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HANSARD

Thursday, May 27, 2021 — 1:00 p.m.

SPECIAL SITTING

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2021 Special Sitting

SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Emily Tredger, MLA, Whitehorse Centre

CABINET MINISTERS

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

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

Kate White	Leader of the Third Party Takhini-Kopper King
Emily Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

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**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, May 27, 2021**

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of a change to the Order Paper. Motion No. 68, standing in the name of the Leader of the Official Opposition, was not placed on the Notice Paper, as it is out of order.

DAILY ROUTINE

Speaker: We will proceed with the Order Paper.
Introduction of visitors.
Are there any tributes?

TRIBUTES

In recognition of 2021 graduating class

Hon. Ms. McLean: I rise today on behalf of the Yukon Liberal government to recognize the students graduating from high school in 2021. High school graduation is a very important milestone for every student, their families, and their school communities.

Graduation celebrates many years of hard work and dedication to learning, growing, both academically and personally. It marks the transition into the next stage of life, starting or continuing post-secondary studies, trades training, a career, or accomplishing personal goals.

This year's Yukon graduates share the unique experience of having spent two of their senior high school years under the restrictions of a global pandemic. They spent the last quarter of their grade 11 school year learning at home, and Whitehorse grads spent much of their final year in a half-day in-class learning model.

We are pleased that all high school students were able to safely return to full-time in-class learning in April and to finish the school year with their peers.

Even more exciting, Mr. Speaker, Yukon schools will be celebrating grads in person in 2021.

I would like to thank the students, parents, guardians, families, principals, teachers, graduation committees, school councils, and Yukon First Nations that have found ways to recognize and celebrate our 2021 graduates while following health and safety measures and making sure to protect the health and safety of all Yukoners.

I am so pleased to recognize the many accomplishments of this year's graduates. We have been collecting stories from grade 12 students who are planning fantastic futures in spite of what is going on in the world. Some of our amazing graduates include Ivy Moran of Teslin, who is heading to farrier college and hopes to launch a horse therapy program in Yukon one day; Nathan Easterson-Moore of Burwash, who will blend his training in culinary arts and his love of culture and language;

Aden Horbachewsky, who has been awarded the prestigious Schulich scholarship and will pursue a PhD in astrophysics; Selena Peters, who has been accepted into the prestigious University of Toronto bachelor of music program.

I would like to commend all our Yukon graduates for the incredible resiliency, perseverance, and optimism that they have shown in completing their last years of high school through such a difficult and challenging time. I look forward to seeing how our entire class of 2021 will continue to make all Yukoners proud as they move into the next stage of their lives and make their marks on this new and changing world that we are living in.

Thank you, Mr. Speaker.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to pay tribute to some outstanding and incredibly hard-working individuals: the graduating class of 2021.

First of all, to our high school graduates — you did it. No more homework, assignments, deadlines to meet, no more alarm clock — you can sleep in a little bit. Thirteen years of math, projects, book reports, teachers, and friendships. Remember the valuable lessons that you learned along the way and take them with you into your next chapter.

In my culture, my Asian parents drilled in my brain that the only way out of poverty is education. Follow your passions. “The world is your oyster” is what I say to my three children all the time. Remember to thank those who helped you to get where you are today. Most of all, give back to the community.

To the graduates of Yukon University and those who have completed their post-secondary studies outside of the Yukon, well done to you as you head on to further studies or into the workforce. Each of you has gained years of knowledge and experience that can only grow from here. Be your best selves, and never stop learning.

I would also like to give special compliments to our younger grads, as there are a number of milestones being celebrated across the territory. We have kindergarten graduates about to start their journey through grades 1 to 12 and grade 7 graduates about to make the transition from elementary to high school. To all, enjoy your graduation days and your graduation celebrations. Be safe in those celebrations, and the very best of luck to you in the future.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to the high school classes of 2021.

Graduating from high school is always an accomplishment. This year, more than ever, I want to echo my colleagues in saying just how impressed we are by all of our grads. You have stuck with it through the last 15 months — a time like no other that has added new challenges and uncertainty to the already intense experience that is high school. I know that there are still a few hurdles left before you can breathe a sigh of relief, but you have come so far. You are so close, and we are all cheering for you. We are behind you as you take your final steps through high school.

I say “final steps”, but they are really the first steps of the next journey. I think one of the things that’s both terrifying and exciting about finishing high school is that your choices are suddenly wide open. There are a million paths forward, and they are yours to create. We are so excited for you. We are so excited to see all the incredible things that you will go out and do.

I’m not going to try to give you advice on what exactly that should be, because I never really liked getting advice on what I should do with my life. Anyway, you don’t need my advice. You know yourselves; you know what you want; you know what you need.

I am actually going to give you one piece of advice, and it’s really more of a request: Please, don’t be afraid to tell us, your political leaders, what it is you need. We want to hear your voices; we need your voices. As you navigate the world, tell us what’s working and what isn’t. For my part, I promise to listen.

We wish you all the luck and opportunity in the world. Congratulations to you all.

Applause

In recognition of Yukon Bike to Work and School Week

Hon. Mr. Clarke: I rise today to recognize Yukon Bike to Work and School Week, an annual event that showcases the many benefits of cycling and encourages those who don’t already to give it a try.

As you know, Mr. Speaker, Yukoners are renowned for being resilient folk, and nowhere is perhaps that more evident than among the territory’s cyclists. You would be hard-pressed to think of a more dedicated group of people. It can be in the dead of winter, a day that has yet to see the sun rise, and the temperature is solidly below minus 25 degrees, with epic ice fog setting a dramatic stage — yet there they are, the intrepid Yukoners, bundled up and making their commute by bike. This may be hard for some in warmer climates to comprehend, but it makes perfect sense to these Yukoners, because they understand, better than anyone, the wide-ranging benefits of cycling.

Riding your bike to work or school means one less car on the road and a smaller carbon footprint as a result. It means better physical and mental health. It means more money in your pocket because of fewer trips to the gas pump. It means, ideally, safer communities, with less traffic whizzing by on the roads.

As a government, we are doing what we can to support biking to work today and every day. We are incorporating more multi-use trails into all of our new transportation projects here in Whitehorse. We are also offering a 25-percent rebate subsidy for electric bikes, and we are already seeing strong uptake on that program.

We are closing unsafe accesses onto and off of the Alaska Highway, and we are installing new crosswalks at Hillcrest Drive, Burns Road, and Range Road to improve safety for pedestrians and cyclists alike. In short, we are taking steps to make cycling an easier, safer option for more Yukoners.

More livable communities, a healthier planet, happier people — what’s not to love about cycling, Mr. Speaker?

As Sir Arthur Conan Doyle, the famous creator of Sherlock Holmes and a Victorian cycling enthusiast, once wrote: “When the spirits are low, when the day appears dark, when work becomes monotonous, when hope hardly seems worth having, just mount a bicycle and go out for a spin down the road, without thought on anything but the ride you are taking.”

I couldn’t agree more. To those who already ride their bike to work or school, I applaud you. To those who are thinking about it, I encourage you. Do it for your health; do it for the environment; do it for the sheer enjoyment.

Applause

Ms. White: I stand on behalf of the Yukon NDP and the Yukon Party in celebration of Bike to Work Week and Bike to Work Day. Cycling is a viable means of transportation that offers real benefits to the community and oneself. Not only does cycling reduce traffic congestion and greenhouse gas emissions, but it is also a fun way to get some exercise and enjoy the great outdoors. Riding a bike is an opportunity to access your younger self and to be reminded of that first taste of freedom as you rode away independently. That independence is harnessed on a daily basis by those folks who bike to work and school, no matter the weather. As plenty of Yukoners will attest to, there is nothing like riding a fat tire bike to work in the dead of winter.

Making it easier to get around without a vehicle can also contribute to more inclusive and accessible communities by providing an affordable way to get from one place to another. Whether you are riding for fun, working on fitness, or taking essential trips to work or to shop, you are part of the movement for safer streets, connected communities, a healthier planet, and happier people.

As the Yukon adopted *Our Clean Future*, we committed to increasing active transportation by continuing to incorporate active transportation in the design of highways and other Government of Yukon transportation infrastructure near communities.

Challenges that we are facing here in the capital city include cycling infrastructure that hasn’t always been designed with cyclists and a motorist population that views cyclists as annoyances as opposed to legitimate road users. We have all heard stories shared by Yukon cyclists who barely survived their commutes because they were not afforded the respect that they deserve on the road. Mr. Speaker, this isn’t a cycling problem; this is a motorist problem.

So, as we celebrate Bike to Work Week and Bike to Work Day, I encourage everyone to recognize the value that cycling brings to our communities and to work hard to make cycling in the Yukon a safer and more accessible activity.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Clarke: I have four legislative returns for tabling.

Mr. Cathers: I have for tabling a copy of the British Columbia government's reopening plan, entitled *BC's Restart: A plan to bring us back together*. I had intended to table, as well, a copy of Prince Edward Island's reopening plan, but due to printer issues, I will send a link to members.

Speaker: Are there any reports of committees?
Are there any petitions to be presented?
Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 301: *Act to Amend the Taxpayer Protection Act* — Introduction and First Reading

Mr. Cathers: I move that a bill entitled *Act to Amend the Taxpayer Protection Act* be now introduced and read a first time.

Speaker: It has been moved by the Member for Lake Laberge that a bill entitled *Act to Amend the Taxpayer Protection Act* be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 301 agreed to

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

NOTICES OF MOTIONS

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

THAT it is the opinion of this House that the Yukon government should follow the example of provinces, including British Columbia and Prince Edward Island, by releasing a reopening plan that includes clear dates and benchmarks for ending pandemic restrictions and returning to normal life.

I also give notice of the following motion:

THAT this House urges the Minister of Energy, Mines and Resources to educate himself on the difference between riparian buffers that apply only to Crown land and his government's proposal to impose a riparian buffer on titled property beginning in the Shallow Bay area.

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

THAT this House urges the Government of Yukon to introduce a regulatory framework for psychology in the Yukon.

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

THAT this House urges the Government of Canada and the Chancellery of Honours, in recognition of the Platinum Jubilee of Her Majesty Queen Elizabeth II, Queen of Canada, to maintain the Canadian tradition of creating and awarding a jubilee medal to recognize Her Majesty's historic and

illustrious reign and also to honour deserving Canadian citizens who have made a significant contribution to their region or community during the COVID-19 pandemic or have otherwise made outstanding achievements that bring credit to Canada.

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

THAT this House urges the Government of Yukon to encourage active transportation to and from Government of Yukon buildings by creating and maintaining proper year-round cycling infrastructure and storage facilities.

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

THAT this House urges the Government of Yukon to ensure that every Mental Wellness and Substance Use Services hub is appropriately staffed to meet the needs of residents, including:

- (1) a mental wellness and substance use counsellor;
- (2) a clinical counsellor;
- (3) a mental health nurse; and
- (4) a child and youth counsellor.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to include the licensing of psychologists in the regulations under the Yukon *Health Professions Act* with the intent to establish, monitor, and enforce standards of practice.

Speaker: Is there a statement by a minister?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Mineral staking

Mr. Kent: Here are the things that we know. We know that the Liberals are letting the NDP co-write the new mining legislation and that it will be completed within 16 months. We know that the last time the Liberals let the NDP write policy for them, it turned into the disastrous rent control policy that one local economist has said is further left wing than Bernie Sanders.

We also know that the NDP posted on social media yesterday that they do not support free-entry staking and that it is time for it to go. What we don't know is if the Liberals will protect free-entry staking. While the mining industry is worried that this new legislation is going to get rid of free-entry, they have seen what happens when the Liberals take direction from the NDP.

Will the minister tell us if the Liberals will protect free-entry, or will they let the NDP get rid of it while they are writing our new mining legislation?

