



Yukon Legislative Assembly

Number 200

1st Session

35th Legislature

HANSARD

Wednesday, October 9, 2024 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2024 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 — Lane Tredger, MLA, Whitehorse Centre

CABINET MINISTERS

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

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
Lane Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, October 9, 2024 — 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: Prior to proceeding with the Daily Routine, the Chair wishes to inform the House of changes made to the Order Paper. Yesterday, the Member for Whitehorse West tabled a motion dealing with the supplementary budget that is currently before the Assembly.

For the reference of all members, in the 6th edition of *Beauchesne's Parliamentary Rules and Forms*, it states in paragraph 563: "A debate on a motion effectively blocks debate on another notice of motion when both deal with essentially the same subject matter."

To be clear, the supplementary budget is to be dealt with in the debate on Bill No. 215 only. Therefore, the motion the Member for Whitehorse West gave notice of, Motion No. 1024, is not in order and has not been placed on the Notice Paper.

Additionally, Motion No. 963, standing in the name of the Member for Watson Lake, has been removed, as the action requested in the motion has been taken in whole or in part.

The following motions, standing in the name of the Member for Klondike, have been withdrawn at the request of the member: Motions No. 807, 808, and 880.

DAILY ROUTINE

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

INTRODUCTION OF VISITORS

Speaker: Under Introduction of Visitors, allow me to introduce visitors.

Visitors introduced

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Lake Laberge.

Mr. Cathers: Mr. Speaker, I do have to point out that the minister knows very well that it is against the rules to name a member as he just did.

Hon. Mr. Mostyn: On the point of order, Mr. Speaker, my apologies to the House.

Visitors introduced

Speaker: Tributes.

TRIBUTES

In recognition of the Klondike Placer Miners' Association 50th anniversary

Hon. Mr. Streicker: Mr. Speaker, I rise today to pay tribute to the Klondike Placer Miners' Association, which is celebrating its 50th anniversary this year. The KPMA was established in 1974 by 56 placer miners who gathered in Dawson City to promote the interests of their industry. The association has grown and thrived since that time, serving as an important voice for placer miners.

Placer mining is a key part of the Yukon's economy and contributes to the prosperity of people and businesses in many Yukon communities. Today, the KPMA represents about 200 family-owned and -operated placer mines. Its membership still includes many founding members as well as their families and is part of the fabric of the Yukon.

The association helps to encourage responsible and sustainable placer mining across the territory. This is important work. Placer mining is a key part of the Yukon's economy and contributes to the prosperity of people and businesses across the territory. One of KPMA's roles is to promote best practices in placer mining. This includes progressive reclamation, cleaning up as you go, and taking measures to ensure that vegetation regrows once mining is complete.

The KPMA is no stranger to innovation. The organization has developed application-based training and a compliance and education program called KPMA 101. It was developed for placer miners by placer miners. Its learning modules reflect local knowledge and best practices.

The association is also focused on ensuring that local communities benefit from mining operations. In recent years, the KPMA has partnered with the Tr'ondëk Hwëch'in to co-fund several projects at Robert Service School in Dawson. These projects provided students with strings for musical instruments, camping gear, hallway murals, and a new climbing wall.

The KPMA also works to provide public education on placer mining. Recently, they worked with the Dawson City Museum to create an interactive installation commemorating modern placer mining. The exhibit, called "Beyond Bonanza: Over 125 Years of Klondike Gold", provides a look into the unique lifestyle of modern placer miners and celebrates the individuals who have sustained the placer industry for over 125 years. When I saw this exhibit at the opening, I was reminded of my own kitchen with good-one-side plywood kitchen floors — very Yukonic. So, if you have the opportunity, you should visit the exhibit the next time you're in Dawson, and a shout-out to Hannah McDougall for the exhibit.

The Yukon government works closely with the Klondike Placer Miners' Association to ensure that we understand the perspectives of the industry. The organization has provided important insights, as we work with First Nations to develop new minerals legislation and land use plans and to implement the wetland policy and mining-intensity targets. I sincerely appreciate the good working relationship that our government has with the placer industry and their willingness to share their candid views.

I look forward to continuing to work with them in the future.

Applause

Mr. Kent: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to pay tribute to the Klondike Placer Miners' Association as they celebrate their 50th anniversary. The KPMA, as the minister mentioned, was established in 1974 by 56 placer miners who gathered in Dawson City to promote and protect the interests of their industry.

Since that time, the KPMA has flourished and it represents approximately 200 family-owned and -operated placer mines across several regions of the territory. They are a member-driven, non-profit association that works to encourage responsible and sustainable placer mining across the Yukon.

I served as executive director of the organization, and I can tell you that what makes the KPMA so special is the people who are involved in it. I value the friendships I have made with so many placer miners, people like the late Norm Ross. Ross Mining was the star of Yukon placer mines. Most important to Norm was the deep friendships made while working in the Yukon, and I was proud to know him, as he did so much for the industry.

Randy and Laura Clarkson — Randy served and continues to serve as a technical advisor to the Klondike Placer Miners' Association and Laura worked for so many years in the office here in Whitehorse. Their contributions have been amazing and endure to this day.

Tara Christie is a second-generation miner with Gimlex Mining. She was the first female KPMA president as well as the youngest. Tara fought with the Department of Fisheries and Oceans for the very survival of the industry a little over 20 years ago. She was supported by a wide range of Yukoners across the political spectrum and was successful in her work.

Stuart Schmidt is another individual who comes from a family of placer miners that his children and their children are involved in today. He has been on the executive of the KPMA for as long as I can remember and is my first call if I have a placer mining question.

Lisa Favron and her family have worked the creeks around Dawson for decades. She is a long-time member of the KPMA executive and a big part of the Dawson City community.

Finally, Noreen and Art Sailer — they were consistently the driving force behind the annual KPMA barbecue, which is a highlight on many calendars. In a 1990 *Whitehorse Star* article entitled "Women in mining, then and now", Noreen was featured, and when asked why she was such a gold mining addict, she said, "I think it's the spell of the Yukon ... It isn't because it's easy." I am sure that sentiment is shared by many placer miners.

I don't have enough time here today to mention everyone individually, but all that have been and are involved have made a profound difference in our territory. The placer miners and the KPMA have contributed so much to the economy, history, and social fabric of the Yukon. We have witnessed so much change in our territory since the first nuggets were found in the creeks of the Klondike.

Placer mining has helped us weather many significant challenges, from the Great Depression right on through to the COVID19 pandemic. As more changes appear on the horizon, the KPMA will be there to advocate for and defend the interests of their industry. A huge thanks to President Will Fellers, the current and past members of the KPMA executive, Brooke Rudolph and Hannah McDougall, as well as the members and sponsors of the KPMA. Congratulations on 50 years of success and we look forward to many, many more.

Applause

Ms. White: Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate the 50th anniversary of the Klondike Placer Miners' Association. For 50 years, the KPMA has been going to the mat for their members. Their passion and commitment to responsible placer mining in the Yukon is obvious in everything they do. They are the authors of many impressive and successful campaigns, and this is an organization that knows how to get things done.

You know what else they know how to do? They know how to throw one heck of a party. I can say this with confidence because I had the honour of attending their 50th anniversary barbecue in Dawson recently and it was a celebration to be remembered. My personal favourite was watching the kids in the dunk tank and I'm pretty sure that it was a favourite memory of many of those kids, too.

My colleagues have listed many of the remarkable accomplishments and the incredible people of the Klondike Placer Miners' Association over the years, so I won't repeat the list, but I will add our voices in acknowledging the enormous amount of work by staff and members that goes into creating and sustaining an organization as successful as the KPMA. Congratulations on 50 years.

Applause

In recognition of Team Yukon at the Canada 55+ Games

Hon. Mr. Mostyn: Mr. Speaker, today we tribute Team Yukon that represented the territory at the 2024 Canada 55+ Games in Québec City. Our territory sent its largest contingent ever to the Canada 55+ Games; more than 160 athletes and supporters made their trek to Québec. Of those who travelled, 20 were rural participants split between Dawson and Marsh Lake. We also had six participants older than 80 and one older than 90, as we mentioned in the introductions.

Team Yukon has a well-deserved reputation across the country for supporting and inspiring each other and their fellow competitors. This year's team was absolutely no different. I thank Team Yukon for being solid ambassadors for our territory and demonstrating that, though we hail from one of the coldest climates in the country, our key export is warmth.

That supportive team spirit paid off on the track, field, ice, bowling lanes, pool, crib, and pool tables as well. Team Yukon earned 58 medals, which is just incredible.

Of course, the athletes aren't the only people we're recognizing today. I offer our gratitude to ElderActive, Team Yukon's organizing committee, the mission team, and those

from the Sport and Recreation branch for making Team Yukon's participation at the Canada 55+ Games possible this year.

I have attended several rallies with the athletes and support staff, and they are flexible, lively, fun, and clockwork-precise affairs. Regardless of your role in the Canada 55+ Games, we thank you for being an inspiration to all Yukoners. Regardless of your age, sport plays a pivotal role in both physical and mental well-being. Your example proves that even as we age and our bodies aren't able to do the things we once could when we were young, you remind me and indeed all Yukoners that we are never to old to play.

I look forward to cheering you on and perhaps finally even joining you in Winnipeg, the host for the Canada 55+ Games in 2026 — if you'll have me with my bum leg.

Thank you very much, everybody.

Applause

Ms. McLeod: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to congratulate Team Yukon that represented our territory at the Canada 55+ Games in Québec City in August. I understand that participation in the games this year was at an all-time high — a record of 162 participants.

Twenty events were included as part of the games this year and included sports and games alike. Track and field, pickleball, swimming, golf, curling, hockey, and tennis were among the popular sports. Games like bridge, cribbage, Scrabble, pool, and even sandbag baseball were hits among spectators and participants alike.

Games and sports contribute to the experience of successful aging for older adults. The Canada 55+ Games help our older adults with opportunities for achievement and competition and being part of a supportive social community. They help older adults experience increases in their cardiorespiratory fitness, physical, and mental function, each an important aspect of a healthy mind and body.

Team Yukon brought home 59 medals — 22 gold, 19 silver, 18 bronze — from a mix of 12 games and sporting events.

I would like to give special recognition to 91-year-old Nesta Leduc, who not only brought home two silvers in swimming in the 100-metre backstroke and 50-metre freestyle events but also had the honour of being the oldest participant in the games.

Thank you to all of the individuals and organizations that helped send our delegation to Québec City this year and congratulations to all of those who took part as part of Team Yukon.

Applause

MLA Tredger: Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate Team Yukon at the Canada 55+ Games. You know, some people dread their birthdays and aging — not me; I love birthdays because when I look at the athletes on the 55+ Team Yukon, I cannot wait to be like them. They are so skilled, they are so tough, they are energetic, and

they are very cool. They make me so excited to hit 55 and join their ranks.

Every story that I have heard about the athletes is better than the last. Helen Dewell, a rookie bowler from Dawson, bowled the perfect game — 12 strikes in a row. Can I just point out that there isn't even a bowling alley in Dawson? Nesta Leduc, the oldest participant in the games, won two silver medals in swimming — incredible. And then there is the medal count — 59 medals for the Yukon — but what stands out to me the most is the absolute joy that you can see in every picture of the athletes. I hear it in every story that I have heard about the games. It is obvious that all of Team Yukon is having a very good time.

So, to all the athletes, the coaches, the volunteers, and the support team, you rocked it. We are so proud. Congratulations.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under Tabling Returns and Documents, the Chair has for tabling the *Yukon Electoral District Boundaries Commission 2024 Final Report*.

Are there any further returns or documents for tabling?

Ms. White: Mr. Speaker, I have for tabling a letter to the Minister of Education from the Takhini Neighbourhood Association requesting that the Government of Yukon edit the current version of *Choosing the future site for École Whitehorse Elementary School* to remove the statement regarding the Takhini Neighbourhood Association's preference.

Ms. Blake: I have for tabling two submissions from the Vuntut Gwitchin First Nation to the Electoral District Boundaries Commission.

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

Are there any reports of committees?

Are there any petitions to be presented?

PETITIONS

Petition No. 24

Ms. White: I have for tabling the following petition, which reads:

To the Yukon Legislative Assembly,

This petition of the undersigned shows:

THAT currently Yukon schools are not required to have accessible play structures but children with accessibility needs attend every Yukon school;

THAT having the ability to play and engage with other children is an important part of the growth and development of all children including those with accessibility needs;

THAT there needs to be at least one accessible play structure at every Yukon school; and

THAT as aging play equipment is replaced, fully accessible options should be prioritized.

THEREFORE, the undersigned ask that the Yukon Legislative Assembly urge the Department of Education to include accessible play structures at all Yukon schools as aging equipment is replaced or upgrades are made.

It is signed by over a hundred Yukoners.

Speaker: Are there any further petitions to be presented? Are there any bills to be introduced?

Bill No. 43: Act to Amend the Business Corporations Act (2024) — Introduction and First Reading

Hon. Mr. Mostyn: I move that Bill No. 43, entitled *Act to Amend the Business Corporations Act (2024)*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 43, entitled *Act to Amend the Business Corporations Act (2024)*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 43 agreed to

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

NOTICES OF MOTIONS

Hon. Mr. Mostyn: Mr. Speaker, I rise to give notice of the following motion:

THAT this House encourages eligible Yukoners to vote during the upcoming municipal elections.

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

THAT this House congratulates the Yukon Rangers patrols who participated in leadership training and Arctic sovereignty discussions over the past weekend.

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

THAT this House urges the Government of Yukon to expand eligibility for its wildfire grant for air purification devices to businesses and non-profit organizations.

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

THAT this House urges the Government of Yukon to comply with the recommendation of the 2024 coroner's inquest that all new deaths at the Whitehorse Emergency Shelter be subject to an independent review by commissioning an independent review of the September 30, 2024 death of a visitor to the Whitehorse Emergency Shelter.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide universal single-payer insurance coverage for hormone replacement therapy.

Speaker: Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Continuing care

Mr. Cathers: Mr. Speaker, there is a growing pattern of the Premier having to publicly apologize for mistakes of the Minister of Health and Social Services. Twice he has had to apologize for the minister's mismanagement of the emergency shelter file, and he even had to step in and take over that file from the minister. In July, he was forced to issue a public apology to residents of a continuing care home and their families after they were moved on very short notice from Thomson Centre to Whistle Bend Place.

As the *Yukon News* reported, staff, residents, and families were told about the move from Thomson Centre to Whistle Bend Place via a letter on July 5. Residents arrived at their new home on July 16. Mr. Speaker, we know that the minister was planning this change months before that.

Can the Premier explain why his Minister of Health and Social Services took so long to inform residents of Thomson Centre of the plan to move them?

Hon. Mr. Pillai: Mr. Speaker, first, I would like to take this opportunity to actually thank the minister. Over the last number of years, we have seen continued pressure when it comes to population growth but also with the infrastructure that we have at the hospital. I want to commend the Deputy Minister of Health and Social Services, who has now moved over to be the CEO of the Hospital Corporation, and their team for looking at a number of ways that we could ensure that there was a plan in place to have more beds. That's not only for individuals who are coming in and needing care but also, over a period of time, ways that we can ensure that we can support surgeries and making sure that there are post-surgery beds in place.

