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HANSARD

Monday, October 18, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2021 Fall 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 and Gender Equity 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
Monday, October 18, 2021— 1:00 p.m.

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 changes which have been made to the Order Paper. The following motions have been removed from the Order Paper as the motions are outdated: Motion No. 126, standing in the name of the Leader of the Third Party; and Motion No. 90, standing in the name of the Member for Watson Lake.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: Mr. Speaker, I would ask my colleagues here in the Legislative Assembly to give a warm welcome to some individuals who are here for the tribute today on national Small Business Week. From the Department of Economic Development and our policy and communications, we have Damian Topps, Jason Seaton, Kim Brown, Lisa Eddy, Aparna Verma, and Bryce Aubrey. As well, from the Whitehorse Chamber of Commerce, we have Susan Guatto, Andrei Samson, and Bernie Hoeschele. I believe Albert Drapeau from the Yukon First Nation Chamber of Commerce is also listening in today. Please give them a warm welcome.

Applause

TRIBUTES

In recognition of Persons Day

Hon. Ms. McPhee: I rise today on behalf of the Yukon Liberal government to speak about Persons Day. In August 1927, a group of five amazing and determined women met in Edmonton to sign a letter petitioning the Supreme Court of Canada to determine whether the government could appoint a female senator. The matter quickly became known as the “Persons Case” because, at that time, only qualified “persons” could become senators, and the Canadian government interpreted that to be only men.

The Supreme Court heard the case and upheld the government’s position; however, the five famous women who became known as “The Famous Five” were undaunted. They petitioned the Privy Council to rule on the matter. Off they went to London where the case was heard. On October 18, today, in 1929, Lord Sankey announced the court’s decision that the word “person” would, in fact, include women.

It seems like a common-sense approach prevailed. Sankey stated — and I quote: “The exclusion of women from all public

offices is a relic of days more barbarous than ours, and to those who ask why the word person should not include females, the obvious answer is, why should it not?”

During this Women’s History Month, it is essential that we speak and remember the names of these women and teach them to our children. The Famous Five were Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby. Each was a true leader in her own right. One was the first female magistrate in the British Empire, one was the first woman elected to any legislature in the British Empire, and one was the first female Cabinet minister in Alberta and the second in the entire British Empire, and there are so many other examples of their leadership, including working to create legislation for the protection of women’s rights and property. They did this all before they were even considered a “person” under British or Canadian law.

Separately, Mr. Speaker, these five women were champions of the rights and welfare of women and children. They worked hard and changed our society courageously in the face of prejudices and the resistance of the day. They identified a path forward for improvements, and it took their efforts and success to change the world for us all.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to recognize October 18 as Persons Day.

While there are a number of milestones that women in Canada have reached with respect to their participation in political and public life, Persons Day is one of the most regarded and recognized. The *British North America Act of 1867* used “persons” to describe a group of people, and “he” was used in reference to a singular person.

For this reason, it was argued for many years that a woman was, in fact, not considered a person. Only a man was a person and therefore only a man was afforded many rights. Governments, courts, businesses and more leaned heavily on this definition to keep women out of positions of importance. Only a man could qualify for many positions.

Many have heard of the Famous Five but may not be aware of the lengths they went to in order to challenge conventional views and effectively change Canadian history. These five women — Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby — have become prominent figures in our history by advancing their case through the Canadian courts to the highest court of appeal for Canada. That case was simple: for women to be considered “persons”, for women to be included in the legal definition of “persons”, thus giving women full rights and participation in all aspects of society.

October 18 marks the date in 1929 that the British Privy Council pronounced women as “persons”.

I will close with a quote by Emily Murphy in 1931: “We want leaders today as never before, leaders who are not afraid to be called names and who are willing to go out and fight. I think women can save civilization. Women are persons.”

Applause

Ms. Tredger: Mr. Speaker, I rise today on behalf of the Yukon NDP to acknowledge and celebrate Persons Day. Today marks an important and hard-won fight by the Famous Five: Emily Murphy, Nellie McClung, Irene Parlby, Louise McKinney, and Henrietta Muir Edwards. These women fought for something that seems intuitive to us now, but every step toward women's equality was fought for.

In 1927, the Persons case argued to include women in the definition of "person" in legislation. After two years in the highest level of court appeal, the case was won. I'm a product of this case just by standing here and talking to all of you about it in the House.

Of course, the work only benefited some Canadian women. It was not until 1960 that all indigenous women had the right to vote in Canada — 1960 — 33 years later. It's a stark reminder that the experience of being a woman is not universal and that we must explicitly consider all women in our activism.

It has been almost a century from that first court decision, and it's not just inclusion that we're after. In the third wave of progressive feminism, we have to think beyond inclusion. These women laid the foundation and it's up to us to continue to build on it. At the end of the day, how we treat, speak about, and enact legislation that affects women is much more important than just saying a few words about Persons Day.

As people who serve the public, it's our responsibility to not just include women but to hear women — all women — to prioritize their stories, to understand their experiences, to make actionable change when it is called for. It's also about our capacity to change. Progressive feminism is constantly evolving. So, when we make the wrong choice, having the capacity to apologize and change course is also an act of feminism.

Thanks to the Famous Five, these conversations will continue to grow and stretch into different parts of our lives. We look forward to continuing to uphold these values in this House and outside of it, alongside all of you.

Applause

In recognition of Small Business Week

Hon. Mr. Pillai: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to Small Business Week, which is recognized across Canada from October 17 to October 23.

For more than 42 years, the Business Development Bank of Canada has coordinated this national celebration of entrepreneurship and their significant contribution to our economy. I would also like to note, and thank, the Business Development Bank of Canada for providing one of their senior team leaders for this country, Mr. Thomas Park, who is helping the Yukon to identify our priorities through our innovation strategy and our innovation work that's ongoing right now.

The past 18 months of the pandemic have changed how we all live and do business. From growing labour shortages to supply-chain disruptions, Canadian entrepreneurs have needed to focus on innovation, inclusion, and sustainability to maintain their growth.

For a small business working to recover from the COVID-19 pandemic and its broad economic repercussions, supporting local has become more important than ever. Yukon businesses have demonstrated resilience and creativity in adapting to changing public health measures and finding new ways to go above and beyond for their customers. Some pivoted their operations out of necessity, while others invested in reimagining their businesses. New ways of doing business were adopted, including curbside pickup options, deliveries, and e-commerce.

Economic activity in the Yukon remained strong in 2020 in part because of these efforts. Retail sales totalled \$885 million, an increase of 2.3 percent compared to 2019. In 2021, things look even better this year for the retail sector.

The construction industry — primarily residential construction, with its many small- and medium-sized businesses — has been booming, with 657 new or converted dwellings built in 2020 and a further 579 in January through September 2021.

Yukon's mining industry is also creating significant opportunities for small businesses in its supply chain.

Mr. Speaker, I would also like to take a moment to thank our chambers. Through the last year and a half, folks like Susan, here with us today from the Whitehorse chamber, have been leaders. The Yukon Chamber of Commerce as well — the Yukon First Nation Chamber of Commerce and the Yukon Chamber of Mines have been intermediaries in many cases in helping us to communicate with business but also providing us with great direction.

These are challenging times, and we all need to recognize the needs of small business. We applaud the resilience and determination. In recognition of this week, we are working to create a business resiliency award to recognize those businesses that not just survived these turbulent times, but thrived — a great idea from the private sector to the department.

As the Yukon's entrepreneurs continue to focus on recovery, I again encourage all Yukoners to look for opportunities to buy local, spend local, and support local. I challenge Yukoners to go out to their community — whether it be in Whitehorse or one of the other communities — in the Yukon and find a business that you have not been into. Go in, and investigate and support. Spend some money there and support local businesses.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to recognize national Small Business Week, from October 17 to 23. The theme for 2021 is apt: "Seizing the opportunity to build the way forward". Every one of us has a favourite small business that they cater to and that they visit regularly — a coffee shop, a specialty shop, or a bakery. This year especially, our Yukon small business owners and staff deserve extra recognition and thanks for the tremendous job that they have done adapting to an uncertain business landscape. Most have overcome obstacles that we never pictured having to face. They did it with a strong

entrepreneurial spirit and acted with imagination and creativity to keep their doors open.

We know that many of these changes that businesses have had are here to stay. All have been faced with adversities, such as having to rely heavily on technology in the digital world. A year and a half ago, who knew that Zoom meetings would be considered normal? Many have had to enforce new regulations, learn new ways, train staff, and also deal with repercussions.

As the pandemic is still causing havoc, more difficulties will come but also opportunities. A sincere thank you to all of our Yukon entrepreneurs and small businesses. If Yukoners would like to show their appreciation during this Small Business Week, visit a local business. We have all heard the phrase “Shop locally”. Well, I would add: “Please shop locally”. These small business owners are our neighbours, our supporters of charity and community. Whether it is your favourite shop or somewhere you have never been, we encourage you to purchase a gift, schedule a service, and just say hello.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to national Small Business Week. When I think of small businesses, the first thing that comes to mind is the Fireweed Market. If anyone doubts that Yukoners love their local businesses, they just need to come at 2:45 p.m. to look at the dozens of people lining up to get in before the market has even opened. As the Member for Whitehorse Centre, I am so proud to tribute the many, many small businesses in my riding. With a quick walk through downtown, you can buy cheese, bagels, any number of delicious meals, art, books, clothing, bicycles — I could go on. I love the unexpected partnerships like coffee shops and music stores together in the same space.

I love their community support, like the yarn store’s donation jars for local charities. I love knowing that this is a place where people can, with immense hard work, make their dream project into a reality, because behind every small business is a dream.

It doesn’t stop at Whitehorse Centre. Across the territory, Yukoners are boldly taking risks to start and continue small businesses. Some have been in their families for generations; some are just taking their first steps. In our rural communities, businesses face unique opportunities and challenges. There is no doubt that the last year and a half has been tough on small businesses like never before. We want to thank every business owner who has persevered through these challenging times and thank every Yukoner who has and continues to support our local small businesses.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Clarke: I have for tabling *Yukon Youth Panel on Climate Change 2021 — Our Recommendations, Our Future — 27 Programs and Policies to Embolden the Yukon’s Climate Action*.

Mr. Cathers: I have for tabling today a letter to the Minister of Health and Social Services regarding Moderna and Pfizer booster shots for Yukoners 65 and older.

Ms. White: I have for tabling a letter dated August 31, 2021 to both the Premier and the acting chief medical officer of health entitled “COVID questions from Yukoners”.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

Mr. Dixon: Mr. Speaker, I have for presentation the first report of the Standing Committee on Public Accounts.

Hon. Mr. Clarke: I am the Chair of the Standing Committee on Appointments to Major Government Boards and Committees, and I have for presentation the second report of the Standing Committee on Appointments to Major Government Boards and Committees.

Speaker: Are there any further committee reports to be presented?

Are there any petitions?

PETITIONS

Petition No. 3

Mr. Cathers: I have today for presentation the following petition — I would just note that, in keeping with the Standing Orders, I will be replacing the name of a member in it with her title.

This petition is to the Yukon Legislative Assembly.

This petition of the undersigned shows:

THAT it took the Government of Yukon 21 months to communicate to parents about a former teaching assistant charged and convicted of the 2019 sexual assault of a student at Hidden Valley Elementary School;

THAT the Government of Yukon did not communicate to parents about the sexual assault until after the media reported on it in July 2021;

THAT this failure to communicate meant that other alleged child victims of the sex offender who have since come forward, did not get the support they needed in a timely manner from their parents and health professionals;

THAT the Minister of Education at the time, the Deputy Premier, and the Department of Education knew about the sexual assault and did not communicate it publicly, as demonstrated by documents acquired through the *Access to Information and Protection of Privacy Act*; and

THAT anyone not taking a child-centred approach to delivering education in the territory should face real-world consequences for their actions or inaction;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Deputy Premier to clearly disclose to the public when she was made aware of the 2019 sexual assault at Hidden Valley Elementary School, and what direction she gave Department of Education officials — including any direction regarding communicating about this serious incident to parents.”

I should note, Mr. Speaker, that the petition has somewhere between 300 and 350 names on it.

Speaker: Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 10: *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*

Hon. Ms. McPhee: Mr. Speaker, I move that Bill No. 10, entitled *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*, be introduced and read a first time.

Speaker: It has been moved by the Minister of Justice that Bill No. 10, entitled *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 10 agreed to

Bill No. 9: *Act to Amend the Cannabis Control and Regulation Act (2021)* — Introduction and First Reading

Hon. Mr. Pillai: Mr. Speaker, I move that Bill No. 9, *Act to Amend the Cannabis Control and Regulation Act (2021)*, be now introduced and read a first time.

Speaker: It has been moved by the minister responsible for the Yukon Liquor Corporation and the Yukon Lotteries Commission that Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 9 agreed to

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

NOTICES OF MOTIONS

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

THAT this House urges the Yukon government to recognize that the use of third doses of Moderna for people 65 and up is expected to be granted approval by Canadian regulators soon by taking the following actions:

(1) moving quickly to make third doses available to Yukoners aged 65 and up who wish to receive them as soon as that use has been approved; and

(2) providing Yukoners with a timeline for when they can expect to be able to receive a third shot, if they wish to do so.

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

THAT this House urges the Government of Yukon to recognize that a key part of being able to heat homes with wood and reduce fossil fuel emissions by converting to biomass heat is the ability of local woodcutters and haulers to operate without government erecting barriers that prevent them from harvesting wood in the Yukon and from hauling wood on our highways.

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

THAT this House urges the Minister of Education and the Minister of Highways and Public Works to report on which woodworking shops in Yukon secondary schools are currently shut down because they lack functioning dust-collector systems and provide a definitive timeline on when they will be reopened.

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

THAT this House urges the Yukon government to offer emergency support to the Government of Nunavut and the City of Iqaluit in dealing with their state of emergency due to contaminated water.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to address the impending shortage of firewood by working with the Yukon Wood Products Association to:

- (1) relieve the backlog of commercial permits; and
- (2) review the *Forestry Act*.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

COVID-19 vaccine and safety measures

Hon. Ms. McPhee: On Friday, our government announced important new measures to address the COVID-19 situation. These are coming forward now in light of the changing landscape that is all around us. The Northwest Territories and the State of Alaska have each dealt with a widespread resurgence of COVID-19. Schools throughout the country have been impacted by cases, including here in the territory, and our case count has been increasing in recent weeks. Vaccination remains our best protection against all forms of COVID-19. It is about protecting all Yukoners, including our children and youth who are not yet eligible to be vaccinated.

The Yukon’s acting chief medical officer of health has provided new recommendations to address the current situation that will increase vaccination rates while ensuring that we can continue to protect all Yukoners. Our government is planning the logistics around how we implement these recommendations, which will introduce major changes to

ensure our territory remains healthy, safe, and protected against the current risks associated with COVID-19.

The Government of Yukon will soon require all Yukon government employees and all front-line health care workers in the territory to be fully vaccinated. Mandatory vaccination will apply to all public servants, including teachers, as well as those who work in hospitals, long-term care homes, medical clinics, and allied health care settings. It will also apply to employees of our partners that the government funds to provide services to vulnerable populations and those in congregate living situations such as group homes, shelters, and the Whitehorse Correctional Centre.

We need to do everything we can to stop the spread of COVID-19. As the territory's largest employer, the Yukon government has a duty to lead by example and do our part to keep Yukoners safe. This mandatory vaccine requirement will allow us to ensure a safe working environment for our employees, including our health care workers, while protecting the health and safety of the members of the public whom we serve every day.

This requirement will come into effect on November 30. This will ensure that those who have not yet been immunized will have enough time to receive both doses of vaccine before the requirement comes into force. Proof of vaccination will also soon be required to access non-essential services and attend events in the Yukon. This includes bars and restaurants, live music events, and theatre performances.

Proof of vaccination will also be required in order to participate in recreational activities for those who are over 12 years old, including all organized sport leagues. This requirement will also come into place on November 30.

Proof of vaccination will not be required to access essential services like a grocery store, pharmacies, libraries, or banks. Government officials are working with businesses, stakeholders, and those impacted by this requirement to address concerns and answer questions.

These mandatory vaccine and proof of vaccine requirements are based on the recommendations of the acting chief medical officer of health to limit the spread of COVID-19.

Mr. Dixon: Mr. Speaker, let me say at the outset that I, and the Yukon Party caucus, firmly believe in vaccination as the best tool to protect Yukoners from COVID-19. I believe that the vaccines that are available to Yukoners are safe and effective and offer us the best opportunity to move forward and beyond COVID-19. I strongly urge all Yukoners to get vaccinated.

I do not, however, support making vaccines mandatory. I am also concerned that the proof of vaccination system that the Liberals are planning is flawed. However, it is clear that the announcement that was hastily made on Friday was not just about the health of Yukoners or the rates of vaccination; it was a politically motivated attempt by the Liberal government to distract Yukoners from the mounting scandal related to the sexual abuse of children at the Hidden Valley School. It is an attempt to distract from the role of the Deputy Premier in that scandal, as well as her refusal to answer any of the many

questions that have been put to her by parents, media, and the opposition.