Hon. Mr. Streicker: During our last mandate, we rebuilt relationships that are essential to a positive mineral industry, and we will continue to strengthen those relationships to ensure that mining has a successful future in our territory. For a mineral industry to thrive in the Yukon in the long term, all stakeholders and affected parties need to work together. Building a successful future will take hard work, and we are committed to doing that hard work and doing it right.

I disagree with the Official Opposition's approach. I have been meeting with stakeholders, and I haven't heard a single miner who believes that fighting against First Nation governments in court is good for mining.

The mineral development strategy is the beginning of an important conversation that we need to have about the future of mining in our territory. I am happy to talk about this, as I have for the past several days. I am encouraged by the work that is ongoing with the mineral development strategy leading to successor legislation.

Mr. Kent: Earlier this month, the Yukon Chamber of Mines provided all three parties with a briefing document. The document states — and I quote: “Every other Canadian jurisdiction has some form of free-entry staking, and it is critical for our industry to be competitive”.

Despite this, the Liberals are letting the NDP write the new mining legislation, and the NDP been very clear that they want to get rid of free-entry staking. The Liberals' silence on whether or not they will protect free-entry is creating uncertainty for industry.

The last time the Liberals let the NDP write their policies, they ended up being further left than Bernie Sanders, according to a local economist.

Mr. Speaker, why won't the minister just let industry know whether or not he is going to support free-entry? If he is not going to protect free-entry, then he should just let them know now so they at least know what is in store for their industry.

Hon. Mr. Streicker: What I am going to support is the conversation. That is what I am doing. That is what I have been doing all along. I have stood up here and I have talked about this.

For me, the Yukon Party seems to be stuck in the past, clinging to an old-school idea about mining. Things have changed. If we want to attract investment, if we want mining to be sustainable for the long term, we need to work with First Nations, we need to be environmentally responsible, and we need to ensure that local communities benefit from resource development. That is how mining will be successful and sustainable in the future. That is our vision for mining, and that is what we are working toward.

I would like to thank the Yukon Chamber of Mines. When I sat down and met with them, we had a very productive conversation. We talked about the future of mining. I think that we actually share a lot of common ideas about the future and how to make mining sustainable and positive here in the territory. That is a great conversation.

I am saying that I am going to have that conversation. We are going to have that conversation with Yukoners, with industry, with First Nation governments respectfully, and that is what we are going to do. I am really happy about that work, I am really proud of that work, and I am really looking forward to that work.

Mr. Kent: So, less than two years ago — in the fall of 2019 — the former Minister of Energy, Mines and Resources was asked whether or not he supported free-entry, and he gave, which for him is quite unusual, a very succinct one-word answer: Yes.

So, what has changed with this new minister? It is becoming more and more clear to Yukoners that the NDP is driving the bus for this government and that the Liberals are the junior partner in the coalition. The Liberals have handed over the pen to the NDP on the mining legislation, and they are going to ram it through in just 16 months. The NDP has been clear that their goal is to get rid of free-entry. The submission to the mineral development strategy panel from the Yukon Prospectors Association states that this action would greatly reduce certainty in investment in our mining industry.

So, what other policies are the Liberals going to let the NDP implement that will reduce certainty in investment for our mining industry?

Hon. Mr. Streicker: I am glad that the member opposite is talking about the mineral development strategy. I am really happy about the work of the mineral development strategy. It is great work, and it is the foundation upon which we will build toward successor legislation.

What I want to say is that I don't want to go backward in time to where we were — right now, we have three operating hardrock mines in the Yukon, and we have many projects working their way through the permitting process. We have some of the biggest players in the world investing in the Yukon right now.

I think that our government has restored confidence in this sector, and I believe that the right path is to start from the mineral development strategy, built upon the mining memorandum of understanding with First Nations, and to work toward successor legislation. I am really excited that we are there. I am looking forward to working with industry to create a positive future for mining here in the territory.

Question re: Individualized education plans

Ms. Van Bibber: The confidence and supply agreement between the Liberals and the NDP commits that the recent cancellation of individualized education plans for children who need additional support will be reversed. The agreement commits that all of those IEPs that were cancelled will be reinstated within 30 days. The deadline for this commitment is tomorrow.

Can the minister tell us if that deadline will be met?

Hon. Ms. McLean: I want to start by saying that our education system needs to support all students to thrive and unlock their full learning potential. This is our ultimate goal.

I have spoken a lot about the individualized education plans over the last couple of weeks in the Legislative Assembly. These are very important tools for our students, and they are, and will continue to be, legislated support for students in need of a special education program. We have been working with our partners — the New Democratic Party had a great briefing last week. Our educators and schools and administration are working individually with parents and students who may have been moved from an individual learning plan to give them the option to either move to a different type of plan or stay with the individual type of plan they are on right now.

We are working diligently. This agreement that we have with the New Democratic Party is very important. It's important to Yukoners, and it brings stability to our territory.

Ms. Van Bibber: I had asked if the deadline will be met, and the minister did not answer the question.

Last week, the minister told us that 62 students had been transitioned from IEPs to student learning plans. However, when the changes were brought to light in December by the Yukon Teachers' Association, the First Nation Education Directorate, the Learning Disabilities Association of Yukon, and Autism Yukon, it was reported that there had been 138 students transferred to SLPs.

Can the minister explain how many students have been reinstated to IEPs — as to the deadline tomorrow?

Hon. Ms. McLean: Thank you for the question. The number 62 is correct. As we work through our Aspen system, there were 477 IEPs at the start of the 2019-20 school year; 62 plans were transitioned to student learning plans, with 38 in 2019-20 and 24 in 2020-21. No IEPs were transitioned into behavioural support plans, which is another type of plan that we have within the Department of Education.

There were 400 students with IEPs as of May 31, 2020.

An important fact for Yukoners to know is that an IEP is typically discontinued when certain things happen with students, such as they complete their educational program, they leave the territory, or by the request of a parent or guardian. There may be IEPs that have ended because of these circumstances. Our Department of Education and our schools are working closely with students and parents and talking directly with them and clearly working on a path.

Ms. Van Bibber: Thank you for that number. It will be interesting to hear if that number is what the NDP had in mind when they agreed to the CASA.

The minister has also said that there are no new resources to support these IEPs that have been reinstated. She told the House that there are no new educational assistants to support these reinstated IEPs. Can she provide us with some reassurance that IEPs will be properly supported despite the fact that there are no new resources and no new EAs in the budget?

Hon. Ms. McLean: Our education system needs to support all students to thrive and unlock their full learning potential, which is what our department thrives to do. It is vital that we meet the needs of individual students in a way that reflects the diversity of learning needs in our schools. We will continue to improve how we provide education to support all of our students. I know that this is a vision that's upheld by our educators.

In the past, there have been many plans and reports on these types of issues. I'm really looking forward to a number of reports, which are going to be released soon, around special education needs in the territory. I'm really looking forward to continuing to work with all of our partners to ensure that we have the supports in place for our students in all of their learning needs throughout the Yukon. I am looking forward to providing more information to Yukoners in a very short time,

within the next week, around some of these important discussions that we'll be having.

Question re: Robert Campbell Highway and North Canol Road maintenance

Ms. Tredger: In 2020, the Government of Yukon and the Ross River Dena Council signed an agreement in principle as part of the Yukon Resource Gateway project to upgrade the North Canol Road and for construction and resurfacing of the Robert Campbell Highway. Chief Caesar was quoted in the press release — and I quote: "Our community has been in need of improvements to the North Canol and paving for the Campbell Highway for many years."

He goes on to point out that theirs is the only community in the Yukon connected by road without a paved highway: "This important project will finally see our members have a safe road to drive to and from work, a road that helps ensure we are connected to opportunity."

Can the minister tell residents of Ross River whether this project has started and when it will be completed?

Hon. Mr. Clarke: Thank you for the question. Yukon's road system is essential for connecting our communities and building our economy. Our government is making strategic investments to keep these vital links safe and open for business. For the 2021-22 fiscal year, we have more than \$54 million budgeted for highways and bridges.

Over the past couple of years, we have undertaken several upgrade projects to improve safety along the Alaska Highway, the territory's busiest transportation route. All bridges, large culverts, BST, and paved sections are assessed, evaluated, and rated annually or biannually to prioritize any improvement and investment decisions.

On average, we resurface 130 kilometres of BST and 10 kilometres of asphalt every year and clear 700 kilometres of highway right-of-way to improve driver visibility and road safety.

I will endeavour to get back to the member with respect to the specific Gateway project and ensure that you have that answer.

Ms. Tredger: I appreciate the minister getting back to me, because I'm not sure that hearing about improvements to the Alaska Highway is reassuring to the residents of Ross River, who still do not have a paved highway.

In the last month, the highway between Ross River and Faro had a substantial washout that closed access for over 24 hours. A temporary bridge was put in place. This highway closure is an indication of the condition of this neglected stretch of highway. For too long, the residents of Ross River have had to deal with this poorly maintained and dangerous stretch of highway. Anyone travelling it would know how bad that road can be.

Several years ago, Ross River residents watched as a stretch of the Robert Campbell Highway was improved for access to a mine site, while the highway between Faro and Ross River remained in the same poor shape. Can the minister share when the residents of Ross River will see real improvements to the Robert Campbell Highway between Faro and Ross River?

Hon. Mr. Clarke: I thank the member for that question. As I reported back to the House perhaps two weeks ago, the stretch that was washed out was repaired within, I think, about 48 hours, based on the incredible diligence and hard work of the staff of Highways and Public Works who were dispatched to that area to ensure that the services — the important artery — was re-established on the Robert Campbell Highway for both the residents of Faro and the residents of Ross River.

With respect to the Gateway project, six project agreements have been signed for seven components with Yukon First Nations to date, and that includes a portion of the Robert Campbell Highway. My understanding is that negotiations are ongoing with the Ross River Dena Council with respect to the ongoing improvements of the road between Faro and Ross River — and concede that work is required — but certainly, the respectful dialogue and negotiations are continuing with the Ross River Dena Council with respect to that stretch of highway, but funding has been secured for that portion of the Robert Campbell Highway, and Highways and Public Works looks forward to starting that project.

Ms. Tredger: The closure of the highway had an impact on the residents of Ross River. It meant that their only option was to drive to Watson Lake to access services outside the community. This is a huge detour for those who needed to travel to Whitehorse for medical or dental appointments or for business. Having to drive to Watson Lake to get to Whitehorse is time-consuming and certainly not appropriate in emergency situations.

What emergency measures are in place to protect the citizens of Ross River when their main road connection becomes unusable, like it did earlier this month?

Hon. Mr. Clarke: Thank you to the Member for Whitehorse Centre for the third question. In my second response, I indicated that we are grateful and blessed to have hard-working teams in various areas of the territory that are able to deploy and able to rectify washouts and rehabilitate washouts in a timely fashion. Luckily, with respect to this situation, the washout was rectified within somewhere between 24 and 48 hours. I take the member's point that, of course, a community could be isolated. The scenario that she has provided to the House today is not one of complete isolation. It is one of, admittedly, a significant detour.

We can certainly return to the Member for Whitehorse Centre through my colleague as to what emergency measures plans are in place if a community happens to be completely isolated, although that was not the scenario in this situation.

As I said, the hard-working and diligent staff at Highways and Public Works, with their equipment, were able to rectify and make the road passable within a short period of time to allow for the passage of goods and services.

Question re: Early learning and childcare program

Mr. Dixon: Mr. Speaker, since its inception, the Liberals have been referring to their new early learning and childcare program as “universal”, which suggests that it is universally available to all Yukoners; however, we know that it is certainly not universal as it excludes over 1,000 Yukon

children for several reasons. One of those reasons is its uneven application in rural Yukon.