Looking at that plan on a full potential buildout, you are looking at the largest number of beds added into our health care system, really, since the hospital has been built. Again, I want to thank the minister and I know that the officials are always incredibly sensitive and empathetic to the situations and any sort of disturbance or disruption to those. The fact that the member opposite is framing it in a way that there is a lack of support for our patients is absolutely absurd.

Again, I look forward to question 2.

Mr. Cathers: Well, Mr. Speaker, we know that the Minister of Health and Social Services was working on a plan to move residents from the Thomson Centre months before the residents heard about it but didn't bother to tell those Yukoners until mere days before they were moved.

At the budget briefing for her department in March, officials told us that they were working on plans to add more beds at Whistle Bend Place. They did not tell us how or explain what the impacts would be on patients needing palliative care. This minister is infamous for her failure to communicate with families, and sadly, this is not the first time she has failed to do that or the first portfolio she has mishandled.

One family member of a Thomson Centre resident wrote a letter to the editor calling the relocation and lack of communication "... dictatorial, disrespectful and disgusting."

How many times does the Premier need to apologize for this minister before he considers making a change?

Hon. Ms. McPhee: Mr. Speaker, I am very pleased to be able to address questions regarding the health care system here in the territory and our absolute dedication to its improvement — not supported, I will note, by the members of the Official Opposition.

Mr. Speaker, the member opposite raises important health questions. Yukoners and, in fact, Canadians consistently name health care as one of their primary concerns. They care about access; they care about improvement to health care.

I can indicate that the member opposite has much of the information incorrect. I don't have enough time here to correct it all, but one thing I can say is that the individual letter that he is speaking about, which he has taken and tried to politicize, was properly a complaint brought to the Department of Health and Social Services. Ultimately, work was done with that family and an offer was made for that individual to move back to Thomson Centre, but they refused to do so. They were very happy with their new location at Whistle Bend and we are very pleased with the way that, once they settled in, their care team was continuing to provide for them.

Mr. Cathers: We understand that changes made this summer were done out of desperation for more continuing care beds and hospital beds, but the problem didn't happen overnight and the bed shortage is the direct result of political decisions by this Liberal government.

They made a political decision to cancel the second phase of Whistle Bend Place and, worse, did not begin working on an alternate continuing care facility to meet expected needs. They have had nine years in power and failed to act until it was a crisis.

The minister of health has had plenty of time to do something but instead failed to act on plans for more beds or come up with an alternative plan. She showed a lack of respect and empathy for people whose lives would be impacted and, on Monday, stood in the Legislature saying that it wasn't her job to hear from affected families. So, the Premier had to apologize to affected Yukoners.

So, again, Mr. Speaker, how many times does the Premier need to apologize for this minister of health before he considers making a change?

Hon. Mr. Pillai: Mr. Speaker, I think that we've seen health care professionals ask us to depoliticize these tough conversations in the House — something certainly that the Member for Lake Laberge has never done and will never do. But we're happy to be able to come into the House, be accountable to Yukoners, and discuss the strategies and the work that's being done.

Today, we offered up — this morning — a health care system update. We could have had a lengthy discussion. These points that you're touching on today were part of that. We could have had a discussion about the increase of beds. We could have had a discussion about a strategy to have the largest increase in beds that we've seen since the hospital was built. We could have talked about human resources in the health care system. We could have talked about the 300 nurses that were

just hired. We could have talked about the go-forward plans for infrastructure and the increase of infrastructure not only at our hospital but also for our surgery infrastructure. We could have had an opportunity to talk about how *Putting People First* identifies the ability to look at health infrastructure increases in our rural communities — that the Member for Lake Laberge did not have respect for the rural communities when he was the health minister and did not put funding in, but we will. We could have talked about the new health centre that was opened in Old Crow, but we didn't get that chance.

Question re: Health Human Resources Steering Committee

Ms. McLeod: Earlier this week, I asked about the frayed relationship between the Liberal government and Yukon teachers who overwhelmingly voted in favour of job action recently.

Now the Liberal government is at odds with Yukon's health care workers. According to the unions representing Yukon's health care workers, the Liberal government has not engaged them respectfully or sufficiently in the ongoing work to oversee the *Health Human Resources Strategy*. According to them — quote: "... and we cannot continue to participate in a process where our contributions are not genuinely considered."

So, can the minister explain why the Liberal government isn't genuinely considering the views of Yukon's health care workers?

Hon. Ms. McPhee: Mr. Speaker, again, I am sorry that the information that is being presented here is not accurate. I have absolute great confidence in the individuals who are working on the *Health Human Resources Strategy*, on the concept brought forward by Health and Social Services to strike a committee back in 2023 for the purposes of a unique version of addressing the health human resources issues that exist here in the territory and here in Canada. The people of the Yukon and the people of the Department of Health and Social Services and the people at the Yukon Hospital Corporation are truly dedicated to the relationship building that has been done — the focus on relationship building — because what we know is that, unless you have strong relationships, you absolutely cannot move forward in the kind of transformation that Yukoners have asked for. Yukoners have told every member of this Legislative Assembly — but certainly the individuals who went forth and gathered the information in *Putting People First* — about the transformation that they require, that they need, and that they want of their health care system. Intentionally and deliberately, we worked to build relationships so that this work can continue.

Ms. McLeod: Mr. Speaker, now according to the recent joint statement by the YEU and PIPC, they are concerned about the structure of the Liberals' Health Human Resources Steering Committee. They say that their views are not taken seriously and that their role is — quote: "... primarily to observe, rather than actively participate, creating the appearance of union involvement without providing meaningful opportunities for input which is misleading to both the media and the public."

Can the minister explain why the steering committee was set up this way by the Liberal government?

Hon. Ms. McPhee: Mr. Speaker, I am happy to discuss how this unique committee was set up for the purposes of bringing decision-makers from every area of health care across this territory: educators, union representatives, the nurses' association, medical association, the hospital association and the Hospital Corporation, and individuals who work there for the purposes of them coming together to address these issues of concern to all Yukoners. It is unique. They have a shared commitment. They all came to that table back in 2023 for the purpose of bringing forward a health human resources strategy.

The unions that are being mentioned here in the questions participated willingly in the development of that strategy. The steering committee's key goal now is to implement that strategy. We know that the strategy is working; we know that the strategy respects the views of nurses, physicians, allied health professionals, traditional healers, social services, and support staff — collectively known as our "health workforce". It is of primary concern to this steering committee's work.

We need to work together; we need to continue to include all representatives, all individuals who will come to the table to help us do this difficult work.

Speaker: Order.

Ms. McLeod: The concern that sparked the unions to leave the steering committee was the minister's public statements to the media about their role on the steering committee. According to the news release from the two unions representing health care workers, the comments by the minister were inaccurate and embellished.

Unfortunately, the minister making inaccurate comments about the health care system seems to be a growing pattern, as these weren't the first health care workers to call out the minister for providing inaccurate information about her government's health care record.

Why do health care workers keep having to correct the Minister of Health and Social Services' public comments about the health care system?

Hon. Mr. Pillai: Mr. Speaker, just for the media and for Yukoners today, I want to highlight that we did have a fulsome ministerial statement to highlight our health systems and to update. That was turned down today. I think it would have been a good opportunity to come in and have a fulsome conversation. And, of course, how that works — we provide that statement to the opposition prior to coming into the House. That gives them an opportunity to debate, critique, criticize, or ask questions, and we would have been able to have a more fulsome debate, and we're always happy to be able to prepare and to do that work.

I do want to thank the minister for an invite to attend the committee meeting. I think, for Yukoners, I just want to say that this is the first of its kind. Not only was organized labour in the room — management from both Health and Social Services as well as from the Hospital Corporation but also regulators, which we thought was incredibly important to have in the room. This was really about making sure that you had a sense to understand: How do you make sure that people have the certification, and how do we make sure that we are nimble with our regulation and that we support folks who want to bridge

over or be able to increase their certification to help in the health care system? It's about recruitment and it's about unions. The door is still open, and hopefully organized labour will come back to the table, because there are so many others that are there providing —

Speaker: Order, please.

Question re: Wildland firefighters occupational health coverage

Ms. White: Last spring, I asked the Minister responsible for the Workers' Safety and Compensation Board why he continues to refuse to provide presumptive cancer coverage for wildland firefighters. In the past, he has provided a long list of excuses as to why he couldn't: It's too expensive, wildland fire crews don't experience the same risks as municipal crews, and he went as far as comparing wildfires to campfires. So, he's quick to send a press release with his condolences when a wildland firefighter dies at work, but he continues to refuse to provide them with the coverage they deserve. Most recently, he said that he is conducting research on the issue. This issue doesn't need more research. The risks for wildland firefighters are well known and they can't wait any longer.

When will the minister realize that the research has been done and introduce presumptive cancer coverage for wildland firefighters?

Hon. Mr. Mostyn: Mr. Speaker, I am glad to have the opportunity to talk about workplace safety on the floor of the House this afternoon. I really want to start by reminding all workers that if they are injured on the job, they are eligible for compensation from the Yukon Workers' Safety and Compensation Board, and I encourage them to do that. The presumption, of course, is a way to streamline that coverage for people, but it doesn't preclude you from getting coverage if you get sick on the job. I want to make sure that this is understood — so that every worker who has either an injury on the job or who becomes sick through their work can get coverage, whether you are a wildland firefighter or a clerk in an office. If you are injured or sick as a result of your work, you get coverage.

This government, of course, recognizes the invaluable contribution of every Yukoner who fights fires, whether full or part time, professionally, or as a volunteer. A regulation covering presumptive cancer coverage for firefighters under the *Workers' Safety and Compensation Act* came into force on July 1, 2022. I will continue my answer after further questions.

Ms. White: Mr. Speaker, this is a very specific issue, and that is presumptive cancer coverage for wildland firefighters. Previously, the minister said that he needs to do more research, so let me help. British Columbia did their research back in 2019 and concluded that wildland firefighters should be included in presumptive cancer coverage. Manitoba has also done their research and, in May 2023, their Conservative government amended legislation to include presumptive cancer coverage for wildland firefighters.

Ontario too, as of May 1, will offer this coverage for its wildland fire crews. Québec, New Brunswick, and Nova Scotia all offer this coverage. So, that leaves the minister in pretty

rough company with the governments of Scott Moe and Danielle Smith with not providing their brave wildland fire crews with presumptive cancer coverage.

When will this minister admit that he was wrong and do what is right by the workers in this department?

Hon. Mr. Mostyn: Mr. Speaker, again, if you're a wildland firefighter and get injured or sick from the job, please put in a claim for compensation; you are eligible if you get cancer through your work.

All right, yes, the member opposite has mentioned a number of jurisdictions. What she is not mentioning which really has to be brought to the fore because it is part of the conversation — in BC, your wildland firefighters are interfacing with an urban environment where presumptive cancers in their act, in our act, actually cover you. Up here, our wildland firefighters are not trained for the urban environment. They do not interact with those types of fires up here. They work with basically fires in the boreal forest pretty much exclusively.

So, there's a difference in the job. That said, Mr. Speaker, we are recognizing now at workers' compensation and through Wildland Fire Management at Community Services that our firefighters are being sent out and they may need better training; they may need other skills. So, we are looking at that. We are also still looking at, if you're fighting a fire in the boreal forest, what cancers could come from that and how might we mitigate that? Because the goal here, Mr. Speaker, is occupational health and safety. You want to make sure that your workplace is safe; you don't want people getting sick.

I'll continue my answer after this.

Ms. White: So, it's a matter of respect, and the minister continues to show a lack of respect for Yukon wildland firefighters.

It's not just politicians and governments who have decided that this makes sense — that's presumptive cancer coverage. A new literature review published this month noted 31 carcinogens as possible risks for wildland firefighters. The review concluded that there is — and I quote: "... consistent evidence that wildland firefighters are regularly exposed to carcinogens."

Consistent exposure to 31 different carcinogens sounds pretty risky to me. Obviously, it sounded sufficiently risky to other provinces that they chose to enact presumptive protections for their wildland fire crews. Will the minister tell Yukoners why exactly he doesn't think our wildland firefighters are worthy of the same benefits provided to structural firefighters?

Hon. Mr. Mostyn: Mr. Speaker, I too, like the good member opposite, respect firefighters. What we're talking about today is beyond respect; it's about keeping our firefighters safe and making sure that they do not get sick. Presumption is really a failure in some ways, because the person you are working for in that case is already sick. I would prefer our firefighters — any employee in the territory — not get sick, not get hurt on the job. So, it comes down to prevention.

Mr. Speaker, I really want to say that, while the member opposite is correct and we could streamline the bureaucratic process to get workers coverage without jumping through hoops, we are doing the science — we are still continually looking at the latest reports on cancers with wildland firefighters who work in a strictly forest environment and what we can do to prevent them from getting sick in the first place so that they never have to get the compensation that would signal that they are ill and at risk. How do you prevent that from happening? That's where I'm at.

But if there is a failure and somebody does get sick, like the member opposite, I hope — I want them to get coverage; I encourage them to get the coverage that they deserve, and they can do that through workers' compensation.

I'm sure that this will come up again, Mr. Speaker. There is lots more to say.

Question re: Women's supervised housing and reintegration support program

Ms. Clarke: Mr. Speaker, earlier this week, I asked about the W-SHARP program that Connective runs on behalf of the Yukon government. According to the minister, that program has been cancelled because it was, according to the minister — and I quote: "... not terribly successful ..." W-SHARP was one of several programs run by Connective, and earlier this year, the Legislature passed a motion calling for a review of all Connective programs.

Can the minister provide an update on this review of Connective that she agreed to launch back in May of this year? Has this review been initiated? If so, what is the status, and are there terms of reference for the review?

Hon. Ms. McPhee: I appreciate the question. Of course, the review of the Connective programming has begun. Connective is responsible for the services provided at 405 Alexander in collaboration with the Council of Yukon First Nations. In addition, they are responsible for programming in collaboration with the Yukon Housing Corporation. They are also responsible for the two programs that have been mentioned here in the question — the programs of supervised housing for both men and women through the Department of Justice.

The reviews of all of those programs have been initiated. I can also note that reviews of those programs, in a slightly different way, were part of the recommendations that were made as a result of the coroner's inquest into the deaths that occurred, sadly, at 405 Alexander. Work has been intense and ongoing with respect to reviewing these programs. It is, I think, insinuated in the question that somehow the result of putting on pause the women's supervised housing program was in fact not part of this review; clearly, it was.

Ms. Clarke: The motion that this Legislature passed in May called for a broad review of all the programs currently operated by Connective in the Yukon. It came on the heels of a coroner's report that also made recommendations about a number of aspects of Connective's operation of the Whitehorse Emergency Shelter, including a policy and training review to be completed within six months.

We are coming up on the six-month deadline for the coroner's report. So, I would like to ask about the status of those recommendations and how those reviews will be linked to the broader Connective review that the minister promised.

Hon. Ms. McPhee: That's exactly what I'm trying to tell the member opposite as a response to this question, which is very important to Yukoners.

We're working to finalize the review of Connective's programming in response to Motion No. 982, which was from the spring session, as noted. The scope includes a full review of the Housing First program at Wood Street and at 405 Alexander, as I have mentioned, and a review of the emergency shelter program and delivery outcomes, as I've mentioned.