After a disastrous first week in the Legislature, where it became crystal clear that the Deputy Premier was aware of this abuse and made the decision not to tell parents, the Liberals were desperately seeking to change the channel. It was only last month that the Premier spoke publicly about vaccine mandates and denied that a vaccine mandate was coming. I will quote from a September 7 CBC article. I quote: "... the Yukon government has no plans to bring vaccine mandates to services, or for government staff."

As recently as October 8 — just 10 days ago — the Public Service Commissioner informed the YEU and the YTA that no decision about vaccine mandates had been made, and yet, last Friday, the government made a rushed announcement with no clear plans, no answers to any of the many questions that have been asked, and no consultation.

So, what has changed since October 8? Well, I think that any Yukoner who has been following the Legislature or the news knows the answer to that question. It's the growing scandal involving the Deputy Premier. It's the lawsuits that have been launched against the Liberal government. It's the petitions with hundreds of signatures that have been tabled here. It's the public letters that have been written and the growing number of parents and families that have been insulted and offended by the shameful conduct of the Deputy Premier and the fact that the Deputy Premier has over and over refused to answer even the most basic questions about what happened. She has hidden behind the current minister, even though the current minister admits that she had no knowledge of the matter. The Deputy Premier has tried to hide behind the so-called "independent investigation" and even tried to foist blame on the RCMP. That's what has changed, Mr. Speaker, and that's what prompted this announcement that was clearly rushed and not thought out.

We have many questions and concerns that we hope to raise about this announcement, but we will not stop asking the Deputy Premier about her role in the sexual abuse scandal until she answers the questions and takes responsibility. We will not stop seeking answers and accountability. So, I urge the minister to use her response to start answering the many questions that have been put to her by parents, families, the media, and the opposition about when she found out about sexual abuse at Hidden Valley school and why she did not inform parents.

Ms. White: Mr. Speaker, I remember when news of the coronavirus was making its way into headlines in early 2020. Those headlines became worse as the days went on, and the reality of the situation slowly but surely reached us. I feel like one of the lucky ones, as a friend who is far smarter than me told me to get ready for the long haul — that this wouldn't just be a matter of a few months but for a much longer period of time.

Even with that knowledge, the last 19 months have been hard. In the last 19 months, Yukoners have made sacrifices and changed their behaviour, but despite all of these sacrifices, we are grappling with another wave. Since the beginning, there

have been different schools of thought on how we should proceed. There are those who urge for caution or those who say that it's no worse than the flu. These perspectives are complicated, and they are rooted in different experiences and understanding. But one thing is certain: If the Yukon government wants folks to understand and buy into the decisions that are being made, they need to get better at communicating.

When the government lifted the mask mandate and other measures back in August, folks were concerned. People reached out for more answers, and I shared three pages' worth of questions from Yukoners in a letter sent to the government. I am still waiting for a reply six weeks later.

When restrictions were lifted here, other jurisdictions were reinstating them. Since then, most provinces and territories have again mandated masks in public spaces, but here it has only been strongly recommended. BC requires masks in all public indoor settings for those ages five and up. Alberta requires masks in all public indoor settings including students in grade 4 and up.

Saskatchewan has an interim mask mandate for public indoor settings from September 17 until late October, until the vaccine has been in place for three weeks in that province. In Ontario, masks are required in all public indoor spaces for those ages 2 and up. Québec too has a mask mandate, and both NWT and Nunavut require masks indoors. Yet in Yukon, where we have more cases per 100,000 than both British Columbia and Ontario combined, we're just like Manitoba — still no mask mandate.

Is the Yukon's *Public Health and Safety Act* in line with other Canadian jurisdictions, or does it need to be reviewed and strengthened? The acting CMOH is telling us that the Delta variant is the main variant in the Yukon and that we need to reach a higher rate of vaccination. So, we're facing another outbreak. On a weekly basis, we've now had outbreaks at schools where children are not vaccinated and outbreaks in mine sites and workplaces where we know that at least a few people have been fully vaccinated, so folks have many questions.

According to the Health Canada website, 75.5 percent of eligible Yukoners have received two doses of the vaccine, and yukon.ca says that 84 percent of Yukoners 18 and older have received them and that 76 percent of 12- to 17-year-olds are fully vaccinated. So, what is the true rate of vaccination for all eligible Yukoners? What is the calculated herd immunity threshold for Yukon? What is the threshold for vaccination to achieve herd immunity in Yukon? How many more Yukoners need to be vaccinated to reach the herd immunity threshold? How long will vaccine passports be in effect? How will government support small businesses to enforce these requirements? Do childcare workers who work with children under 12 fall under this mandate? Will all childcare workers need a proof of vaccination? Has the Yukon government designed the city transit service as an essential service?

Mr. Speaker, these last 19 months have been a lesson in learning on how to listen to each other, no matter which side of

the argument we're on. Ultimately, the Yukon NDP want us to keep each other safe, and we'll work toward that goal.

Hon. Ms. McPhee: Mr. Speaker, these new vaccine requirements are based on the recommendations of Yukon's acting chief medical officer of health. Our government has been consistent in our response to the pandemic. We always follow the science.

When we get new recommendations from the office of the chief medical officer of health, we announce them so that people will know what she has said and what changes might be coming that might impact their lives. Mr. Speaker, that is the responsible thing to do.

We have acknowledged that there are many logistical details to work out as we move toward November 30. Of course, our government is committed to undertaking that work with our partners. The chief medical officer of health makes recommendations and the government, in accepting those recommendations, proceeds to operationalize them.

These measures will increase vaccine rates while ensuring that we can continue to protect all Yukoners from the spread of COVID-19 because the vaccine remains our best protection against all forms of COVID-19.

Mr. Speaker, we need to work together as a territory to protect the health and safety of all Yukoners, including our children and youth who are not yet eligible to be vaccinated. I am pleased to hear that the other parties — the opposition parties here in the House — seem to support vaccination but don't seem, unfortunately, to support this move. We need to do everything we can to stop the spread of COVID-19. As the territory's largest employer, the Yukon government has a duty to lead by example and do our part to keep Yukoners safe.

The new mandatory vaccine requirement will allow us to ensure a safe working environment for our employees, including our health care workers, while protecting the health and safety of members of the public whom we serve everyday. Officials are currently working on these new requirements and how they can be implemented under the *Public Health and Safety Act*. We will provide more information in the coming weeks.

This requirement will come into effect, as I have said, on November 30. This will ensure that those who have not yet been immunized will have enough time to do so. Proof of vaccination will also soon be required, as I have said, for non-essential services and to attend events in the Yukon where there have been many notifications, recently, of problems. This requirement will also be in place on November 30.

We recognize that this requirement will impact many businesses, stakeholders, and organizations. Government officials are working with those impacted by this requirement to address concerns and answer questions. Officials have reached out to the business sector, the tourism sector, and the arts and heritage sectors last week. Meetings are happening this week to address questions and gather feedback. I should say that there is much support from those stakeholders for this decision.

We are committed to working in partnership with the private sector to implement these new requirements. Again, the new vaccine requirements are based on the recommendations of the acting chief medical officer of health. These measures align with steps being taken in jurisdictions across the country — we have heard from the Leader of the Third Party — where they have had to deal with similar logistical considerations, but I note that the Yukon's management of COVID-19 has not required us to go back and forth — to close schools and open schools and have mask mandates and remove them. The management has been steady and decisions have been based on science.

The simple fact is that we need to take action to increase vaccination rates and keep Yukoners healthy and safe, and that is what our government is doing. I urge the Members of the Legislative Assembly to see their way clear to work together.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Sexual abuse within elementary school

Mr. Dixon: As we have discussed several times, in late 2019, the Department of Education became aware of sexual abuse of a student at Hidden Valley Elementary School. At the time, the department and the school staff wanted to do the right thing and notify parents. They even wrote a letter to notify parents. However, then the Deputy Premier got involved and the decision was made not to tell parents. As a direct result of the Deputy Premier's negligence in ensuring that the parents were notified, several victims went unidentified for over a year and a half. That was over a year and a half that they went without justice or support.

So, Mr. Speaker, can the Deputy Premier finally tell why she never ensured that parents were notified?

Hon. Ms. McLean: I once again, for the fifth day, rise humbly to speak to the devastating matters that happened in 2019. I have been clear that when I speak, I speak to the families, I speak to the children, and I speak to Yukoners about the impacts of what has happened here, which is why, again, I will speak to the steps that we are taking.

I have launched an independent review of the Government of Yukon's response to the situation at the Hidden Valley school, which again, is a commitment that I made directly to the families of the children, particularly those who were impacted directly by this situation.

I am happy to say today that the independent reviewer, Amanda Rogers, is in the Yukon this week, starting the ground work on this review. I am very committed to ensuring that all of our departments work closely with her and that our families, our school community, and others who need to be part of the review are part of the review.

Mr. Dixon: What the minister forgot to mention is that the independent investigation does not include interdepartmental discussions between the ministers. It doesn't include the Cabinet confidences and what was discussed between the former minister and the current minister.

So, here is what we know. Last week, the media asked the Deputy Premier if she was aware of the sexual abuse of a child at an elementary school while she was minister. In response, she said, "Absolutely". We also know that, in 2019, the department and school staff wanted to do the right thing and notify parents, but when the draft letter got to the Deputy Premier, a decision was made not to send it. We also know that, in March 2020, the Deputy Premier received a briefing note about the sexual abuse in an elementary school. Finally, we know that, despite being aware of this for over a year and a half, the Deputy Premier did not tell parents. She did not tell even the new Minister of Education, and now she won't give any answers at all to the public.

Does the Deputy Premier recognize that, as a direct result of her negligence, several children who were victimized went unidentified and without supports for over a year and a half?

Hon. Ms. McLean: I have been clear all along that this independent review will look into our internal and interdepartmental processes related to these allegations of child abuse and the response of the Department of Education staff. It will include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communications. That is particularly a very important key aspect — the communications — to address serious incidents in Yukon schools. This will include reviewing how the departments of Education, Health and Social Services, and Justice work together to respond to serious incidents in schools and interact with the RCMP.

I will point, Mr. Speaker, to the terms of reference that I tabled in this House and that are guiding the independent review. In item 4, there will be a finding of fact related to the responses of the Department of Health and Social Services, Department of Education, and Department of Justice to the incidents in 2019 at the Hidden Valley Elementary School. I have been clear to the investigator to go where the investigation needs to go. That is what I am committed to.

Mr. Dixon: I think that all Yukoners know where this investigation needs to go; it needs to go to the Deputy Premier.

It's clear that the Deputy Premier was aware of the sexual abuse that occurred in the elementary school, but then, instead of telling anyone about it — instead of notifying parents so that they could talk to their children — the Deputy Premier did nothing. Instead of answering questions, the Liberals have hidden behind this so-called independent investigation and have even tried to foist the blame on the RCMP. In fact, the so-called independent investigation is being conducted by an Outside lawyer who was hand-picked by the minister and given a sole-source contract. It doesn't include what happened in 2020. It doesn't look at what the Liberal Cabinet or caucus did, nor why the Deputy Premier never told anyone.

By excluding what the Deputy Premier knew, and what she did and did not do, and by not including any review of why the Deputy Premier told no one about this in 2020, it's clear that this so-called review is nothing more than a smokescreen.

Will she stop hiding behind this sham of a review and start answering the questions that Yukoners have put to her?

Hon. Ms. McLean: Mr. Speaker, again, I made a commitment directly to families and the school community to do a comprehensive review, which is what we are doing.

Mr. Speaker, I have the utmost faith in the individual who has been hired and who comes to us with a tremendous amount of experience. I have committed to ensuring that this review will go where it needs to go. Of course, it will include where we are from 2019 to where we are today. That's a commitment that I have made. There will be a finding of fact related to the responses of the Department of Health and Social Services, Department of Education, and Department of Justice to this incident — and bringing us to where we are today. Yes, it focuses on 2019 and moves us along to where we are today.

There will also be recommendations for improving government-wide policies and procedures to better support Yukon — the Yukon school community. I have committed to having this review done by January 31. As I said here today, I'm pleased that the individual conducting this review is here in the Yukon this week.

Question re: Sexual abuse in elementary school

Mr. Cathers: Thank you, Mr. Speaker. Last week, the Deputy Premier told media that parents and families from Hidden Valley school just want to move on and stop talking about this issue. Since then, we've heard an uproar of voices to the contrary. Parents have written open letters, some have gone to the media, and now there is a petition signed by hundreds of Yukoners before the Legislature urging the Deputy Premier to finally stand up, come clean, and start providing answers about her role in this.

So, will the Deputy Premier respect the voices of parents and families and start answering the questions that have been put to her? Why did parents and families have to learn about what happened on the news so long afterward instead of hearing directly and promptly about it from the minister and the Department of Education?

Hon. Ms. McLean: Thank you very much, Mr. Speaker. As the Minister of Education for the Yukon, I am taking the steps that we need to take to get to the bottom of what happened in 2019. I have launched an independent review, as I've stated here today a number of times already.

I will continue to talk about that review, because that is exactly where the answers are going to come from. My commitment is to be transparent and to ensure that families and the school community receive the answers that they are seeking.

Mr. Speaker, I want to ensure that this will be a broad, comprehensive review that will bring forward the answers that folks need. In the meantime, I am committed to working with the families to ensure that they have the supports they need right now and to be respectful also that there are matters currently before the court. We have families navigating something very difficult in the court system. My focus will be on ensuring that they have the supports they need through all of our departments — through the departments of Education, Health and Social Services, and Justice.

Mr. Cathers: Mr. Speaker, the Deputy Premier's refusal to answer even the most basic questions about what happened, when, and why is not going over well with Yukoners. Yukoners know that the questions we have been asking are reasonable questions about why the Deputy Premier did not notify parents, and they are not legal questions. They are about what the minister knew and what actions she did or did not take. They are the kind of questions that we do not need the sham of an independent review to answer.

So, will the Deputy Premier stop hiding from accountability and start answering the important questions that have been put to her?

Hon. Ms. McLean: Mr. Speaker, I am very confident in the individual who has been hired to do this independent review. I think that parents need to have the confidence in that as well, which is why I really take exception to the comments that the member opposite has brought forward in his preamble in this question. We have committed to finding the answers to the questions that folks are asking. Casting a shadow over a process that is underway — we also have a process that includes the Child and Youth Advocate who is doing a review as well in terms of the Department of Education's policies and procedures and actions taken in 2019. We also have an independent review that the RCMP is conducting on the investigation that happened in 2019. The RCMP have been very forthcoming in talking to Yukoners about what they didn't do in 2019, which was to interview all of the potential victims in this case.

Mr. Cathers: Last week, the Deputy Premier told media that parents and families affected by this at Hidden Valley school just want to move on. Then she admitted that she had never actually even spoken to parents. The minister trying to put words in the mouths of parents has not gone over well with anyone. A petition with hundreds of signatures from Yukoners has been tabled in the Legislature, calling on the Deputy Premier to answer the questions that have been put to her.

Why did she not ensure that parents were notified? Why did the December 2019 letter not get sent? Why did the former Minister of Education keep this issue from the current Minister of Education? Will the minister respect the wishes of parents and families and start answering the many questions that have been put to her — that only she can answer — questions that have been put to her by parents, by both opposition parties, and by the media?

Hon. Ms. McLean: Mr. Speaker, again, I think that it is really important to point out to Yukoners and, first and foremost, to the families of the children and the school community that there are important steps being taken now. These steps include three reviews that I have talked about today. We have launched the independent review. We are working with the Child and Youth Advocate with the review that she is conducting and there is an RCMP review into their investigation in 2019. These are, in fact, where the answers will come from. I will release this report — the one that I am responsible for — to the families and children of Hidden Valley school, the school community, and to Yukoners. I think that is where the answers will come from.

Again, I want to focus on and point to the supports that are necessary right now for those who have been directly impacted and those who are continuing to navigate the criminal court system, the civil court system, and other regards. I look forward to continuing to talk about those supports.

Question re: Sexual abuse within elementary school

Ms. White: Last week, the Minister of Education responded to questions about Hidden Valley school saying that supports were in place and that physical changes were being made to the school. The same day, I received e-mails, texts, and photos saying that it wasn't the case. I apologize for asserting that the minister had seen these photos. I have since forwarded these pictures to the minister, showing that these physical changes were in fact far from being completed. These changes need to happen not only in Hidden Valley but to all schools in the Yukon.

Will the minister confirm that the Department of Education has undertaken safety audits in all Yukon schools to ensure the safety of all Yukon students?

Hon. Ms. McLean: Mr. Speaker, I think that folks have heard me say repeatedly — I have had a lot of opportunity to speak about safety in schools — there is nothing more important that the well-being and safety and protection of students when they are in our care.

We are certainly focused on taking the needed steps to rebuild the trust. Thank you very much for the question brought forward and thank you also to the Leader of the Third Party for forwarding the correspondence from the parent at Hidden Valley with these important questions. I've forwarded that on to my department to ensure that it's thoroughly investigated and reviewed. I will get back to the member opposite, specifically about the safety audits in all schools, but, again, I think that these steps — I know that there were immediate steps taken in the school and a number of changes and protocols that were made directly in 2019. I think that we're always striving to do better. I will report back on the findings from my department when I have them.