I would like to provide the minister with a few examples. First of all, take Ross River. There is currently no daycare or childcare program in that community. Because the Liberals' program only applies to licensed childcare spaces, parents and children in Ross River are left out. Can the minister tell us how she can call the Liberal program “universal” when it is not available to children in Ross River?

Hon. Ms. McLean: Mr. Speaker, thank you for the question. Our government believes that all children should have access to affordable and high-quality childcare and early learning opportunities. We recognize that capacity is certainly a concern. Work is ongoing to provide more integrative, collaborative programs and services to better meet the needs of Yukon families. This certainly does include working with our rural communities.

We have made historic investments in childcare. Our new universal childcare program is making life more affordable for Yukon families, and we recognize that we have a lot of work to do with our rural communities, which we are endeavouring to do. Again, these investments are historic and a long time coming. This is something that our government has made a priority and will continue to do so as we move forward with all our partners throughout Yukon.

Mr. Dixon: The Minister of Education has said that affordable childcare should be available to all Yukon citizens, but it is not; that is the point.

Another example of rural Yukoners being left behind by the Liberals is in Dawson City. According to the minister's own numbers that she provided earlier this Sitting, there are 20 childcare spaces at the Little Blue Daycare, but the wait-list is 36 children. That means that, because of the way the Liberals have designed this program, the 36 kids who are stuck on the wait-list are out of luck. In some cases, we've heard that the wait time is over a year.

How can the minister claim that the Liberals' program is universal when so many families in Dawson City receive no benefit from this program at all?

Hon. Ms. McLean: Our government believes that all children should have access to affordable, high-quality childcare and early learning opportunities.

As I'm standing today to speak about universal childcare and the accessibility, I want to point something out to Yukoners. In 2002, the Yukon Party had a platform that said that they would ensure that Yukoners have access to quality affordable childcare services. They did not deliver on this. Our government has made historic investments into early childcare and early learning opportunities for Yukoners.

I had a chance to sit down with the folks at the Little Blue Daycare. I absolutely went over all of their concerns and there are a lot of needs in many of our communities — Dawson being one of them. Our intent is to work with them to ensure that we have all of the views of the community and all of the partners in one place to talk about what the needs are for Dawson while we keep in mind that we have communities — as the member

opposite has pointed out, like Ross River — without a lot of services.

Again, the Yukon Party had a chance to do this. They didn't deliver on it; we are.

Mr. Dixon: Digging 20 years into the past is cold comfort for those Yukoners who are on wait-lists or unable to access affordable childcare.

The minister said that affordable childcare should be available to all Yukon children — that's exactly what we are saying — and it's not right now.

Another example of rural Yukoners being excluded from the Liberals' so-called "universal" program is in Watson Lake. Parents from Watson Lake have informed us that a childcare facility in Watson Lake has chosen not to sign onto the new program because of their concerns with how it will interfere with their existing support through the rural childcare sustainability initiative. This means that, for some parents in Watson Lake, there is no support provided through the Liberals' new program, and it has essentially created a two-tier system for Yukoners.

How can the minister call the Liberals' program "universal" when it excludes so many Yukon children?

Hon. Ms. McLean: Thanks again for the question. I take it that the member opposite did not like part of my answer around previous commitments that were made by the Yukon Party in previous platforms and were not able to deliver. The Yukon Liberals are delivering, and this is a high priority for us as a government. We will continue to work with our partners. We recognize the sensitivities and the differences between all of our communities.

I personally will be visiting Watson Lake to meet with all of our partners there to discuss what their concerns are. I'm well aware of what they are on paper, but my way of working with communities is to sit down with them and to really and truly understand, from their perspective and many perspectives, what their priorities are.

We will work with them and ensure that we are on the same page with all of our communities. At the end of the day, Mr. Speaker, as I have said over and over, our government believes that all children should have access to affordable, high-quality childcare and early learning opportunities. This is the best way to set them up for success.

We just had a tribute today to graduation. We want outcomes to be everything that they can be for all of our children.

Question re: Early learning and childcare program

Mr. Dixon: The Liberals' new childcare program has also created a number of unintended consequences here in Whitehorse as well. First of all, it seems that the new structure of the supports provided directly to operators has impacted a number of facilities' financial liabilities. The mandated increases to the early childhood educator pay, combined with the limit on increasing fees to cover the increased cost, has led some daycares to cut their programming.

Unfortunately, one of the first programs to go is the infant program because they are the most costly to operate. We have

heard from parents who have had to scramble to make alternative arrangements because operators have been forced to cut their infant programs due to the Liberals' plan.

What is the minister doing to ensure that there are an adequate number of childcare spaces available for infants here in Whitehorse?

Hon. Ms. McLean: We are working with all of our partners, our Yukon First Nations, and communities to enhance early learning and childcare programs in Yukon so that all children have accessible, affordable, and high-quality early learning and childcare opportunities.

We are continuing to work with all of our partners, and we will work with them to ensure that we have more spaces available for children and that we are meeting the unique circumstances of families.

I will continue to, as I have said in earlier answers today, work with all of our partners. I know that I have heard personally from a lot of families, when we were at the doors during the recent election, about how universal childcare and the commitment and investment that we are making in early learning childcare is making a difference in the lives of families and that this has allowed people to dream again, to look at different things that they can do within their life to make it better and to make life affordable for Yukoners. We will continue to work with all of our partners and the providers to ensure that we have it right.

Mr. Dixon: I agree that this program has made lives of some Yukoners better, but it has not made the lives of all Yukoners better, and certainly not all Yukon children. That is the issue — that this program is not truly universal. That is the issue.

There are a number of high-quality and popular childcare programs that are not licensed in Whitehorse. Under the Liberals' new system, such programs are unable to access funding, so the children who utilize them are unable to receive any benefit and are left behind.

Additionally, the Liberals' new program does not support parents who choose to deliver early learning and childcare themselves, and, of course, since the Liberals' new system has come into effect, we have heard that wait-lists here in Whitehorse have increased significantly. So, we know that there are hundreds, perhaps even thousands, of children who are left out and do not receive any benefit under the Liberals' so-called "universal" program.

I will ask the minister again: How can she assert that this program is universal if so many Yukon children cannot access it?

Hon. Ms. McLean: Again, our government is committed to high-quality childcare and as many early learning opportunities for children as possible. Since April 1, 2021, one new childcare centre has opened in Whitehorse, and three more centres have been licensed to substantially increase the number of spaces available for children. One new centre will be opened soon — this month. Education continues to administer the start-up funding program to support new licensed childcare programs to meet regulatory health and safety requirements, up to a maximum of \$10,000 annually.

Mr. Speaker, really, there is nothing in our program that dictates what kind of services a childcare operator can provide, and I think that it is really important that we are providing accurate information to Yukoners.

Our commitment is there to work with all of our providers to increase capacity. It is great news that more people want to get into the workforce. That is great news. We are providing opportunities for women to re-enter the workforce. That is going to be a huge part of recovery from COVID-19.

Mr. Dixon: I agree with the minister. It would be nice if more parents could enter the workforce, but unfortunately, because of the wait-lists and the way that the Liberals have structured this program, it is not truly universal and it does not apply to all Yukon children.

We have heard from some operators that there has been direction given for daycares to move toward comparative fees. In other words, the government is moving toward regulating and mandating how much private operators can charge for their spaces; however, we also know that all facilities have received this direction.

Can the minister tell us if she has directed her department to begin requiring childcare operators to charge comparative fees?

Hon. Ms. McLean: I thank the member opposite for bringing that information to the floor of the Legislative Assembly. If there are specifics that he would like me to follow up on as a minister, I will do that. I will make sure that all of the voices are being heard. This is not information that I have before me.

Again, we are working closely with all of our centres. As I said earlier, there are a number of new centres that are looking to open — and again, great news, Mr. Speaker, that more parents are looking to enter the workforce, whether it is for school, whether it is for work or other opportunities. I think that our investment, as the Yukon Liberal government, has absolutely opened a door for a lot of folks. The demand will continue to increase, and that is what we wanted to happen. We really want parents to get back into the workforce or to go to school and to dream again. I have said that a number of times, and I think that we are on the right track. I will continue to work closely with all of our partners and ensure that the voices of childcare providers are heard.

Please — to the member opposite — provide the information to me.

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

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Ms. Tredger): Order, please. Committee of the Whole will now come to order.

Deputy Chair's ruling

Deputy Chair: I would like to speak to the point of order that was raised yesterday.

Yesterday, when Mr. Cathers was speaking during general debate on Vote 15, Department of Health and Social Services, in Bill No. 201, entitled *First Appropriation Act 2021-22*, Ms. White stood on a point of order.

The crux of her point of order was that a time-sharing agreement between the Official Opposition and the Third Party was not being observed. Mr. Cathers, the Hon. Ms. McPhee, and the Hon. Mr. Clarke also spoke to the point of order.

As referenced in my ruling yesterday, informal time-splitting arrangements between parties are not enforceable by the Chair.

During departmental budget debate in Committee of the Whole, the existing practice is for the Chair to recognize, in turn, the minister and then the respective critic.

Practically speaking, if a member asks a minister a question and resumes their seat, that member has completed their speech, and what should happen for meaningful debate is that the minister should be provided an opportunity to answer. Before delivering their response, the minister may take some time to confer off-mic with their advisors. This is not an opportunity for the member questioning the minister to ask further questions.

In my view, it does not contribute to a productive back-and-forth discussion, and additionally, it presents logistical difficulties for a member who has completed a speech and taken their seat to stand again to add further remarks before the minister has had an opportunity to respond to the member's preceding speech. In standing a second time before a minister has responded, the member is speaking while the minister's attention is actively engaged in formulating a response to the questions asked in the speech that the member has concluded.

In fairness, I would note that at times in Committee of the Whole, it has been a minister who has completed their remarks, resumed their seat, and then stood again to offer further remarks without the Chair having had the opportunity to recognize another member to respond to the speech that the minister had delivered.

Once a member or minister concludes a speech and takes their seat, the timer is cleared and reset for another 20 minutes, so — although this was not an issue with yesterday's successive speeches by Mr. Cathers — there is potentially a fairness issue at play in terms of a member or minister effectively having a 40-minute speech available before a speech can be offered in reply.

In sum, after a member asks a question and cedes the floor, they have ceded the floor, and unless they are seeking to be recognized on a point of order — and neither further debate nor

additional questions for the minister constitute a point of order — the minister should be afforded an opportunity to reply.

After the minister replies, the member can then ask further questions if there is time available. If further time is not available, the member can submit a written question or questions for the minister.

I thank the members for their attention to this ruling.

Deputy Chair: The matter before the Committee is general debate on Vote 55, Department of Highways and Public Works, in Bill No. 201, entitled *First Appropriation Act 2021-22*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair (Ms. Blake): Committee of the Whole will now come to order.

Bill No. 201: *First Appropriation Act 2021-22* — continued

Chair: The matter before Committee is Vote 55, Department of Highways and Public Works, in Bill No. 201, entitled *First Appropriation Act 2021-22*.

Is there any general debate?

Department of Highways and Public Works

Hon. Mr. Clarke: I would like to take the opportunity to introduce my officials from the Department of Highways and Public Works. To my right, I have Deputy Minister Paul McConnell, and to my left, I have the Deputy Minister of Transportation, Sherri Young. Thank you to them for their assistance today.

I am pleased to present the Highways and Public Works budget for 2021-22. As you know, Madam Chair, this department is new to me as a minister, and I continue to be impressed with the depth and breadth of work done in this department.

At its heart, our role is to make life better for Yukoners today and to move our territory toward a more prosperous, environmentally sustainable future. We work so that Yukoners can get to work and everywhere else they need to go so that we can build our communities and grow our economy.

As a department, we make sure the territory's roads, bridges, and airports are safe and efficient. We make sure goods and services are procured in a fair and transparent way, bringing economic opportunity to communities and to Yukon and First Nation businesses and value to Yukon taxpayers.