It will also include a review of the Department of Justice's SHARP program for both men and women, noting that the women's SHARP program has been put on pause for a full evaluation. A final report will be made available and tabled in the Legislative Assembly summarizing the results of the evaluations of the Health and Social Services Connective-operated programs once they are complete.

The Department of Health and Social Services has agreements in place with Connective, as I have mentioned, at the various locations for services to provide benefits to Yukoners. The Department of Justice has the other agreements. Each program is being evaluated separately. As I've already noted, they are in full consideration of the coroner's inquest recommendations.

Ms. Clarke: I would like to ask the minister if the terms of reference is available and would it be made public.

Hon. Ms. McPhee: The evaluation of the projects and the programs that are provided by Connective are ongoing. I also note that the transfer payment agreement for Connective at 405 Alexander includes a framework for performance monitoring and evaluation. The motion here in the Legislative Assembly, while helpful with respect to evaluating the Connective programs, was not the impetus for us evaluating those programs. We have built into the arrangements with Connective and the service provision an ongoing process by which we evaluate their services: Are we achieving together the outcomes that are needed to serve Yukoners?

The Department of Health and Social Services will also, as I have noted, make public the review and will also formally respond to the coroner before the end of October. This work is ongoing, but that will not be the end of it. Connective is responsible for reviewing its programs and services as part of the coroner's recommendations, but an oversight committee has been put in place as well, which will continue that work past the end of October to make sure that we are addressing the issues to serve Yukoners.

Question re: Accommodation for health care travel

Ms. Van Bibber: In the Spring Sitting, I asked the Minister Health and Social Services about plans to respond to a motion that was supported by the Liberal government in March of last year to create a health lodge in Whitehorse for rural residents who come to attend medical appointments here. I note that there is no money in the supplementary budget for

this, nor is there any indication that it has been added to the five-year capital plan.

Can the minister tell us why there is no money allocated for this project despite the fact that the government said that they would support this project?

Hon. Ms. McPhee: Our government does support the concept of this project. We have supported and continue to support improvements to our health care system, as anticipated and presented in *Putting People First*. That work is multi-faceted, Mr. Speaker, including the *Health Authority Act* that was here in the spring before this Legislative Assembly — a version — one part of our ongoing improvements to Yukon's health care system — but one part.

As the Premier mentioned earlier, there was a great opportunity today for me to present a ministerial statement that was to update individuals here in the Legislative Assembly but, more importantly, to speak to Yukoners about improvements to our health care system and the concepts that we are working on. That was refused by the members of the opposition, which blocks me from doing such a statement.

I am very happy to have had the opportunity to answer all these health questions here today for the purposes of informing Yukoners about our programs. We are doing a full review of the infrastructure of health care here in the territory, including community health centres, including all of the infrastructure in the City of Whitehorse and all of the buildings and infrastructure that serve Yukoners. This is part of that work.

Ms. Van Bibber: Mr. Speaker, I didn't hear an answer specifically for the health lodge. When I asked about this in the spring of this year, the minister said plenty about supporting Yukoners going down south but did not address the issue of rural Yukoners coming to Whitehorse.

Can the minister please tell us when we can expect to see progress on the development of a health lodge in Whitehorse for rural Yukoners?

Hon. Ms. McPhee: I actually did answer the last question. I indicated that we were committed to health lodges, committed to improving services for Yukoners, and committed to making sure that all aspects of their health and social services is a key priority for us, including improving services of all kinds. The member opposite may or may not know that the concept of health lodges is in *Putting People First*, so it is on the list of issues that we will be addressing as we work to improve the health care system.

I completely appreciate that medical travel is not only Yukoners leaving here for services outside of the territory but that it is almost — perhaps more importantly — individuals coming from their communities into Whitehorse for medical services. I can indicate that the budget for this year is focused on improving services for Yukoners. I can also indicate that impacts of the infrastructure review that is being done, I anticipate, will include services or the concept of services for individuals who are travelling.

I can also remind the member opposite and all Yukoners that we doubled the medical travel subsidy previously in the work of this government, and we will continue to serve Yukoners in this way.

Ms. Van Bibber: Mr. Speaker, last year during debate on a motion about this issue, the Premier said they would not start developing an operating model for this Whitehorse health lodge on the floor of the Legislature and that they would start work to develop a model very soon.

It has now been over a year and a half since he said that, so can the minister please tell us what work has been done to develop the operating model for this health lodge in Whitehorse for rural Yukoners?

Hon. Ms. McPhee: Mr. Speaker, having the right space and the right facilities is essential for delivering quality health care, and we recognize the significant need for new health infrastructure, including places for Yukoners to stay when they are necessarily displaced from their home for the purposes of seeking health care.

We are working to address these needs, and it's a priority of the Government of Yukon. The concept of reviewing health infrastructure was in the budget speech back in the spring of 2024. Our infrastructure challenges are further compounded by a rapidly aging and growing population, which increases the complexity of service delivery. To manage short-term pressures, money has been put into the Health and Social Services budget and the Yukon government budget to deal with rising service delivery costs, including medical travel.

We have worked in consultation with the Yukon Medical Association and the Hospital Corporation and released a request for proposals for a comprehensive health infrastructure review. This review will provide critical information to guide territory-wide infrastructure upgrades, including hospital improvements, including services for Yukoners.

The request for proposals will be closing in mid-October.

Speaker: The time for Question Period has now elapsed.

Government House Leaders' report on length of Sitting

Hon. Mr. Streicker: 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 28 sitting days, with the 28th sitting day being Thursday, November 21, 2024.

Speaker: Accordingly, I declare the current Sitting shall be a maximum of 28 sitting days, with the 28th sitting day being Thursday, November 21, 2024.

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 308: *Act to Amend the Elections Act* — Second Reading

Clerk: Second reading, Bill No. 308, standing in the name of the Leader of the Third Party.

Ms. White: Mr. Speaker, I move that Bill No. 308, entitled *Act to Amend the Elections Act*, be now read a second time.

Speaker: It has been moved by the Leader of the Third Party that Bill No. 308, entitled *Act to Amend the Elections Act*, be now read a second time.

Ms. White: Mr. Speaker, I'm delighted today, especially on the tails of the Electoral District Boundaries Commission's final report being tabled this afternoon, to discuss the electoral boundaries in Yukon.

As we know, the current Electoral District Boundaries Commission was appointed in December 2023 and comprised of de facto members: Chief Justice Suzanne Duncan; Chief Electoral Officer of Elections Yukon Maxwell Harvey; and appointed members Patricia Cunning, Elizabeth Hanson, and Warren Holland.

Changes to the current electoral district distribution are badly needed due to Yukon's rapid population growth since the last changes in 2008. There was, of course, another boundaries commission in 2018, but the Assembly defeated the redistribution bill.

The 2024 commissioners' interim report recommended to decrease the number of rural districts in Yukon from eight to six and to combine the communities of Old Crow and Dawson City into one district. These recommendations were met with staunch opposition in nearly every community where a public engagement was hosted. Voters from Old Crow, Dawson, Whitehorse, and even Haines Junction opposed the idea of combining Old Crow and Dawson City. Voters across the territory spoke against the idea of reducing the number of rural districts. The Association of Yukon Communities passed a motion expressing concern about the diminishment of rural voices, suggesting that the proposed changes would hamper the ability of rural Yukoners to have their voices heard in the Assembly. The Council of Yukon First Nations passed a resolution supporting the continuation of Vuntut Gwitchin as a distinct district and decrying the loss of representation for rural communities in the proposed plan.

The previous Mayor of Watson Lake told the CBC that the commission should consider keeping the number of rural seats as is.

A summary of the Carter case of 1991 summarizes the thoughts of Supreme Court Justice Beverley McLachlin as follows — and I quote: "The purpose of the right to vote enshrined in s. 3 of the *Charter* is not equality of voting power *per se*, but the right to 'effective representation'."

Parity of voting power, though of prime importance, is not the only factor to be taken into account in ensuring representation. The value of a citizen's vote should not be unduly diluted, but absolute parity is impossible and, in some circumstances, undesirable and justified. Factors such as geography, community history, community interests, and minority representation can be taken into account to ensure that our legislative assemblies effectively represent the diversity of our social mosaic.

I don't think I need to lecture the members of this Assembly on the extensive contributions made by diverse rural caucuses, because we all have members. Reducing those voices dulls our discussions and reduces the diversity of thoughts and perspectives in this House.

Members of my team travelled to Old Crow and Dawson City to hear the concerns of residents at the boundaries engagements there. The 2008 boundaries commission proposed to leave Vuntut Gwitchin as a district, citing the special circumstances identified in the 1991 and 2002 commission reports. In particular, the commission agreed with the 2002 commission's assertion that — and I quote: "... it is geographically distinct from all other electoral districts in the Yukon, in that it is the most remote and has no road access; the community of Old Crow is almost exclusively Vuntut Gwitchin First Nation with common language, traditional lifestyle and culture; the strong common interests of the residents may be adversely affected if the community is included in another electoral district."

I agree.

The 2018 commission agreed that the *Canadian Charter of Rights and Freedoms* guarantees the right to effective representation but not absolute equality of voting power, that effective representation is achieved through consideration of special circumstances, and that reasons must be given where variances beyond 25 percent are deemed necessary. While the 2018 commission proposed keeping Vuntut Gwitchin as a distinct district, they did suggest that it should — and I quote: "... likely be revisited by a future Commission." That is because there is no clear guidance in the *Elections Act* on how to address such a unique community. This bill will help provide clarity and reasons for future commissions to preserve the representation of Vuntut Gwitchin specifically and rural Yukon more generally in the territorial legislature.

The report of the 2024 commission that was tabled earlier today lays out very clearly the challenges faced by the commission in balancing the interests and needs of communities for effective representation with the distribution of voters on the landscape. Four of the five members of the commission agreed with the need to keep the riding of Vuntut Gwitchin as a distinct district and to keep eight rural seats. The reasons for this are many: the challenges of travelling large districts; representing not just the voters but the land and the environment; the complexity of issues faced with land use planning and rural infrastructure; and, at its core, the ability of the Legislature to effectively represent the territory beyond the City of Whitehorse. I will leave it to the Member for Vuntut Gwitchin to expand further on the specific concerns of her community and why Vuntut Gwitchin deserves to remain a distinct district.

There are several other Canadian jurisdictions that contain language in their elections acts to specify the existence of certain districts or numbers of districts in certain regions. In Saskatchewan in 2022, *The Representation Act* legislated fixed constituencies in the northern part of the province. It cited the 1993 *Constituency Boundaries Act*, which defined the two districts as those north of a specified dividing line. This ensures

a reasonable geographic size and able representation of the sparsely populated northern regions of that province. Our bill leans on this case closely when establishing a minimum number of seats in a particular region.

Newfoundland and Labrador, in their *Electoral Boundaries Act*, provides significantly more guidance to its boundaries commission than our act does. It was amended in 2015, and section 15.(6) of the act now specifies that — and I quote: "Notwithstanding the other provisions of this section, for the purpose of the commission's report in 2015, the commission shall divide the Labrador portion of the province into 4 proposed districts..."

Nova Scotia does not have prescribed ridings but took the approach of providing prescribed circumstances for when a commission may choose to deviate from electoral parity based on geography, historical, cultural, or linguistic settlement patterns, and political boundaries.

The Province of Québec has set its own laws that districts do not deviate by more than 25 percent from the mean number of voters in a district; however, it also legislated an exception in chapter 1, section 17. Section 17 reads — and I quote: "Notwithstanding section 16, the Îles-de-la-Madeleine described in Schedule 1 are an electoral division." The exception in Québec for the Îles-de-la-Madeleine most closely resembles what this bill will do by specifying the district of Vuntut Gwitchin as its own electoral riding.

In 2015, the Supreme Court of the Northwest Territories dismissed an application to declare the electoral boundaries invalid based on under-representation of voters within the City of Yellowknife. The districts in rural NWT were smaller than those in Yellowknife, and the court dismissed the application, citing a justification for a certain level of under-representation.

So, there are many different ways that we could have chosen to amend this act, from allotting a proportion of total seats to rural areas to providing a separate variance for rural districts. We listened closely to what Yukoners had to say during the commission's consultation process, and it was the overwhelming sentiment that the status quo of eight rural seats was sufficient. People accept that Whitehorse is growing faster than the rest of the territory and may need additional seats, but they were not prepared to accept less representation for the rural communities.

So, we know that the *Elections Act* is in need of more changes to help modernize our democracy, and we hope that these amendments are just the beginning. In an era of reconciliation, it would be a great mistake to reduce the number of MLAs in rural Yukon, with its many Indigenous communities and nations. We need more First Nation representation in this House, not less.

So, while the issue may appear settled with the changes made in the commission's final report, we know that the next commission will be faced with many of the same questions. Without the additional clarity that is provided by this bill, I feel that future commissions will proceed replicating the work of this last commission and going in circles.

This bill comes in response to the overwhelming response of those who took the time to show up at the public engagements held by the boundaries commission. I want to give

a big thank you to the commissioners and folks who went out and made submissions.

I am super fortunate, because the final report was tabled, and I respect that everyone may not have a copy, but there are two very specific parts that I want to draw people's attention to. Page 15 is called "The Challenge". I am going to read from this document; it is now available online, and I think that it is important. So, this is from *Yukon Electoral District Boundaries Commission 2024 Final Report* under "The Challenge", where it says: "How can effective representation best be achieved in the Yukon with our unique population distribution and geography? If we consider voter parity as the prime, but not exclusive, condition of effective representation as the law requires, then areas with more voters, like Whitehorse, have more representatives, unless there are circumstances that are necessary and justifiable to achieve effective representation. How do we, in our Yukon context, balance the democratic and legal principle of peoples' votes throughout the Yukon having the same weight, with the democratic and legal principle of ensuring the Legislative Assembly represents all of the Yukon?"

"Between 1978 and 1989 in the Yukon, there was consensus in the Legislature to the overrepresentation of people living outside of Whitehorse. In fact, the rural areas held the majority of seats, despite the larger population in Whitehorse, even at that time. In 1991, with the Supreme Court of Canada decision and a mandate given to the 1991 Commission to consider 'the principle of equality of voting power amongst electoral districts,' for the first time the Whitehorse area had more seats than the rural areas. All electoral districts except for Old Crow were within the +/- 25% deviation. One consequence of this was the creation of some very large rural electoral districts containing several very different communities (e.g. Ross River-Carcross-Tagish-Teslin).

"In the 2018 Commission recommendations, which were not accepted by the Legislature, the Commission chose to weigh the factor of population, or voter parity, no more heavily than the other considerations. One consequence of this approach was that 11 of the 20 electoral districts proposed were outside of the +/- 25% variance. This appeared to be one of the reasons why the Legislature voted against the bill to implement the 2018 Commission's recommendations.

"Currently, given the population growth in the Yukon since 2018, and the fact that the 2008 boundaries are still in effect, the number of electoral districts outside of the +/-25% variance is 11 of 19. Nowhere else in Canada does such a large proportion of electoral districts with significant deviations exist.

"In its Interim Report, the 2024 Commission strove to reduce the number of electoral districts with high deviations from the average, as well as the degree of those deviations. The Commission was concerned about the current electoral district situation's marked departure from voter parity. The 2024 Commission's Interim Report shows the result of trying to achieve greater voter parity in the Yukon.