Ms. White: Mr. Speaker, it's also about the need for systemic changes to Yukon education. Families and students are looking for real support. The minister has briefly mentioned wellness resources and education support on topics like sexual health and reporting sexualized abuse. The minister also assured this House that there are other supports available, including an on-site social worker and the involvement of public health nurses. But parents are telling me that they lack the support they need for themselves and that their children still lack the support that they need in class and in school.

Can the minister confirm — yes or no — if these supports have been in place and are easily accessible? If she chooses to answer yes, why do I still have parents telling me that they can't access the supports that the minister is referencing?

Hon. Ms. McLean: I want to first start by saying that if there are any concerns particularly around safety practices in any schools and how staff are interacting with students, this should be brought to the attention of the school administration

immediately. This helps to ensure a timely response. I just wanted to start by saying that part and then get into the supports. I am told that the supports are available to families and staff, including on-site support coordinated by the school community consultant, who is a trained social worker.

I have gone over this a number of times in terms of supports. There are also referrals to other support services that are being facilitated as needed, such as through Family and Children's Services, Mental Wellness and Substance Use Services, and Victim Services. Particularly under Victim Services, we have had a lot of referrals to project Lynx, which works directly with children of sexual abuse. In terms of child and family, we have also had access to counselling as well as long-term individual and group counselling. I would like to continue on to finish my response to the member opposite. Thank you.

Ms. White: Mr. Speaker, maybe the minister and the department can reach out to parents with those concerns.

We have heard from the minister over and over again about how the independent review, including the review that will be commissioned by the Yukon government, will look at the policies and procedures of the Department of Education. Let's be clear about one thing: This whole ugly situation has been mishandled from the start. To make it worse, the government keeps hiding behind reviews instead of taking responsibility for all of its actions now.

The former Minister of Education told the press that questions about who knew what and when will be answered by the independent reviews. Can the Minister of Education explain why she thinks it is appropriate to ask for Yukoners to pay for an independent review of the facts when her government could start sharing that information now, instead of making families wait for months to get the answers?

Hon. Ms. McLean: Mr. Speaker, I am very committed to the independent review and, of course, supporting the Child and Youth Advocate and supporting the RCMP review. I think that this is where we will get all of the questions answered and not have any fragmented information going out to Yukoners. I want to ensure that the whole view is given through this review, which is why I think that it is important to launch an independent review that will ensure that all of the questions that we have had leading up to this legislative Sitting and beyond are answered and answered thoroughly.

I will continue working with the school community, the families, and the children around whatever supports they need, and I am committed to that.

I have been following up directly with my department to ensure that those supports are in place. I really do want to know, Mr. Speaker, if there are family members who are feeling unsupported. That is not something that I support. I want to see them get what they need to move through this.

Question re: Affordable housing

Ms. Tredger: There are currently hundreds of Yukoners on the wait-list for housing. There are hundreds more Yukoners who go uncounted — from couch surfing to camping. This issue is so much bigger than this government is willing to

admit. While there are units being developed for the future, the people who don't have housing need it right now, especially in the midst of a fourth wave of COVID.

What is this government doing to house Yukoners right now?

Hon. Mr. Pillai: Mr. Speaker, first I would just like to clarify — this government is not taking the situation lightly. As it was in the preamble to the question — it touched on the fact that we are not understanding the magnitude of this — it couldn't be further from the truth. Actually, we are very committed to dealing with a very significant problem that is in place right now. That is partially why we brought all of our stakeholders together to look at every opportunity we can to support those who are in need.

It is true, Mr. Speaker, that we have a very extensive wait-list for Yukon housing at this particular time, and my office has directed the Yukon Housing Corporation to look at all available options for us as we go into the winter — for those in need — even with some of the challenges that we see with potential displacement today.

Again, we continue to look at a number of projects. The \$20 million that we have received from CMHC that was negotiated as well as the \$20 million that was negotiated by the previous minister is funding a number of projects and projects that are to be completed and opened to support those who are on those wait-lists.

I look forward to questions two and three, and we will go through a number of other strategies that we are deploying at this particular time.

Ms. Tredger: Mr. Speaker, this government has failed to regulate housing, allowing hotels and short-term rentals to run housing however they like. People need housing so, more often than not, they have no choice but to accept whatever conditions are being imposed. For Yukoners living in short-term rentals like hotels and Airbnbs, there is virtually no protection or certainty.

What protections is the minister putting in place to protect Yukoners living in hotels or other short-term rental units from eviction?

Hon. Mr. Pillai: So, our work to increase the amount of affordable housing in Yukon broadly falls under three areas. First of all, we are continuing to support over 1,000 households through our community housing programs, which include our employee housing, our rent geared to income, and our rent supplement.

As well, we are continuing to offer incentive programs, such as the housing initiatives fund, the rural home ownership loan program, and the municipal matching construction grant. Again, we are continuing to work with a number of our partners at all levels of government. There are a number of First Nation government and community projects that are underway, from Mayo to Whitehorse to Watson Lake. All one has to do is just walk out of the main administration building and they will see the 47-unit building that is being put in place on Jeckell Street.

So, again, we do work with the Department of Health and Social Services, which, in some cases, will use short-term agreements in place to house folks, if needed, in hotels. But

what I am hearing today from the NDP is a request, I think, to start to move to regulate relationships between folks within hotel spaces, so I would like to hear more about that because that sounds a bit concerning.

Ms. Tredger: Time and time again, we have heard from Yukon tenants about just how vulnerable they feel. Frankly, rental protection should be the number one priority for this government, pandemic or not, and yet countless tenants are still being evicted from their homes. In mobile home parks, that vulnerability is even worse. I have heard so many stories from folks all over the Yukon who are on the edge of homelessness. People deserve better.

Can the minister tell us what this government is doing to protect tenants from unfair evictions and unfair treatment in the midst of the fourth wave of the pandemic?

Hon. Mr. Pillai: Thank you, Mr. Speaker. Again, we stand by the work and the legislation that is in place, which balances both the supports for tenants but also the supports for landlords. Again, we have seen unprecedented supports being put in place. Our subsidy program that we put in place, providing people with either \$200, \$400, \$600, or \$800 in grant form — and again, using our current budget to top that up —

It goes without saying that we understand that there is a challenge at this particular time. We have had very impressive growth in our economy. We have seen population growth moving over anything that was identified over the last decade here in the Yukon. All one has to see is that we're one of the fastest growing provinces or territories in the country. All of those variables are leading to more pressure.

Again, I thank the Yukon Housing Corporation for looking at all opportunities. I thank those who work under Community Services, which actually oversees the relationships between those renting and landlords. I think they continue to do good work.

Again, we're going to work with others like the Anti-Poverty Coalition to ensure that everyone, the most needy — we understand what their needs are and we have the right supports in place.

Question re: Sexual assault in elementary school

Mr. Dixon: The former Education minister knew about what happened at Hidden Valley and did not live up to her responsibility as the leader of the education system to ensure that parents were made aware. Now the former minister is refusing to come clean about when she found out about the abuse at the school and why she did not notify parents.

Last week, when asked by media if she had responded to any requests to meet with parents, she said — and I quote: "I haven't received any requests from families to do that."

Well, a CBC story from Friday evening directly contradicts the Deputy Premier's claim, as at least one parent has said publicly that they have requested a meeting with the minister.

Can the former Minister of Education tell us why she did not give accurate information to the media?

Hon. Ms. McLean: Thank you very much, Mr. Speaker, and I thank you for the questions regarding Hidden Valley school and the interaction with parents. I myself met with the

families on September 22 in a closed meeting, which I was invited to. I have continued to ensure that the school community knows that I am available to continue to meet with them, which is what I intend to do. I have also committed to a restorative process that will take us into an area of moving into a place of healing around this and ensuring that the parents who rightfully have all of the concerns that have been raised here in the Legislative Assembly — and that the concerns that they have relayed directly to me — are heard and that we are moving forward together.

I know that's difficult. There is nothing more difficult than having your child harmed. There is nothing more difficult. It's actually, in my opinion, every parent's worst nightmare to entrust their child to anyone and then have them harmed. So, I take this seriously.

Mr. Dixon: Mr. Speaker, it's clear that the former Minister of Education did not live up to her responsibilities to ensure that parents were made aware of the sexual abuse that occurred at the school. The former minister did not do her job. As a result of this failure to do her job, victims of abuse went unidentified for over a year and did not receive justice or support. How did the Premier respond to this massive failure of duty and responsibility to parents? Well, he promoted her to Deputy Premier.

Can the Premier tell us: When he promoted the former Minister of Education to Deputy Premier, was he aware that she had made the decision not to inform parents of the abuse that occurred at the school?

Hon. Mr. Silver: Mr. Speaker, again, this is an extremely devastating situation to everybody involved. My ministers have acknowledged that mistakes have been made and that there was a breakdown in trust between us, the Department of Education, Hidden Valley Elementary School, the parents, the teachers. They have apologized to the community, the parents, and that is not enough. That's why we are doing the independent review. That's why the Child and Youth Advocate is doing the review. All of these answers will come out in those reviews. We have taken the steps to get to the bottom of what happened and ensure that we make the system better moving forward. We have to. We absolutely have to. Our government is absolutely committed to rebuilding that relationship and to rebuilding the trust and the strength of our education system. I know that the Yukon Party wants to be the judge and the jury. We will allow the independent review to answer all questions and make sure that this issue — this devastating situation — does not go without response to the parents, to the families, to the educational community.

Mr. Dixon: Mr. Speaker, with all due respect to the Premier, he didn't answer the question that I asked, which is: When he decided to promote the former Minister of Education to Deputy Premier, was he aware that she had made the decision not to inform parents about what happened at Hidden Valley school?

When did he learn of this, Mr. Speaker? Those are the questions that Yukoners want answers to, and they shouldn't have to wait for a number of months for an independent investigation to get those answers.

So, let's ask the Premier, Mr. Speaker: When did he learn of what happened at Hidden Valley school, and did he know about it when he decided to promote the Minister of Education to Deputy Premier?

Hon. Mr. Silver: Mr. Speaker, again, what families and what Yukoners need to know is that the Minister of Education has launched an independent review, and our government will be fully supporting the questions asked to make sure that we get, at the end of the day, the response necessary for the parents, for the children, for the school community, to make sure that these issues are addressed.

This review will involve parents and guardians, as well as partners, agencies, and organizations, with the goal of understanding what occurred and to make improvements to ensure that our education system is protected, that our schools and students are protected, and that the support in the school community is protected. This is the commitment that the Minister of Education has made.

The member opposite has already decided who is responsible. We will let an independent, non-biased individual and the Child and Youth Advocate be the determiners of that. We will completely — 100 percent — support all of their questions in that pursuit.

Speaker: The time for Question Period has now elapsed.

Government House Leader's report on length of Sitting

Hon. Ms. McPhee: Mr. Speaker, I rise pursuant to the provisions of Standing Order 75(4) to inform the House that the House Leaders have met for the purpose of achieving agreement on the maximum number of sitting days for the current Sitting.

I am informing the House that the results are that there shall be a maximum of 31 sitting days, with the 31st sitting day being Thursday, December 2, 2021.

Speaker: Accordingly, I declare that the current Sitting shall be a maximum of 31 sitting days, with the 31st sitting day being Thursday, December 2, 2021.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 6: *Act to Amend the Safer Communities and Neighbourhoods Act (2021)* — Second Reading

Clerk: Second reading, Bill No. 6, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: Mr. Speaker, I move that Bill No. 6, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 6, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*, be now read a second time.

Hon. Ms. McPhee: Mr. Speaker, the government is pleased to bring forward the *Act to Amend the Safer Communities and Neighbourhoods Act (2021)* for second reading.

The *Safer Communities and Neighbourhoods Act*, or the SCAN act, enables members of the public to file a complaint with the SCAN unit when there is a suspicion that illegal or dangerous activities are occurring habitually on a local property and negatively affecting their neighbourhood community.

The type of activities that the SCAN unit can investigate are identified in the act as a “specified use”, which currently includes prostitution and illegal drug, cannabis, or alcohol activities.

The use of civil remedies increases the public’s access to justice by providing a confidential and timely means of seeking redress and relieves pressure on the territorial law enforcement and court resources. This is a complaint-driven process. These are neighbours who want to keep their community safe.

When the SCAN unit receives a complaint, it supports community safety by responding to the concerns of Yukoners and disrupting activities that are harmful to communities and neighbourhoods. It’s important to note that all SCAN unit activities are initiated by a complaint from a community member, after which the SCAN unit will assess if the complaint can be substantiated. The SCAN unit will only take action if there is evidence of one or more of the specified use activities occurring on the property.

The proposed amendment to the SCAN act will expand the scope of “specified use”. It is quite specific and minute. It will expand the scope of specified uses that the SCAN unit can investigate to include activities related to child sexual exploitation, criminal organizations, and firearms. Our government is seeking to amend the act in light of changes in criminal and social dynamics over the past few years.

We recognize that there is a considerable population of law-abiding gun owners and gun users in the territory. I want to emphasize that the lawful purchase, possession, use, storage, and transportation of firearms are activities that are simply not captured by the proposed amendments. We believe that Yukoners deserve safe, healthy communities wherein the possession, use, and trade of illegal firearms, organized crime, and child sexual exploitation do not exist. Thus, we are pleased to bring forward this bill to the Legislative Assembly.

I would like to add just a bit of information so that Yukoners can be fully aware of these important amendments.

The *Safer Communities and Neighbourhoods Act*, or the SCAN act, was enacted in May 2006 and is administered and enforced by a team of investigators known as the SCAN unit. They respond to complaints from citizens about illegal activities that are having adverse effects on their communities and their neighbourhoods.

Pursuant to the SCAN act, three conditions must be present prior to the SCAN unit taking any action. The activity is included in the act, of course, under a specified use. We are trying to expand the list of specified uses. It is occurring habitually — so it must be ongoing — and it is having an adverse effect on the community or the neighbourhood. The

number of complaints received by SCAN has increased significantly in the last four years, rising from 61 in 2017 to 105 in 2020. So far, in 2021, SCAN has received and investigated 84 complaints.

The SCAN unit can resolve these complaints in many ways. They can address the problem informally with the tenant or with the property owner. They can send a formal warning letter or agreement for providing a verbal warning — that they would cease the illegal activities on the property. They can serve an eviction notice issued by the landlord, and they can apply to the Yukon Supreme Court to close the property for up to 90 days through the community safety order.

In the last five years, the vast majority — 83 out of 115 complaints — were resolved by a warning; 23 of those 115 were landlord-assisted evictions; two were matters that needed a community safety order in the last five years; and one matter went to court. I note that those are important statistics for people to understand.

In addition, I would like to read into the record a quote from Chief Doris Bill. Many years ago now, Chief Doris Bill and her officials and I worked on a case in her community, the first case in which SCAN cooperated with a Yukon First Nation. It was very successful in addressing the community safety issues, which is what it is aimed at.

Chief Doris Bills says — and I quote: “I support the *Safer Communities and Neighbourhoods (SCAN) Act* amendments to include illegal activities related to child sexual abuse and sexual exploitation, gangs and criminal organizations, and illegal firearms.

“I have seen firsthand how drug dealing and illegal activities can devastate a community. It has a ripple effect that impacts neighbours, families, Elders and youth. It makes them afraid to speak up and scared to leave their homes. No one should have to live like that.

“I have also seen firsthand how SCAN legislation can help. SCAN is one tool and we need every tool we can have at our disposal to help Yukon communities deal with illegal activities.

“For our next steps, I would like to see a broader conversation between NGOs and the Yukon government to ensure there are supports in place for the vulnerable people affected by this legislation.”

I would also like to add some information. In support of the work that has been done regarding leading community safety initiatives, our government has been working closely with Gina Nagano, who has been leading safe community initiatives across the territory but focusing now on community initiatives and programming for neighbourhoods in Whitehorse and Yukon. She is very supportive of this bill as well.

Mr. Speaker, I appreciate the opportunity to address the importance of these amendments at second reading, and hopefully it’s supported at this level and we will be able to answer questions as we go forward.

Mr. Cathers: Mr. Speaker, I’m rising to speak to this as the Official Opposition Justice critic. I would note that, first of all, the lack of public consultation regarding these changes is a concern. One issue that has been highlighted, not only by us but

also by the NDP, is the fact that the *Safer Communities and Neighbourhoods Act* has not had a public review since it was put in place over 15 years ago. There have been issues and concerns with it, as the members of the government will know, and, as you may know, Mr. Speaker, there is outstanding court action directed at the government regarding this legislation and the use of it.

There have been concerns from advocacy groups, and I have to remind the government that they have a tendency to use a double standard when they roll out arguments on certain days against proposals brought forward by the opposition and then conveniently forget their arguments and do it regarding another matter.

The former Minister of Community Services, the Member for Mount Lorne-Southern Lakes, has previously argued — when we were proposing changes to the *Civil Emergencies Measures Act* to increase safeguards and public oversight, that former minister argued that it was unreasonable to propose amending an act when the government was currently in court with Yukoners over that very act. Fast-forward to today, and apparently that standard doesn't apply anymore for this Liberal government.