We implement new technologies to make government more efficient and more accessible to Yukoners, and we make public buildings more energy efficient so we can lower our greenhouse gas emissions and move closer to our clean future. This department's work is absolutely central to the growth and development of this territory.

Today, I'm going to outline what Highways and Public Works is doing to continue moving our territory forward.

I'll start with the Information, Communications and Technology Division — or ICT for short.

ICT supports delivery of services to the public and helps the government run better, whether that is by making sure that employees can access a virtual desktop while working at home during a pandemic or deploying new technologies to help us communicate more easily and effectively. This year, for instance, we have budgeted \$1 million in capital funding to replace government's current landline phones and to move to voice-over-Internet protocol, better known as VoIP. VoIP allows users to make calls over the Internet, rather than being tied down to a landline. There are many benefits to this system. It is flexible, portable, and multi-functional — and it will save taxpayers money, as the technology is a lot less expensive than our current phone service.

From the information highway, let us go to the literal highway and let's move on to transportation. Our road system is essential for connecting Yukoners to one another and supporting economic growth. We are making investments to keep these vital links safe and open for business — a responsibility that we take very seriously.

This year, we have allocated \$20 million to rehabilitate and rebuild portions of the north Klondike Highway, including the replacement of the Crooked Creek bridge and the rehabilitation of the Moose Creek bridge. To keep our roads clear, safe, and functioning, we will support the roadside safety program with \$3.2 million for brushing, barriers, line-painting, and more.

We will also continue to advance the Yukon Resource Gateway program. This is one of the most significant construction programs ever undertaken in the territory. Improving infrastructure to Yukon's most mineral-rich areas will set the territory on a course for a more prosperous future. This year, we will provide \$15.5 million to advance several Gateway projects, including the Carmacks bypass, the Nahanni Range Road, and the Campbell Highway reconstruction.

As many of you have surely seen, work continues to upgrade the Alaska Highway through Whitehorse. \$4 million will support the improvement to the Hillcrest Drive and Burns Road intersections. An additional \$600,000 will go toward the Alaska Highway improvements in Porter Creek and at the Robert Service Way and Hamilton Boulevard intersections. This work is part of our goal to increase public safety and to reduce the risk of collisions along the Alaska Highway.

Moving on to bridges — this year, we will see \$10.2 million put toward bridge replacement. The Big Creek bridge located west of Watson Lake will be replaced over a period of two years. This work will include realignment on either side of the bridge to improve safety.

As well, after nearly 70 years of service, work will begin to replace the Nisutlin Bay bridge in Teslin with design and geotechnical work starting this summer.

Yukon's aviation network is critical to life in the north. Our investment this year — a total of \$16.5 million — is focused on ensuring that our aviation infrastructure meets the needs of Yukoners, visitors, and industry alike. Investments in runways,

buildings, and facilities all across Yukon will improve safety and access to everything the territory has to offer.

On to Property Management — Highways and Public Works operates and maintains over 500 government-owned buildings, worth over \$1.6 billion. We also manage leasing for over 400,000 square feet of space used by Yukon government programs and departments. If that weren't enough, Property Management also provides building and grounds maintenance, cleaning, security services, and the energy management of our assets. To cover building maintenance this year, we have allocated \$9.4 million. This covers repairs and maintenance to ensure that buildings meet clients' needs as well as energy-efficiency and sustainability standards. This includes \$1.3 million to upgrade yard lighting and the student drop-off area at Golden Horn Elementary School, and another \$2.15 million to upgrade the vehicle traffic areas at Christ the King Elementary School and Holy Family School.

Moving on to building development, we have \$39.7 million budgeted this year for the design and construction of new facilities and buildings. This includes \$19 million to build a new health and wellness centre and a 10-plex housing unit in Old Crow. This important facility will replace the aging health centre, increase the number of affordable housing units, and create jobs in the community.

Under the building development program, we have also put forward \$10 million for building retrofits, 75 percent of which is funded by the federal government. As part of the building energy retrofit program, we are looking at more than 20 energy retrofits to reduce energy loss, which will help us meet our commitments under *Our Clean Future*.

We are working on a comprehensive set of renovations to the Old Territorial Administration Building in Dawson. Upgrades to the exterior, interior, and building systems are expected to add more than 20 years to the expected life cycle of that building.

We are advancing the green infrastructure program with an investment of \$3 million. The program supports energy retrofits and renewable energy projects with the goal of installing low-carbon energy systems to reduce greenhouse gas emissions. Two new biomass projects are in the final stages of design work, with construction expected to begin soon. This spring, two large feasibility studies were awarded to evaluate biomass, solar, geothermal, and other renewable energy options at over 50 sites. We are also conducting energy audits on 20 percent of our buildings this year.

In Yukon, we know that Internet services are no longer a luxury; in our increasingly interconnected world, it is a necessity for a strong economy, quality health care, and dependable air travel. The territory currently depends on a single fibre optic line and, when that line goes down, Yukon is largely cut off from the digital world, as we saw just recently.

This year, we have \$20 million budgeted to build an 800-kilometre fibre optic line along the Dempster Highway from Dawson City, Yukon to Inuvik, Northwest Territories. This new line will connect Yukon to the existing Mackenzie Valley fibre link, creating a 4,000-kilometre continuous network that

will ensure that traffic can be run in the other direction if there is an issue at any point along the network.

The Dempster fibre line will enhance the participation of Yukoners and northerners more broadly in the digital economy and enhance access to government services. I look forward to the groundbreaking on this vital project this summer.

Madam Chair, our government is well on its way to meeting our commitments to Yukoners. We are investing in the roads we drive on, making sure that Yukoners get to where they need to go safely. We are improving airports across the territory, ensuring that our aviation infrastructure can support the air travel industry and economy for years to come. We are upgrading current facilities to be more energy efficient — among other needs — and building new facilities to meet the growing needs of Yukoners.

We are keeping Yukoners connected, whether it's accessing government services more easily online or building a new fibre optic line to ensure that a road construction incident in British Columbia does not plunge the territory into digital darkness. Each day, with every strategic investment we make, we are helping to build a stronger Yukon that works better for all of us.

Mr. Kent: I thank the minister for his opening remarks and I join him in welcoming the officials to the Legislature here today. I also wanted to thank them for the briefing they provided to us and the Third Party critic. Some of the questions that we asked at the briefing we will repeat so that we can get the minister on the record. Then there will be additional questions as well; I do have budget questions, of course, some policy questions, and specific project questions as we move through the afternoon here today.

The first question that I wanted to ask is with respect to the full-time equivalents. In the 2021-22 main estimates document that was provided at the budget briefing, it said the FTEs for — it looks like it's 2020-21, they are 774.82, but then there are no numbers for this current budget year. I'm wondering if the minister can either tell us how many additional FTEs are being hired or just give us the total number of FTEs for the 2021-22 fiscal year.

Hon. Mr. Clarke: I've just been provided numbers. The numbers by division had to be added, but the numbers for this year, for 2021-22, I'm advised, are 774.82 full-time equivalent positions.

Mr. Kent: So, that's the number that I quoted, and perhaps I'm reading this briefing document wrong, but that's in the 2021-22 — I apologize. It does say 774.82. I guess my question then would be: How much of an increase is that over the 2020-21 budget year?

Hon. Mr. Clarke: I had an opportunity to receive some information from my officials, but I will return to the member with that number.

Mr. Kent: I appreciate that. I look forward to it.

I just wanted to dig into a few specific questions about this upcoming fiscal year. So, yesterday in Question Period when responding to a question from my colleague, the Member for Porter Creek North, the minister said — and I quote: "I am in the process of reviewing all of the major contracts that this

government will be committing to over the course of fiscal 2021-22, including things like the Carmacks bypass, the Dempster fibre project, the Whistle Bend elementary school, the Old Crow health and wellness centre, and the 10-plex.”

I’m curious how far along in that process the minister is and exactly how many major contracts he’s looking at reviewing.

Hon. Mr. Clarke: Thank you for the question from the member opposite. As the member opposite well knows, I am still in the early days of having the honour of being the Minister of Highways and Public Works. The projects that I identified yesterday are, I suppose, the largest — or among the largest — projects that I have been briefed on or been made aware of. I am sure that there are many more that will be brought to my attention during the course of the summer, but what I would say is — confirming basically what I said yesterday — that there are currently higher market costs for a wide range of construction materials, including wood products and other inputs.

While COVID-19 has disrupted supply chains and increased material costs, other factors — such as the freezing conditions in the southern US this past winter — are also impacting markets. Highways and Public Works is currently working with partners across government to assess the impact of these cost increases on the budgets for capital projects. Early indicators are that some projects may have higher costs than were estimated. Some have included higher contingencies to account for the current cost environment. If the project costs exceed the contingencies that are included in our cost estimates, we may need to consider budget revisions, and these will be brought forward within supplementary estimates.

At this point, it is still too early to estimate the overall impacts to the budgets, but we are watching very closely and assessing the markets for materials and individual projects.

Just to, I suppose, reinforce or emphasize what I said yesterday, these will not be unique considerations or circumstances to the Yukon or to a Yukon government. These will be challenges that will be faced by all 10 provinces, three territories, and the federal government on projects. I am interested to see what the analysis is, going forward, both on a national and perhaps even on a global level. But, yes, these analyses of the various projects across Yukon government will be ongoing during the course of this summer.

Mr. Kent: Again, yesterday, the minister said during Question Period that he is in the process of reviewing all of the major contracts that this government will be committing to over the course of this fiscal year. That answer yesterday led us to believe that this process had already started.

Is the minister now saying that the process has not started, or have any of these contracts been reviewed for some of these pressures that he talked about as far as cost pressures? I am just trying to seek some clarification, I guess, based on his answer yesterday — what he meant by “in the process of reviewing”? Is that work underway or has he not yet started it?

Hon. Mr. Clarke: What I would say to the member opposite is that, of course, it is early days. What I would say to clarify is that I have been made aware of the potential cost

pressures. Of course, I am going to be diving into the files over the course of the summer.

One of the member opposite’s questions was specific to whether certain projects have already been identified as having cost pressures. I would just repeat that the early indications are that some projects may have higher costs than were estimated. Some have included higher contingencies to account for the current cost environment. If the project costs exceed the contingencies that are included in our cost estimates, we may need to consider budget revisions and these would be brought forward within supplementary estimates.

I have also been advised that HPW and various departments have funding envelopes. We will make best efforts to work within our funding envelopes and to deliver as many projects as possible in a given fiscal year.

To answer your specific question, it appears that yes, some of the projects have included higher contingencies to account for the current cost environment.

Mr. Kent: I take it from the minister’s response then that the process of reviewing has not started, but he’ll be conducting that review in the summer months and we can regroup on that in the fall with the minister when we return to the Legislature.

One of the projects that he identified yesterday in Question Period as part of that response to my colleague was the Old Crow health and wellness centre and the tenplex that’s there. I do have some questions specific to that project and the award of that project.

Looking at a *Yukon News* article from March 18, it says that the Yukon government announced that Ketza TSL Construction had been awarded a \$44.9-million contract for that project. However, Wildstone Construction Group, who also submitted a bid, bid at a lower price of \$38.2 million.

Can the minister confirm both of those numbers for us and then also let us know what the pre-tender construction estimates were for that job?

Hon. Mr. Clarke: Thank you for the question. Our government is making investments across the territory to build healthy, vibrant communities. We are building a new health and wellness centre and a tenplex housing unit in Old Crow. Design work is underway and construction will start this winter. The design/build contract for the centre and housing unit was awarded to Ketza Construction for \$44.8 million. The project was awarded using a value-driven procurement. These types of procurements look at a number of elements beyond price to ensure there is additional value for the community and the territory. In this case, the project team awarded points for the schedule, training plans, subcontracting plans, northern experience, and First Nation participation.