"After hearing from the public, both during the public hearings and through the written submissions, and after further vigorous discussion, reflection and consideration, including of

the legal parameters, and past Commission reports, the Commission members are of the view that there are good reasons to change some of the proposals made in the Interim Report, even though those changes will create an increase in deviations from voter parity in the Interim Report. The deviations - both the number of electoral districts and the amount of the percentage deviation - are lower than the current deviations.

"The consistent concern the Commission heard in response to the Interim Report recommendations was the detrimental effect of the reduction of seats outside Whitehorse from 8 to 6, especially with the increase in seats within Whitehorse from 11 to 13. The concern expressed was that the Legislature would be overwhelmingly Whitehorse based and Whitehorse focussed, and the peoples' voices outside of Whitehorse would be reduced or lost. The interests and concerns of those in communities outside Whitehorse were seen as very different from those in Whitehorse, as well as different from those in other communities. The centralization of government priorities, attention and funding in Whitehorse is perceived to have increased in recent years; frustrations are significant; and the Commission's Interim Report recommendations were perceived by some to exacerbate this existing and troubling trend.

"The Commission accepts there are unique factors in the Yukon that provide justifications for greater deviations from voter parity: the Yukon population distribution, its geography and size, the presence of 14 Yukon First Nations throughout the Yukon and predominantly outside of Whitehorse, the number of communities, and the responsibilities of the MLAs outside of Whitehorse to represent a broad range of interests and concerns.

"Other reasons for maintaining 8 electoral districts outside of Whitehorse are:

"MLAs outside of Whitehorse have more challenges of travel, geography and communication to reach their constituents than the MLAs within Whitehorse.

"MLAs outside of Whitehorse may also have more issues to address than their Whitehorse counterparts, as well as issues of greater complexity due to location, such as significant land use planning, roads, essential services, fire prevention, infrastructure, tourism, food security, waste management, and wildlife management.

"Although Yukon First Nations have their own governments, these are not a substitute for their representation in the Yukon legislature - they are citizens of the Yukon Territory; their voices need to be heard on the issues for which the Yukon government is responsible; their concerns in their communities need to be addressed; and the changes attempt to contribute to reconciliation.

"The ability of the Yukon Legislature to be representative of the entire Yukon could be at risk with the reduction in rural seats to 6."

Mr. Speaker, the reason why this is important is that the commission is recognizing the challenge, and then they go on, on page 75, under "Observations and General

Recommendations”. This is important, and I think that you will understand why in a second.

“The Commission would like the Legislature to consider future amendments to the *Elections Act* related to concerns that arose during the Commission process.

“There were two significant challenges for the Commission: first, the Vuntut Gwitchin electoral district, given its very small number of electors, and the special nature of the community; and second, the effect of the high percentage of population in and around Whitehorse compared to the population outside of Whitehorse. The Commission recommends that the Legislature consider amendments to the *Elections Act* to address both challenges, in order to prevent future Commissions from difficult and repetitive deliberation and consultation efforts on these same issues, and to provide clarity and certainty to the electorate. Neither of these challenges will be disappearing in the foreseeable future.

“First, almost every Commission since the 1991 decision of the Supreme Court of Canada that set out relative voter parity as the first condition of effective representation, has grappled with the challenge of the Vuntut Gwitchin electoral district. This Commission spent a considerable amount of time discussing the recommendation about this electoral district and in the end were unable to achieve a unanimous view. An extensive part of the public hearing process and many written submissions were about the Vuntut Gwitchin electoral district and Old Crow. Many Vuntut Gwitchin people from Old Crow, including the current Chief and councillors, former Chiefs and councillors, and concerned citizens, wrote and spoke passionately about the importance of maintaining their own electoral district. This is not the first time they have been compelled to make these arguments. The concern of others about retaining the status quo is related to the disproportionate voting power of those in the Vuntut Gwitchin electoral district. The debate is bound to continue and will no doubt be an issue again for the next Commission, especially as the population of the Yukon grows and the disparity increases.

“Second, the perceived imbalance of power between those people who live outside of Whitehorse and those within Whitehorse was a significant concern to people throughout the Yukon. While the concept of effective representation requires that voter parity be a primary condition, it also contemplates deviation from voter parity based on many other factors, including but not limited to geography, community history, community interest, culture, language, and minority representation. The interests of those who live in communities outside of Whitehorse need to be represented in the Legislature. The continuing trend of high population growth in Whitehorse and surrounding area makes this more and more challenging.

“Other jurisdictions have adopted changes to their legislation that allow for significant geographical and demographic factors to be addressed. We suggest that the Yukon legislature examine the approaches taken in Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador. Legislation in these jurisdictions take different approaches that allow for greater deviations than the accepted 25% in certain areas of their respective provinces,

where the population is lower but effective representation requires ongoing representation from those areas. Some jurisdictions have legislatively protected certain electoral districts outside of the 25% deviation that have particular characteristics of interests.”

So, Mr. Speaker, the reason why I’m bringing forward this bill right now is because it actually addresses both what the challenges and the recommendations are. This bill proposes that we keep the Electoral District of Vuntut Gwitchin, recognizing its unique and special characteristics, and then it goes one step further and says that outside of the City of Whitehorse, we need to have seven other rural ridings. So, altogether, there would be eight required electoral districts outside of the City of Whitehorse — so, one would be Vuntut Gwitchin, and there would be seven others.

I think that it’s important as we recognize that the City of Whitehorse continues to grow that, with that growth, that does not mean that we need to hear less from rural Yukon. We can’t hear less. So, the bill isn’t prescriptive; it doesn’t say what those seven other electoral districts look like. It is very prescriptive; it says that Vuntut Gwitchin maintains its own distinct electoral boundaries.

I believe that what I’m bringing forward responds to both the challenges and the suggestions of the 2024 Yukon Electoral District Boundaries Commission recommendations.

Hon. Mr. Streicker: First of all, Mr. Speaker, I want to thank the member opposite for bringing this bill forward. I appreciate the opportunity to rise to speak about it on such a critically important issue: How is our voting system set up, and how do we support electoral boundaries commissions in the future?

I also want to acknowledge that my words today are going to be based on sitting in and listening in to the Electoral District Boundaries Commission as they did their meetings around the territory.

I know that earlier today you tabled the final report for the Electoral District Boundaries Commission, but I am pretty impressed that the member opposite is down to page 75 already. I have downloaded the document while she was speaking, and I have looked ahead to see where she is referencing, and that is great, but I do need a little bit of time, personally, to try to get through it in more detail, so my remarks are going to be based on the work that I saw happening with the Electoral District Boundaries Commission and how they engaged with Yukoners.

I am also going to base my remarks on a few other things: One is the work that I had the privilege to do when I was part of the select committee to look at electoral reform. Then there was also the select committee on the Yukon Citizens’ Assembly on electoral reform, which really built on that first one. But during the Special Committee on Electoral Reform, I had the privilege of getting to travel around the territory and talk to Yukoners about our electoral system, so that gives me some sense. You may recall that one of our three, I think, findings was that you really needed to watch the balance of urban and rural ridings.

Whenever we say “rural ridings”, that is sort of how we refer to it in this system, but really, what we’re talking about is our communities. It isn’t that Whitehorse isn’t a community; it certainly is, but I agree with the Member for Takhini-Kopper King that Whitehorse is a very particular community within the Yukon. And then often we would refer to the rest of the communities as “the communities”. So, it’s: How do we work to try to make sure that there is that representation?

I’m also going to base this on — or at least some starting remarks — on — I had a term on Whitehorse City Council. While I was on Whitehorse City Council, I got to work with the Association of Yukon Communities, and we went around the communities for our meetings all the time. What I could tell during those meetings was that you really did need to acknowledge that difference. For example, when we thought about things like the gas tax fund — I forget what it’s called now; it has a new name, but that fund — if what we did was give that fund out based on a per capita basis, we felt it wasn’t going to be fair to our communities. We recognized that the largest amount of money should come to Whitehorse but that there needed to be more than or a more per-person proportion going out to our communities.

The reason I use that example is because we are really talking about representation, voter fairness, and how we support our communities. I think that is the big question that is trying to be addressed here. It was being worked on by the Electoral District Boundaries Commission, and now we have this proposed change to the *Elections Act* in front of us, which would support the boundaries commissions going forward.

I believe in that principle, and I am going to talk about it for a little bit — just about the notion that we need to support our communities somewhat more. But I think that we have to be pretty careful about how we do that, because what we are playing with here is the right to vote and the right to have representation and how sacrosanct that is and how much we don’t want that to be some sort of partisan issue, because I think that this is one of those moments when the will of Yukoners must be paramount, far above whatever parties could bring to it.

Why are we distinct? There are two other territories. How about them? What is the difference? If you look at Nunavut, there are a lot of communities roughly the same size really distributed across their vast territory. How about the Northwest Territories? It has one larger city — Yellowknife — but it has other large-ish cities or communities — Inuvik, for example — and it doesn’t have that predominance like we do here in the Yukon. Even if you go to Manitoba and you look at Winnipeg — Winnipeg is just under half of the population of Manitoba. Here in Whitehorse, the population of Whitehorse is somewhere in the range of 70, 75, almost 80 percent of the population. It is really dominant, and when that happens, there can come thinking, which isn’t trying to — it’s not about that folks in Whitehorse or representatives from this beautiful city don’t care about the communities; I just don’t think that they have the same understanding of the communities that representatives from those communities do. I would say in the same breath that the Member for Lake Laberge and I have a

different understanding than Whitehorse; we would not share the understanding that, say, the Member for Watson Lake would have, because her understanding would be different given that distance from Whitehorse. Then, all of us would not have the same understanding or the same appreciation for what life would be like — and the decisions that would have to happen — up in Old Crow. There is a difference. Somehow, I think it’s important that this be taken into account.

I appreciated the work of the Electoral District Boundaries Commission. No, I didn’t think it was easy. You take a geography like the Yukon and there is absolutely no way to carve it up straightforwardly where everyone is going to agree with all of the suggestions that come forward. There is no way.

I recall this work and looking at this challenge about how we take that difference. I just looked up the electoral boundaries report. I will see if I can get it again here.

The report, as the Member for Takhini-Kopper King suggested, on page 75 says that other jurisdictions have taken a look at this — the list included Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador — but I have not had that opportunity.

By the way, I should also say thank you to the Member for Takhini-Kopper King and her team for providing a briefing today. That was my first briefing for a bill where I got to sit through and see what it’s like on the other side of the table. I appreciate that time and information.

I think that this is important and I think that it is a very tough question. I appreciate that there was a conversation with Yukoners about it.

Another thing that I think is important here is that the last time, in 2018, when we had the Electoral District Boundaries Commission report, there was a change made at the end that didn’t go back and where there wasn’t a conversation with Yukoners. That was very tough. I think — this is going to be one of my fundamental points here — that, because we are talking about our voter system here, it is so critical that we be connected with Yukoners and hear from them and do that work.

In the 2018 boundaries commission, it looked like the interim report was heading in a certain direction. My riding was going to get split in half, and I talked to a lot of my constituents about that and why they were supportive or not — most were not — but I appreciated that it is not simple to come up with these reports.

Then we saw the final report come in and it was different, and we were all shocked and we didn’t think that Yukoners had a chance to talk about it. So, what this commission did is that they signalled to Yukoners where they had gone originally in the interim report — which we have all seen or had the opportunity to see — and then they signalled where they thought they were going to go, and they showed that to Yukoners and they went back out and engaged again, and I appreciated that approach.

I agree with the member opposite, because I heard roughly the same thing — that Old Crow, or Vuntut Gwitchin, is important and distinct, but, of course, it is the most divergent from this electoral quotient — the parity of voting across all

jurisdictions — and also that it was important about the rural ridings.

One of the things that happened between the interim report and where we are today is that we currently have 19 ridings — 11 of them are City of Whitehorse ridings and eight of them are rural — and we went to 13 and six. That isn't losing two seats; that's a swing of four seats. So, two seats were going from the communities and coming to Whitehorse for completely logical reasons: because of the growth of Whistle Bend and how the demographics have shifted around. Whitehorse is the capital city. But that was a really big change, and I think that the commission heard from Yukoners that it's important to keep at least those eight ridings. They made their recommendation and we have seen the report — or if we have a breath, we'll get to see the report. So, if I had my druthers, I would want more time to digest that report and then to get here and debate. It is my hope that, as we progress on this bill today and consider it, there is time for us to look at that.

Now, one of the comments that the Member for Takhini-Kopper King just made is that — I think that she referred to her bill as “not prescriptive” and she said that Vuntut Gwitchin is prescriptive but the other part is not.

Well, sort of. Saying that there should be at minimum eight non-Whitehorse ridings — so, seven plus Vuntut Gwitchin — may not be prescriptive in the sense that we know where those boundaries are — that the boundaries commission could do its work, could meet, could talk to Yukoners, could think in the future about where those boundaries should be — but it is pretty darn prescriptive in the sense that there is going to be, at minimum, this number.

That is, for me — even though it is a change that I support and even though it is a change that I think is warranted in that big question about voter parity versus supporting our rural ridings, I get there and I agree with it. But the challenge for me is that I feel that this sort of thing really needs to be posed very explicitly back to Yukoners. So, when the commission went around and talked about this and considered it, it wasn't about whether this would be a line drawn in the sand; it was about whether this should be the recommendation that comes to us for this iteration. Because, of course, electoral boundaries commissions are supposed to be every two elections. We pulled this one forward because we didn't get the 2018 one through this House and there has been so much change. But that feels like a fundamentally different question to me, and it is my hope that is where Yukoners would go and agree with, but I sure want to hear from Yukoners.

There are so many times in this House when opposition members will criticize the government for not having gone out and talked to Yukoners. So, in this instance, of course, the commission went around. I attended several of those meetings. I heard that discussion or some of it, and we can go on the site that they provided and read that input. It has been a very transparent process — that is great — but nowhere did I understand that the question would be what we are debating today.

As much as I agree with it, I think that still then says: How do we check with Yukoners? Why, if we all think that it is good,

isn't that good enough? Because we are the Legislative Assembly, and collectively, our job is to take decisions on behalf of Yukoners.

I believe in that, but I also believe in that notion that it's important to hear from Yukoners. When we're down to something like our electoral system, I think it's doubly important. Each of us, as parties, has our own biases that creep in. Even the best of us, as we work to guard against those biases, will miss things. It is just so hard to get rid of all of your biases and that is why my sense is that it is important that this be more coming from Yukoners than coming from us.

Having stated this, I still want to hear all the debate on this bill. My intention is to support it at second reading. I want to see it get to Committee of the Whole. I want to hear this debate further. I think that these are incredibly important questions. One of the questions that I asked when I was at the briefing today was: How do those other provinces that have introduced something like this do it? Have they done it in the same way that is being proposed here, or have they used some other technique? What does that look like? What are the relative merits of those various approaches? I certainly want to look at the legislation for the Province of Québec, because Îles-de-la-Madeleine is specifically named and I think it would be very informative to consider the portion of this bill that is before us that talks about the riding of Vuntut Gwitchin.

I want a chance and am sorry that I haven't had the chance to read the letters that the Member for Vuntut Gwitchin has tabled today. I will, as soon as I have a moment, go out and check those, but I certainly care to hear what the community is saying. On the principle of what is being proposed in this bill before us, amending the *Elections Act* so that it can provide direction to the Electoral District Boundaries Commission, I agree with the principle that is here.