The *Safer Communities and Neighbourhoods Act* was brought in 2006. I would note that the reasons for it or the challenge of using a criminal standard — the act has been successful in many ways. However, it is also very important to emphasize and note that there is also a reason for using the criminal standard of “beyond a reasonable doubt”, and that is to provide protection to people who may be innocent from being wrongfully convicted.

The use of the civil standard used by SCAN does, on the plus side, make it easier to go after illegal activities that are harming neighbourhoods — that may be hard to get the proof necessary to meet that criminal standard for — but it is always important to view that area with caution and recognize that, with making it easier for law enforcement and government to take action, there is also some risk of innocent people being hurt in the process when it is falling short of that standard of “beyond a reasonable doubt”.

Again, a couple of our concerns include the lack of consultation with the public and a lack of a review of SCAN. The government should have done both before proceeding with changes here, but I want to note that some elements of the bill that they brought forward contain additions that I believe are worth considering; however, I do have strong concern with the provision that the government has brought forward regarding firearms.

In rising to talk about the background to this, I want to note that, on May 1, 2020, the Trudeau Liberal Cabinet passed an order-in-council reclassifying over 1,500 firearms that had previously been legally purchased as either non-restricted or restricted weapons as prohibited firearms. Also, in dramatic contrast to the tradition here within Canada — unlike previous legislation where, if a firearm was classified as a prohibited weapon, the existing owners were allowed to keep those weapons but not resell or transfer them — this crossed the line

with what they referred to as a “buyback” but is in fact confiscation by a friendlier name.

This step was profoundly upsetting to many law-abiding firearms owners, including here in the Yukon. The legislative amendment to the SCAN act tabled by this territorial Liberal government will make it easier for them to confiscate the very same firearms that the Trudeau government banned through their infamous May 1, 2020 order-in-council. I would note that it is especially important to recognize that many of those firearms, at the time of purchase, were non-restricted weapons.

What this means, through these legislative changes, is that instead of applying a standard set out in the Criminal Code of “beyond a reasonable doubt”, this Liberal government wants to lower the bar and make it easier for them to confiscate these lawfully acquired firearms. Within the federal government's OIC — the infamous gun ban — there was a two-year timeline imposed by which firearms owners who purchased their weapons legally have to surrender their legally acquired private property covered by the ban to government. The Trudeau Liberal government has struggled with figuring out how to implement this confiscation, or the so-called “gun buyback”, and it's important to note that this legislative amendment brought forward by this territorial Liberal government will help the federal government by doing the dirty work for them in firearms confiscation through broadening the powers under the *Safer Communities and Neighbourhoods Act*.

Mr. Speaker, one thing I want to emphasize is that it is not just the Yukon Party or Yukoners who are bringing forward concerns about the Trudeau Liberal government's gun ban. The National Police Federation, which, as you may know, is the union that represents RCMP members, issued a position statement on the subject of the Trudeau Liberal government's gun ban in November 2020.

I am going to quote several relevant parts in their position statement, which, as I mentioned, was issued in November 2020, to help all members understand why this whole issue is not only an issue of property rights and individual freedoms but is also, according to the union representing the RCMP, a wasteful diversion of resources that should be used in other ways to target real crime and real criminal activity.

Mr. Speaker, just for the reference of Hansard, I would note that the statement was issued by the National Police Federation on November 23, 2020, and includes a link to their position statement on the current statement of gun violence in Canada. They should be able to find it there, but if required, I can certainly provide the link.

So, I just want to quote, beginning with an excerpt from the National Police Federation's position statement — which includes, under the area of “Challenges”: “The increase in homicides related to firearms continues to threaten the safety of the public and RCMP Members. Effectively addressing the threat of Canada's growing illicit firearms market and related increased gang violence requires the urgent, efficient, and effective deployment of law enforcement expertise, personnel, and financial resources.

“While the growing prevalence and threat of illegal firearms in Canada is generally acknowledged, data on the origins of firearms is lacking and greater resources are needed to better understand and address this critical issue: The Canadian Firearms Program is responsible for the administration of the Firearms Act; however, does not have the resources to provide effective gun crime tracing and enforcement units. The Canadian National Firearms Tracing Centre processes tracing requests for national and international law enforcement agencies. However, the center does not collect statistics on illegal guns; rather, it determines the history of a gun connected to a criminal investigation and uses that information as potential evidence in court. Further, there is no legal requirement for police to submit firearms for tracing.

“Costly and current legislation, such as the Order in Council prohibiting various firearms and the proposed ‘buy-back’ program by the federal government targeted at legal firearm owners, does not address these current and emerging themes or urgent threats to public safety.

“It also does not address: criminal activity, illegal firearms proliferation, gang crime, illegal guns crossing the border or the criminal use of firearms.

“In fact, it diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.”

I just want to briefly repeat two parts of that; I want to emphasize them for the government and for members. The National Police Federation said, again — and I quote: “Costly and current legislation, such as the Order in Council prohibiting various firearms and the proposed ‘buy-back’ program by the federal government targeted at legal firearm owners, does not address these current and emerging themes or urgent threats to public safety.”

The second quote is: “In fact, it diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.”

So, it’s important to note that, in addition to the many Yukoners who are upset by the Trudeau Liberal government’s approach through the gun ban, in fact, RCMP members across the country, as represented by their union, have very similar views on this proposed ban — that it is a misuse of government resources. While this was, of course, primarily directed at the federal government, I would note that the same issue applies here in the Yukon.

I also want to just quote a couple more excerpts from, in this case, the press release issued by the National Police Federation on November 23, 2020, which notes — and I quote: “Although we share a border with the world’s largest manufacturer of small arms, 2,242 illegal guns used in crimes here in Canada last year were traced back to manufacturers in the United States. In fact, three of the four firearms used in the tragic mass shooting in Portapique, Nova Scotia, in April 2020, were obtained illegally in the United States.

“The NPF takes this issue very seriously because, as police officers, we routinely see first-hand how illegal weapons

are directly linked to increased gun violence and, sadly, death,” said Brian Sauv , President, National Police Federation. “Our recommendations call for a combination of better legislation, better funding, and evidence-based solutions that we believe are necessary to curtailing the proliferation of illegal guns in Canada.”

So, again, what I want to emphasize here for members is that this is not just an issue of citizens who are upset by the Trudeau Liberal government’s order-in-council backed up by the changes that the Minister of Justice has introduced today to make it easier for the Yukon government to help the federal Liberal government to go after those firearms. In fact, based on listening to law enforcement professionals, based on listening to the union representing RCMP members across the country, they are saying that this is not the best use of resources, and, in fact, it diverts those resources from where they could be used better.

I would also note that, as highlighted in their press release and on the front page of the position statement: “The National Police Federation (NPF) supports an evidence-based approach to advancing public safety and the prevention of gun violence in Canada.” To that end, what is very clear is that the evidence does not support the approach taken by the Trudeau Liberal government, which is being supported and executed through the actions of this territorial Liberal government.

That is the reason, Mr. Speaker, why we can’t support this in its current form and do believe that the government has failed to take a couple of actions that are necessary, which are to, first of all, actually do a public review of the *Safer Communities and Neighbourhoods Act* since it has been 15 years since that has been implemented, and we know that there have been concerns raised about it. As I mentioned earlier, in stark contrast to the excuse that the Liberal government previously used for arguing that the *Civil Emergency Measures Act* couldn’t be amended while the government was being sued for the use of that legislation, they don’t seem to have the same concerns regarding the *Safer Communities and Neighbourhoods Act*, which is a little bit of a double standard if you ask me.

I would again emphasize the fact that the key problem — or one of the key problems, I should say — with the approach taken by the federal Liberal government backed up by their territorial branch here is that, in addition to the infringement on people’s property rights, according to the union representing the RCMP, this whole gun ban and buyback in fact “... diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.” That’s a quote from page 2 of the position statement issued by the National Police Federation.

With that, Mr. Speaker, I will wrap up my remarks. I do want to emphasize, as I did at the start, that there are some parts of this proposal and additional definitions that the government is proposing adding that we do think are worthy of consideration. We do have a problem with the lack of public consultation. We do have a problem with the fact that this territorial Liberal government is supporting the Trudeau Liberal government and making it easier to go after firearms

owners who purchase their property legally and have done nothing wrong with it since the time of purchase.

But ultimately, in its current form, we will not be supporting this legislation.

Ms. White: Mr. Speaker, I appreciate all different iterations of my title, so it's all right with me.

I think it's important to start the conversation by saying that the *Safer Communities and Neighbourhoods Act* is a blunt tool. It attempts to solve really complex problems in kind of a hammer-like fashion. I totally acknowledge that this was a piece of legislation that was brought forward actually by members of the NDP back in the early 2000s. It was specifically meant to resolve issues with one very specific house on Wheeler Street. Here we are, 14 or almost 15 years later, and it's being used widely across the territory — unfortunately, with devastating effects.

The one big question is: Why is it that a piece of legislation that is so far-reaching has not been reviewed since it was first brought forward and passed in 2006? Why has it not been reviewed? Why are we expanding the scope of the legislation before reviewing it?

I think about housing when I think about the SCAN legislation. I think that the decision to expand the scope of this legislation is possibly reckless, because it will worsen the housing crisis. As it currently exists, the government tells us that the SCAN results — and we heard this in our briefing the other day — results in — and this is a quote — “hardly any evictions” or a couple per year. But those numbers only consider the evictions that happened through SCAN orders. I would expect that, at this point in time, everyone in this House knows and understands how weak the protections from evictions are to tenants. Landlords in the Yukon do not need a reason to evict. With the stigma that comes with a SCAN investigation, countless Yukoners lose housing — at least a whole lot more than the numbers that are being considered by this government.

SCAN investigations support a landlord's claims to end tenancies. The idea that it's just up to the landlord — and SCAN can wash their hands of it — means that the government isn't taking accountability because these are indirect evictions and these are indirect consequences. Putting someone into homelessness is not the solution. Taking a vulnerable person from a situation and making them more vulnerable is not a solution. It is not a solution to a crime, to substance use, or to exploitation.

I think about the fact that if you were to open up common signs of illegal activities taking place at a property — and this is just right off the website: “Frequent visitors at all times of the day and night.” I can tell you that there are friends whom I visit frequently at different times during the day or night, and sometimes I am not on my own there. There may be many of us stopping by. “Many short and suspicious visits to the property” — I definitely have friends where they are definitely short visits. I might be a suspicious person, so I guess they could be suspicious as well.

We have: “Visiting vehicles with many occupants yet only 1 person goes into the residence.” I have a tiny library outside my house. Let me tell you that people cruise up to my house all the time. One person hops out, and they hop back in. It could be suspicious.

“Occupants frequently leaving from the property” — well, I guess if you are visiting, you probably have to leave at some point, so I guess that would be suspicious activity as well.

“Residences with blackened windows or curtains always drawn” — I don't know about members of this House, but my television is in my living room, which also faces my tiny library and a park where children play. If anyone here has watched *Game of Thrones*, they would know that it is not suitable viewing for children. That is an example of why my curtains are always drawn. I also have two dogs and they bark at people outside of the house. My curtains are always drawn, but I guess that could be suspicious activity.

So, what we are doing with this legislation — even when we talk about common signs of illegal activity — is worrisome, because we are encouraging neighbours to police one another and make complaints based on suspicions. That can cause real consequences. I don't think this makes communities safer.

In the same breath, we talk about this legislation that has never been reviewed in all the time that it has been up, and I think it is really fascinating that there is something called the “annual report”. Safer communities and neighbourhoods — and it says the “2019 annual report”, but “annual” makes me think that it should be out every year. It's annual. It should happen every year, but at this point in time, the only one I can find online is from 2019. Is there a 2020 report? Is there a 2018 report? Can I go all the way back to 2007 to see what happened in the first year it was out? Is there a way for me to compare year to year what is going on? But right now, I can say with certainty that there is a 2019 annual report. Maybe that is a stand-alone report. If that is the case, it should say “the 2019 SCAN stand-alone report”.

You know, it is so interesting. My colleague, the Member for Lake Laberge, and I disagree on lots and lots of things. I guess it is no surprise here. It's no surprise to him and it's no surprise to me, but he just highlighted the lack of public consultation around the amendments to this legislation, and I have to say that I agree. I agree for different reasons, but I absolutely agree. That is good; it's on the record; it is in Hansard forever that I agree with the Member for Lake Laberge.

In a briefing for this amendment, it was confirmed that there was zero consultation done on this amendment. Not a single NGO or community partner was contacted, let alone the people who are directly affected by SCAN. No one was consulted on this amendment. I have been told before by the Minister responsible for the Yukon Housing Corporation at different times that it is irresponsible to come into this House without having reached out and asked people what they think about things.

I should have gone through her quote because that was a particularly stinging day in my world. I got chastised for an entire response, but I was chastised because I was told that I

didn't consult with people whom this would affect. I just said that this was an opposition Wednesday back in the winter of 2020, but here we are, and government is moving forward legislation. The government wants to amend legislation, and during the briefing, there was the acknowledgement that there was zero consultation — legislation that was tabled and passed in 2006.

You know, it is worrisome. It is worrisome because we know that, just recently, this legislation has come under scrutiny. We know that there has been outrage when we talk about the mother with the number of children who were evicted, and it wasn't because she was involved in any illegal practice, but it was the perception of being involved. Being evicted with that many children was obviously devastating.

There are so many concerns about this legislation that representatives for Blood Ties Four Directions, the Safe at Home society, the Yukon Status of Women Council, and the Yukon Anti-Poverty Coalition all filed affidavits to the Yukon Supreme Court on August 31 — each and every one of them calling for the *Safer Communities and Neighbourhoods Act* to be reviewed. Each of these organizations is vulnerable because each of these organizations is funded by the Yukon government. Each of them thought that this legislation was so important and it was so critical that it be reviewed that they filed affidavits in the Yukon Supreme Court to highlight their concerns with this legislation. That is a really big deal, Mr. Speaker.

In the briefing, we were told that it is not the people that SCAN investigates; it's the property. This completely ignores the fact that people live in the property. You can't just remove people from the equation. You just displace them then; it doesn't solve the problem.

I had a conversation with Blood Ties Four Directions, and they said: "You know, when there is a house, we support people who are working at harm reduction." They said that there are times when it is safer for people — and in this case, those who are being investigated for drug reasons — when there is a place where there are harm reduction tools — so, the crackpipe kits, the naloxone kits, et cetera. The van knows where to go. They build relationships with people accessing that space, and it's not ideal — no one says that it is ideal, but when that house disbands, we're displacing people. We are displacing the problem. It is not going away.

Women's organizations have pointed to a dangerous part of the legislation that hasn't been touched on, and that is that, under the current SCAN act, one of the reasons for an investigation is prostitution. That word is outdated in Canada for lots of reasons — so many reasons. The term that is being used now by those who practise is actually "sex work", because prostitution has so many other connotations with it. I am sure that the Minister of Justice is well aware that, under the federal legislation, the act of sex work itself is not illegal, just the solicitation of it.

The term "prostitution" is outdated. It is dangerous, and it is a sexist description of sex work. It ultimately leads, in this case and with this legislation, to sex workers losing housing,

making them even more vulnerable. It is just piling vulnerability upon vulnerability.

When we look at this legislation — and I remember the conversations that were happening in the community in 2006 when this was being brought forward. A good friend of mine was behind it. Todd Hardy — they were trying to deal with a really complicated situation. This looked like the answer. I appreciate the quote that the Minister of Justice read from the Chief of the Kwanlin Dün First Nation. There is no doubt that this at times can be a very helpful tool, but the problem is that, without a review, we don't know what works now and what doesn't work. We know that the situation in the world in 2006 and the situation in the world in 2021 are substantially different.

We have all sorts of acts. The *Child and Youth Advocate Act* is a good example. It says that it must be reviewed every five years. Well, I can say that we have done a terrible job of that, but it is finally on the docket to be reviewed. But this legislation has no review clause — none. It means that at times the government can make decisions to add things, but it is not being reviewed in its entirety. Although the Member for Lake Laberge and I have very different opinions about why it should be reviewed, the commonality is that we both think it should be reviewed. Unlike the Member for Lake Laberge, I am interested in moving into Committee of the Whole because I want to ask those questions. I want to understand why these decisions were made.

Back between 2011 and 2016, the *Liquor Act* was brought forward. There was an amendment to make drinking in public in Mayo against the law. We asked at the time why they didn't want to remove the word "Indian" from the act.

Why wouldn't we update the language? We were told, at the time, that it just was too much work at the time to update all of the language in the act, and that, I have to say, was offensive. We were talking about the *Liquor Act*. There was an opportunity; it was open. Let's fix it.

Well, Mr. Speaker, here is the opportunity. There has been an amendment brought forward to update the *Safer Communities and Neighbourhoods Act*, all without review, so I want the justification. I want to understand why. Saying that this will help address a whole different set of situations doesn't acknowledge the harm that it does. It doesn't talk about the unintended consequences.