This project will replace the aging health centre, increase the number of affordable housing units, and create jobs in the community.

In addition, we are working with the Vuntut Gwitchin First Nation on the design of a healing room for the health and wellness centre as well as gathering other cultural and First Nation input into the overall design. Construction is set to start in the winter of 2021-22 for the thermal pile foundation and building construction is scheduled to begin in the spring of

2022. That is the information I have so far with respect to that project.

Mr. Kent: Madam Chair, I am hoping that the minister can either let us know or commit to getting us the preconstruction estimates for that project. What were the cost estimates that were used to develop the budget? Then obviously the \$44.8 million — we are curious. We have heard that it is overbudget. We are curious as to how far overbudget that is. I am hoping that the minister can either give me that number or commit to getting it back to us.

Hon. Mr. Clarke: As I stated, I am new to the procurement and bidding process, but the information I have from the procurement team is that they do not ordinarily release pre-tender estimates. In any event, I will get back to the department and determine whether that is in fact the industry or government standard. If I am mistaken or if the department is mistaken, I will return to the member opposite, but that is the information I have from the procurement department.

Mr. Kent: If that is the case, that is a new policy that the Liberals have brought in and certainly further reduces the amount of openness and transparency when it comes to telling not only us but telling Yukoners how much they are budgeting for these projects. So, again, I know that there would have been pre-tender cost estimates done for this. We have heard ministers in the past say that they can't tell us what those are until after the jobs close. This job is closed; it closed on February 18, I believe. It was awarded in what I would call a record time — I think it was about three weeks — on March 11, the day before the snap election was called.

I will give the minister a chance to get back on his feet and let us know if this is a policy change — that they are no longer able to give us pre-tender construction estimates after the job is closed — because it is an awful lot less transparent and open than has been done in the past.

Hon. Mr. Clarke: I would just reiterate my response to the member opposite that I will return to him shortly with a complete response to his question about pre-tender cost estimates. My advice right now is that there has been no policy change, but I will return to the member as soon as I receive the information from the procurement department.

Mr. Kent: When it comes to the tendering of this particular project, as I mentioned in my previous question, it was a very quick turnaround. The bid closing date was February 18, and the bid was awarded Thursday, March 11. As the minister said earlier, this was a value-driven contract based on points and awards. That's quite a feat to get that out there — ironically, the day before the early election was called, but it was out there that day.

When my colleague, the Member for Watson Lake, was asking questions of the new Minister of Community Services, or the predecessor in Highways and Public Works, about the Pelly pool earlier this Sitting, the minister said — and I'll quote from Hansard: "The Pelly pool is a very exciting project. I am happy to say that we are, of course, proceeding with it. It is an important facility to the community of Pelly. It was built back in — close to the 1990s, I think. It has been around for a long time; it is in need of replacement.

"The bid came in during the election, so the department had to extend the irrevocability period. With the election resolved, we have moved forward with the tender. We have reconfirmed the project and are in discussions with the low bidder, and we are working toward an award, so it is happening."

That closes the quote from the Minister of Community Services. Then, when I went and looked on the Bids and Tenders website, as I have mentioned, the Old Crow health and wellness centre and Yukon Housing Corporation tenplex project closed on Thursday, February 18 and was awarded on Thursday, March 11. The closing date for the Pelly pool — again, same closing date, Thursday, February 18, which was outside of the election period, so I'm not sure what the Minister of Community Services was talking about when talking to my colleague — and it wasn't awarded until Tuesday, May 18.

These are the two closest projects that I can find on the Bids and Tenders website. I'm just curious what process was used that allowed a value-driven contract, like this RFP for the project in Old Crow, to be turned around in less than a month, whereas the construction, which was a request-for-bids type, on the Pelly pool took three months to get awarded.

Hon. Mr. Clarke: The member opposite will know that the entire contract with respect to the Old Crow health and wellness centre and tenplex was awarded at the end of the 34th Assembly, and I, of course, was not in Cabinet at the time. However, I can provide the member opposite the high-level answer that I received from the department, which is that it was indeed a competitive process. It was a value-driven contract and there was a formal evaluation of the tenders, using a fairness monitor. In consequence of that, the evaluations took place and the contract was let in the time frame indicated.

Any other questions about how that unfolded would be conjecture on my behalf.

Mr. Kent: Again, the winning bid was about \$44.8 million on this project — again, a request for proposals. I will just mention again that it closed on Thursday, February 18, 2021 at 4:00 p.m. and it was awarded on Thursday, March 11, 2021, the day before an election was called here in the Yukon. I mean, it begs the question — and recognizing, of course, that the new minister was not in Cabinet at the time, but we're curious.

First of all, I would like to know if the minister can point me to any other contracts of this size, complexity, and magnitude that have been turned around in such a short time frame — about three weeks from closing date to award. Again, the timing of the award date — Thursday, March 11, the day before the election was called — lends us to wonder if there was any political direction given to get the award out.

Can the minister confirm for us whether or not there was political direction? If he can point me to a project of this size and magnitude that has been turned around in three weeks' time, I would like to see it. As I mentioned, the closest one I could find was the Pelly pool, which took three months to award — and it was a request for bids, so obviously it was not as complicated and as expensive, probably, as this project in Old Crow. But again, we are curious as to if there was any

political direction and if he can tell me about a project of this size that was turned around from bid closing to award in three weeks' time.

Hon. Mr. Clarke: A few points have been brought to my attention. Firstly, ultimately there were two bids, and in consequence of that, the ability to process the bids was more possible — or could be expedited based on the fact that there were only two bids and not four or five or six bids.

This project — the Old Crow 10-unit mixed-use project and the health and wellness centre — were seen as being priority items for this community. As is noted by the manner in which the procurement proceeded — which took into account, as I mentioned previously, schedule, training plans, subcontracting plans, northern experience, and First Nation participation — I can point to the strong planning by the procurement authority in this process. Ultimately, that work was to proceed, or the work could proceed, in this construction season — or that the design work can proceed in this construction season. As I said, I was not in Cabinet during this process between February and March 2021. This is the information I have.

In our five-year capital plan, which has been provided to the Official Opposition, the estimated range of cost for both projects, if you add the range of the two projects together, you are certainly within the range of the successful bidder, which was Ketza Construction.

The addition of this infrastructure in Old Crow was overdue. We know that the community will benefit greatly from this leading-edge infrastructure, which, I understand, is designed for at least 30 years' worth of — I've just been corrected that it's up to a 60-year useful life for both projects, so certainly a very positive project. There was some urgency, but based on the fact that there were two bids and the fantastic work that was done by the procurement authority, the prior Cabinet was able to confirm this tender and this project — just to confirm for the record that the company is Ketza TSL.

Mr. Kent: Again, the question that I asked was whether or not there was any political direction given at the time to get this bid awarded the day before the election was called. I don't believe that I received a response, other than there was a Cabinet commitment.

I'm curious. Often projects of this size, or this large, would have to go also through a Management Board review process before it comes to Management Board. I mean — it's such a quick turnaround. I'm quite surprised that it made it through all of these steps in three weeks time, essentially.

I will just give the minister another opportunity to answer if there was any political direction given to officials in Procurement or Highways and Public Works or Health and Social Services or the Housing Corporation to get this project awarded and out the door prior to the call of the snap election on March 12.

Hon. Mr. Clarke: I would reiterate the praise I have for the fantastic work the procurement authority did with respect to this project and the important and game-changing infrastructure that Old Crow will receive within the next two or three years

— two years — and also say that I am not in a position to answer the other question that the member is asking.

Just to confirm for the record, I was not in Cabinet during the time he is asking.

Mr. Kent: Just to be clear, the new Minister of Highways and Public Works — with the former Minister of Highways and Public Works sitting about two metres away from him — will not deny that political direction was given with respect to getting this project out the door. That is what I heard. If he wants to stand up and clarify that, then —

Some Hon. Member: (Inaudible)

Mr. Kent: Oh, pardon me, Madam Chair — I thought I had the floor.

If he wants to stand up and say that there was no political direction given, that is great. We would appreciate that. You know, we also appreciate that there has been an increase of \$536,000 and four additional staff for ATIPP and the one-government approach to ATIPP. I guess, if the minister is not going to answer the question, we will endeavour to find out if there was any political direction given on this three-week turnaround, from closing to award, on this project in Old Crow.

Again, of course, it jumped out at us because it was awarded the day before the Premier called an early election here in the territory. That is why we are asking that question. We have seen other projects that closed on that same date take three months to award. This one took three weeks. Of course, it is going to raise flags. It raises flags for us; it raised flags for one of the contractors, who went to the media. I referenced the media story earlier.

We will give the minister a chance to deny that there was any political direction given on this project. If he won't, then we will follow up through ATIPP, I guess, and see if we can find out anything there. It certainly does not give us any good feelings about the openness and transparency of this next version of the Liberal government in the 35th Assembly here.

I'm going to move on now though to another project that the minister referenced yesterday in his response to the Member for Porter Creek North that he is in the process of reviewing, and that is the Carmacks bypass.

The Carmacks bypass is part of the Gateway project. It looks to me — in reading this budget — the Gateway money is — for the minister's reference, we're on page 14-11 of the budget documents under Major Projects, \$15.5 million. I have a few questions about that overall funding envelope. Can the minister provide us a breakdown of which Gateway projects are funded on that line item and how much they are?

When I look back to the estimates from 2020-21, it was \$3.286 million, but only \$736,000 was spent. I'm curious as to why there was such a reduction in the amount that was forecast to be spent. Can he break down what is under those major projects in that \$15.5 million for this year?

Hon. Mr. Mostyn: I will stand up to address the insinuations, frankly, from the Member for Copperbelt South in his — I mean, I'm really shocked. I mean, this is a former minister of the Crown. He knows the proceedings in the House and he's asking somebody who was not at the table to answer questions. That's a really shockingly inappropriate way to ask

questions in the House. Of course, my colleague could not answer the questions posed to him because he wasn't at the table. But I can say, Madam Chair — I can say unequivocally for the members opposite that there was absolutely no political interference on that contract, so we can put that insinuation — that malicious insinuation — to bed right now.

I'm kind of shocked at the tactics of the Yukon Party, but I guess I shouldn't be. I can say that the Department of Highways and Public Works in their procurement efforts are absolutely running phenomenally well. That's why we were able to get these programs out in a competitive system. Frankly, Madam Chair, the thought that we were trying to make a decision politically is really more indicative of the mindset of the members opposite, rather than this Liberal caucus.

Mr. Kent: Well, what a performance, Madam Chair — what a performance. Once again, the former Minister of Highways and Public Works brings his political theatrics to the floor of the House. We asked a simple question that, of course, eyebrows were raised when this contract was closed on the 18th and awarded three weeks later — the day before the election. The minister stood and said unequivocally that there was no political direction to get this project out the door. That's good. We are pleased to hear that, because now we can compare that with any ATIPPs that we file with respect to this project and confirm whether or not there was political direction given.

The second part of my question was with respect to the Gateway project. If the minister needs me to repeat it, I will. Otherwise, I will give him the chance to answer that line breakdown on page 14-11.

Hon. Mr. Clarke: We're at 14-11. The \$15.5 million that is allocated in this year's budget for the Gateway project and the rough numbers — the planning numbers — are as follows: \$7.5 million for the Carmacks bypass; Campbell Highway reconstruction, kilometre 335 to 414 — \$4 million; Campbell Highway reconstruction, kilometre 114 to 171 — \$1.54 million; Nahanni Range Road — \$1.5 million; North Canol Road — \$500,000; Silver Trail — \$310,000; and Freegold Road — approximately \$150,000.