My concern is it is pretty important to hear directly from Yukoners before we start to enshrine these things in a way different from what has been delineated by our current act and the Electoral District Boundaries Commission.

I read through the interim report and made a lot of highlights of various comments from within that report, and I think that the Member for Takhini-Kopper King has even referenced some of the very same quotes that I had pulled out. Under those quotes, I can hear that the commission struggled with and looked for a solution around this tension of the voter parity and ultimately came to this conclusion to recommend to us to have 21 ridings — 13 in the City of Whitehorse to deal with growth but to hold the eight rural ridings — ridings outside of Whitehorse — differently. Again, my riding is going to be divided, and I think similarly with the Member for Pelly-Nisutlin; his riding is being split up. Some of ours have areas added to, so there is lots of change, and I am sure that we will get into that debate. But that concept of acknowledging the uniqueness of Vuntut Gwitchin and of making sure that there were still significant ridings outside of Whitehorse — I saw their comments in their — I guess it would have been their draft final report, maybe. As I read through that, I saw that emphasized, but nowhere in any of those quotes did I see whether they were checking whether those things should be

enshrined. If I go back to the quote that the Member for Takhini-Kopper King read from the Electoral District Boundaries Commission final report which was just tabled this afternoon — and I am going to go to the same quote that she did on page 75, and now I will quote for a moment: “Other jurisdictions have adopted changes to their legislation that allow for significant geographical and demographic factors to be addressed. We suggest that the Yukon legislature examine the approaches taken in Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador.” I’ll stop my quote there.

That is what I would like to do, and then I would like to go back and check in with Yukoners on what they think if we were to enshrine this or build it in as a future requirement and see if it is agreed with, if it is the best approach, and find a way to do that without trying to remove my biases as a partisan representative.

Mr. Speaker, I again appreciate and even support the intention of this bill. I still am looking for how we make sure we hear from Yukoners on it. Thank you so much for the opportunity to speak at second reading.

Mr. Dixon: Thank you very much, Mr. Speaker. I’m pleased to rise today at second reading to address this bill, and I would like to thank the Leader of the NDP for bringing the bill forward and for her opening remarks. I would like to thank the Minister of Energy, Mines and Resources for his comments as well.

At the outset, I’ll note that it seems that our vote — at least the Yukon Party’s vote — at this stage is of little consequence, because it’s my understanding that the bill has been designated by the NDP pursuant to CASA with the Liberals to be advanced to Committee of the Whole and ultimately to third reading, which is a provision of their confidence and supply agreement.

This means that the Liberals must, by virtue of that agreement, vote for this bill to move forward through Committee and get to a vote at third reading. As such, the vote at third reading will be the vote of most importance, certainly.

Having said that, I will turn to the content of the bill.

First, I would like to make a note about the timing of the bill, because it comes to us for second reading not just in the same week or on the same day but within minutes of the Electoral District Boundaries Commission final report being tabled in the Legislature. I listened and it seemed that my colleague from Mount Lorne-Southern Lakes had a similar issue where I feel like I’m at somewhat of a disadvantage where I haven’t read that report yet. It was tabled just minutes ago. I didn’t bring a laptop with me today in the Legislature, and I haven’t had a chance to read it as such.

I did note that the Leader of the NDP quoted from it at length and seemed to be quite familiar with it, so I’m curious about the timing. I’m hoping the Leader of the NDP can address the issue of timing and whether or not she had any sort of insight into the contents of the final report prior to its tabling, because the extensive quoting of what was not in the draft but was in the final report seems of interest to me.

I would also note that the Electoral District Boundaries Commission final report will be brought forward before this House in the form of a bill at some point. We don’t know when that will be, but without having read the final report, I’m not sure whether or not there are matters that are linked to or perhaps even contradictory from the final report to this bill, because I haven’t had the chance to read it yet.

I’m also standing at second reading at a point knowing that the bill was drafted several days ago or perhaps even weeks ago —

Some Hon. Member: (Inaudible)

Mr. Dixon: Months ago — I am corrected by the Leader of the Third Party that it was months ago that this was drafted. So, you know, of course, we have questions about how this bill will interact with the final report that, at the time of drafting, the members would not have been aware of. So, at this point, we just don’t know that, because I haven’t had a chance to read the final report of the Electoral District Boundaries Commission.

Now, in terms of the two issues that are addressed in the bill, I think that I can say with confidence that we are certainly sympathetic to the issue of rural representation. We have always made the case that there needs to be a balance between rural and urban seats to ensure that one does not dominate over the other. In fact, as far as we can tell, this is something that all members of the House believe. I know that one point of evidence of that was just cited by my colleague from Mount Lorne-Southern Lakes, which was the recommendation made by the Special Committee on Electoral Reform, which was tabled in its report in April 2023.

Recommendation No. 2 of that report, Mr. Speaker, which was unanimously agreed to by representatives of all three parties, reads as follows — quote: “The Special Committee on Electoral Reform recommends that any decision on voting systems reflects the importance of balance for rural and urban representation.” That is certainly a principle that we are supportive of.

We will have questions about the wording in the bill, though, in particular, the wording in section 1(a). We do have some questions about whether this language may unintentionally disqualify some ridings from being considered rural if they include a portion of the City of Whitehorse, even if they are intended to be rural ridings. So, we’ll have some questions about that, and I look forward to getting into Committee to ask those.

Finally, of course, the matter that seems to be of most interest to members so far is the matter of the riding of Vuntut Gwitchin. This is a riding that every single boundary commission for the past several decades has recommended be left as a stand-alone riding. As such, it has remained its own riding despite successive governments of all different stripes over the years, based on the recommendations of an independent non-partisan process that we are witnessing even today with the tabling by the Electoral District Boundaries Commission.

As well, we have some questions and concerns about the singling out of a particular riding for special treatment in the

law. It does seem to be a step in a direction that I'm not sure that members may wish to go, and I'm concerned about what it might mean going forward for the future when we start picking specific ridings to be singled out for special treatment. I know that the member has cited other instances of this in other jurisdictions, and that may be fine and good, but we certainly do have some questions about the appropriateness of it here in the Yukon, whether certain ridings need to be singled out as opposed to others.

I want to explore this in Committee, and we will have some questions about it when we enter Committee later today. I will leave it at that now and conclude my remarks there. I will note that we will reserve our judgment on this bill for third reading, as that will be the substantive vote as to whether or not this bill proceeds into law.

Ms. Blake: The Vuntut Gwitchin electoral district plays a crucial role in ensuring that the unique needs and perspectives of the Vuntut Gwitchin are represented in decision-making processes. As an Indigenous community with deep cultural ties to the land, our social, economic, and environmental concerns are distinct from those of other regions. Having local representation means that our voices are heard and interests are protected, especially in matters related to land stewardship, hunting rights, and the preservation of cultural traditions.

If the Vuntut Gwitchin was absorbed into a larger district, our specific priorities could be overlooked or overshadowed by larger, more populated areas. Issues central to our way of life, such as the protection of the Porcupine caribou herd, climate change impacts, and Indigenous rights, require focused advocacy from a representative who understands and is directly accountable to the community. Local representation also fosters a deeper sense of trust and connection between the community and their elected official. The representative is more likely to have a direct understanding of the local challenges, successes, and values, ensuring that policy decisions align with the needs of the Vuntut Gwitchin people.

If Vuntut Gwitchin does not remain its own riding, this would deliver a strong message to the many citizens who call Old Crow home that their voices and views don't matter. We need to remember that Old Crow has a long history rooted in colonization, one where the voices and ways of being have been stripped away from the people over decades. Vuntut Gwitchin people were once told that our way of life was meaningless and that it was not a proper way of living. There are generations of Vuntut Gwitchin who were forced through the residential school system and Indian day school system, where it was beaten into them that they were less human based on the fact that they were Indigenous people. In my family alone, I am the first generation that did not get ripped away from my community or from my family to be forced into the residential school system. This is how recent our history is to the community with residential schools and to our families.

It has taken hard work and hard learning for the community of Vuntut Gwitchin to rebuild their trust and faith in the outside world, particularly with leaders who don't come from the community but hold the responsibility of bringing the views,

values, and beliefs of Vuntut Gwitchin to the table where decisions are being made. We also need to remember that through the negotiations and signing of our self-government agreements, it was always people from our community, from our nation, who are at the table. It was these people who brought forward the stories to try to help people from outside our community understand a way of life that was different from the rest of the world.

Old Crow is a unique community where people continue to live deeply connected to the natural environment. Vuntut Gwitchin has a unique history of their own, being the only northern community in the Yukon that is situated north of the Arctic Circle. Old Crow remains the only fly-in community in our territory where local resources are limited. There's a fine balance between living in the modern world while upholding our cultural and traditional ways of living. To truly understand what it means to be Gwitchin and understand the challenges and successes of our small nation, you have to be part of us. When we are born into our nation, we are born into roles of advocates, land protectors, language warriors, environmentalists, and much more, because our lives are deeply rooted in our lands, our waters, our animals, and our history. Our lives deeply co-exist with the lands that our ancestors fought so hard to protect.

The Vuntut Gwitchin have always believed that it is our people who will lead our community and our nation forward. We believe that it is the children of today and those yet to be born who will inherit roles to continue to ensure our way of life and all that makes us who we are as Gwitchin people survive and thrive for generations yet to come.

In the history of our people holding this seat, I would like to acknowledge the late Grafton Njootli, Kathie Nukon, Norma Kassi, the late Johnny Abel, Esau Schafer, the late Robert Bruce Jr., Lorraine Netro, the late Darius Elias, and Pauline Frost, who have all made significant contributions to shaping our territory through the work they have done in this House.

We are people of the lakes, we are people of the land, and we are people of the Porcupine caribou herd. We have many past Gwitchin leaders who have fought hard for our community to have what we have today, and it will continue to take our Gwitchin people to ensure that our community and nation are respectfully and accurately represented. This is part of the reason why it is so important for Vuntut Gwitchin to remain its own riding in the Yukon.

Mahsi' cho.

Hon. Mr. Clarke: I am proud to speak to Yukoners about this bill put forward by the Member for Takhini-Kopper King. This suggested amendment purports to codify the Vuntut Gwitchin electoral district and adds that there be a minimum of eight electoral districts outside of the municipal boundaries of the City of Whitehorse.

A simple test for the health and representative nature of any political system is whether the voters agree that their system is fair. In most elections, their representation is often taken to mean a broad equivalence between votes cast in an election and seats won in an assembly. That being said, we know that rural voters often cite under-representation as their

major concern. This is not only a Yukon phenomenon; it is also a factor present in many democracies and, of course, in many northern provincial ridings in Canada. Electoral boundaries inevitably have political implications, even when they are drawn by a neutral commission.

We must do all that we can to protect democratic values and prevent partisanship and the perception of gerrymandering when redrawing political boundaries. Underlying all of this is the assumption that urban and rural dwellers differ in their evaluation of the responsiveness of the political system — in other words, that those living in those areas are likely to feel that politicians are less responsive to their demands.

First of all, I want to acknowledge the comments made by the Leader of the Official Opposition, the Member for Vuntut Gwitchin, the Member for Takhini-Kopper King, and the Minister of Energy, Mines and Resources, so I won't repeat what has been said.

I am not necessarily opposed to the issues of rural representation, but this rushed and somewhat ill-considered amendment to the bill is not the way to do this. Singling out districts is not the way to go.

The summary of the proposed changes to the interim report came out last month and it proposes to keep Vuntut Gwitchin as its own electoral district.

As we have heard — hot off the press, receiving the final report within the last hour or hour and a half — that suggestion in the report — in the 21 proposed ridings — has been maintained.

As was mentioned by the Leader of the Official Opposition, there is an issue with respect to the codification of eight rural districts and the question of whether some of the ridings that are adjacent to the City of Whitehorse or may straddle City of Whitehorse neighbourhoods have to be codified or clarified. My view is that consultation on this must be substantial. It is risky and partisan for the Vuntut Gwitchin riding, even if a certain political party takes it upon itself to codify its existence in legislation or, for that matter, any Yukon territorial ridings.

In a few years, a potential majority government could certainly do the same and identify any Yukon territorial riding for this type of treatment. I just urge the House to consider that this is not a good precedent. It introduces to the Yukon a very problematic and potentially partisan dynamic as it relates to electoral boundaries, which we are just now digesting, and further complicates and aggravates the rural-urban gap or perception of one, although I'm certainly open to continuing to hear the contributions of all members today.

Just briefly — and I know that there will be full debate with respect to the interim report and the final report — for the record and for Yukoners who might be listening today, in the interim report, the commission head-on addressed the issue of the fact that in the 2018 report, which was ultimately not adopted or was rejected by the 34th Assembly, 11 of the 19 ridings at the time were non-compliant — that is, they were either 25 percent below the electoral quotient or 25 percent above the quotient.

In the interim report that was provided to Yukoners, in my view, the commission did an admirable job with respect to that. With respect to their proposal that there still be 19 ridings — albeit there were different ridings identified — at that point, there were two ridings that were non-compliant: Mayo-Tatchun, which was going to be called “Yukon Centre”, was at minus 38 percent, and they also proposed a “Whistle Bend North”, which was 33 percent of the quotient, which was 1,666 voters. It was certainly anticipated that Whistle Bend North would move up to be compliant rather quickly with the incredible growth that is occurring in Whistle Bend.

In the interim report, ultimately, in a scant few years, you would have had one seat that would have not been compliant with the plus or minus 25-percent variant at that time — my calculation on the peak. Then I would say that, with respect to recognizing and accepting that there ought to be rural representation in the Yukon, there is a trough-to-peak variance at that point of 1,250 voters to 2,082 voters approximately. That was from the base electoral count of 1,666 voters. In my view, in the interim report, the commission certainly wrestled with the issue of rural versus urban and did an admirable job, and a lot of the rural ridings were more in that trough scenario where they were closer to the minus 25 percent, recognizing the unique character of rural ridings and also the fact that there can be voters in ridings in the Yukon that essentially have 50 percent more eligible voters than in another riding. They did that work and came back with respect to the current electoral district boundaries, and now there are nine ridings that are outside of the variance, with Whitehorse West being perilously close to being outside as well. So, it could be anticipated that soon there will be 10 ridings that are outside of the variance.

What the commission tried to do in the interim report was to recognize the trough-to-peak variance of 50 percent, recognizing the unique character of the Yukon, but in any event, that is what has happened.

As various MLAs today have indicated, we are just in the process of digesting the commentary with respect to the final report, but the final report is fundamentally different from the interim report, and the commission went in a fundamentally different direction. Like I said, the MLAs will have to digest this report.

I look forward to hearing further about this proposed bill from the Yukon NDP — the Third Party — with respect to this matter, and I have expressed some of my high-level concerns about singling out a riding for enshrinement or codification. I heard closely from the Member for Takhini-Kopper King that there are some examples in the rest of Canada, specifically in Îles-de-la-Madeleine in Québec and the Labrador ridings, so there are examples.

