move on and ask some questions around some infrastructure projects that I believe are in the minister's realm of responsibility. Actually, I will check on this one first. The proposed Alberta-to-Alaska rail project — is the Department of Energy, Mines and Resources responsible for leading the government response, or is that being done through Economic Development?

Hon. Mr. Pillai: Wearing two hats, really, is how I have addressed that. From the standpoint of Economic Development, they reached out to our department. The member opposite would be aware that, previously, work on potential rail lines was done through Economic Development; it was funded through Economic Development. Some of that old work sits there, and our response has been that the proponents of this particular project should reflect on some of the work that was done at that point and the expert who worked on it as well — identifying who that expert is for the group and telling them that they should be reaching out to Minister Boland.

We have also spoken with the proponents. We had two proponents originally who were both looking at this. It seems that one has sort of become more advanced in their work and has hired folks to do this particular work. JP Gladu was one of the names that would come up — well known over the last number of years in aboriginal business, former CEO of the Canadian Council for Aboriginal Business. He's now sort of the lead. He has reached out to us.

We've tried to share with them important things that they should consider. First, whatever your plan is, you really have to get to those communities and have discussions with people. Understanding that COVID is in place, that has been difficult. I know that they want to get in and have those discussions.

Also, the route that was identified publicly — trying to understand how it is affected potentially by Dawson land planning or not. We said that there is a regional land planning process underway, that they should consider that, and that these are some things that they need to take into consideration.

The Alberta government has identified — I had discussions with the Minister of Infrastructure and then they have another individual who is an MLA. They have essentially said to that gentleman to sort of continue to lead that file and have discussions. It's really high-level at this point. But again, through both departments having the discussion — not getting

into too much detailed conversation, but just letting them understand that, if they need help getting in contact with particular folks in communities who would be affected, we can help. They've reached out in some cases directly, and in some cases, we've had a couple of First Nations that, upon hearing about this — at least one that I'm aware of — have reached out directly to them because they're supportive at a high level of what's being contemplated.

Mr. Kent: I think that the minister mentioned engagement with Alberta on this. Has there been any engagement by the Yukon government with Canada, the United States, or the government of Alaska?

Hon. Mr. Pillai: I'm flexible in the fact that — because we cleared Economic Development, but I think that it's still, as part of it, good to touch on.

With Alaska, the only discussions that I've been party to are with EDA. EDA is the economic development arm in Alaska. It essentially looks at all development. We are having conversations with that particular organization that are more focused on ensuring that we have port access in Skagway. We have been having a lot of discussions with them around understanding how they are going to deal with the fact that the port leases are changing hands. There is a real need for investment in Skagway. During those discussions, I did touch on the railway project with them. They didn't speak to a lot of it. They were aware of it, but those are the only discussions that we have had with Alaska.

Concerning Alberta, I think that there have probably been three discussions to date that I've had with them and one with the Minister of Infrastructure and subsequently with the MLA who is involved. My sense is that the Alberta government is very supportive of the project. My sense is that they are really trying to move this forward. I have not had a discussion with the Northwest Territories government at all on this particular topic. There was a bit of a switch and a new minister in the role. A lot of our work has really been around mining and trying to work with the federal government through this COVID time.

But there have been really high-level conversations. As we have stated, we are very sensitive to this. It is a conversation where we really have to see the project reveal itself. We haven't seen the scope. We know that they want to build a line. We know that they want to go to Alaska. We have asked some questions about why that line is going to Alaska and why that line wouldn't go to Skagway. Did they know we had a rail line here that actually goes to Carcross? There are different things to try to get them to think about and what this really means. For us, we are really concerned. We want to make sure that we have access to a deep-water port. Any of this that could spur extra investment, we think, is a smart part of the conversation.

Mr. Kent: I will have my colleague, the Member for Kluane, the Economic Development critic, follow up perhaps with the minister with additional questions on that project.

The other infrastructure project that the Minister of Highways and Public Works mentioned for us and that was shared responsibility with the Minister of Energy, Mines and Resources is the Gateway resource road project. I know that a number of new portions of that have been announced recently

and I think that the Carmacks bypass has received a recommendation from the environmental assessment board as one of the initial projects announced. But I just want to ask the minister — the project parameters were changed. Some of the projects are obviously not what was contemplated in the initial application. When I saw that new document, I did share it with some of the anchors of the initial roads — whether it was the Nahanni or the extension of the placer loops near Dawson or the road from Carmacks up into the Dawson range — and it seemed to me that they weren't consulted on the change.

So, I'm just curious as to if the minister did do engagement with them before making changes, or if that engagement just came after those changes were made to the parameters of that project application.