As I referenced in Question Period today, depending on negotiations and discussions — hopefully collaborative discussions — which are ongoing with the Ross River Dena Council, it may well be that some of the Campbell Highway reconstruction funds might have to be reprofiled, but I will discuss that with my officials. We certainly do want to work collaboratively with the Ross River Dena Council in order to ensure that the project meets their requirements as well.

Mr. Kent: So, the \$7.5 million budgeted for the Carmacks bypass that the minister referenced — can he tell us where we are in the tendering process for that? I couldn't find a tender for that project when I looked on Bids and Tenders. If he could let us know exactly where we're at in the tendering process for that \$7.5 million, because it's obviously the largest amount, and it looks like there may be shovels in the ground according to the budget number that the minister gave us in this fiscal year.

Hon. Mr. Clarke: I have had an opportunity to confer with my officials and am advised that the tender for this year's

work to be completed on the Carmacks bypass project is projected to be tendered within the next few weeks.

Mr. Kent: Can the minister confirm that, in the next three weeks — so, we'll say sort of the middle of June, middle of June to the third week in June — is that when the tender will go out, and then it will be posted and awarded after that? I guess the question that I'm trying to ask is: Is that when the tender will first be advertised for this job — in a few weeks, as he mentioned?

Hon. Mr. Clarke: Madam Chair, in the spring of 2019, a project agreement for the Carmacks bypass component was signed with the Little Salmon Carmacks First Nation. The project includes the construction of a new road and bridge and has an estimated total capital cost of \$26.75 million. Planning, design, and environmental assessment of the Carmacks bypass is underway and nearing completion.

Right-of-way clearing has begun, which will support construction of the Carmacks bypass and the Nordenskiöld River bridge.

A request for qualifications and request for quotes for the provision of construction services for the Carmacks bypass kilometre 0 to kilometre 5.1 was tendered in December 2020 and resulted in three qualified contractors. A request for proposals — RFPs — for the Carmacks bypass will be tendered, as I indicated, shortly — within the next few weeks. Construction is scheduled to begin in 2021.

The right-of-way clearing began in 2020 on the Carmacks bypass project. The contract was awarded to Cobalt Construction.

An application to YESAB for the geotechnical assessment component of the Carmacks bypass project was approved in January 2019 and is now complete.

The geotechnical assessment result supported an application for the full project, which was submitted to YESAB in May 2020, and the decision document was completed in December 2020.

I suppose, to answer the member opposite's question, three contractors were qualified after the request for qualifications was complete, and the tender will go out within the next few weeks — two weeks.

Mr. Kent: Madam Chair, if the tender does not go out for a few weeks — the minister mentioned that there were three companies that passed the request for qualifications and have been asked to submit bids on this. If the tender does not go out for a few more weeks — I mean, posting typically takes a month, and then an award — if it is straightforward, you can get that award out in three weeks, like you did with the Old Crow job.

There's not very much construction season left is what I'm saying. I'm curious what the delays were that led to the tender being let in June. Realistically, it's going to be difficult to spend \$7.5 million on this if you can't get that project awarded until the end of August or into September, given the length of our construction season, unless the minister has built that in or the department has built that into this \$7.5-million estimate.

We're curious when the minister foresees work being able to start on this project and if he believes that the entire \$7.5 million budgeted for it will be able to be spent this year.

Hon. Mr. Clarke: I have received some additional detail with respect to this project and can advise that the member opposite is fairly accurate with respect to how he sees the schedule for this summer unfold and that, in fact, the work will likely commence in late July or early August, involving initial construction activities in the first year of a two-year project, and that the department — given the fact that they pre-qualified these three qualified contractors, they will get to work. There is no concern at this time that the budgeted amounts — that the good work and the positive work on this Gateway project cannot occur in a timely fashion and that there is enough time in this season — starting in late July or early August, into the late summer/early fall — to conduct the work that is planned within this construction season. Also, I can confirm that this is a scheduled two-year project. The indications that I have are that the tendering process is on time and that the scheduling of the work that is to be conducted this summer has still been sequenced in the manner in which the department had planned to sequence it.

Mr. Kent: We will pass that information along to the contractors who have reached out to us about that specific project.

I have some other questions with respect to these numbers, but just in the interest of time, I am going to just ask one other question then about the envelope of projects — the \$15.5 million.

So, when the Gateway application was initially submitted to the federal government, there was obviously a significant federal government allotment or contribution. There was also a contribution from the Yukon government and then there was a contribution from industry. I believe that the initial number was in the range of \$107 million, which the private sector would be contributing — obviously a very different envelope of projects from the one that is before us today — but nevertheless, the minister's predecessor did confirm, when we asked him about it, that there was still a private sector contribution that was expected and that it was a similar number.

I'm curious, of this \$15.5 million, what is the private sector contribution to that? Rather than naming the specific mining company or companies that are going to contribute, where does the minister expect those dollars to come from?

Hon. Mr. Clarke: Government of Yukon has signed six project agreements with the affected First Nations under the Yukon Resource Gateway program. Approved project agreements have an estimated total capital construction cost of \$251.45 million. Project agreements are announced when they are approved by Cabinet and signed by all parties.

We have worked hard to increase the flexibility of the funding to including additional roads as well as the ability to approach projects in phases. This way, we have more options to focus the available money on projects that are supported by First Nations and communities.

The Government of Yukon continues to work with First Nations in the spirit of reconciliation to develop projects that

have lasting benefits. We will continue to pursue additional agreements with Yukon First Nations while implementing the signed project agreements.

Road construction projects provide sustainable employment for Yukoners and significant opportunities for Yukon First Nations and employment training to strengthen our communities. With respect to the \$15.5 million that is budgeted this year for the major projects, I'm advised that, firstly, in the original Gateway agreement — the member was close, but I'm advised that at least \$108 million is potentially set aside for industry-private sector contribution.

But I can't confirm — with respect to the \$15.5 million that is budgeted for 2021-22 — that there is no private sector contribution for that — it is a joint Canada-Yukon funding agreement with respect to the various projects, which I outlined. Obviously, there is room — I certainly hope that there would be — for industry contribution going forward in future years on and in future projects.

Mr. Kent: Just to get the minister perhaps to restate — there is \$108 million of this \$251.45 million, and then is there an additional \$108 million that is from industry? Could he just confirm that for us? He said that he hopes that the industry will contribute. Can he confirm? Will he be making industry or holding industry to their commitment of \$108 million of the entire project envelope?

Hon. Mr. Clarke: I can clarify some of this, and I will certainly get back to the member opposite if there are any subsequent questions as I continue to familiarize myself with the ongoing Gateway project. Firstly, the \$251.45 million is for the number of approved projects. The total potential value — or total possible maximum value, I suppose — of the Yukon Resource Gateway program is \$468 million. The breakdown there is: federal government investment of up to \$247 million; a commitment from Yukon of up to \$112 million; and an industry commitment of \$108 million over the lifespan of the program. I am advised that it is cumulative, so you get to \$468 million by: the federal government, \$247 million; Yukon government, \$112 million; and industry commitment, \$108 million.

There is no legal obligation for industry to be involved in some of these projects, but it is thought that there could be larger projects in the Yukon where a big industrial partner or big company — it would be in their interests to want to partner with both the federal government and the territorial government on a cost-share basis for perhaps a road or some other infrastructure project where it would be financially beneficial, or financially attractive, to a private business partner to participate.

I will confirm this with the officials. It would appear, if federal funds and the territorial funds are exhausted, then they are exhausted.

So, yes, there are funds set aside for the future to engage private companies and industry to participate in Gateway.

So, to answer the member opposite's question, the estimated total capital construction cost that has been approved so far is \$251.45 million. The expenditure for this year on the projects, which I indicated to the House, is \$15.5 million. None

of those projects have private industry participation. The total amount of the \$468 million set aside for the Gateway program envisages or contemplates having an industry potential contribution of \$108 million over the lifespan of the program.

Mr. Kent: I appreciate that response from the minister. I obviously don't have the Blues in front of me now, but we'll compare his response on that private sector contribution to the previous minister's, because I believe that, at the time, he was a lot more bullish on that private sector contribution. But again, we'll go back in Hansard and can revisit this in the fall with the minister and see what exactly has changed, if anything, with respect to that private sector contribution to the Gateway projects.

I wanted to talk about procurement for a little bit. A number of contractors in my riding and other ridings across the Yukon have reached out to MLAs in our office asking about the third-party rentals list. My understanding is that the third-party rentals list was due to be updated last March — so March 2020. It never happened at that time. The prices and the equipment that are in that third-party rentals list actually predates that by six months, so it goes back 18 months.

Obviously, contractors have purchased new equipment or sold existing equipment that is on that list. Costs have obviously gone up, as well, on an hourly basis, so I am curious if the minister can tell us when that third-party rentals list will be updated. As I said, the last update was 18 months ago, and my understanding was that it was due to be updated in March 2020.

Hon. Mr. Clarke: I want to thank the member opposite for the question. I have received some information on the issue of third-party rentals lists, and I am advised that, consistent with the Member for Copperbelt South's information, the last price adjustments were in March 2020. I am advised that, at that point, new prices were set and the time frame to consider, or to implement or set new prices, is within a two-year time horizon from March 2020. If the member opposite requires more specificity, I certainly can return to him, but that is the information that I have — that prices were adjusted or set in March 2020 and that the process of assessing what new prices ought to be will be within two years from that date.

Mr. Kent: We will follow up with the contractors who have reached out to us. So, I guess, just to confirm, the minister has mentioned that the next adjustments won't be until March 2022 — if he can just confirm that for us, because I think there will be a lot of interest and perhaps some advocating by those contractors to the department to advance that time frame, just given the increased costs and changes that have been made to their equipment lists in the last while. Again, the information that was provided to us is that it hasn't been updated. It was supposed to be updated last March, but that never happened. So, again, recognizing that the minister may have to get back to us on that, we would appreciate the information on when that exactly was last updated, and the next schedule, so that they can more accurately reflect the costs that they have.

I wanted to ask a couple of questions about the First Nation procurement policy. We understand that aspects of it have been postponed from coming into effect until the fall. We were told

at the briefing that part of it was the bid value reduction piece and the other part was the verification piece.

Can the minister give us an update on where we are at with those two issues? Obviously, the First Nation procurement policy was something that was quite contentious. It was certainly an election issue for many of us and came up at many doorsteps for those of us who have contractors in our riding and telling us what their concerns were with it.

The previous minister got quite a rough ride on this one. It was a bit of a known goal on his part, because he did not properly consult with the business community prior to making that announcement last fall, and that was spelled out in letters and conversations with the contracting community that have been made public and have gone into the local media.

That said, we're curious about where this is at, going forward. The verification process to determine — I'll let the minister explain to us where we're at in the verification process and where we're at in the bid value reduction process as well.

Hon. Mr. Clarke: I think it may have been on day one in this position when I had my first meeting on the First Nation procurement policy with some members from the Yukon Contractors Association, and I certainly look forward to ongoing meetings after the House rises. I would agree with the member opposite that it's important to get this right.

The member opposite will also know that now there is an industry working group, and there is significant First Nation representation and representation from many long-standing Yukon businesses.

I am advised that meetings have occurred as recently as yesterday. Three weeks ago, I was advised that there are weekly meetings of at least two hours. We anticipate that the consultation with First Nation businesses, First Nation governments, and other Yukon businesses will continue to occur over the summer.

The Yukon First Nation procurement policy will strengthen outcomes for Yukon First Nation people in businesses by providing opportunities for Yukon First Nation governments, businesses, and people to participate in territorial procurements. The majority of the policy is now in effect. We will continue to work with the business community on bid value reductions and on the verification process, which will be implemented on October 4, 2021. Through this policy, the Yukon government commits to providing Yukon First Nation businesses with increased opportunities to participate in Yukon's economy, ensuring that procurement processes are undertaken in accordance with the Yukon First Nation final agreements and advancing reconciliation, renewing the relationships with Yukon First Nations, and respecting treaty and aboriginal rights.