I am certainly open to doing some of my own personal research on this topic over the course of the next two weeks as well, and I am open to being convinced. That is where it's at. Like I said, I'm just looking at the numbers now, and what was ultimately done in the final report — and it is fundamentally different from what the commission did in the interim report, which is not unlike what occurred in 2018. Ultimately, I will read all of the commentary with respect to justification and

support for the proposition and listen to other members of this House and the contributions that they make with respect to this discussion. As I said, I will inform myself further with respect to this, but my gut reaction is that enshrinement or codification should be avoided if at all possible.

MLA Tredger: As we consider this question of rural representation and how to make sure that rural voices are represented effectively, I think a lot about a conversation I had with someone in a community outside of Whitehorse who I was meeting with about a portfolio area — and as an aside, they said to me: You know what I really hate is when people say “the Yukon” and they mean “Whitehorse”. That has really stuck with me. I have really thought a lot about when am I talking about Whitehorse and when am I talking about the Yukon — because there is so much more to the Yukon than Whitehorse. I’m a Whitehorse MLA; I’m probably the most urban Whitehorse MLA, so I think about that a lot as I’m talking about — who am I actually talking about and am I really considering people beyond Whitehorse when we talk about the Yukon?

As I speak to this bill, I want to share some input I heard from community members. I had the honour of traveling to Old Crow and to Dawson to hear the community input sessions on the first draft of the recommendations from the Electoral District Boundaries Commission. Rather than try to give you my thoughts, I’m going to give you their thoughts, because I think, as always, Yukoners say it best themselves.

Now, during those meetings, I was writing as fast as I could, but I couldn’t get everything down word for word, so the quotes I am going to share are imperfect, but I’m trying to capture the spirit of what was said in those meetings.

I’ll start with what I heard from people in Old Crow. They were really responding to the piece of that proposal that was to combine the ridings of Klondike and Vuntut Gwitchin, because these were the comments that really led us to propose the piece of this bill that pertains to Vuntut Gwitchin and that would enshrine and protect the riding of Vuntut Gwitchin.

We heard over and over again people saying that trying to apply a formula that works for the rest of Canada doesn’t make sense in Yukon and it doesn’t make sense for Vuntut Gwitchin. Someone said: Population change in Whitehorse has nothing to do with us. I thought that was well-said, because people said, you know, that if there’s a problem with the numbers in Whitehorse, fix that; don’t take away our representation to do it.

Someone else said: You can’t reduce us to an equation in your system; that’s not how you build relationships. I think that relationships piece is really important. That’s something that I’m thinking about as we debate this bill.

I think the Member for Vuntut Gwitchin has done a really good job of explaining the uniqueness of her community and her constituents’ needs. I’ll add just a couple things that people said during that meeting. Someone said: Who from the outside who can walk to the store, pay a third of the price for groceries, drive to the next nearest city — who of them can represent us?

Someone else gave a lot of examples of things that are different in Old Crow from other parts of the Yukon, and the

piece that stuck with me was: Until you’re dependent on water and sewer trucks, you can’t really understand what life is like here.

People talked over and over again about having their own unique culture, their own unique traditions, and their own unique way of life. People also talked a lot about effective representation and what it meant to them beyond a formula. Someone said: Generations from now, will our grandchildren have to go to Klondike to be heard? I don’t think so.

People talked about how, for them, effective representation meant that they had their own voice in the Legislature, and someone said: You know, the MLA for Dawson City would probably try to do their best, but visiting four to six times a year just doesn’t work for our community. You can’t possibly understand our community in that way.

Something that I did hear often in that meeting was frustration that this conversation was happening again, and this is something that the Leader of the Third Party really spoke to — that these conversations are not new and they are happening again — and that is really part of the impetus of this bill, to avoid having to have these conversations over and over and over again, because that is exhausting for the people who are coming to give their input at these sessions about an important, crucial, and emotional topic. Someone said that it is exhausting and unfair to have the same fight over and over again.

I was really struck by one person. Someone said: Well, what are the issues for Old Crow? This person said: Read our final agreement. I really took from that, you know, that we have had these conversations. We have identified the things that are important. It is not fair to ask people to justify their MLA over and over and over again.

I also got to travel to Dawson, and I want to share a bit of what I heard at the community at that meeting there. People spoke about the proposal to merge Klondike and Vuntut Gwitchin, but they also talked about the importance of rural representation more generally. This really speaks to the second piece of the bill, which talks about having a minimum number of rural ridings outside of Whitehorse.

One of the things that people talked about was that it was more than just the population in a riding that needs to be represented. Someone said: People say trees don’t vote, but someone has to speak for them and for the animals. And I think that really speaks to the diversity and complexity of issues in rural ridings. Someone said that rural ridings already have so many more issues to cover than in an urban riding. Each rural riding has its own environmental issues, its own economy, its own health care infrastructure, and so on. One person can only understand so many issues so deeply.

There was a lot of conversation — and I hear this often — in the Yukon about the shift from representing rural voices to Whitehorse-centric decision-making and how that is a real loss for the Yukon, it is not fair to rural Yukon, and it is really important that we take action to make sure that the voices and the needs of rural Yukon are still part of our conversations, part of our decision-making.

I heard many people say that they already feel like Whitehorse makes decisions for the rest of the Yukon and

losing rural ridings would only make that worse. They talked about the loss of jobs in rural Yukon, and they talked about the centralization of the Yukon government. Someone said: You know, the idea of a population-based formula to decide who gets represented is a southern concept; we can do better.

What we heard at all these community meetings, along with all the other community meetings around the Yukon, is really what led to this bill, and I wanted to make sure that those voices are coming through. The Yukon is changing. The population in Whitehorse is increasing, and so this is going to come up again and again until we find a way forward that works. I don't think it's fair to ask people to have this conversation over and over again when they have been really clear. The Yukon is more than just Whitehorse, so this bill is here to ensure that the Yukon, and not just Whitehorse, continues to be represented in this Legislature.

Hon. Mr. Pillai: Today, I want to address the cornerstone of our democratic system: the importance of fair and equitable electoral boundaries. I want to thank the Leader of the NDP for bringing forward this work today, as well as her colleagues for speaking on behalf of this tabled amendment, and for the comments from the Leader of the Official Opposition.

Electoral boundaries are more than just lines on a map. They are the framework that ensures that every citizen's voice is heard, every community is represented, and every vote is given equal weight. When we talk about democracy, we often highlight the significance of voting and the principles of representation, but without fair boundaries, these principles can be undermined.

The drawing of electoral boundaries determines who can vote in which area, which communities are grouped together, and how power is distributed across regions. It is crucial to ensure that these boundaries reflect true demographic and community realities. One person, one vote — this is the essence of representative democracy, yet imbalances in boundaries can skew this principle, creating over-representation for some areas while leaving others under-represented. This is why boundary commissions and regular reviews are so vital. They safeguard against gerrymandering and democratic shifts that could distort political representation over time.

The significance of electoral boundaries in ensuring effective representation for Yukoners is incredibly important to our government and is the reason why, in 2023, we brought forward the *Act to amend the Elections Act (2023)*. This established the Electoral District Boundaries Commission operating independent of government.

The role of the commission was to review the boundaries, number, and names of existing electoral districts and bring forward proposals for change to ensure that Yukon voters have effective representation in the Yukon Legislative Assembly. Operating independent of government was a key characteristic for this commission and crucial to us for several reasons: (1) a commission independent of government ensured that electoral district boundaries were drawn without political interference or partisan bias; (2) the commission's independence allowed it to

focus on creating boundaries that provided fair and effective representation for all Yukoners rather than serving the interests of any particular political party or government; (3) we believed that Yukoners would have more confidence in a process conducted by a non-partisan body; (4) the commission needed to consider various factors, including population distribution, geographic challenges, and community interests, and independence allowed it to weigh these factors objectively; and (5) an independent commission could consider future population trends and development plans without being swayed by short-term political considerations.

Allowing the commission to do its work independent of government was key. We have seen consequences of political parties compromising the electoral process elsewhere. Allowing politicians to essentially pick their votes rather than voters choosing their representatives without the necessary stakeholder and public consultation sets a very dangerous precedent.

So, I'm a bit surprised to see this bill before us today brought forward by a political party. I'm also surprised to see this bill be brought forward for consideration ahead of the Electoral District Boundaries Commission final report. I have not had an opportunity — I have the obligation in my role to take that bill forward. I haven't had a chance to see the final report at all today. I know that it has been tabled. The Leader of the NDP had a chance to scan through it — I think referred to looking at the draft report. The rest of us are trying to just have a chance to take a look at that.

Again, the final report, which we look forward to reviewing, involved five months of extensive public consultation, so it's a bit difficult to be asked to make an amendment to the *Elections Act* before we have seen the outcome of the commission's work. Again, to the commission — the hard-working members of the commission — I'm sorry. That is what we are deliberating today and I'm sorry that this is the position we are in. But we are in a position today to go through second reading and we also have an opportunity to ask more questions in Committee.

Bill No. 308 proposes to do two things, and I would like to take time to address both of those items. First, it proposes to amend the *Elections Act* to recognize the distinct features of the Electoral District of Vuntut Gwitchin by establishing the district under this act. Mr. Speaker, Vuntut Gwitchin expressed very clearly and publicly their concerns with the Electoral District Boundaries Commission interim report, concerns about which I am sure — and we have heard today from other members of the Yukon NDP — they are aware of.

On September 6, the commission issued a media advisory indicating that they were proposing changes to its final report from its interim report, one of which concluded that Vuntut Gwitchin remains in its own electoral district. So, I'm happy to say here today on the floor of this House that we are pleased to hear of this change from the Electoral District Boundaries Commission. We acknowledge the distinct nature of this riding and that, due to its special circumstances — its accessibility, remoteness, population, language, culture, geography, and

lifestyle all contribute to a very unique voice and perspective in our Legislative Assembly.

We thank past MLAs from Vuntut Gwitchin, many of whom are named today, for their contribution, members like Norma Kassi, Robert Bruce, Lorraine Peter, and countless others whose voices have enriched the fabric of our territory. We look forward to continuing to hear those voices and perspectives into the future.

Given that the Electoral District Boundaries Commission did make clear in September of this year that they would be amending its final report and its interim report to ensure that Vuntut Gwitchin remains its own electoral district, I do wonder why the members chose to bring forward this change in the form of an amendment to the *Elections Act*. I also wonder why the bill was brought forward ahead of the debate for the Electoral District Boundaries Commission final report. Now, to be clear and fair, I have heard today some of the reasoning, and there were quotes from the final report, which I have not even had the chance to see yet. There was, in the opening statements, a referral to specific pages in the comments. I think that there was an argument being built based on comments from the final report.

I also wonder what consultation the NDP caucus undertook with the affected First Nation in drafting this amendment to the *Elections Act*, so I look forward to asking that question and others in the Committee of the Whole.

The Member for Whitehorse Centre did speak to the fact that — I think the quote was: Instead of giving you my thoughts, I will give you their thoughts from the people in the community.

So, I look forward to talking about digging into not just a reflection of what was heard but also conversations that would have happened with government.

The second aspect of this amendment to the *Elections Act* involves a change to the electoral districts. It proposes to: “Establish a minimum number of electoral districts outside of the City of Whitehorse municipal boundary to ensure the influence of rural Yukoners is not diminished.”

I agree with the spirit of this amendment. As I stated in my preamble, I think we were inspired to undertake the work of reviewing Yukon’s electoral district boundaries out of a desire to ensure that Yukon citizens’ voices are heard and that our communities are represented, with every vote counting. I am, however, concerned with the practice of having a political party come ahead, in some ways, over the top of an independent commission to prescribe a change to the *Elections Act*. This amendment involved a permanent change to the electoral district boundaries map, one that Yukoners were not consulted on. An important aspect of the Electoral District Boundaries Commission work was to conduct extensive public consultation. Public consultation must be at the heart of every boundary review.

Through virtual public meetings hosted by the commission, written submissions from the public, numerous public hearings that took place across the Yukon, and information they shared on their website, the commission worked to ensure that their recommendations included public

consultation. Those months of work ensure a process that has not only enriched the commission’s work but also built public trust in the outcome. I’m concerned a bit on the lack of public consultation that these permanent changes to the boundaries contemplate.

As I’ve already stated, I’m concerned with the timing of this bill, as we have not seen the commission’s final report. I look forward to a chance to review the final report, which I’ll do later this afternoon, and contemplate the work and recommendations they are putting forward after months of consultation and consideration.

I have concerns about passing amendments to the *Elections Act* and whether or not these changes potentially conflict with the work of the commission and the recommendations that they have put forward. Again, I have concerns about passing amendments to the *Elections Act* and whether or not those changes potentially conflict with the work of the commission and the recommendations that they have put forward.

I am even more concerned by the precedent, again, set by having a political party make changes to ridings. I know that this is not the intention of the member opposite in bringing forward these amendments today; however, I do worry about a future government coming forward and making less altruistic changes and building off the precedent set here today now.

A key principle in defining fair electoral district boundaries involves trust, and when people believe that a system is just, they are more likely to participate, engage, and believe in the outcomes of elections. Without trust in the foundation of the electoral process, we risk eroding the legitimacy of our democratic institutions. So, I have concerns about the consequences of such an amendment brought forward by a political party.

I have additional questions about how the member opposite reached the calculation of a minimum number of eight electoral districts outside of the City of Whitehorse, which I look forward to asking in Committee of the Whole.

I would like to again close my comments today by reiterating the importance of fair and equitable electoral district boundaries. They are the bedrock upon which our democratic system stands, ensuring that every citizen’s voice is heard and every vote carries equal weight. The process of establishing and reviewing these boundaries must be handled with the utmost care, transparency, and impartiality.

The establishment of the independent Electoral District Boundaries Commission in Yukon was a significant step toward safeguarding the integrity of our electoral system. It demonstrated our commitment to fair representation and a recognition of the unique challenges faced by our diverse communities, particularly in rural areas. I also want to reiterate that I was pleased to hear that the riding of Vuntut Gwitchin would be included in the final boundaries report; however, the introduction of Bill No. 308 ahead of the commission’s final report raises questions about the process timing of making changes to electoral district boundaries.

While I appreciate the intent to preserve rural representation, I’m cautious about setting precedents that could potentially undermine the independence and authority of

boundaries commissions in the future. As we move forward, it is crucial that we carefully consider the recommendations of the Electoral District Boundaries Commission, which are based on extensive public consultation and expert analysis. We must balance the need for fair representation with the importance of maintaining public trust in our democratic institutions. Ultimately, our goal should be to create a system where every Yukoner feels that their voice is heard and that their vote matters. This requires ongoing dialogue, careful consideration of demographic changes, and a commitment to the principles of fairness and equality that underpin our democracy.

As we debate this bill and consider future changes to our electoral system, let us remember that the strength of our democracy lies not just in the lines that we draw on a map but in the trust and participation of every citizen. It is our responsibility to ensure that this trust is maintained and strengthened for generations to come.

Hon. Ms. McPhee: I am really pleased to have the opportunity today to provide comment at second reading of these important amendments, should they proceed to the *Elections Act*.

It probably won't surprise the member opposite that I will speak a little bit about process for changing laws and amendments to legislation. It is a topic that takes up a great deal of my time as the minister responsible for many pieces of the legislation here in the territory and ultimately as the Attorney General and Minister of Justice and also as the chair of the Cabinet Committee on Legislation for the purposes of bringing in new pieces of legislation that have a lot of work behind them — policy development and otherwise through that committee, which is the committee of review before it goes to Cabinet, with respect to providing guidance, details, learning of the details, and the policy issues that are brought before us after the work of the very dedicated public service brings those to light and researches those.