Hon. Mr. Pillai: I was made aware; I know that the information was shared. I had phone calls from all of the proponents, I believe, after the information was shared. I guess what I would offer up first to the member opposite — I am always available to have discussions about this, because in one particular case, after the information was shared — and as I had said to one of those proponents — they called me to say that they had cut their budget and there were going to be less Yukoners at work this summer because of the information they received. Then I had an opportunity to speak with them and let them know what the strategy was, and then, once we clarified that — I guess they would have had to go back to their board and have a discussion.

This summer, it was so important to make sure that every dollar that we had was out there. I wanted them to know that we would be committed to those folks. That's not something that we're wavering on.

What we've said all along is that if you have projects — there are three projects that are anchor projects. The Casino project — which is on hold, but it's in the YESAA system and it's an executive committee level assessment — so, a number of years in front of us. Under the last number of years, we're working on a timeline of up to 2025 at this point. I've stated it publicly that we would look at a potential extension on this if we had to. Then we have the Coffee project under Newmont — they're still waiting to complete that assessment. My sense is that Newmont is also trying to make some decisions about what they want to do. They might want to do further exploration before they move on it. Then our third project is Selwyn Chihong — and that's a really very big project. It has lots of different pieces to it. They're still trying to make some decisions about where they're going to go.

What we've tried to do is we've taken the scope of work that originally was there — which was really the roads to those three spots. At the time, I think the folks who worked on the project — and maybe the member opposite would look and say, "Look, these are the three key projects. There is other activity in these areas that we can open up." In early 2017, that's what was being contemplated. What we've also seen is some of those projects still progressing, but maybe not at the same speed as was thought in 2015. Other projects in other areas are starting to have significant activity.

What we've gone out and had discussions with what we'll call the three "anchors" is to say that we've always been committed; we said that all along. It wasn't like I was reaching out to any of those companies. We talked about the fact that we were trying to get flexibility, which we were able to receive to move some money. We shared with folks that if you're building Coffee or you're building Casino or you're building Selwyn — that the history of the Yukon government has been, if you're building a \$2-billion project and you have gone through assessment, you have a good relationship with that community, you have your QML — your quartz mining licence — in place, you have your water licence — whenever that happens, the Government of Yukon is going to be there to work with you.

What we have done in all those cases — in Carmacks with Casino — one of the first agreements was that bypass. We are seeing that movement start. We also had the announcement just a little while back — which is the second stage of that work. In the sense of Casino, we are seeing — let's say — phase 1 and phase 2 start to move. We are increasing the quality of infrastructure in that area and we think that this is really important.

We saw Casino share that information publicly in a very positive manner. They are doing a really good job of continuing to move their project. They raised about \$30 million and they shared that with us at the Monday Geoscience Forum. They continue to do their work and we are committed there.

When it comes to Newmont, I was on the phone just last week with their lead for Canada. The deputy minister and I had always met with the chief operating officer for Newmont Global. We met with him — that would be just over a year ago, in September. We sat down and had the discussion and said that we need to figure things out. We have a timeline on these funds and we wanted to have a sense of what they're doing. We are looking to allocate some of this money to different places. I would say that is consultation. We sat down with them on that discussion in Denver and tried to get a sense of where things were going. Again, this week, we talked to their Canadian lead on this and said, "Look, it's really important. We are going to try to gauge how you are moving your project forward." Again, there are other areas that I think we should probably try to use some of these funds for.

Again, with the Selwyn project — we continue to make progress. We have significant agreements that were signed with the Liard First Nation. The first agreement we signed was for that initial work on the Nahanni Road. We have two projects where they are actively moving it ahead and we are spending money on those roads. We have gone back to folks and I think we will be having more discussions in the new year. We still have a couple of negotiations that are underway. I think that we will probably save some of that information for the new year.

But really, we're just saying to folks that we are trying to make sure that we also have some of the overall package of funds in place as we see some people move forward.

I guess to say that we felt that we have been in active conversations — I mean, we could get into a more significant debate on this one, but I think that is what we have looked to. The folks did reach out to me afterward, and in the case of one

of the proponents, they said, "We just want some comfort around the fact that you're still supporting us and this project is there now."

It is important as well to touch on the fact that inevitably, when you have these agreements — whether it is Casino, Coffee, or Selwyn — I mean, our amendment was about flexibility. The amendment that was in 2016 was about what the First Nations' role would be on these projects, and the First Nations' role is — inevitably, you have to have a project agreement with the First Nation, which really means that the First Nation has to agree on what you are going to do on this road, so you are in full partnership on it. In some of those cases — I don't think that I will get into the specifics of which project, but in some cases, when we get to the table with the First Nation governments and we're saying, "Okay, we want to move this forward; this is the project" — they are going to have their own perspective. I will just leave it at that.

Prior to us being in government, when that was changed, that really is a significant piece of the negotiation. Your time is ticking on your project and you want to make sure that you make the best positive impact to Yukon, Yukoners, Yukon businesses, and the industry. At the same time, there are other factors, such as the relationships between those proponents and where they are going to go with their own board and their companies, those proponents, and the communities that they operate in.