I read the description of what you could do when you were — possible illegal activities. Again, I was challenged that, at times, it would look like I was doing things in my house that were against the law. So, asking neighbours to police each other doesn't lead to safer communities. This doesn't encourage that.

Also, in that same flipside, I acknowledge 100 percent that there are times when I would not encourage people to have the conversations with the neighbours that they are worried about. Absolutely — call in the professionals for that. But, as it stands, there are lots of questions around it. I look forward to hearing from the minister in her response, but I do look forward to having that conversation in Committee of the Whole.

With that, Mr. Speaker, I will take my seat.

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

Does any other member wish to be heard?

Hon. Ms. McPhee: Mr. Speaker, there are a couple of things that I should address. I'm going to start with the concept of the court case that has been referenced by both members opposite. I appreciate their comments, but it's important for Yukoners to know that the court case is a challenge to one specific section of SCAN that actually supports landlords and enables them to shorten a period of time of notice if they are doing so with respect to an eviction. In addition to that, that matter will be resolved through the court process.

I appreciate that affidavits have been filed with respect to that, but I think that it's important that we have this conversation about SCAN — a broader conversation — but that is not what this bill is about.

I think the Member for Lake Laberge talked about arguing against CEMA, when the court case was there, and the changes to CEMA — I should note that, at that time, my colleague, Minister Streicker, brought forward the motion to create the CEMA review select committee —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: Mr. Speaker, the Minister of Justice just referred to the Member for Mount Lorne-Southern Lakes by his name, which, of course, is contrary to our Standing Orders.

Hon. Ms. McPhee: My apologies, Mr. Speaker. I should have made reference to “the Minister of Community Services” or “the Member for Mount Lorne-Southern Lakes”. I'm sure everyone knows who I am talking about.

He brought forward the motion to create the CEMA review select committee and voted for it on October 6, 2020. We did not argue against reviewing CEMA because of a court case.

Mr. Speaker, it is true that this legislation was brought into force with the dedication of resolving issues and focusing on safety of communities and neighbourhoods. Let's be clear. What we are doing here is adding three new specified uses. We are adding three activities to the “specified use” definition in SCAN. Those activities are horrible crimes. Consultation that is considered necessary by my colleagues — I question as to whether or not the focus of those horrible crimes would be necessary.

Let me say that both my colleagues have agreed that this legislation is useful, and that is why we have brought these surgical amendments. A full review of the act — a larger review of the SCAN process — that is a good idea. That is not what we are talking about here. What we are talking about here is surgical amendments so that those activities could be part of the SCAN opportunities, or possible investigations.

We also have to be clear that these investigations that come from SCAN are complaint-driven. They resolve, going forward, when there is habitual behaviour and when it is a

specified use. I am sorry that the Leader of the Third Party was making light of the important work done by the SCAN unit to make neighbourhoods safer. Individuals have been evicted — certainly, they have — with their landlord's implications and assistance through this process. The vast majority of cases in the last five years have been resolved through warnings. The vast number of cases do not result in evictions of any kind.

I think that we also have to turn our minds to the idea that living next to a drug dealer puts children at risk, puts neighbourhoods at risk, and puts communities at risk. I know that the comment that came from Chief Bill was a result of her experience with that — of finding needles on the front lawn, of having kids playing next door, of having the safety of her community taken into account and challenged.

Mr. Speaker, the proposed amendments to the SCAN act will expand the scope of specified use that the SCAN unit can investigate if there is habitual behaviour, if there has been a complaint, and will add the activities related to child exploitation, criminal organizations, and firearms — illegal firearms' manufacture and use. It will, in no way, be the mysterious support that the Member for Lake Laberge has connected to federal legislation regarding firearms.

These changes, as I have said earlier, will not affect the legal ownership of firearms, nor will it affect the legal possession, use, sale, purchase, storage, or transportation of firearms. This amendment will only apply to firearms-related activities that are currently illegal under the *Criminal Code*.

The Member for Lake Laberge had quite a well-researched submission on this bill. It spoke primarily of the federal programs, and the focus here, with this bill, is about adding three horrific crimes to specified use to help Yukoners to be safer in their communities and in their neighbourhoods.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Clerk: Mr. Speaker, pursuant to the sessional order adopted by this House on October 12, 2021, Motion No. 84, the Member for Mount Lorne-Southern Lakes is participating in today's proceedings by teleconference.

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Mr. Pillai: Agree.

Hon. Mr. Clarke: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Disagree.

Mr. Kent: Disagree.

Ms. Clarke: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Ms. Van Bibber: Disagree.

Mr. Hassard: Disagree.

Mr. Istchenko: Disagree.

Ms. White: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are nine yeas, eight nays.

Speaker: The yeas have it. I declare the motion carried.
Motion for second reading of Bill No. 6 agreed to

**Bill No. 202: Second Appropriation Act 2021-22 —
Second Reading — adjourned debate**

Clerk: Second reading, Bill No. 202, standing in the name of the Hon. Mr. Silver; adjourned debate, Mr. Dixon.

Mr. Dixon: Mr. Speaker, it's a pleasure to continue my comments on this supplementary estimates bill that is before us today. As I began to explain when I spoke to this last time, I'll focus my comments on a number of departments that aren't included in the bill, because this is the only time we'll have to make comments on those departments, and we'll focus on, in particular, a few issues within each of them.

I appreciate that I will be able to ask — that all of us will be able to ask — questions on these in Committee, but, of course, this will be the only opportunity I have to speak in the main Assembly about this at this point.

First of all, Mr. Speaker, I note, in the Premier's presentation of this, the significant increase in net debt as a result of this bill, so, obviously, I have general concerns as well.

Without too much about the implications of the bill, I want to focus on a few specific departments.

Let me begin with the Yukon Liquor Corporation and the cannabis corporation, which don't have appropriations in this budget. Obviously, since the House has returned, we have a new minister for the Yukon Liquor Corporation, which is interesting. Of course, the previous minister spent a lot of time talking about a number of issues in the department, so I would appreciate hearing an update from the minister in Committee when he gets a chance.

One of the issues that I'm interested in hearing about is the review of the pricing structure that is being launched by the corporation. My understanding is that, over the period of COVID support, there has been a broader discussion about a more comprehensive review of the pricing structure for products in the Yukon Liquor Corporation. Since COVID measures have been in place, there have been a number of supports that have been provided to licensees by way of a percentage wholesale discount. That wholesale discount, I understand, either has recently changed or will change very soon, and it will be reduced from the rate that it was at during COVID to a lower rate. My understanding from speaking to a number of licensees is that there was a fairly comprehensive review being undertaken that looked at products, looked at wholesale pricing, and looked at categories. Ultimately, a lot of work was done over two years to come up with a new system, but my understanding is that all of that work has been set aside and the decision was made to simply go with a flat-rate, wholesale discount instead.

When we get into Committee, I would like to hear from the minister about that decision and about whether or not that comprehensive review that was undertaken, which a number of licensees put a lot of work into, will be actually utilized or if it will simply be focused on the current policy approach, which has been to offer a uniform wholesale discount.

I am also interested to learn if there is further COVID-related relief that is planned. Obviously, for licensees here in the capital of Whitehorse, business has close to resumed to some amount of normalcy, but I do know from speaking to a number of rural licensees that ongoing support would be welcome and needed.

I know that the tool that the government has used so far to support licensees has been the wholesale discount and not something that is more targeted at individual businesses in rural parts of the territory. To that end, Mr. Speaker, I would be interested in hearing if the new Minister responsible for the Yukon Liquor Corporation is considering any sort of specific supports to licensees outside of Whitehorse who continue to feel the negative impacts of COVID-19 on their businesses.

Another issue that I have heard about from some brewers is the idea — and something that is being looked at in other provinces — of delivery. In various ways across the country, there is a system of brewers being permitted to allow for direct delivery of their product to their customer. That is not, to my understanding, done currently and it is not allowed in the territory. It is something that has been expressed by some breweries as a point of interest for them, and so I am curious to hear from the minister at the appropriate time if they are looking at something to do with delivery for brewers.

The last piece on the liquor side — I know that there are a number of trade issues related to alcohol and the trade of alcohol in the country that have occurred over the last few years. In particular, there has been a lot of discussion, through the CFTA and its various working groups, about the issue of alcohol. This is obviously something that transcends both the Yukon Liquor Corporation and the minister's other department, Economic Development, which I will turn to in a few minutes as well.

Essentially what I am looking for is whether or not the Yukon government is advancing any sort of initiatives at the trade table with regard to alcohol. I know that access to Outside markets is a very important aspect for some brewers here in the territory. In particular, I know that Yukon Brewing has had some struggles with access to the market in Alberta. They previously had a fairly strong footprint in Alberta, but as a result of a variety of decisions that have been made, they have reduced the amount of business that they have been able to do in Alberta. I would be interested to hear from the minister if he has spoken to any brewers and is pursuing any initiatives with regard to trade and access to markets outside of the Yukon for our local breweries.

As well, I know that there are a number of proposals at the CFTA — the *Canadian Free Trade Agreement* — level with regard to personal exemptions. I know that a decision was taken, presumably by the Premier at the Council of the

Federation, to not do away with the personal exemption limit, and some provinces did make that decision.

I understand — from the media, at least — that the Premier had indicated that it was due to some of the circumstances here in the Yukon — for instance, the alcohol bans that are in place in certain communities in the Yukon. I would like to hear, if possible, when we get into Committee, about that decision and whether that is something that would be revisited at some point.

Within that field, I will turn to cannabis. I do note that, just today, there was a bill to amend the *Cannabis Control and Regulation Act*, which came as a surprise to me, so I do confess that I don't fully know exactly what the bill, which was tabled today, will accomplish, but I do note from a cursory overview that it is related to e-commerce, which is a very good step. I am happy to hear that. One of the issues that I was going to raise was the availability of e-commerce to cannabis retailers.

I note that, over the course of the pandemic through emergency order, the former minister allowed cannabis retailers to access e-commerce channels for a fixed period of time. That was then taken away when the ministerial order to that effect was rescinded. Since that time, a number of cannabis retailers have been seeking that the issue be revisited.

Now, if the bill that was tabled today — I note that we haven't been briefed on it yet — accomplishes that, I'm sure I will be supporting that bill, but I look forward to getting into that on a different day.

Another issue related to cannabis sales is, of course, the pricing structure. I know that there was a commitment made in April 2019 by the former minister to review the pricing structure. My understanding is that retailers are still waiting for that, and so I look forward to hearing from the current minister about what the current timeline is for the comprehensive price review for cannabis products. In particular, I know that the government markup aspect of the pricing in Yukon — at least according to some I have heard from — is one of the highest — if not the highest — in the country. So, I think that if we want to incentivize and encourage our legal cannabis industry to compete with the illegal industry, we need to do everything that we can to support them and ensure that they have the pricing tools available to them to do that.

Speaking of that, Mr. Speaker, the overall model is something that we would like to see reconsidered when it comes to cannabis. I know that the direct-to-retailer model of distribution is one that we would prefer, and I think that is the case in several other provinces. In particular, I find the model in Saskatchewan to be a far better model that would allow for increased growth in the industry.

One of the issues that came up earlier in the stages of legalization was the availability of product. I know that the corporation has done a lot of work to improve the availability of product by signing additional agreements with other wholesalers, but I would like to hear an update on that.

There are two other issues to do with cannabis, Mr. Speaker. The first is the inability of local companies to offer loyalty programs for cannabis sales. For instance, if you are a large multi-jurisdictional business that operates in the Yukon, they oftentimes offer loyalty programs. If you buy a

certain amount, you are eligible for non-cannabis-related rewards — movie tickets, hockey tickets, and those types of things. That's something that's not available to solely local businesses but is available to the bigger chains. That is something that I have heard about.

The last piece, Mr. Speaker, is in relation to advertising. Cannabis retailers in Yukon are not able to advertise in the same way that other businesses are. Some of that is because of federal legislation, but some of it is, of course, because of the *Cannabis Control and Regulation Act* of Yukon. I think it's something that should be addressed.

An example that I've heard in the territory is that a retailer of cannabis cannot offer to sell a t-shirt or so-called "swag" that is labelled with their business in the store, but they can sell it in the building next to them at the very same store that they also own. That's something that seems to be fairly nonsensical, so I would like to see that addressed.

Moving on, Mr. Speaker, I know that my time is short. Another department that we won't have a chance to speak to is the Department of Economic Development. I raised a few trade-related issues earlier. I do have some questions for the minister about the new consolidated super fund. I'm curious how the new consolidated fund is working and whether or not there have been uptake issues already and, if so, what sort of results have we seen from the new fund and whether or not it has been effective at achieving the goals that were set out for it early on.

I have another series of trade issues as well, Mr. Speaker, that perhaps I can get into in Committee, but I think it's sufficient to note today that I'll be raising those with the minister, perhaps in Committee.

I have a number of questions about the implementation of the CFTA and some of the ongoing work being done by working groups at that table. I do have a number of questions about the Panache investment that was made by the department in the previous Legislature. I know that, at the time, there were a number of questions for the minister about the structure of that deal — some of the policy frameworks within it which were made, or lack thereof, I should say. I look forward to hearing an update about whether or not the outcomes have been achieved that were intended. In particular, has that company been doing regular visits to the Yukon? Have they developed a local presence? And, since then, has the department developed any sort of new framework or policy to deal with future requests like this for investment?

I know that the First Nation development corporations, who were partners in this deal, certainly have done well from the deal, and I would like to hear if the Yukon government has had a similar return on their investment.

I realize that I am running short of time, Mr. Speaker, so I will note, as well, for the Minister responsible for the Public Service Commission, that I will have a few questions related to that department. I am particularly interested in the relocation policy and the funding that is provided to prospective employees for relocation and whether or not we have seen an uptake in that budget line item over the years. I am just flagging

for the new minister that I will be interested to hear about that issue.

In Committee, my colleague, the Member for Kluane, will have a number of questions on the Environment file for the new minister, so I look forward to getting to those questions as well. I won't cover them off today.

With that, Mr. Speaker, I want to offer to the ministers of those respective departments a heads-up that those are the kinds of questions that we will ask, and if we aren't able to ask them sufficiently through either debate today on this bill, or in Committee on this bill, we will just follow up with written questions, because we know that those departments won't appear before the Legislature with their deputy ministers and ministers, like the other departments that have line items will.

I hope that my colleagues across the way can take notice of some of the questions that I have highlighted and perhaps offer to provide some of those answers in due course.

With that, I will conclude my remarks on this bill and look forward to getting into Committee.

Ms. Tredger: I want to speak a bit about the priorities that I see in this budget, because that is to me what a budget is about — it's about laying out priorities. There are any number of things we can spend our money on, but where we choose to spend our money shows what our priorities are for the Yukon. I want to talk about the priorities that I've been hearing about from Yukoners. There are many, of course, but the two that come up over and over again when I speak with my constituents is housing and climate change.

Earlier, I talked about how much we can do on the policy front related to the housing crisis. It is clear to me that, while this government is certainly throwing a lot of money at lot development and is scrambling as fast as they can to increase housing supply, this government has not tried to have a conversation about how tenants in this territory are protected, about how home investment is out of reach and how people are going to find housing. Developing more homes doesn't help anyone if other issues aren't fixed. Having four, five, six, seven, or more hundred-thousand-dollar homes doesn't help Yukoners who are housing insecure.

Before we start encouraging more Yukoners to build their investment portfolio, we need to make sure that all Yukoners who don't have houses and can't afford to own houses still have access to homes. Why is this government prioritizing wealthy Yukoners who want second or third properties before Yukoners who actually need a safe, warm place to live? This is Poverty and Homelessness Action Week here in the Yukon. For Yukoners who are on the verge of homelessness, affording a new property in Whistle Bend is out of reach. We need to make sure that everyone has solutions.

Can the government tell me what we are doing in this budget for tenants or for low-income Yukoners to afford a house or to help Yukoners move out of dangerous situations in hotels and into long-term housing? Has there been any thought given to make the residential tenancies office a helpful, accessible place for tenants? I have to say that there is not much that I see agreement on between tenants and landlords, but what

they do agree on is that the residential tenancies office is not helpful to anyone.

How is this government incentivizing developers to build affordable housing? How are we encouraging housing to stay affordable, as prices continue to skyrocket? I have heard lots from the government about the future possibility of a community land trust. I would really like to know where that project is at, because those are the ideas that come from the NGOs from our community that I think have the real potential to keep housing affordable for everyone.

I also want to turn to climate change, which is an overarching concern for so many Yukoners. I worry when I look at a budget like this that we are trying to fix climate change with a technological solution, as if it was a technological problem. To counter that, I want to read just the first statement of the Yukon Youth Panel on Climate Change report. They say that they prioritize "... reconnection and sustainable relationships with the land and people to ensure that social and economic systems are based on reciprocity and supported by ecological integrity."

That is what I hope to see in a budget. That is what I hope to see — not more money for quick fixes.

They just released their report late last week, so I would not expect to see its calls to action addressed immediately, but I would hope to see these in future budgets. Some of those include education. They have talked about having free tuition at the Yukon University so that all Yukoners can be educated and have the power of education behind them as they fight for climate action.