Our government has listened to Yukoners and has phased implementation to ensure that Yukon businesses, Yukon First Nations, and Yukon government employees have time to prepare and so that the required tools and templates are readily available.

We have established an industry working group to assist with the phased implementation of the policy. The industry working group provides a forum for interested stakeholders to

provide input and advice and support of the implementation of the policy. The working group has broad representation from the business community and industry associations.

We are establishing a monitor and review committee which will be responsible for monitoring and assessing outcomes of the policy and providing advice and recommendations to the Yukon government for continuous improvement. This committee will have representatives from First Nation governments, local industry, and the Yukon government.

What I would say is that getting the issue of bid value reduction and the verification of First Nation business status — it is important that we get this right.

As I said previously in my comments, there's a strong cross-section of individuals from various businesses, First Nation development corporations, and First Nation governments who are part of this process.

I hear the member opposite's comments, but this is where we're at right now, and we're certainly optimistic that there will be a transparent, usable, effective program or policy in place by, or perhaps even in advance of, the October deadline.

Chair: With respect to the time being 4:00 p.m., 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.

The matter before the Committee is continuing general debate on Vote 55, Department of Highways and Public Works, in Bill No. 201, entitled *First Appropriation Act 2021-22*.

Is there any further general debate?

Mr. Kent: Before the break, we were talking about procurement. We talked about the third-party rentals list and a couple of aspects of the First Nation procurement policy that we have been hearing about.

I did want to also touch on the process of publicly opening bids for certain projects when they close. It was previous practice. It was changed by the previous Minister of Highways and Public Works at some point during the Liberals' previous mandate. We have heard from many contractors the problems that this creates for them in not knowing whether or not they are the low bid and recognizing that, even being the low bid, it might not be the successful bid on some of these price-driven contracts, but still, when you have contractors bidding on multiple contracts, it's nice if they can find out as soon as possible.

I'm just curious if the new minister knows why the previous minister made that decision to stop that practice of opening the prices on price-driven contracts and if he intends to revert to that practice, which has been asked for by many contractors during the election campaign and throughout the 34th Assembly after it was changed.

Hon. Mr. Clarke: The Government of Yukon now posts construction tender bid prices as quickly as possible once the tender has closed.

Between April 1, 2020 and December 31, 2020, I'm advised that our government issued 59 requests for bid tenders for construction projects. Of those, 58 percent of prices were posted in one to four days, and 28 percent, or 17 projects, took five or more days to post. Of the remaining 14 percent, or eight projects, seven projects were cancelled. In these cases, prices were not posted, and one project received no bids.

In the case of where there is a delay, it is often because bids come in overbudget and it is necessary to seek approval for additional project funding.

We post bid prices as soon as bids are reviewed for compliance and we confirm that the project can proceed with the budget in place. When prices are not posted and projects are cancelled, the Yukon government has an opportunity to retender, sometimes immediately, which can save time and money.

Our government is ensuring consistency and integrity by completing the compliance review of all public tenders before sharing bid prices — a move that greatly improves accuracy in recording bid prices and protects supplier pricing.

As I said in previous comments prior to the break, I look forward to meeting with the Yukon Contractors Association in the near future, and other interested parties, and I can certainly hear from them as to what their experiences have been with respect to the system that I have outlined. I will certainly educate myself on the issue, and like I said, I can listen to the contractors and any concerns that they may have. I would certainly ask the member opposite — if he wishes and if he could, he can direct contractors and companies to the Department of Highways and Public Works, or to me, for them to express their concerns or any suggestions that they may have for making this process — in their view — fairer, more streamlined, and more transparent. But in any event, I have set out how it is currently being dealt with, with a view toward ensuring consistency and integrity by completing the compliance review of all public tenders before sharing bid prices — a move that greatly, I am advised, improves accuracy in recording bid prices and protects supplier pricing.

I will be meeting with the Contractors Association and any other companies, persons, individuals, or representatives who the Member for Copperbelt North may wish to refer to my department.

Mr. Kent: So, that issue was one of the questions that the Contractors Association put to the three parties at the debate that happened during the election. I know that they are quite anxious to revert to the previous practice. I'm sure that the minister will hear that, not only from them, but we had asked the previous minister about it as well on a number of occasions and got the same statistics essentially as the new minister just gave us. How that works on the ground for them — well, it doesn't work on the ground for them.

Again, I am hoping that the new minister has an open mind when it comes to changing back to the way it was done, rather than just continuing on in this way.

Another serious issue for the previous Minister of Highways and Public Works was the closure of Central Stores and the Queen's Printer Agency. The new minister will recall, in his time as Speaker during the previous Legislative Assembly, the fact that the gallery had a number of public servants in it. They were told — it was even past the eleventh hour — that these changes were coming. The previous minister gave them little to no warning that it was happening and made a number of claims on the floor of the Legislature about cost-savings.

In a legislative return that we received on October 30, 2019, from the previous Minister of Highways and Public Works to the MLA for Pelly-Nisutlin, he said that net savings from closing Central Stores would be \$1.231 million and that net savings from closing the Queen's Printer Agency would be \$360,000 for a total net of \$1.591 million. Is the minister able to confirm these numbers that we were provided with a couple of years ago? Perhaps he could give us updated cost-savings from the previous minister's hasty decision of closing down these two government agencies — Central Stores and the Queen's Printer.

Hon. Mr. Clarke: The return that the Member for Pelly-Nisutlin received was in late October of 2019 and just predated by a few months the onset of COVID. I am advised that COVID has complicated matters, but I can advise that Supply Services branch has realized some savings and that they are providing a number of the services to other branches of government.

I've also been advised that other branches of government will have realized some savings since October 2019 as well, but concede that it will require some work to identify the savings on a department-by-department basis. But as with a lot of issues of spending and savings, the last 14 or 15 months of COVID have certainly impacted on operations.

There is work to be done to analyze this process as to — what I've been told is that savings have been, and continue to be, realized, but obviously we would want to be in a position to be able to quantify those savings. We'll make best efforts to do so in the next while.

Mr. Kent: It would be helpful, then, if the new minister could return to us with a comparative legislation return, or however he intends to proceed, that has personnel savings and indirect and direct costs — essentially laid out like that legislative return was so that we can compare what the previous minister told us to what is actually occurring on the ground as far as cost-savings that were promised by the closure of those two government agencies.

I want to take the minister back — and I'm going to cede the floor in 15 minutes or so to the Member for Whitehorse Centre, the NDP critic. But I want to take the minister back to page 14-11 on the capital vote under Transportation. I think that he mentioned this during his opening remarks. We received information at the briefing about the \$4.6 million for the Alaska Highway. Is there any capital money being allocated to the north Alaska Highway — so the Shakwak piece, or the piece from Haines Junction to the US border near Beaver Creek?

Hon. Mr. Clarke: I can confirm that there is \$1.8 million that has been allocated for capital expenses for

BST overlay at various locations between Haines Junction and Beaver Creek.

Mr. Kent: The other highway that's not mentioned here is the Dempster Highway. What are the capital expenditures for the Dempster Highway? Obviously, there is no major construction or reconstruction projects on the Dempster, but are there any capital expenditures that are in some of these other line items that are referenced here for the Dempster Highway?

Hon. Mr. Clarke: With respect to work on the capital, funds that have been set aside for capital work on the Dempster Highway, I can advise that the total amount of \$1.675 million is broken down as follows: work on small culverts — \$75,000 in the capital budget; gravel resurfacing — \$1.1 million in the capital budget; and some work to improve stability and approaches at the Engineer Creek bridge — approximately \$500,000; which gives you a total of \$1.675 million — all work projected to be completed this summer.

Mr. Kent: I thank the minister for those numbers and the numbers with respect to the north Alaska Highway as well.

The large overhead signs that have been installed — one in my riding and one in the riding of the Member for Lake Laberge — one by KARA Speedway and the other one out by Cobalt's yard on the Alaska Highway — can the minister tell us what the final costs were for those four signs and when they will be activated?

Hon. Mr. Clarke: Madam Chair, I thank you for the opportunity to talk about the intelligent transportation system signs. Highways and Public Works continues to expand its intelligent transportation system program to serve Yukon's transportation data collection needs. This system uses a number of technologies — including traffic counters, road temperature sensors, and cameras — to collect information on road conditions and weather in order to improve safety and efficiency for all road users.

Part of this program includes the use of digital message boards that display known hazards to travellers and information about road closures and construction. Eventually, this data will also feed into our 511 platform, which means that Yukoners will have accurate, reliable road condition information to plan any trip. When complete, these signs will be connected to our 511 system, which will allow us to display known hazards like washouts, road closures, extreme weather and other weather events to the travelling public.

We will also be able to participate in programs like AMBER Alert. I'm advised by my officials that both signs are active right now, but the way they operate is that the signs show nothing unless there is something of note, as I have indicated — unless there is something that should be communicated to the travelling public. In my briefings previously, that is how they are most effectively deployed in the rest of Canada.

Through the federal national trade corridors fund, the Yukon government is receiving \$6.9 million to invest in modernizing Yukon's intelligent transportation system technologies between now and 2028. Highways and Public Works, as part of the national trade corridors fund agreement, is supplementing this funding by investing a further \$2.4 million in support of the program. Intelligent

transportation systems help infrastructure owners by collecting, synthesizing, and disseminating data for strategic investment for transportation planning.

We have expanded the dynamic message systems network to a total of 35 signs. These include trailer and permanent messages, and we have recently installed four new cantilevered variable message boards. Those are the signs that the Member for Copperbelt South was asking about in both the riding of Copperbelt South and in the riding of Lake Laberge.

If there are no messages on the signs, it is because we have adopted the Transportation Association of Canada's *Manual of Uniform Traffic Control Devices for Canada* recommendations, which indicate that, if there are no adverse road conditions to report, the signs should be left blank.

The road weather information system program has expanded its network by 15 sites in 2020, for a total of 20 stations across Yukon's transportation network. These stations provide real-time information on meteorological and road conditions, which informs maintenance response and Yukon's 511 traveller information system for safe trip planning. Traffic safety within Yukon's communities has been reinforced with the deployment of speed radar boards along primary highways. These devices provide visual cues for highway speed-limit changes, which improve safety for the community.

To recap then, these signs are active, although they may not appear to be very active because they may not say anything right now, but I think I have indicated as to why that is.

The cost of the signs is approximately \$1.8 million, which is cost-shared at 75/25 percent with the federal government.

Mr. Kent: I would like to thank the officials for attending with the minister today. This will be my final question. I do have a number of other questions, but unfortunately, given the short length of this Sitting, we won't have a chance to ask them. So, my apologies to colleagues as well who had a number of constituency questions. We will have to follow up with letters to the minister and hopefully get a chance to get responses over the summer months.

I guess I just have a final question before I turn it over to the Member for Whitehorse Centre — again, with those large signs — do the signs have cameras in them or radar — the large ones? He mentioned radar signs — I think that they were smaller ones, or maybe portable ones; I'm not sure. I'm just curious if those large overhead signs have cameras or if they are radar-equipped. With that, I will let the minister answer and then turn the floor over to the Member for Whitehorse Centre.

Hon. Mr. Clarke: Madam Chair, I have been able to confirm through my officials that the four new cantilevered variable message board signs along the Alaska Highway within the City of Whitehorse are one-way information signs only and that they do not have cameras.

Ms. Tredger: Madam Chair, I would also like to extend my thanks to the officials for joining us today. It is very helpful to have them here.