That is a bit of information that, I hope, helps a little bit for the member opposite.

Mr. Kent: Just one more quick question before we leave that particular topic — the Minister of Highways and Public Works, I think — when my colleague, the Member for Pelly-Nisutlin, was in Committee with him — mentioned that there was still \$107 million included in here from the private sector. Initially, obviously, I think a lot of that, or most of that, would have come from the three "anchors", as we're calling them, but are there other private sector companies that are being asked to contribute with the changing locations for the projects that are encompassed in this overall funding package?

Hon. Mr. Pillai: What's important to understand about that is that, in all three cases, the private sector contribution to this project was — we'll say, for the previous anchors — was all last mile. The way it was formulated was that the Government of Canada and the Government of Yukon would both contribute to build the infrastructure, and then the private sector company would take care of that last piece, kind of, into their project.

There needs to be a project — right? You need to have a project that's being built. Those three projects are not being built yet. Actually, of those three projects, we're waiting to see one go through assessment, and the other two have a further journey, and then, once they have approved that — if you look at the timeline now, we're going into 2021. We have asked for an extension. The federal government seems to be giving us movement, so that's a good thing. It gives us more time to be able to stretch it. Being able to go back to some of the anchors that have aspirations of being — within that extended timeline,

we would be able to continue to work directly with them on this funding pot.

I don't believe that you know how much of that \$108 million that you get to use until a lot of things happen. Is there an agreement in place with First Nation government? Did you get through assessment? Do we have recommendations accepted? Do you have a decision document? Did you get a quartz mining licence? Do you have a water licence? All of those things have to happen.

I don't know when they would make that decision. The member opposite may have a better sense, but probably, when you're starting to at least work on your quartz mining licence is when you would start to make those decisions. You would be raising your money, and you would be getting ready to put that money into your road infrastructure.

It's hard to say right now how much of that \$108 million would be used, because we're still kind of pondering those other projects. We can still augment funds here and there from different spots, but that's what we're waiting to see.

At least a couple of other proponents have come to us and said, "Look — we need an upgrade." It's the same model. We're going back to different areas of the Yukon where there seems to be some really substantial activity. We're having discussions with First Nations because those are the partners the program has. In particular cases, we have contemplated having the private sector meet us to upgrade infrastructure.

Some of those negotiations are coming to conclusion, some are still ongoing, and some are live. I don't have a dollar figure of the contribution from the private sector, but I will say that we have had discussions with a few different mining companies, and we have discussed with them contributing funds in the same model that would happen with the first three proponents that were part of this proposal.

Mr. Kent: I'm going to just switch topics now, and I appreciate the amount of ground that we've been able to cover here this afternoon. I thank the minister for that.

I wanted to talk a bit about the wetlands policy now. I believe that this policy development is being led by the Department of Environment when it comes to the drafting of the wetlands policy. Obviously, a couple of areas that the Minister of Energy, Mines and Resources is responsible for are affected — of course, placer mining.

I'm just curious if the minister can tell us if he has any idea when this policy will be ready. One other aspect that I wanted to talk about was with respect to the agricultural sector. We were informed of a virtual meeting of the association back earlier this fall where it was said that the new wetlands policy will affect private land, including working farms, not just future farm projects.

So, I'm curious if the minister has any updates on the effects to the agriculture sector, and then if he has any idea on when we will see a final plan available for Yukoners to look at.

Hon. Mr. Pillai: Delivering a wetlands policy remains a government priority. We are committed to completing a policy that reflects Yukoners' perspectives and ensures that the benefits of Yukon's wetlands are sustained for all. Yukon's wetlands policy is targeted to be finalized in 2021. We find

ourselves in a complex situation, especially with the uncertainty of the willingness to travel and gather in larger groups and the need to give time and space to similar projects to take place — such as wetlands discussions by the Yukon Water Board — and consequently, we have decided to shift our policy development approach.

I think that it is important to touch on the early work that started this, I think, that was important, and we need to keep this continuing on — because it is probably the one time that I have heard from a multitude of people. Folks from the conservation side sitting with folks from the prospectors' association — and everybody getting to a place of common ground — I have heard that from all sides. So, people want to see this work continue. They were invested in it, they put their time into it, and they of course are motivated to see this work continue.

The seven full days of roundtable discussions have been valuable in crafting the draft policy so far. We believe that the safer choice is to shift our focus to bilateral discussions with our roundtable partners.

Our next step is to host an online public review of the draft wetlands policy, following these bilateral discussions, and commit to sharing how feedback is considered. The Government of Yukon will implement the final policy, following consultation with indigenous partners. We have been developing the Yukon wetlands policy with First Nations, transboundary indigenous groups, federal and municipal governments, industry, and other key organizations in order to develop a strong and consistent stewardship approach that reflects the values and interests of Yukoners.