They talk about increased resources for land use planning, increased resources for climate change investments within the Yukon government, so that everything can be looked at through a climate lens.

They talk about separating the enforcement work that is currently done by Energy, Mines and Resources to an independent body, rather than having Energy, Mines and Resources investigating their own projects.

These are the priorities that Yukoners have, and these are the priorities we need to see reflected in this budget. I look forward to a further conversation about how we can make sure these priorities are reflected in the budget.

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

Does any other member wish to be heard?

Hon. Mr. Silver: Mr. Speaker, I would like to thank all the members in the government, the Official Opposition, and the Third Party who made comments today and over the last week on second reading of our *Second Appropriation Act 2021-22, Supplementary Estimates No. 1*.

Yukoners sent us to this place to represent them and the work we do together for the betterment of the territory, and that responsibility rarely comes to a more critical point than when we discuss Yukon's budgetary future. Again, for all the programs to work, for all the services, for all of the platform commitments, this is the important conversation for sure. For

those colleagues who responded today, thank you very much — and over the last week as well — for engaging in this important conversation.

As we look into the supplementary estimates, which will support Yukon families with affordable, high-quality childcare — that's extremely important to this Liberal government — these are supplementary estimates that will support our territory from unprecedented flooding — again, a huge responsibility toward those who have been impacted by it over the past few months.

The investments into our education, with investments as wide-ranging as educational support services throughout the territory to specific construction and maintenance — for example, modular additions at Robert Service School in Dawson City — that will continue to support the individuals and businesses, as well, from Old Crow to Carcross, from Beaver Creek to Watson Lake, during the pandemic — a lot of those details are also in this supplementary budget.

Also, supplementary estimates invest in the health of our territory, beginning with COVID-19, and also by integrating midwifery into our health care system and staff-supervised consumption sites as well. These are just a small handful, Mr. Speaker, of the important measures that we're looking to implement in the months and years ahead, all while maintaining a formidable economic outlook with a responsible surplus deficit position.

I'm very proud of our team and, in particular, our remarkable public servants who have put together supplementary estimates to be proud of, and for non-Yukoners to be jealous of, as well.

Speaking of public servants, Mr. Speaker, I mentioned a moment ago about how appreciative we are of their commitments and of my colleagues on this bill and that I thank them for their engagement in this debate — and I do mean it.

Yet, I did note that the Member for Lake Laberge did comment disapprovingly last week about the amount of full-time equivalent positions that he has noticed in the updates, in the estimates. I'll make sure that our new hardworking government employees whom he's talking about — 79 percent of whom are diligently working to make it through the pandemic as helpfully and prosperously as possible — that the member opposite has concerns about their employment. But, thankfully, I can contrast this news by sharing that members on this side of the House are incredibly grateful for their commitment, their work, and the sacrifice that so many of them and their colleagues have faced over the past 19 months.

We'll stay prudent, Mr. Speaker. We'll ensure that every dollar that this government spends on behalf of Yukoners is a dollar well spent, but we also know of the talent, the ingenuity, and the resolve of Yukoners. It proves that these employees are some of the greatest assets that we could ever ask for in the territory.

In closing, Mr. Speaker, as I think back to last week, which is when the bill was last discussed, I remember an excellent meeting that I and some of my colleagues had with the Yukon Youth Panel on Climate Change — a panel that our government

committed to establishing — we did that in 2019 — and which had its first call for applications just one year later.

I have no doubt that the Minister of Energy, Mines and Resources, the Minister of Environment and of Highways and Public Works and I and the Leader of the Third Party, who were all present at the event, would agree with me that we are so grateful to our young people, as engaged as they are on these incredibly important issues.

These young people, whom we met with last Friday, are passionately committed to the fight against climate change and to keep our feet to the fire, as elected representatives, in that important fight.

Their example goes even further. They are the future of Yukon; they are the future of Canada and the future of our planet. While they have generously shared their time with us on the topic of climate change, there are other critically important investments and initiatives that this government will do that will also impact them. Some of them may choose to have children and raise a family one day and may benefit from affordable childcare or our future midwifery options, too. They may have a younger sibling, or a cousin, who is not yet eligible for a COVID-19 vaccination and is being protected from the virus, in part, by a government that takes actions to ensure that more of the individuals aged 12 and up around them have their sleeves rolled up and they have their vaccination.

They may also have a family friend with property in the Southern Lakes, for example, which has been protected from floods more catastrophic than any one of us has ever seen or expected to see in the Yukon.

Mr. Speaker, for any line in these supplementary estimates, I can think about how these young people will be impacted for the better by the works of this government and the works of the dollars in this budget. They should really be our litmus test for anything we do, as elected representatives. It's extremely important what these young people will gain. That's always the goal, that the next generation is better off than the previous. That's a hard conversation in recent years, that's for sure.

Hopefully, through this budgetary process and the hard work of the public servants, we will have a sustainable, prosperous, and healthy future for them.

I'm very pleased to say that this bill, in my opinion, passes that litmus test, and I look forward to general debate, both in Committee of the Whole and the departments as well.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Mr. Pillai: Agree.

Hon. Mr. Clarke: Agree.

Ms. McLeod: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Disagree.

Mr. Kent: Disagree.

Ms. Clarke: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Ms. Van Bibber: Disagree.

Mr. Hassard: Disagree.

Mr. Istchenko: Disagree.

Ms. White: Agree.

Ms. Tredger: Agree.

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

Speaker: The ayes have it. I declare the motion carried.

Motion for second reading of Bill No. 202 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter before Committee of the Whole is general debate on Bill No. 202, entitled *Second 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

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

Bill No. 202: *Second Appropriation Act 2021-22*

Deputy Chair: The matter before the Committee is general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any general debate?

Hon. Mr. Silver: I am very pleased this afternoon to begin debate on the *Second Appropriation Act 2021-22* in Committee of the Whole. I would like to welcome my Deputy Minister of Finance, Mr. Scott Thompson, to the floor of the Legislative Assembly, of which he is no rookie.

I am very pleased to be here, and this bill, otherwise known as the 2021-22 *Supplementary Estimates No. 1*, is critical to ensuring that Yukoners can continue to be supported throughout COVID-19 and beyond. Deputy Chair, this bill also

provides the necessary funding to departments so that many of the supports that Yukoners have, after unprecedented flooding this past summer, can be there. It will also make sure that Yukon families will have access to accessible, affordable, quality early learning and childcare.

We believe that all families should have access to high-quality and affordable childcare. The supplementary estimates address all of these needs and more. While there are costs associated with many of these initiatives, this government remains committed to providing Yukoners with the services that they need and expect, especially during a pandemic.

At the same time, this bill manages these funding increases responsibly so that we are well-positioned and on our path to recovery as we emerge from the immediate effects of COVID-19. These supplementary estimates build on the foundation of responsible spending that we established in the 2021-22 main estimates where we were able to table a modest deficit, despite the effects of the pandemic.

As part of the 2021-22 first supplementary estimates, we see a slight increase to this figure. However, much of the new spending is offset by federal recoveries. In total, this supplementary budget contains \$72.2 million in additional gross spending. It can be broken down to \$58.4 million in gross operation and maintenance expenditures and an increase of \$13.8 million in gross capital spending.

Changes in the supplementary estimates result in a revised deficit of \$18.2 million, as mentioned, in 2021-22, or a change of \$11.6 million from the forecast from the main estimates. The first supplementary estimates also show revised year-end net debt of \$183.1 million, which is an increase of \$13.5 million from the May estimates.

As I mentioned, this government's ability to leverage its excellent relationship with the federal government also ensures that appropriate recoveries are in place whenever possible. The results of this collaborative relationship are paying dividends, with \$49.4 million in total new recoveries, offsetting almost 70 percent of new spending.

The 2021-22 main estimates include a \$15-million COVID-19 contingency, which was reserved in the government's fiscal framework to fund further potential support without affecting the surplus or deficit position. Again, this is money that we baked in that wasn't assigned to any specific spending.

The first supplementary estimates include a reduction of \$4.5 million from the COVID-19 contingency fund to support the tourism sector, the COVID-19 call centre, and additional cleaning that was required in buildings. On top of that, we are trying to be cautious and preserve the ability to respond to new pandemic needs, including possible future waves. This is why we are keeping over \$10 million of that COVID contingency line for future use. This contingency in the fiscal plan is a responsible and transparent way to protect Yukoners against the unknown evolution of this pandemic.

Under O&M, as I mentioned, the bill contains \$58.4 million in new spending. The result is \$20.9 million in additional COVID-related O&M spending and \$37.5 million in non-COVID spending. Part of this increase includes

\$16.9 million with the Department of Health and Social Services. The largest portion of this increase, or \$10.7 million, is being used to address additional COVID pressures and is entirely recoverable.

The remaining amount will go forward and will be for programs and initiatives like midwifery at \$515,000, a carry-forward amount under the territorial health investment fund at \$2.4 million, and initiatives like cultural activities for children out of home care at \$1.3 million.

The Department of Highways and Public Works also requires a further \$5.8 million in funding to cover costs related to the pandemic. Of this funding, \$5.3 million represents a distribution of federal funds flowing through the Government of Yukon to support air carriers in order to maintain essential air services to the communities. This amount is also entirely recoverable.

In the supplementary estimates, we are including \$4 million to continue supporting Yukon businesses and individuals through the tourism accommodation sector supplement and the tourism non-accommodation sector supplement, also known as TAS and TNAS respectively. These programs help tourism-reliant Yukon businesses remain solvent by providing funding up to the break-even point.

The tourism accommodation supplement provides up to \$400 per room each month up to the point of break even for eligible accommodation businesses. Under the tourism non-accommodation supplement, businesses can receive up to \$60,000 between October 1, 2021 and March 31, 2022 to cover eligible expenses up to the point of break even. This extends the total amount eligible for non-accommodation businesses from \$60,000 to a total cap of \$120,000 in the 2021-22 fiscal year.

Deputy Chair, as of September 23, these programs have provided \$4.4 million to support businesses. We also extended the paid sick leave rebate from September 30, 2021 to September 30, 2022. Since being launched in March 2020, over 180 businesses have benefited from nearly \$850,000 in support from that paid sick leave program.

Changing the focus to non-COVID expenses, I would like to speak on the record of record flooding that we have seen in the territory. The effects of this flooding were felt by many Yukoners over the past few months, but perhaps no group more than the homeowners in southern Yukon who dealt with the uncertainty of losing their homes. In my second reading remarks, I extended thanks to all those who helped during this time, but it is absolutely worth repeating. We are extremely grateful to every individual and every group that played a role in making sure that Yukoners didn't lose their homes, from Yukon government personnel to municipal and First Nation governments, incident management teams from out of territory, flood specialists, engineers, the Canadian Armed Forces, property owners, community members, and all the volunteers. Again, thank you — thank you to every single one of you. As part of the supplementary estimates, approximately \$11 million will go toward flood mitigation and response efforts.

With respect to wildfires, \$250,000 will go toward efforts to enhance First Nation FireSmart projects. Looking forward,

we must plan for extreme weather events by creating wildfire- and climate-resistant communities and investing in infrastructure that protects us from climate disasters.

Our government is working with local leaders and stakeholders to create community wildfire preparedness plans for Yukon communities. In flood-prone communities, it will be important to consider infrastructure improvements — permanent dikes or breakwaters, raising up roads and highways to adequate heights to protect them against the rising water.

Also, in Community Services, \$1.1 million will go toward Emergency Medical Services — EMS — for additional staff.

Moving to early learning and childcare, we have \$9.9 million that will go toward covering costs associated with these programs in the Department of Education. As I mentioned earlier, we believe that all families should have access to high-quality, affordable childcare. The new universal childcare system in Yukon provides children with an opportunity for learning and development in these early years. I am very pleased to report that every penny of this funding is recoverable from Canada.

There will be \$375,000 included in this supplementary budget as part of a transfer agreement to the Queer Yukon Society for the Pride Centre.

Finally, this supplementary estimate includes a number of initiatives related to wildfire protection and habitat mapping. The largest of these initiatives includes \$620,000 in the Department of Environment's Fish and Wildlife branch for updated moose surveying. Also in Environment is \$23,000 for the Porcupine caribou herd sampling recovery and \$36,000 for Fish and Wildlife meadow-mapping recovery.

I am going to turn my attention to capital. There are a number of increased projects included in our capital plan for this year. In this supplementary estimate, we will see increases for the Mayo-to-McQuesten transmission line and battery grid project; \$6.4 million represents funds that were deferred in 2020-21 to this year as a result of COVID-19-related delays. That work can now proceed. This funding, again, is 100-percent recoverable.

The supplementary budget also includes \$2.4 million in additional funding for modular classrooms at the Robert Service School in Dawson City and \$36 million more for the Whitehorse housing complex at 4th Avenue and Jeckell Street. The former is 100-percent recoverable.

There is also \$1 million in this budget for program increases under the Innovative Renewable Energy Initiative. This will allow more applications to be approved, helping to increase the supply of renewable energy and reduced diesel consumption in the Yukon.

An additional \$5.8 million will also go toward capital costs in Health and Social Services, with a portion of these costs to help Yukon meet its goal under *Putting People First*. This includes \$2.3 million for Canada Health Infoway and \$1.5 million for Meditech. Both are under the 1Health program. The \$5.8 million also includes \$1.7 million for renovations needed at Copper Ridge Place and there are also some decreases in capital spending. Most notably, there is a \$6-million decrease in spending for urban land development.

This decrease results from the repackaging of the Whistle Bend phase 7 tender, which will be re-released in the fall. This timing change allowed us to accelerate rural lot development so that there is a \$3.7-million increase in spending for developing rural lots in places like Haines Junction, Dawson City, and Watson Lake.

As I mentioned, many of these notable increases come with significant recoveries. This is, again, thanks to a very positive relationship that we have with the federal government and our partners, and I am pleased to say that the result of this work with our federal partners means that, of the \$13.8 million in new capital spending, nearly all of it — \$12.3 million — is recoverable.

On the O&M side, almost 70 percent of new O&M spending, or \$37.1 million, is recoverable.

This ongoing contribution with our partners is quite the feat. It is critical in ensuring our ability to deliver on services, infrastructure, and investments that all Yukoners expect. The number of recoveries span a lengthy list, but I will detail some of the more prominent ones for members today.

On the O&M side, the \$10.7 million mentioned earlier for COVID-related spending in Health and Social Services is entirely recoverable. In Education, the \$9.9 million is recoverable for early learning and childcare, and a future \$3 million is recoverable in carry-forward funding for the Yukon labour market development agreement and the Yukon workforce development agreement.

Within the Department of Environment, Yukon will see \$334,000 in federal funds under the *Inuvialuit Final Agreement*, \$291,000 under the northern climate change preparedness agreement extension, and many smaller recoveries for some of the wildlife-related expenditures that I mentioned earlier.

On the capital side, members will note that I detailed most of the recoverable items when I spoke to the adjustments in capital spending.

Now, before I turn things over to other members, Deputy Chair, I would also like to speak a bit about changes in revenue. As I mentioned in the second reading, the 2021-22 first supplementary estimates reflect a decrease of \$10 million in revenues. The most significant impact on the Yukon's revenues is reflected in the \$8.5-million decrease to reflect the timing of those lots sales. The remaining decrease in revenue is split between supports to Yukoners and Yukon's industries and a decrease in revenues at several continuing care facilities.

For the latter, there would be a net decrease of \$651,000 in revenues associated with these facilities as an increase in respite, and re-ablement revenues at Thomson Centre is offset by decreases owing to facility vacancies at Whistle Bend Place and the closure of Birch Lodge.

With respect to the former, some fees, including aviation fees, were waived or reduced, decreasing those potential revenues; \$450,000 of that decrease is associated with support for the industry by foregoing aviation operation expenditures. Another \$430,000 is associated with reduced fishing licence and campground revenues due to decreased levels of tourism and travel.

In conclusion, it is always my absolute pleasure to lay out the budget for the upcoming year but also to update members on our supplementary budgets. Within the territory, we have continued to face challenges related to COVID-19 — new clusters and rising case counts over the summer.

We always have much to be optimistic about heading into the winter. We have seen first-hand the decreasing amounts of COVID-19 related to spending and, through the interim fiscal and economic updates, an increase in our projections of real GDP and other economic indicators. It is with great optimism that I can say that better days are ahead for the territory, and I look forward to continuing to make Yukon the best place to live.

With that, I will conclude my remarks by saying that I look forward to a productive debate with all Members of the Legislative Assembly. I will also include reassurance that if I do not have the answers about specific departments, appropriate ministers will be pleased to respond during their departmental debate, including some of those departments that, as the Leader of the Official Opposition mentioned, will not be here because they don't have a budgetary item. I spoke with ministers, and they are happy — again, in general debate, I will do what I can, but written responses could be accomplished in those departments.

Mr. Dixon: Thanks to the Premier for his opening remarks and providing some information about the budget that is before us now. I will begin very briefly with a few fairly broad questions. I hope that the minister can offer some information that we can discuss.

Can the Premier give us an overview of where we are with regard to the territorial financing formula and whether or not we will see any changes coming in the near future? The Premier mentioned the strong relationship with the federal government and the fact that the increases that we've seen over the last years have been a result of that.