My first question is about Yukon government buildings that are currently empty. My understanding is that, right now, Macaulay Lodge is empty. We have asked in the past about whether it could be used as temporary housing, because we

know that social assistance is spending huge amounts of money housing people in hotels. We were told it could not be, because it is going to be torn down. I wondered if the member opposite could elaborate on why it is going to be torn down, what the plans are for the lot, and what the time frame is on those changes.

Hon. Mr. Clarke: Highways and Public Works has a variety of ways to identify if a building should be repurposed, sold, or demolished. These include: assessing the building portfolio every five years to determine building condition and safety risk; investigating issues raised by client departments or identified by building maintenance workers; and consulting with departments annually to determine their space requirements for their programs.

When a government department vacates a building because it no longer meets their program needs, a future-use options analysis is completed to determine the best use of the building going forward. The final decision for the future of a building is based on a business case that considers the full picture and a complete financial analysis.

All demolition projects are scored and prioritized using a scoring matrix prior to being proposed for demolition. Demolition projects are prioritized based on factors such as: health, safety, and liability; the value of the land in question; and Highways and Public Works' capacity and readiness for subsequent projects at the site.

Macaulay Lodge opened in Riverdale in 1969 and was the only long-term care home in Whitehorse for many years. A recent building condition assessment of Macaulay Lodge indicated that the building is not suitable for repurposing due to its current condition. I can advise that, over the course of the last few years, there have been a number of assessments at Macaulay Lodge that have reached the same conclusion: that it was, or is, cost prohibitive to bring the lodge back up to current and modern acceptable standards for occupation.

Macaulay Lodge is in my riding, and I had the honour to attend there, from time to time, between 2016 and when it closed to meet with constituents. It appeared to be serviceable but, of course, I'm no expert. Ultimately, it was obviously, or is, showing its age.

I agree with the Member for Whitehorse Centre that this government and all MLAs are interested in pursuing issues of additional apartment-type complexes. Macaulay Lodge is on fairly substantial land, so it certainly would have value, but it does appear — from all the assessments that have occurred over the last three or four years, plus the reports and what I provided from Highways and Public Works — that unfortunately the next step for Macaulay Lodge is demolition.

Ms. Tredger: I certainly don't dispute the department officials who say that it needs to be demolished. I guess my question is when that decision was made and how long it has been sitting empty. Part of the reason I ask is because it appears that it has been heated through the winter, and I wonder what the cost of maintaining an empty building that is to be demolished is and why that money is being spent that way.

Hon. Mr. Clarke: As anticipated, Macaulay Lodge is now in care and maintenance. It is at a level where it is meeting

safety standards but at the lowest level to meet safety standards and hopefully to incur the minimum utility costs. One could refer to it as being “winterized”.

We will have to review the Highways and Public Works budget for that line item and determine a plan for the demolition, so I cannot advise the member opposite as to the timing of the proposed demolition. However, we should be in a position to provide the member opposite with the rough bill for the utilities that are currently being expended to avoid things like, primarily, pipes freezing. My deputy minister advises that most of the services to that building are being shut down at this time.

We are looking at demolition. It needs to be planned and funded, and then a schedule should be made available.

Ms. Tredger: I have one final question on Macaulay Lodge. Since it needs to be demolished, I am wondering what the cost of demolish it will be. I understand that the member opposite doesn't have a timeline on demolition, but given that we are in a housing crisis and we are putting immense effort into trying to find new lots and trying to find new spaces, I wonder if he considers it a priority to make that space available for housing or other purposes.

Hon. Mr. Clarke: I have conferred with my officials on this. We are still in a position, with respect to Macaulay, that it will require — it is called a “demolition design” and that takes into account the age of the building and all of the potential environmental and building product liabilities that exist.

As I said before, yes, I think that it is a valuable and not insubstantial piece of real estate that could certainly be repurposed. I will return to you — or I will return as soon as we are able to determine what a time might be for the demolition schedule and certainly once I find out what a possible budget is for this. It could be a not insubstantial project.

Ms. Tredger: I would also like to talk about the building that was previously Takhini Haven. It has been sitting empty for two years. I'm wondering what the plans are for this building.

Hon. Mr. Clarke: I'm advised that there are currently discussions ongoing between the Department of Health and Social Services and the Department of Justice with respect to the appropriate use of the Takhini Haven going forward. That's what I'm advised.

Ms. Tredger: I'm wondering, over the last years and going until those discussions conclude, what Highways and Public Works' role is in maintaining that space and what the cost is to maintain that space while it's empty.

Hon. Mr. Clarke: Yes, it's a similar answer to the answer about Macaulay. As part of Highways and Public Works' responsibility for the portfolio of our buildings and the maintenance of our buildings, we would be in a position to determine what is being spent with respect to the utilities. We'll endeavour to provide that answer.

Ms. Tredger: So, there are two buildings that are sitting empty right now that we have spoken about. I'm wondering how many more YG buildings are sitting empty right now and what the plans for them are.

We have talked about costs. We don't have numbers, but I think we can imagine that it's a pretty appreciable cost to maintain buildings that are sitting empty, as well as the cost in missed opportunities to be dealing with some of the pressing issues that we have. So, I'm wondering, yes, how many buildings are empty right now and what the plans are.

Hon. Mr. Clarke: I do not have the answer as to the number of vacant buildings that the Department of Highways and Public Works is responsible for maintaining and for care and maintenance, but I will endeavour to return.

I would just point out, as I likely did in my prior comments, that — and I'm sure that it will become quite apparent to me over the course of the summer — there are competing priorities, as there are competing priorities in all departments, but certainly there are competing priorities in the Department of Highways and Public Works because, although it certainly costs money and resources are brought to bear to keep buildings in care and maintenance for a period of time, it also costs money — not insignificant funds need to be resourced, accessed, and budgeted for in order to demolish some of these buildings, like Macaulay Lodge.

In the preamble of the member's comments in the previous question, she contended that Macaulay Lodge was a potential asset. Unfortunately, it is not an asset. It is now a liability, and it is something that has to be costed going forward. That is not part of housing stock currently that can be repurposed in any useful way to alleviate or ameliorate the issue of the constraint on housing supply. That is just a building that Highways and Public Works is responsible for, and it will have to be dealt with in an appropriate manner — budgeting all the potential additional costs and environment liabilities.

Takhini Haven is certainly an asset. It is not an old building, so it can certainly be used. I would anticipate that our government, at some point in the not-so-distant future, will find a useful purpose for that building.

I will be interested to find out the rundown of the 500 buildings that Highways and Public Works is responsible for maintaining. You are building, maintaining, demolishing — the life cycle of buildings, which I am sure the talented people at Highways and Public Works are dealing with on a weekly, monthly, or annual basis. So, yes, we should make the best use of the housing stock that the territorial government has for the maximum number of people.

Unfortunately, Macaulay is not in that category. I would say that Takhini Haven is. As I said, I will make best efforts to get back to the Member for Whitehorse Centre with some of that information.

Ms. Tredger: I can certainly appreciate that there are competing priorities; however, I have certainly heard over and over again that people's number one priority is housing. I have heard the government talk about housing being a priority for them. It is hard to then see buildings sitting empty for years that could be used and then hear talk about competing priorities.

I would like to move on to a different topic on buildings, and that is the energy retrofitting. The member opposite mentioned in his opening remarks that there are plans to do energy audits on 20 percent of Yukon government buildings,

and I also understand that there is money in the budget to do energy retrofits. I am wondering how the department goes about assessing the overall energy efficiency of its buildings. I am asking this because we have some very specific targets to meet in terms of *Our Clean Future*. I want to know what impact the retrofits are going to have on our overall carbon emissions and how that's being evaluated. I'm curious about how many upgrades are going to be done this year, how many are left to do, and what the impacts of those upgrades will be.

Hon. Mr. Clarke: The Government of Yukon has secured over \$120 million to implement energy-efficiency initiatives throughout the Yukon. Thanks to a joint investment with Canada, we are able to dedicate this funding for energy-efficient retrofits for residential, commercial, and institutional buildings. Being more energy efficient is our first line of action in addressing increasing demands for energy. Our retrofit incentives allow Yukon homeowners, businesses, and institutions to upgrade insulation, improve window quality, and draft-proof their homes and places of business.

To date, our retrofit programs are delivering measurable benefits by relieving pressure on our energy-generation needs, reducing our collective greenhouse gas emissions, and creating green jobs that stimulate Yukon's economy. The retrofit program is open to Yukon First Nation governments, municipalities, businesses, local industries, and homeowners who want to improve the energy efficiency of their buildings and residences.

The Government of Yukon successfully negotiated numerous funding agreements with the Government of Canada to support energy retrofits. These agreements resulted in \$120 million in funding over four fiscal years, from fiscal year 2019-20 to fiscal year 2023-24, ending on March 31, 2024, which is an average of \$30 million per year. The total funding amount includes federal and territorial contributions.

This funding is available across government departments, specifically for energy-efficient retrofits of existing buildings in Yukon. The funding breakdown over four years, by designated recipients, is — I'll get back to you on that.

There was a question about the standards that are being followed, and they are the ASHRAE standards, which stands for the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

In addition, there is a green infrastructure program, which is a multi-year capital investment program to reduce carbon emissions from government buildings across the territory. The program supports energy retrofits and renewable energy projects with the goal of installing low-carbon energy systems to reduce greenhouse gas emissions, and we look forward to continuing our work with industry and other levels of government to develop new energy projects.

Three buildings are currently heated by Yukon government's two biomass facilities: the Whitehorse Correctional Centre, the Dawson City water treatment plant, and the Dawson City waste-water treatment plant. The two new biomass projects are in the final stages of design work. Construction contracts will be prepared for this summer, with the expansion of the biomass system at the Whitehorse

Correctional Centre to include the aforementioned Takhini Haven and the Yukon Young Offenders Facility and the installation of dual-fuel biomass systems at Elijah Smith Elementary School in Whitehorse.

There is a lot of housing stock in the older residential areas of Whitehorse that need attention, and they need attention over the course of the next years. We heard that loud and clear at the door as well. I know that this is the case in the community of Riverdale and you would also have it in some of the other communities like Takhini, Crestview, and Hillcrest. We know that the combination of residential heating systems, the outer envelope of the buildings, and transportation account for the vast majority of efforts that our government is going to have to make to reduce greenhouse gases and to reach goals that have been set.

That is a bit of a summary of where we are and where we would like to be going, but, of course, there is more work to be done, but the housing stock — both the commercial and private housing stock in Whitehorse and some other communities — will be a significant focus of our attention on this file going forward.

Does the Member for Whitehorse Centre have perhaps one final question?

Ms. Tredger: I appreciate that. I'll keep my last question short.

We spoke earlier, during Question Period, about the projects on the Robert Campbell Highway. I understand that there is money budgeted for that highway. I would specifically like to know if that money will be used to make improvements on the section between Faro and Ross River and if that's enough money for it to be entirely paved.

Hon. Mr. Clarke: Thank you for the final question. Yes, there are dollars in this budget, and it is a portion of the highway between Faro and Ross River, and it is the bitumen treatment.

The final answer is that we continue to work with the Ross River Dena Council. The project work will be proceeding through the Yukon Resource Gateway program funding once we have worked out all the details with the Ross River Dena Council, as required in our project agreement.

Seeing the time, I move that you report progress.

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 201, entitled *First Appropriation Act 2021-22*, and directed me to report progress.

Speaker: You have heard the report from the Chair of Committee of the Whole. Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:29 p.m.

The following legislative returns were tabled May 27, 2021:

35-1-2

Response to oral question from Mr. Cathers re: road maintenance — North Klondike construction near Gravel Lake (Clarke, N.)

35-1-3

Response to oral question from Ms. Clarke re: Whistle Bend school (Clarke, N.)

35-1-4

Response to oral question from Mr. Cathers re: road maintenance — Takhini River Road (Clarke, N.)

35-1-5

Response to oral question from Ms. McLeod re: camping fees (Clarke, N.)