We recognize that wetlands are essential for biodiversity, water filtration, climate change mitigation and adaptation, as well as for cultural and social connections. This policy is not designed to address site-specific challenges in wetlands areas — such as the Indian River, which has been probably the most focused topic around wetlands. It will provide overarching principles and guidance for decision-making throughout the territory and clarifying project assessment and permitting requirements. Those are some key pieces there.

I'm going to hold off, because the member opposite didn't focus on the Indian River — and I know that he's very well-informed on the Indian River. There might be some other questions, and if there are, I can go there.

On the agricultural side, I do owe a response back to the Member for Lake Laberge on two things, and I'll touch on them here because we're in Energy, Mines and Resources. The first one is the permit of last resort. I received a letter from the member opposite and I have endeavoured, through our departments, to make sure that I have that information back. We had a face-to-face discussion about it, and then there was a follow-up, and I need to conclude that. I know — I was chatting with some of my team members last week about that. I think that's being worked on.

Secondly, I don't have a substantial answer concerning how the wetlands policy development — the member opposite was asking — affects agriculture. The member opposite was asking questions on behalf of the Member for Lake Laberge —

and he is absolutely correct. We were at this year's agricultural banquet. It was virtual. There were a few of us — the Member for Lake Laberge and I had the opportunity to attend, and there was real concern. Folks were just trying to understand, in the agriculture sector, how this affects.

We owe that response and we will get back, and we did have some discussions the next day over the conference with individuals who are just trying to understand, in that sector, what this means to them. I think that there was some work done around the Lake Laberge area where folks have agricultural land that is sort of close to lakefront. So, you could tell that folks were very respectful and polite, but they definitely had some concern around just where this is going.

So, we'll get back on that one. Again, 2021 is when we're going to conclude this, and Environment is absolutely the lead. I want to be respectful to them and not predetermine the outcome of the work that they are leading, but we are also very invested in this, because it's important for how we're going to look at things from a regulatory perspective, moving forward.

Mr. Kent: I'm sure that the Member for Lake Laberge will appreciate the minister following up on those issues with him.

With that, Mr. Chair, that's going to conclude my questions on Energy, Mines and Resources here in Committee. Hopefully, we can get the department cleared here today. There are a few issues that I will follow up on with letters with respect to prospecting and class 1 notification, some of the regulatory concerns and the mineral development strategy, as well as issues around offshore oil and gas discussions and staking bans throughout the territory.

I thank the minister for his time today and I thank the officials for their time — Mr. Moore and Ms. Abercrombie. I wish everyone at EMR a healthy and safe holiday season and I'm prepared to clear general debate on EMR and hopefully clear the line items.

Chair: Is there any further general debate?

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

Mr. Kent: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried, as required.

**Unanimous consent redeeming all lines in Vote 53,
Department of Energy, Mines and Resources,
cleared or carried**

Chair: Mr. Kent has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 53, Department of Energy, Mines and Resources, cleared or carried, as required.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

***On Operation and Maintenance Expenditures
Total Operation and Maintenance Expenditures in the
amount of \$1,100,000 agreed to
On Capital Expenditures***

***Total Capital Expenditures in the amount of nil agreed
to
Total Expenditures in the amount of \$1,100,000 agreed
to
Department of Energy, Mines and Resources agreed to***

Chair: The matter now before the Committee is general debate on Vote 15, Department of Health and Social Services, in Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Hon. Mr. Streicker: Seeing the time, Mr. Chair, I move that you report progress.

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

Motion agreed to

Hon. Mr. Streicker: I move that the Speaker do now resume the Chair.

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

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

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:20 p.m.

**The following legislative returns were tabled
December 9, 2020:**

34-3-55

Response to matter outstanding from discussion with Mr. Hassard related to general debate on Vote 55, Highways and Public Works, in Bill No. 205, *Second Appropriation Act 2020-21* — Mayo airport lease (Mostyn)

34-3-56

Response to matter outstanding from discussion with Mr. Hassard related to general debate on Vote 55, Highways and Public Works, in Bill No. 205, *Second Appropriation Act 2020-21* — periodic motor vehicle inspector qualifications (Mostyn)

34-3-57

Response to Motion for the Production of Papers No. 21 re: Expenditures under “Operation and Maintenance — COVID-19 Response” in Vote 15, Department of Health and Social Services, in Bill No. 205, *Second Appropriation Act 2020-21* (Frost)

The following documents were filed December 9, 2020:

34-3-40

"34th Sitting of the Yukon Legislature Private Members Motions as of 8-Dec 2020" prepared by Hon. Mr. Streicker (Streicker)

34-3-41

"Rent protections during COVID As of December 2, 2020" prepared by Hon. Mr. Streicker (Streicker)