My question is simply: What does the Premier see coming down the pike in future years?

Hon. Mr. Silver: We do know that the federal government is conducting a review of the transfer. We will have an opportunity at the Finance ministers' meetings to have a conversation — sometimes dwarfed by equalization conversations, I must admit. At the same time, we do know that there is a review coming to that specific question. Suffice it to say that every year we have been seeing an increase in that transfer.

Mr. Dixon: Over the past number of years, the increase to the TFF has been fairly predictable. What is the annual increase to the TFF from last year?

Hon. Mr. Silver: As my colleague looks to get that number, I will let the member opposite ask another question and we will get that answer for him.

Mr. Dixon: I appreciate that. The question was very specific, so I appreciate that my colleagues need to find the time for those answers.

The reason I am asking is that I am interested to know if the review that is being conducted by the federal government will consider the historic increases that we have seen. Is there

any sort of framework for maintaining the current formula, or are we anticipating a more comprehensive overview that is going to reconsider the actual details of the formula and whether or not we see the types of annual increases that we have seen?

Hon. Mr. Silver: Again, a pretty specific question — as the member opposite knows, this is a very complicated algorithm that comes with this formula. In that, a lot of it is based on not only spending here, but also spending right across the country. This is over a rolling average, not just one year, but the effects of spending for COVID will be an interesting part of this conversation as we talk with Finance ministers right across Canada, so the details will come out about that.

What is really interesting for me, as well, is, from the federal government's perspective, how we turn from relief to recovery. We have been making a push for help from the federal government, as Prince Edward Island has, when it comes specifically to tourism. We have always been making the push when it comes to everything — from the Canada health transfer to flexible infrastructure dollars. With the help of my colleagues right across the north — the premiers in the other two territories — we have been very effective at bringing our narrative to western premiers and then to the Council of the Federation and then to the First Ministers' meetings about the unique differences of living in the north.

There is going to be a lot to debate, for sure. When it comes to the revenue sources from the federal government, the 2021-22 estimates for the Government of Canada would be \$1,442,280,000. That is comparable to the 2020-21 forecast of just over \$1.4 billion, or \$1,401,907,000. Compare that to an estimate in the 2021-21 fiscal year of \$1,307,946,000 and the actual of 2019-20, which is \$1,225,191,000, so the grant from Canada went up 5.8 percent from the 2020-21 estimates.

Mr. Dixon: For context, one of the reasons that this is coming up today — what we see at the federal level is a deteriorating public finance picture for the country and the country taking on fairly massive new debt. That has prompted a lot of speculation in the media nationally — typically in the bigger provinces than here in the north — about the ability of the federal government to continue transferring money to the provinces and territories at the rate that it has been over the last few years.

In that context, when we learn that there is a review of the TFF, obviously that can raise some concern if the federal government is looking at its fiscal picture and looking at ways to save money. It may be an unfortunate coincidence, but conducting a review of the TFF may be the time they look at to do that.

What I am looking for is some assurances from the Premier that he is advocating with the federal government to either maintain or continue to enhance the TFF. If there is more information about the review that Finance Canada is conducting, we would be interested to learn more about that.

Hon. Mr. Silver: I agree that there is an awful lot of speculation, interest, and concern about spending federally. Again, as of yet, as far as any substantial changes to the formula, that is not information I have. I don't know if the

member opposite has been hearing to the contrary; I haven't. I can't see any substantive changes coming to that. We always make the point that, on the grand scheme of things, the three territories are a very, very small part of the spending right across Canada.

We also have a united front with the premiers right across Canada of recognizing the differences between territories and provinces. We don't spend a lot of time talking about equalization when it is our time to stand and talk at Finance ministers' meetings or at the Council of the Federation or the First Ministers' meetings because we are on the TFF, but we also do really appreciate that we have acknowledgement from the premiers of those provinces as well of the unique differences here in the north.

We saw that when the National Advisory Committee on Immunization came out with how we really need to prioritize northern, remote, and rural communities. That transferred into the territories, specifically. You could argue that all of Canada is northern, remote, and rural, if you put things in context, but having the ability to have a decided-upon understanding of the unique territorial considerations is extremely important.

Back to the concerns from the members opposite, we have had conversations with Canadian investment banks as well, saying things like: To recover from a war is one thing, but to recover from a pandemic — they are two different things. There is a lot of discretionary spending that people are sitting on right now, which does bode well for the economy moving forward. I would say that, specifically, when you look at the context of Yukon, we were very concerned about economies, and we have done very well in the last few years. We had an estimated growth of 1.1 percent GDP for 2020. The Yukon's real gross domestic product, the GDP, is forecasted to grow by six percent in 2021 and 8.1 percent in 2022.

We had a successful rollout, as I have mentioned, of vaccinations. That was key to allowing us to lift restrictions on capacity and social distancing that had weighed on economic activity. We know, as well, that the removal of internal border restrictions and the loosening of international restrictions supported a faster recovery. Suffice it to say that these are really important, as the different jurisdictions start to get back to some kind of sense of normalcy and recovery. This is good for revenues locally and nationally. It is an extremely important conversation that will be continually analyzed, obviously.

To dispel some of the fears from the opposition — or some of the questions — I really don't see substantive changes to the TFF at this point. When it comes to transfers from Canada, in December 2020, the federal government confirmed again, as I said, that the fiscal grant from Canada would be \$1.118 billion. The total grant consists entirely of the territorial formula financing — the TFF — grant, and there are no deductions because of resource offsets, which is good to know for the members opposite.

Global resource revenues represent the Yukon government's revenues for forestry, oil and gas, land, minerals, and water, and every dollar above \$6 million in global resources revenues is offset by a \$1 deduction in the grant from

Canada. So, just a little bit of context there, as far as no deductions because of those offsets, but they will be coming.

In addition, just for some information, and then I'll cede the floor, the federal government provided those estimates for 2021-22 for the fiscal year, as related to the Canada health transfer, the CHT, and that's \$47.9 million. The Canada social transfer, the CST, is \$17.2 million. These amounts are reflected in the 2021-22 main estimates. These transfers are legislated by Canada for the five-year period from 2019 to 2024. Discussions on renewal for 2025 to 2029 have begun, and they will be concluded by December 2023.

The department expects that changes, if any, will be minor and may be technical in nature, but, again, that's the information we have at this point.

Mr. Dixon: When did the federal government begin the review of the TFF, and when did the department and/or the Premier learn of this?

Hon. Mr. Silver: There would be a difference between the political level or the technician level. On the political level, we haven't had that conversation, but I would say that, on the technical level, those conversations are continuing all the time. Again, in the last note that I gave, the transfers being legislated for a five-year period, those discussions for renewal are for 2025 to 2029. Again, as far as them beginning and concluding in December 2023, they have not been brought up at the Finance ministers' meetings, which is the technical table where we would have those conversations — or, sorry, the political table where we would have those conversations.

Mr. Dixon: So, just so I am clear, the federal government has indicated at a technical level, or departmental level, that they are conducting a review, and I assume that the Department of Finance is having ongoing discussions, but the Premier has said that he has never spoken to the Prime Minister or the federal minister about this. Do I have that right?

Hon. Mr. Silver: What I said was that, at the Finance ministers' meetings, this conversation has not been brought up — remembering that these meetings have been very focused on COVID — and I have been briefed by our technical teams if there are any changes being proposed with the information that I have, from conversations that our government has had with the federal government, minor and technical details — if I see a flag, then I would definitely be concerned, and I would add that to the national conversation. At this point, we have seen no flags to indicate that there is going to be a concern.

If the member opposite has a particular concern, I would be more than willing to discuss that to figure out whether this is worthy of being brought up at any table, either technical or political.

Mr. Dixon: I don't have a specific concern. My concern is simply that we see a deteriorating financial picture at the federal level, decreasing capacity to provide the kinds of funding that we have seen over the last little while, and then, in that context, we learn, just now, from the Premier, that the federal government is conducting a review of the TFF, which sparks these questions. I don't have any alternative source of information about this or anything like that. I am just strictly going on what he has said today.

He did also indicate that the review would not take effect until the 2025-29 cycle, I believe, so if the Premier could confirm that, I would appreciate that as well.

Hon. Mr. Silver: The answer is yes.

Mr. Dixon: In his remarks, explaining it a few questions ago, the Premier referenced that he had been in discussions with a Canadian investment bank. I am wondering if he can tell us which investment bank that is or if he meant something different by that.

Hon. Mr. Silver: Deputy Chair, Canada Investment Bank. My apologies.

Mr. Dixon: I will move on.

Could the Premier explain a little bit more on the COVID contingency fund? This was a unique addition to the budget in the spring, which we typically haven't seen before — a contingency fund of that size — a line item that has no clear use, going forward. We knew that it was going to be related to COVID, but as we have learned, COVID affects pretty much everything in the government's budget. I am wondering how the decision is made internally to allocate funds from that \$10 million line, as opposed to having departments go back and seek additional funding themselves.

Is there some sort of funding rubric or matrix that is used to make that decision? How was the decision made to allocate the funds to the three items that the Premier mentioned that were spent under the COVID contingency, which I wrote down as being for the tourism fund, the call centre, and some additional cleaning?

So, my question is: How did the government decide to allocate funds from the COVID contingency for something like cleaning when, I would think, that would be done at a departmental level through a normal appropriation?

Hon. Mr. Silver: I will begin with why we would put \$15 million aside in the main estimates. We were in a good financial position to do so. We presented a very mild deficit at that time. That mild deficit included a \$15-million COVID contingency. We knew, at that time, that we were not done with COVID and that COVID is not done with us. We also know that there is federal programming and federal recoveries. We saw flexibility and quick thinking from national conversations with all the Premiers to try to grapple with specifics that all the jurisdictions are facing. Usually what ends up happening with the federal funding — it's a conversation of national consideration, obviously, and that every jurisdiction is finding problems with — whether it be PPEs or relief for certain business sectors, those types of things.

Suffice to say that the three things we are talking about on the floor of the Legislative Assembly today is that we are looking for approval from the Legislative Assembly through the budgetary process for those things because we put aside a contingency to be open and accountable to say that we believe that we are going to have to spend more money on COVID. There are going to be recoveries from the federal government, so let's make sure that we maximize those recoveries and get the flexibility that we need with our federal conversations, which were weekly from my office alone. What remains is what

you see here today. There are three specific things that we believe should be used from that rainy day fund.

Mr. Dixon: A quick question — the Premier said \$15 million. Is that indeed what it was? I thought it was \$10 million. I could have that wrong. I apologize if I'm wrong.

Hon. Mr. Silver: Yes, \$15 million was in the mains. Now that we have identified roughly \$5 million in those three things — \$4.5 million — we still have, again, about \$10.5 million left. That is probably where the member opposite is getting that \$10-million number. It is the money that is leftover right now. We have assigned the \$4.5 million for those three items that he referenced.

Mr. Dixon: I will move on. The Premier mentioned the early learning funding in the new program. That was a program that was identified in the spring budget of 2021.

My first question was — the Premier had indicated that every dollar — I believe those were his words — was recoverable in that program. I assume that he meant it was recoverable from Canada. Can the Premier confirm that every dollar in the early learning program that they have announced is recoverable?

Hon. Mr. Silver: Every dollar on the floor of the Legislative Assembly here for the supplementary is 100-percent recoverable.

Mr. Dixon: Is that a result of the agreement between the federal government and the Yukon that was made and signed in late July?

Hon. Mr. Silver: Yes, again, working with Canada to build that community-based system that provides Yukon families with that high-quality, affordable, flexible, inclusive early learning and childcare and getting it to money that is recoverable is definitely part of the agreement made with the federal government. We have made significant and ongoing investment in early learning and childcare, and we've reached that agreement in accessing an additional \$54.3 million in federal funding over the next five years to support this investment. It's extremely important to put that on the floor today as well.

The additional funding is going to help to enhance recruitment, retention, and the development of early childcare educators, as well as culturally appropriate early learning and childcare programming, inclusive early learning and childcare, and also to support space creation, including start-up funds, wages for early childhood educators — all very important to us when we spoke with the federal government.

As you know, Deputy Chair, we were already committed to this before the federal government made their announcements. Then to go back to them and say, "Well, here are the things that are important to us; here is what we need in our agreement. This is what we need if the federal government is looking toward more of a national programming" — these are the things that were extremely important to our government. That funding also helps to support the reduction of parent fees to remain, on average, less than \$10 a day for Yukon's universal childcare program.

A little bit more background: Between the 2017-18 fiscal year and the 2020-21 fiscal year, Yukon did receive a total of

\$9.6 million from Canada under the *Canada-Yukon Early Learning and Child Care Agreement*, and the Government of Yukon has made very significant and ongoing financial investments with that.

We've also signed, as we've said, these agreements with the federal government, and now we're seeing the recoveries therein in the supplementary budget.

Mr. Dixon: I understand that the funding came from the bilateral agreement prior to the signing of the new agreement that was signed between the Minister of Education here and the federal minister back in July. I appreciate the Premier's willingness to provide some details there, but I'll save my specific questions about the program and some of the structure of it for the Minister of Education when we get into Committee with that minister.

My question at this stage is more about the budgetary implications of this program and the decision to include it in the mains of the budget in the spring. Following that decision and the passage of the budget earlier this spring, the government signed a large new agreement that brought in a bunch of new money.

My question is: Is the money that is in this supplementary recoverable from Canada as a result of the agreement that was signed, or is it something that we had already planned for, prior to the agreement being signed in the summer?

Hon. Mr. Silver: I am just trying to figure out the logic there. When the federal government makes their announcement, then we start working with them. We have decided already that this was important. To say that there were rumblings from the federal government about universal childcare — well, there have been rumblings from a few different federal governments on a few different initiatives nationally. We weren't going to wait; we were going to invest in that. We have done the fiscal accountability to put ourselves in the position. The determination that we made before the federal government was based on the index of well-being. This was the first time that we had the chief medical officer of health — that office — contributing to this statistical analysis of how we are, as Yukoners, and where we are. Out of that study came disparaging results about how COVID is not as friendly to single parents and women, and we believed that this was an extremely important investment because of that.

Moving forward, the federal government makes a decision to go ahead and put their money where their mouth is, and then all of the details about the money that comes out and the recoverables start at that time. I am wondering if the member is making a parallel between the \$10 million COVID and something here in the federal agreement. I am getting a no from the member opposite, so I will just stop there. The numbers are very similar, but, yes, that is how things kind of move forward.

We moved forward on our plan for early learning and childcare. This was an evidence-based decision based on the index of well-being. That was the genesis of the conversation that ended in a Management Board decision. We were grateful that the federal government has a very similar initiative or ideal with how we fund and making sure that the funding not only decreases the cost to parents, but also invests in spaces and

invests in professional training of educators in that demographic of students and children that is very, very important. There are lots of stats to say that a dollar invested in a young person's mind compared to that same amount of investment in high school — we can quote all those different things. We thought it was an extremely important investment and we are very happy to see a like-minded philosophy to early learning and childcare from the federal government.

Mr. Dixon: What I am asking is that, in the spring budget — the March budget — the Government of Yukon decided to make this large investment. It was something that they spent a lot of time talking about. The press release from March 9 indicated that more than \$25 million would be in the 2021-22 budget toward this new program, and \$15 million of that was for a new — what they called at the time — “Yukon-wide universal childcare program”. They made that investment in the budget and the budget passed. Subsequent to that, the federal government signed an agreement with them to give a whole bunch of new money to them for that program. I am asking how the fiscal picture changes as a result of that agreement. What the Premier just told us now is that the agreement is worth roughly \$50-some million over the next five years, which is about \$10 million a year, assuming that it's given out equally per year.

My question is: How have the recoverables on that changed since the signing of that agreement? The budget was appropriated, the money was voted on in the spring, and then an agreement after the fact to provide a bunch of new money was signed, so I am wondering how that changed.

Hon. Mr. Silver: Again, we put in our initial investment. I wouldn't say necessarily that it would be a linear relationship as well, because if you build more, then you are going to spend more on this program. You know, there is also an upfront cost as well. So, to say that it would be a linear cost, I would disagree respectfully.

We did invest heavily in this program. The feds came on board with \$10 million, which will now be recoverable for that initiative, and it allows us to invest in more, and quicker, as well.

Mr. Dixon: The point was that, in the spring, this money was not recoverable from the federal government. As a result of the agreement signed in July, it is now recoverable. That was my question.

How has the budget changed as a result of that agreement and the fact that the funding is now recoverable, where, in the spring, when they passed the budget, it wasn't recoverable?

Hon. Mr. Silver: I hope that I'm not adding to the confusion here. It is not my intent.

None of that \$15 million up front is recoverable. The federal government comes in with \$10 million. That makes that \$10 million of the total investment recoverable from the federal government.

Again, we can say then that it is more money. Yes, it is — more money than what was budgeted in the first year — but with that federal supplement, it allows us to do more in that first year as well. I hope that helps to clear things up.

Mr. Dixon: Deputy Chair, yes. I will move on.