Changing laws is, of course, the work of this Chamber, and that is what is before us today — contemplation of that is critical. Changes to legislation are required to be thoroughly assessed. We must work very intentionally to make sure that all consequences and all impacts of changes to legislation are, in fact, assessed and considered thoroughly by those of us who are trying to decide what changes, amendments, or new pieces of legislation should be brought before this Chamber and ultimately made into laws that affect Yukoners every single day.

We often hear that we should be able to quickly make a change to a law or we should be quickly able to just make a new act to do something, this or the other thing, but policy development and the full consideration of what a new law might be or making changes to legislation, amendments, or new legislation is absolutely critical.

I spend a lot of time with the very talented people at the Department of Justice doing some of this work and their work and research in policy development and those of all the policy folks in each and every department that brings forward a new piece of legislation is absolutely critical. We see that in the role

that we currently have as government to make sure that a piece of legislation that is brought to the floor of this House is, in fact, as comprehensive as it can be in taking into account all the possible impacts of that.

I should say that, that said, a good example of the fact that we must also make sure that we are able to fully assess those once it is here on the floor is the *Health Authority Act*, which came before this Legislature in the spring of this year, and the purposes for which much conversation took place regarding changes or additions that could be made — not a great deal of them but certainly some key new pieces of that law or amendments that could be made to address issues that were brought forward as part of that debate. I truly believe that, much to the contrary of the opposition members from the Yukon Party conservatives, that is exactly what should be happening here.

We work very hard to make sure that the most comprehensive piece of legislation comes forward, but it is on this floor that it should be debated. This is where we ultimately make that decision and decide to support that and impact Yukoners by virtue of that work.

So, we must assess how laws interact with one another, how the legislation will be considered, and we must consider the practical impacts of the legislative changes. I think we've heard some of those today noted by the Leader of the Third Party and others who have spoken on behalf of this Bill No. 308.

The changes contemplated here in Bill No. 308 are significant. Despite the fact that it is relatively short and quite specific, they are significant. I know that there has been part of the comments today about other places in Canada where there have been particular ridings or particular characteristics of ridings that have been entrenched in legislation, and I think it's interesting for us to look at that. But certainly, what we know from the conversation that has taken place here today and we know from the conversation that has taken place over the last number of months with respect to the Electoral District Boundaries Commission doing their work and hearing from Yukoners is that the Yukon is a unique and special place. While there is guidance in those pieces of legislation from other places, we are really wrestling here with specifics to the Yukon Territory, and rightly so.

The changes contemplated by Bill No. 308 are significant, and we must consider how these amendments to the *Elections Act*, in light of the current situation — and we have to consider them in light of our current situation — and the current situation and our current circumstances are that we have just a few minutes ago seen the final report from the Yukon Electoral District Boundaries Commission for 2024.

I know that the Premier has spoken about this, and I certainly concur. I have not had a chance to read it. I have followed along and attended some meetings. I appreciate the comments from the Member for Whitehorse Centre with respect to things that were said at those meetings, but ultimately, the final report is the final report, and we must review it. We have to be very careful that the contemplation of passing Bill No. 308 does not somehow undermine the

exceptional work done by the Yukon Electoral District Boundaries Commission this year.

We know that their work is mandated by legislation, and I think that is something that we all respect. I appreciate that, in my submission to the Legislative Assembly, the impact of Bill No. 308 may or may not impact the decision that we might be asked to make as a result of this report coming forward.

There are several steps that yet have to be followed with respect to dealing with this report. Some of those are obviously individual assessments of that work and our reading of it and then ultimately the determination of what to do as it comes forward, hopefully, to this Legislative Assembly in the near future.

So, that current situation, being that we have only just seen this — and in my view, I will say probably clashes with this a bit — the timing is — some may say “perfect” and others may say “complicated” by the fact that these two things — we need to assess whether these two things, Bill No. 308 and ultimately any bill that might be introduced as a result of this report coming to us today do not, in fact, clash with one another.

We have asked the Electoral District Boundaries Commission to do its work, to set about its work, the kind of work that it is required to do — the purpose — is set out in part 7 of the *Elections Act*. I won't be able to quote it here, but I know that in section 409, the purpose of doing the electoral boundaries work — I know that in section 415, they are required to do an interim report. There are lots of details in that part of the *Elections Act* that require a certain law to be adhered to for the purposes of getting to such a report, and those, I submit to everyone, have to be respected in a way that not only have we put in a change recently to have an electoral district boundaries commission do work outside of the usual part of the act that was contemplated for this one specific purpose, I think that we need to make sure that the work that they have set about — which by all accounts is described by the Minister of Energy, Mines and Resources as being extensive and others have described that it should be respected in that way — they are required by virtue of that part of the *Elections Act* to do public hearings — I think that is critical. I will get to what I am concerned about in a moment — the impact that Bill No. 308 might have with respect to the requirement in section 416 of the *Elections Act* for such a commission to have public hearings — to hold public hearings — they are critical.

The statement there is that it's critical to hear from voters; it's critical to hear from Yukoners. The provisions of that are set out in section 411 of the *Elections Act*. Currently, it says six months after every second election. My point here is that there is a provision through the *Elections Act* for review — review of what we know to be quite a unique situation here in the Yukon. We have all decided and recognized — properly so — that there is a uniqueness to the riding in particular — the Vuntut Gwitchin riding that we're talking about — a uniqueness to making sure that there is a balance between urban and rural — absolutely no issue with that — and that there is a provision in the *Elections Act* for when we should do that.

I think that there have been some other comments here that are cautionary about changes to the *Elections Act* that are

one-off and that might have an impact on the work of such a commission. Now, we may decide as a Legislative Assembly ultimately that the commission's work shouldn't be done quite as often as currently is required — or should be done more often or should be done less often — but these are things that have to be addressed by virtue of consultation and policy development on those points.

Mr. Speaker, the right guaranteed by section 3 of the *Canadian Charter of Rights and Freedoms* is the right to vote — the right to vote is effective representation. Of course, the concepts are noted by the Electoral District Boundaries Commission in their final report proposal, which is not necessarily contemplated by the legislation but I think has been something that Yukoners have appreciated and certainly that we have appreciated here, because it gives us an opportunity to have, hopefully, understood some of what will be shown to us in the final report. But they note that, in an ideal democratic world, all districts of the Yukon would have the same number of voters, giving each person's vote in the Yukon equal weight. Well, that's known as voter parity. We know that this representation is purely based on population, and while that might be interesting if you're dividing up a kindergarten class into groups of kids who are going to be doing something together and groups get votes that are equally weighted, that isn't really the way that real life works.

Voter parity based on population alone is not achievable and it's certainly not achievable here in the Yukon, so deviations or variances are truly unavoidable. I think that's something that we can all recognize.

We also, I think, can recognize that deviations may be desirable when they help us achieve effective representation, and that's what we're talking about here. We're talking about a unique situation in Vuntut Gwitchin — or the riding of Old Crow, as it's sometimes called — based on the factors in the Yukon like geography or community history or community interest or culture or language. Even minority representation and any other factors could be taken into account.

Mr. Speaker, effective representation has to take into account these “countervailing” factors, which is a word used in the report for voter parity.

So, I mean, we can talk all day about 25 percent plus or minus. I don't think that's where the focus is here, because we recognize, as did the commission in this case, that additional rationale is required for the deviations that are proposed to be included in the considerations of a riding like Vuntut Gwitchin.

Also, some of the earlier comments here today have involved the idea of: Well, this question should be settled in some way; we can't just keep going back to this.

Well, I'm not sure I agree with that. I would like to know why, and I hope there will be questions coming forward in Committee where we can discuss that better. The current legislation contemplates that we will look at this over and over. The Electoral District Boundaries Commission will, in fact, be charged with looking at this question after every second election. and that is an opportunity for us to review changes that may have been made in our population or in the factors that I've

spoken about earlier and these specific factors get to be contemplated at that time.

Mr. Speaker, the Yukon *Elections Act* also sets out some specific factors that the commission must consider. I'm mentioning these because I think these are important, because they will be potentially usurped by the passing of Bill No. 308.

I am going to get to the specifics of Bill No. 308 in just a minute, but I think that part of the concern is that the *Elections Act* requires us to consider density, rate of growth of the population, accessibility, size and physical circumstances of an area, facilities, patterns of transportation, and communication within different areas. Also, we should consider available census data and other geographic information, the numbers of electors — which is just one part of that — and we can also consider and should consider any special circumstances that the commission must do relating to existing electoral districts. The boundaries of municipalities and the boundaries of First Nation governments have to be taken into account and public input and other reasons or issues that the commission wants to consider.

I note all of this because we have given them such a huge job to take all of this information and distill it. I certainly look forward to reading the final report, but the *Elections Act*, in fact, says that these are required to be considered.

I will move on to quickly say that I certainly appreciate the explanatory note in Bill No. 308. Yes, we must consider ensuring rural influence. I too am concerned about the potential that exists for this to be a precedent that could be misused in the future, and that is a serious concern.

I also have a question regarding the “municipal boundary of the City of Whitehorse” — that definition. It needs to be defined in this act or reference a definition in another act, so that is a question that I think is of concern. I look forward to us being able to consider each of Bill No. 308 and the Yukon Electoral District Boundaries Commission separately and assessing the impact of how they work together.

Hon. Mr. Silver: I am very pleased to rise today to speak to Bill No. 308, *Act to Amend the Elections Act*. I just want to start by thanking the Leader of the Third Party for her introductory comments at second reading. It was very helpful to hear her thoughts on the bill and also the purpose behind it and how it was drafted.

Also, to the folks behind the scenes in the NDP caucus office, the staff who worked very hard on producing this bill going through second reading right now, thank you for the hard work that you did in supporting your MLAs.

Mr. Speaker, it has been an interesting summer when it comes to institutions, when it comes to committees, citizens' assemblies, preparing for future territorial elections, and future legislative sittings. After a lot of hard work at the Special Committee on Electoral Reform, represented on our government side by the MLA for Mount Lorne-Southern Lakes, the special committee's efforts resulted in a citizens' assembly being created, resulting in 38 dedicated, independently chosen Yukoners studying, examining, and discussing different methods of choosing local representation.

They examined many systems, taking into account the Yukon's local needs, and represented their report to you, Mr. Speaker.

I am very grateful for those folks and for their efforts. They worked very hard and they deserve to be thanked. They certainly have my thanks and the thanks of the Liberal caucus.

While important work was happening there, similarly, important work was taking place on something that was a little closer to current MLAs both as legislators and also as members with the political parties. I am speaking, of course, of the Yukon Electoral District Boundaries Commission, which has worked since late last year to examine the needs of the Yukon's territorial riding boundaries to be updated and to hear from Yukoners throughout that process. The commission included the Chief Justice of the Yukon, the Chief Electoral Officer, and representatives of all three political parties with standing in the Yukon Legislative Assembly. The five of them worked hard — and I know that many Yukoners noticed how hard they worked over the past months — during the initial feedback period, the initial interim report or in the public sessions following the interim report, and also since the report has been made.

Of course, this work doesn't happen in a vacuum. These are happening while other important work is taking place and while other governments are working and making it to the end of their terms. We have seen elections happen over the past months with some First Nation governments. We see municipal elections underway, with election day coming very, very soon. These important things and more draw on availability; they draw on energy of our communities. So, the fact that the boundaries commission and the citizens' assembly were able to have the public buy-in that they did, all while so much else was going on in the Yukon — there is always so much going on in the Yukon — is very impressive, and I applaud their efforts. The citizens' assembly survey, which happened in 2023, to hear from Yukoners about the potential of a citizens' assembly being struck had a remarkable turnout — 17 percent of Yukoners, 6,354 people — neighbours, family members of ours all responding. I could stand corrected, but I believe that's the most responding to a survey ever since the government has been facilitated. So, that's very impressive.

As a future non-elected resident of Dawson City, the power and influence that rural Yukon has, that the Klondike riding has, will impact me and will matter to me. I've always been very proud to be a rural Yukon MLA in this Chamber. I've always been very appreciative of the fact that Vuntut Gwitchin has its own distinct riding as well.

When I was first elected, the Yukon Liberal Party was solely represented by rural Yukoners. As a former political leader who ran on the commitment and promise that all communities matter, the protection of rural voices and influence in this place means an awful lot to me.

Obviously, we've come to this place to represent people, to represent Yukoners, but we also have a responsibility to the land, to the geography that we represent as well. That means that, alongside the fine folks who live in and around Dawson City proper — West Dawson, Henderson Corner, or even out in Clear Creek or Eagle Plains and everyone in between — I get to advocate for or represent beautiful historic areas as well

— areas like Moosehide, the Top of the World Highway, the Dempster Highway, Tombstone Territorial Park, Tro'chëk, the Klondike goldfields, and so much more.

In this incredible riding on the traditional territory of the Tr'ondëk Hwëch'in — also with some overlapping traditional territory of the First Nation of Na-Cho Nyäk Dun and the Vuntut Gwitchin First Nation, also transboundary — we must be thoughtful of our ridings in a geographical, in a land, sense by our representatives. I know that all of the rural MLAs in this Legislature and also the former MLAs whom I have had the pleasure of sitting alongside since 2011 have taken this seriously in their roles as rural MLAs.

So, when a boundaries commission makes a proposition for the Legislative Assembly to approve, like, moving parts of the Yukon from one riding to another or merging together or splitting apart ridings, well, this is worthy of serious consideration. I know all of us here agree with that.

Hard decisions that the commission has been considering — how many ridings to suggest — leads to other important decisions, like whether to merge together extremely large but different geographic sections of the Yukon to achieve a certain number of electors, whether or not to reunite areas and communities based upon historical and family connections between Yukon First Nations, and whether to move sparsely or generally unpopulated areas to different ridings for the sake of historical importance.

While I'm talking now so far about the final report of the Electoral District Boundaries Commission, I hope that all of these questions are intricately connected with the mandate and the intent behind Bill No. 308 tabled by the Member for Takhini-Kopper King.

Our colleague's bill cannot be considered, I believe, without taking into account the commission's work — both their interim and also their final reports — and the passionate feedback they have received since they began their efforts last year. The commission had a very hard job; they made hard choices. At first, in the interim report, they proposed to merge my riding of Klondike with the riding of my friend across the Chamber, the Member for Vuntut Gwitchin. Yukoners both urban and rural, both First Nation and non-First Nation, and the Vuntut Gwitchin First Nation itself spoke up; they pushed back, and they asked the commission to reconsider, and I'm glad they did. The commission listened and they reconsidered.

Regardless of whether the Legislative Assembly accepts or declines the boundaries commission's final report and whether or not this Chamber passes Bill No. 308, Vuntut Gwitchin and those who call Old Crow home will continue to have a riding to themselves in the next election and at least another election to follow.

The commission also made the hard choice to recommend a significant change to the Watson Lake riding. I'll take a moment here to provide some context for anybody who might be reading this in Hansard years from now or even listening on the radio today on October 9.