The Premier, in his opening statements, mentioned funding for air carriers and that it was recoverable from Canada. I am wondering if he can elaborate on the funding that was provided to air carriers under the federal funding and whether the system, or the allocation amounts to the various air carriers here in Yukon, was a decision that was made by the Yukon government, or was that based on some parameters from the federal government?

Hon. Mr. Silver: I think that the specifics of how the department and the minister worked with aviation companies in the Yukon would be information that I wouldn't necessarily have here on the fly, but you could definitely have that conversation with the minister when he appears at Committee of the Whole. I do know — as we all know — how essential aviation is for connecting our communities. Our government was able to continue to make strategic investments to keep our aerodromes and our airports safe and open for business. Our investments and their investments — the federal government's investments — and the conversations from the department — our government made significant investments in aviation over the past few years, including upgrades to equipment and facilities. We mentioned, as well, in the beginning speech about the waiving of airport fees. However, we know that there is more work that needs to be done, as well, in the future, and those conversations are ongoing. It is always a pleasure to be able to sit down with somebody like Wendy Tayler or somebody like Joe Sparling or any of our other smaller aviation operators in the Yukon. Those conversations help, not only when it comes to conversations with the federal government when they come in with some recoverable federal support for COVID, but also for the Minister of Economic Development and Tourism and Culture — these things, when we are developing our projects, our programs, here as well.

Since the pandemic began, the Government of Yukon distributed over \$6 million to support air carriers that provide that critical and essential service. This funding supports the aviation industry, which has been among the hardest hit, as we all know, by COVID-19. Since the beginning of the pandemic, air passenger traffic has declined dramatically. Airlines have faced staffing layoffs and the grounding of planes. I keep seeing folks whom I normally see in airplanes working in other areas to try to supplement their incomes.

Our government has also administered funding from the federal government through COVID-19 to ensure that essential services and medevac operations continue. Sorry, I am confusing two different things. We help with the federal government for the recoverables that we are talking about here, but through our investment — administering our funding — that was more about making sure that these essential services and medevac operations continued.

Especially in the early days of COVID, to have access to the professional centres — the DNA centres, basically — in Vancouver, which was industry standard, best efficacy as far as testing goes, and to have Air North, a local provider, being able to help us with that — yes, in the first few months and first year, it was all about traceability. That statistical analysis that we had

because of the quick response from the best testing was extremely important to our low case numbers.

On additional support for local industry, we waived those fees in December. I am just making sure I have all the information and the very specific numbers. To date, the aviation relief funding that we've operated with is \$6.5 million, as I mentioned. If the member opposite wants to have a better understanding of the conversations between the minister and his team when it came to how he parlayed the information from local providers — local aviators — to the federal government, I don't have as wide a breadth of knowledge on that as the minister does, so that would be a better place for it.

Mr. Dixon: I only asked because the Premier referenced it in his opening comments, so I thought he might have a bit more information, but I will reserve the question about how the air carrier funding was allocated and the determination by which it was allocated for the Minister of Highways and Public Works when we get to that department.

I will move on. The Premier also mentioned the flooding that happened this summer and some of the funding that has been allocated in this budget as a result of that. I know that the funding in this supplementary is in relation to money that was actually spent on the response to the flood, so I understand that. But one of the issues that has come up — and there has been a lot of discussion about it from members of the public, especially in affected areas — is what the possibility for ongoing future relief might look like.

Has the government begun a conversation internally or with the federal government about flood relief funding and whether or not there will be a specific program that will be catered toward this so-called “once-in-400-years event” or whatever it was, or will it be based on the normal flood relief funding that is offered either through the federal government or the Yukon government?

Hon. Mr. Silver: Interesting phrasing of “so-called” 400-year event. When we were out in Marsh Lake and talking to people whose houses were right there on the shore and they are showing us the levels of the once-in-200-years event back in the early 2000s — 2007 — they were kicking themselves now because they will never use that terminology ever again of “once in a decade” or “once in a two-century cycle”, because clearly within less than two decades, we have seen massive flooding. To say that this would be a one-off or a once-in-an-X amount of centuries event — I think you would have a hard time convincing the people living out there that they shouldn't have to prepare for it for another 400 years.

The resources that were deployed to respond to the 2021 flooding resulted in expenditures exceeding \$8.5 million, as we discussed earlier. So, I will give a little bit of a breakdown of that: \$750,000 for personnel to fill the incident management team roles, such as the commander, the finance officials, logistics, planning — for every person you see out with the sandbags, there is a whole team of other folks in the logistical, finance, and planning components, but also personnel deployed to fill the sandbags, obviously, maintain the pumps, conduct inspections, and communicate with residents, as well as to hire three interprovincial task teams from Manitoba and Alberta —

who were amazing people and provided invaluable expertise. There was additional cost, as well, for personnel, which exceeded about a half-a-million dollars, to hire casual employees to assist with response. They incurred overtime as well in response to the incident — request for extended hours quite often.

There was \$550,000 expensed to local caterers who provided meals to those who were on the flood response, including on-site for crews outside of Whitehorse and to the incident management teams that were working extended hours at the Elijah Smith Elementary School. The budget breaks down to \$80,000 for provisions of food and transportation to the Canadian Armed Forces soldiers who supported the event until August 2.

Anecdotally, Deputy Chair, talking to these Armed Forces individuals and asking them, “Where were you last? Where do you go next? How has your experience been during COVID?” — what I got from not just one but many of these individuals — they said: “We have never seen the level of hospitality that we've seen here among Yukoners.” They said, “You're feeding us so very, very well.” Knowing the chefs on a first-name basis — they couldn't get over the exceptional Yukon hospitality. I wasn't surprised; I don't think anybody in this Legislative Assembly would be surprised by that, but it sure was great to hear this from the soldiers.

Continuing on this — more than \$2.5 million to many local contractors was spent who hired and put in countless hours supporting the response by providing heavy equipment; \$700,000 to Yukon First Nations Wildfire, which provided front-line assistance as well; \$240,000 for vehicle rentals to transportation crews and equipment; \$780,000 for service contracts and for rentals and sewer pump-outs; and \$2.4 million to purchase equipment from local vendors wherever possible, including pumps, hoses, sand rock, poly — the list goes on.

An additional \$2.9 million being set aside for remediation and recovery — that's where it begins the next phase. So, \$2.9 million is being set aside for that remediation and recovery.

We have begun conversations internally: Yukon Housing Corporation survey to assess the needs of the affected communities and community members and property owners; and EMO is planning to engage experts and engineers as well to evaluate the options for permanent mitigation, which is extremely important. Also, externally, the Yukon will work with the federal government through the DFAA process. We will see work recovery money from that as per our recovery formula. I don't have much more detail on that. Again, it will be a great question for the minister responsible.

We did hold an open house meeting last week with the Marsh Lake community to continue to understand how to support community members. We have an open house this evening, I believe, at Lake Laberge to support that community as well.

Mr. Dixon: My comment about the once in however many years was not meant to cause any sort of disagreement. I simply could not remember how many years it was. When we were briefed by hydrologists, we were given a date, which was,

I believe, of once in 300 or 400 years. I apologize for not getting the number right if I was wrong about that.

My question, though — and the Premier began to address it at the tail end of his comments there — was about the potential creation of a new program related to remediation and recovery and whether or not the department or the government was considering creating either a unique program to address the 2020-21 flood or an ongoing remediation and recovery program to address flooding going forward. Because, as the Premier pointed out, it is much more likely, it seems, that we will have to deal with this kind of issue again. I am curious if the department, through housing or other departments, is considering the development of a new program or a stand-alone program to deal specifically with 2021.

The Premier has indicated that there is \$2.9 million set aside for remediation and recovery, so I was hoping to get an explanation of how that is going to be rolled out or what individuals and residents in the area might expect to see by way of either an application form or program criteria to understand whether or not they will be eligible for relief.

In the past, I know that the government needs to make an application to the federal government to access federal flood relief funding. I am wondering if that has been done already. If it's a question that is meant for the Yukon Housing Corporation, I am happy to write a letter about it instead — sorry, ask about it when Yukon Housing Corporation is up for debate. In any event, that is the nature of my question.

Hon. Mr. Silver: Yes, as I was saying, we are moving from response into recovery. We are working across government to provide program support. Our first priority when responding to a flood is public safety, obviously, and the protection of critical infrastructure, vital community services, the environment, and the economy. It is really important to kind of lay out the full picture of what we have done. Where we are going now — we did mention that we are out in the communities now, engaging with folks on the front line who have been affected by this. Flood response — ongoing all summer. I have never seen the Yukon River this high in my short time on this planet. It is interesting as well that if you go up to the Klondike, we are seeing record low levels. Change is coming. Lots is going on here.

Our government is developing a remediation and recovery program, as I mentioned, that will assist homeowners to restore their properties and to increase community resilience and mitigate against future flooding events. Again, the well above average snowpack of last winter, together with the summer's unseasonably hot weather in the Pacific Northwest, leading to the largest flood relief effort in Yukon history — absolutely. My comments about the 200-year events — it is interesting to see the folks who have been through two of those floods, that people have been saying that they should be centuries apart — it is important for today's debate, saying, well, those happened within less than 20 years. It's extremely important.

Also to note that, when we talked about all the different departments, 130 Yukon government employees, contractors, and volunteers were assigned to support that flood. I think that is about it. I don't have a lot of specifics about the \$2.9 million

and what it is going to be used for. I would imagine that the conversations that are happening tonight at Lake Laberge and conversations last week at Marsh Lake are extremely important in that conversation. We are definitely looking at options similar to the programs that the Government of Yukon designed after the 2007 flood events, for example.

The Yukon Housing Corporation has a survey out, as well, that will evaluate the needs of those property owners.

Mr. Dixon: My question, in particular, was about the \$2.9 million and what it is going to be used for, so I will hold onto that one and bring it up in Committee instead with the Yukon Housing Corporation.

I will move on. Can the Premier tell us: Where is the contract for the chief medical officer of health housed? Is it in Finance or is it in Health and Social Services?

Hon. Mr. Silver: That is in Health and Social Services.

Mr. Dixon: I will hold off on that until the department comes up.

Where does the government typically fund the specific allocations for the confidence and supply agreement between the Liberals and the NDP? Is that through the Executive Council Office or is that in Finance?

Hon. Mr. Silver: I guess that depends on what specific pieces of CASA the opposition member is asking about. Is he asking about the implantation of some of the Putting People First initiative, or is the member asking about specific supports for the NDP? I am not really sure. Perhaps he could qualify his question.

Mr. Dixon: Well, I am interested in all of it, so I will start going through it. Where would we find the additional funding identified for the additional caucus resources for the NDP that is provided by the CASA?

Hon. Mr. Silver: If it's more of an administrative nature, like the extra supports, that would be through the Executive Council Office. I am assuming it would be more obvious that, if it were something like safe supply or the dental programming, then that would be through the departments specifically. In this case, those would be in Health and Social Services.

Mr. Dixon: The Executive Council Office doesn't have an appropriation in this budget, so can we assume then that the additional caucus resources that were identified for the NDP were met within the department's existing resources?

Hon. Mr. Silver: Yes, the department believes that it can access existing funds, but if not, we would have to account for this in the second supplementary.

Mr. Dixon: Is the minister contemplating then that there will be additional funding that would come in the second supplementary?

Hon. Mr. Silver: I'm not anticipating it, but that's where it would show up if it were necessary.

Mr. Dixon: The CASA outlines the creation of a number of new committees and panels. Last week, one of the ministers introduced somebody in the gallery who was apparently a member of one of those panels, yet I haven't seen any sort of public communication about who is on those panels or committees and who is not.

I'm wondering if the Premier can shed some light on which committees have been struck and who is on them.

Hon. Mr. Silver: I'm really not sure who the member opposite is referring to when he said that somebody was introduced in the gallery who was on a committee. I don't know which minister he is speaking of or who was identified — I apologize. We do have a secretariat and that secretariat works with the two parties. If he has some specific questions about engagement with committees or that, then I would be happy to pass that on to the secretariat.

Mr. Dixon: I'll just turn to the CASA then. On page 3, section 2, it says: "Within one month of the swearing-in of a Yukon Liberal Government, a policy panel shall launch. The panel will be co-chaired by one Yukon Liberal MLA and one Yukon NDP MLA. The panel shall consist of four additional persons, two to be selected by the Yukon Liberal Government, two to be selected by the Yukon NDP Caucus. This panel will be supported by the civil service, with teams for each that include an Assistant Deputy Minister.

"The panel — *Making Work Safe* — will conduct a public consultation to develop recommendations for the Legislative Assembly to established permanent paid sick days in the Yukon."

I'm wondering, Deputy Chair, who is on those committees. Has there been a public announcement about who is on those committees or not?

Hon. Mr. Silver: I am not aware of any decisions that have been made about specific committees yet, but I can endeavour to get that information back to the member opposite. There are some key projects being delivered through that collaboration with our NDP partners, including the Yukon safe consumption site, an increased minimum wage, working toward banning single-use plastics, more aggressive action to tackle climate change, working with the private sector to explore paid sick leave, advancing our work on electoral reform. The Leader of the NDP and I meet regularly, and a lot of our conversations are based on maybe solving some of the issues that were brought forth on a more technical level through the secretariat. None of those conversations so far have involved specific people being submitted to specific committees, but if some of that work is already ongoing or if there is any more information through the secretariat, I will get that information for the member opposite.

Mr. Dixon: Is the Premier telling us that he doesn't know who is on this panel? It was struck a couple of months ago. "Making work safe" is the name of the panel, and the Liberal government would have had to appoint at least two people to it. I am wondering: If it wasn't the Premier who appointed it, who appointed it?

Hon. Mr. Silver: I will get a complete list for the complete Legislative Assembly. The minister has helpfully given me all the names, but what I will just do is to submit not only the names but maybe some other information as well about timelines or meetings that have or haven't been conducted.

Mr. Dixon: Just to be clear, the Premier didn't know who was on this committee? That seems to be the case. If he

didn't appoint the people to this committee, then who was it who made the appointments to the committee?

Hon. Mr. Silver: It might surprise the member opposite that I am not involved in all of the things of government. So, to answer his question, no, I didn't appoint anybody to that board, but there is an agreement between the NDP and the Liberals, and we have a secretariat and ministers responsible, and those conversations are had between those two parties in which these people get appointed through those conversations. But to say that I was in those conversations, no, I wasn't.

Mr. Dixon: So, this panel has been appointed. Up until a few minutes ago, the Premier didn't know who was on it.

Some Hon. Member: (Inaudible)

Mr. Dixon: The Premier is indicating off-mic that he still doesn't know who is on it. Was there ever any plan to announce this publicly? This is a committee that is going to do some very important work. It has been appointed for — well, if they followed the agreement, it has been appointed for several months now, and we haven't heard any sort of public announcement about it. I am wondering if there is planned to be any sort of public communication about the operations of this committee.

Hon. Mr. Silver: If this committee is going to be doing the work that needs to be done, then obviously we will be communicating. The communication is not something that we are going to wait until the Legislative Assembly — when we ask questions in general debate, then that is when we are going to tell you about how these committees work. So, no announcements so far — there is a plan, I'm sure, through the secretariat to announce all the work as we go forward, whether it be in making the democracy work or any of the other initiatives on making life more affordable. There are a whole bunch of initiatives that are happening. In CASA, there is specific wording about how we move forward together when it comes to these committees. I think that it is really important that we have a stable government at this time and that strong leadership involves these committees.

I'm very confident in the conversations through the secretariat. We invested in the secretariat for a reason — so that these conversations can be had on a daily basis. As we move forward all of the different initiatives in CASA, I'm very confident in the secretariat's ability to get the information out to the public in a timely fashion. I have nothing specifically, as the Premier, to report today as far as any of those committees, but if there is anything else, I will look into it. I'll have my conversation with my CASA secretariat individuals and get updated to see if there is anything specific that has happened that we need to inform the House of. At this point, I don't have anything else to add to that. By working together, we can make progress on a whole bunch of priorities that Yukoners want and hopefully build a bright future for our territory.

With that, seeing the time, I move that you report progress.

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

Motion agreed to

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

Deputy 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 Deputy Chair of Committee of the Whole?

Chair's report

Ms. Tredger: Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. 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. tomorrow.

The House adjourned at 5:29 p.m.

The following sessional papers were tabled October 18, 2021:

35-1-18

First Report of the Standing Committee on Public Accounts (October 2021) (Dixon)

35-1-19

Second Report of the Standing Committee on Appointments to Major Government Boards and Committees (October 18, 2021) (Clarke, N.)

The following documents were filed October 18, 2021:

35-1-10

Yukon Youth Panel on Climate Change 2021 — Our Recommendations, Our Future — 27 Programs and Policies to Embolden the Yukon's Climate Action (Clarke, N.)

35-1-11

Booster shots for Yukoners 65 and older, letter re (dated October 15, 2021) from Brad Cathers, Member for Lake Laberge, to Hon. Tracy-Anne McPhee, Deputy Premier (Cathers)

35-1-12

Covid Questions from Yukoners, letter re (dated August 31, 2021) from Kate White, Leader of the Third Party, to Hon. Sandy Silver, Premier, and Catherine Elliott, Acting Chief Medical Officer of Health (White)