The riding of Watson Lake isn't just a municipal riding; it's not just the municipality of Watson Lake. Just like my riding, the riding of Klondike has — and just like the Member

for Vuntut Gwitchin's riding has — our colleague the Member for Watson Lake has a massive geographic chunk of the territory which sits on a resounding amount of the traditional territory of the Liard First Nation, the Kaska Dena Council — not even to mention again transboundary First Nations' overlap. So, again, the hard choice that the commission made in this instance, though, is to suggest merging the very large riding much with the current riding of Pelly-Nisutlin — also very large — in recognition of — and I quote now: "... the historic connections between the communities as well as the relationship among the Kaska Dena." Now, that is a quote from the interim report about putting together Faro, Ross River, Watson Lake, and much of the territory around those communities.

Private individuals, municipal representatives, First Nation governments, and elected MLAs will obviously have thoughts on changes like that, and rightfully so, but when I think of the Kaska being reunited in one riding, I am reflective. I draw on the words of Dylan Loblaw, Chief of the Ross River Dena Council. At one of my last meetings as Premier, I had the honour to sit down with the Ross River Dena Council and with Chief Loblaw. Chief Loblaw had spoken publicly during the boundaries commission feedback process indicating his support for the Kaska being reunited into a single riding with the following — and I'm reading from an APTN article from May 30 of this year — and the article states: "Loblaw said the current electoral riding system doesn't make sense for his community." He is quoted in the article to say: "'We've been split up between jurisdictions and in those political ridings they aren't serving our best interests the way it is now,' he said." I quote again: "Each nation is their own nation and they have their own their own concerns and challenges to deal with them."

Still reading from the article, "The commission proposes splitting Ross River and the nearby community of Faro and merging them with the Watson Lake riding, which is home to Liard First Nation, the territory's only other Kaska community ... The report states the new riding would better represent the Kaska's shared land and interests." The article then quotes Chief Loblaw again by saying: "It would be a benefit for (Ross River) to be in the same riding (as Watson Lake)..." He continues to say, "We can have a more united approach and be able to voice their concerns and hopefully see some things being addressed more appropriately, more adequately."

Again, when I'm thinking about the process here in Bill No. 308, I wonder: Why not Kaska? Again, hedging, as hopefully we can have a conversation during Committee on that and how the NDP came to determine that they wanted specifically this bill to be written the way it is currently. Just as I'm thinking about this, when I think about the importance of rural ridings generally, I think about Chief Loblaw. I think about the kind of representation that he hopes for, for the Kaska, that he could have in this Chamber, that the Kaska Nation could have in this Chamber. Chief Loblaw and his Ross River Dena Council know and

remind us well and often that it's not just about the people; it's about the land.

I think that it is important that we think about this bill before us — the Electoral District Boundaries Commission's final report as well — and the work that we do as rural and urban MLAs. We need to take into account the land that we represent as well as the people and the inhabitants of the land.

Lastly, another relevant rural change that the commission suggested and that I want to bring up is one that is probably missed by a lot of people, which is fair, because it won't impact many people, but it is on the same theme. That is sometimes the beauty of working in government — it is seeing something that could be improved, that could be made better, and doing that work to pursue that "better", even if it only affects a few people. I think that this was something that the commission did when they proposed in their interim and final reports to move the boundaries of the current Mayo-Tatchun riding — which the commission has been calling "Yukon Centre" — so that it extends further east along the Robert Campbell Highway. This brings the community of Little Salmon into the riding that is significantly Northern Tutchone.

In the interim report, the commission writes about — quote: "The proposed extension of the district is to include the community of Little Salmon in Yukon Centre. This respects the historical relationships of the little Salmon/Carmacks First Nation."

While we think about boundary changes that are both large and very substantive, like what this Bill No. 308 considers around enshrining the Vuntut Gwitchin riding and a set amount of rural ridings, there are smaller changes around rural that seek to make things just a little bit better — to reunite and to not exclude and to strengthen rather than to diminish. Again, intricate work by a lot of very dedicated people through a dedicated process. There are a lot of examples of this work, but I think that the commission suggesting the movement of Little Salmon is a very strong, subtle example of taking the work, the values of rural, local representation so seriously. I bring this up as my third example from the commission's report. Kudos to them for doing the big work as well as the little things.

To get to the meat of it — these are things that I think of and take to heart when I look at Bill No. 308, which rightly seeks to promote, to protect, and to uplift the importance and influence of rural representation here in the territory. This is a goal that I share and that I know that the value of that is on all political sides in this Legislature.

Mr. Speaker, the hard questions that are often in front of you when you are in government are not, however, about the merit or the value of the end result; rather, they are about the process, about how you get there, and about whether the path that you're taking will truly get you to the designation that you want without having significant side effects that you may not have initially anticipated and that you did not want.

I hope we all want stronger rural representation. Do we feel that this bill is the way to do it? It's about process. That is the question that I as a rural MLA and as the members preparing to ask questions of the sponsoring member in Committee of the Whole are asking. I will be interested to hear during Committee

of the Whole about the consultation that has taken place with the Vuntut Gwitchin First Nation, with other First Nations and municipalities in rural Yukon, with the Chief Electoral Officer, with Elections Yukon, with the Electoral District Boundaries Commission, and with any other chief electoral offices in other jurisdictions that may have similar measures or principles.

Secondly, as someone who has tabled his fair share of legislation, what precedent does this legislation set that is further reaching than the initial intent? Does the Yukon have any history with enshrining in perpetuity a riding like this? I don't believe so. I don't assume so. If this is the first time that this has ever been done, are we opening up the door to additional changes by any future Legislative Assembly or government? Will a future MLA — an unknown member years from now — be asking if the Klondike would be a legislative riding? Again, all speculative but all important things to consider when we debate this bill in Committee.

What are the other side effects? Would passing this act require other amendments and changes to other relevant legislation? Speaking of legislation — and there is front of mind and with us right now other legislation — how does this align or not align with the final report? What happens if this act were to pass prior to the boundaries report being approved by the Legislative Assembly and passed? What happens if the final boundaries report is accepted and passed before Bill No. 308, if it were to pass? Does that change anything? Does it change everything? Does that make our boundaries report out of date or non-compliant just days after it's passed? What happens when you are enshrining in law an outcome that is already happening or about to be ensured through another mechanism? Is this in order? Is this respectful to the work of the commission? Is the commission — and I'm going quickly because I'm running out of time. Is it respectful to all people who contributed to the process, who wrote to the commission thinking that Vuntut Gwitchin would stay as its own riding by the nature of the commission's decision that rural Yukon would have eight ridings by the nature of the work of the committee rather than by a one-off legislation by sitting MLAs?

I don't know the answers to these questions and I didn't have a lot of time to prepare for this necessarily, but those are the kinds of things that came to my mind.

As I have one minute left here, I'm sure that the Member for Takhini-Kopper King is ready to speak to these questions in Committee of the Whole and is ready to speak about the consultation, ready to speak about the direct and indirect impacts that this legislation will make, and be ready to speak about the precedents it will set for MLAs and legislative assemblies to come.

I'm going to close my comments here by just saying again that I'm glad that rural representation is the topic of discussion today. The bill raises some questions and I wonder about the precedents that it will set, as I mentioned, but I'm also comforted by the knowledge and the spirit of this bill and the intention behind this legislation when it comes to rural representation. With that being said, I do look forward to Committee of the Whole and to hearing more from the bill's

sponsor about the questions that I and others have brought up in the Legislature today.

Hon. Mr. Mostyn: I'm not going to speak overly long this afternoon. We have had a good discussion, and I have appreciated the remarks from the various members of the Assembly this afternoon.

Mr. Speaker, like the Leader of the Official Opposition, I admit to some puzzlement about the timing of the legislation — the bill before us today. I'm puzzled because it was drafted and breezed into the House before the report from our independent Yukon Electoral District Boundaries Commission report, and several of us have commented on that already this afternoon. What that has done is to put us here considering a brief but impactful bill without having appropriate time to consider it against the context of the Electoral District Boundaries Commission's final report. That commission has been holding consultations and deliberating for months at our behest.

At first blush, having read the bill that is before us, it seems to be a solution in search of a problem. Since I've lived here in the territory, Old Crow has been its own riding and it continues to be one, and it will in all likelihood continue to be one for another two elections.

We have a legislated mandate to look at our electoral boundaries after every two elections by an independent, non-partisan committee. That to me seems like a pretty elegant solution to reviewing the foundation of our one-person, one-vote system. That seems like a good way to do it — a good way to safeguard and maintain confidence in our political institutions.

So, like many of my colleagues here today in the House, I have questions and strong reservations about this legislation. I don't want anyone to construe my reservation as a lack of support for rural Yukon. My caucus colleagues are stalwart supporters of rural Yukon. As the Member for Klondike just recently said, we've maintained on many occasions that all communities matter.

Over the last several years, I've continued the strong work of my colleague the Minister of Energy, Mines and Resources and in some cases expanded the government's investment in our rural communities, supported by generous financial support from the federal government.

We've seen it first-hand — investing in all the Yukon's rural landfills, pushing ahead with historic and long-demanded lot development in Teslin, Watson Lake, Carmacks, Faro, Haines Junction, Mayo, Grizzly Valley, Golden Horn, and Mendenhall. We have, in concert with the Government of Canada, replaced and upgraded firehalls throughout rural ridings of the Yukon. We also, again in partnership with Canada, are in the process of replacing water and sewer pipes throughout rural Yukon communities, including Haines Junction, which is getting about \$10 million fairly soon.

We're building a long-promised recreation centre in Dawson City. We've opened one in Carmacks. As a government, we've paved and upgraded runways in Dawson and Mayo. As a government, we've invested in health and housing infrastructure and emergency preparedness in Old

Crow. With the support of the federal government, we've built and improved bridges and roads, sewer and water systems, and even a school promised 100 years ago.

All right, you get the picture. We support rural Yukon and, over the last eight years, rural Yukon has seen unprecedented investment. So, yes, I support rural Yukon and we support rural Yukon. And, yes, I support the idea of solid political representation in rural Yukon. I support strong, fair representation for the community of Old Crow.

But I have a visceral and gut-level aversion to legislating the riding of Old Crow in perpetuity. I have reservations about excluding it from regular review.

Mr. Speaker, I've known virtually every MLA from Old Crow since 1989. It's a place that has created strong and unique politicians and community leaders. Old Crow is an incredible and unique Yukon community, and I have had the real pleasure to visit it several times. However, enshrining this small riding in law in this way is something that I disagree with for a few reasons.

First, we are obligated to review our electoral boundaries every few years to ensure that they retain a semblance of balance. This is a collaborative process whereby all parties appoint a champion to travel the territory and discuss with citizens — and eventually oversee a rebalancing of — the territory's electoral boundaries. It is by no means a perfect system, but it is far better than the alternative that has been brought to the House this afternoon by a political party with seemingly little consultation. That is what we are discussing this afternoon.

This bill appears to change or alter our long-established legislative review of our riding boundaries. I agree with the Premier that it sets a dangerous precedent. This legislation has come from a single party with very little if any public discussion to establish a very specific, small riding in perpetuity. I have absolutely no doubt that the NDP's motive is noble and sincere. However, unfortunately, it can easily be criticized or seen as gerrymandering. It sets a precedent for majority governments in the future to tinker with riding boundaries in their favour and enshrine them in law. Again, I want to be very clear that I am not saying that this is what is happening this afternoon, but it could be construed that way and, in the future, it could be abused. That is because this bill does set a precedent, and in my bones, I believe this to be the wrong move. Like my colleague the Member for Riverdale North, the feeling in my gut suggests that this is not the way to go.

As many have noted, the way it has come forward to the House is also troubling. Once again, we see the Third Party launching an initiative with its genesis in their caucus with very little public input and very little demonstrable legwork. Again, discussing before having time to consider or, indeed, even see the Electoral District Boundaries Commission final report seems, well, hasty.

I know that the Electoral District Boundaries Commission did do extensive consultation. They held public hearings and accepted written submissions through many channels, and they travelled to rural Yukon, provided an interim report, and even

extended its consultation period. It was informed. It was broad and it took in a lot of information. I look forward to reading the views of the Yukoners whom it spoke to and worked with.

Like many others in this Chamber, I haven't had a chance to see that report, but having seen the legislation this afternoon and having heard from members opposite and heard from my own caucus, I am not comfortable that the Third Party did similar legwork to what we saw with the Electoral District Boundaries Commission.

The other problem that I see is that if this legislation is based on the draft, then the bill is based on outdated information, because as we have heard, the final report is vastly different, and if it is based on the final report information, that raises other questions that I look forward to hearing answers to in Committee.

The bottom line is that I see no tangible evidence of widespread discussion with Yukoners on this bill. As my colleague said: How do we check with Yukoners? Our job is to take decisions on behalf of Yukoners, and here we are changing our electoral boundaries. It should be coming from Yukoners, our constituents, not coming from us — that is because we are just too close to this. I look forward to the coming debate in Committee of the Whole, and I believe that there are many, very significant questions and concerns, and I will be listening to the answers, and I will reserve judgment until I hear those answers.

Hon. Ms. McLean: I am happy to rise today to speak to Bill No. 308, and I would like to thank the Member for Takhini-Kopper King for bringing forward this bill and for the opportunity to have this discussion prior to the further debate that we'll have later around the electoral boundaries final report. I would like to thank all of the folks who have had a chance to speak to it this afternoon. The bill contemplates a distinct riding for the Electoral District of Vuntut Gwitchin and contemplates also a minimum number of electoral districts outside of the City of Whitehorse to ensure rural representation going forward.

I am born and raised in Yukon, specifically in Whitehorse. I have, you know, watched the change happen throughout the years in terms of representation in this Legislative Assembly. I can say that, in my younger years, I may not have appreciated it as much, but I do remember — I do recall the diversity of members in this Legislature, and it wasn't always that way. I think that there was pretty distinct membership from time to time that didn't represent the diversity of the Yukon. You know, I'll get into a few of those folks a bit later in my comments, because they have had great influence over me and how I have lived my life and how I have ended up here in the Yukon Legislative Assembly through some of their direct support and encouragement.

I have listened very carefully to the rationale of Vuntut Gwitchin being its own distinct and enshrined district and riding within our electoral boundaries and districts. When I was listening to the rationale not only from members of the public and just listening to the debate around the electoral boundaries discussion that happened throughout the last several months — also today — and I just thank the Member for Vuntut Gwitchin

for speaking today and articulating, you know, her hopes for the riding and how important it has been for the representation for Vuntut Gwitchin.

You know, I can't help — every single time I hear the rationale, I think of my own riding of Mountainview and I think of Kwanlin Dün First Nation in terms of them being an urban First Nation — one of two. They share the traditional territory of this land that we stand on today with the Ta'an Kwäch'än Council, and they have very distinct needs, views, and aspirations as well — I think so similar to what I have heard described over and over throughout this process and today in the Legislature.

I think that we could go through community by community and hear very similar for Selkirk First Nation, Little Salmon Carmacks First Nation, Kluane First Nation, and so many others. So, I think that, you know — I'm very grateful that we have settled land claims and self-government agreements, and I know that has changed the representation for many of our communities and that they do have that very distinct voice. I am also certainly happy that the Member for Klondike talked about the Kaska, and I think that's true for White River as well.

I just wanted to make those early initial comments about that part of the discussion that I've heard over the last several months that relates directly to this bill that we're talking about today. I've spent a lot of my time living and working in rural communities and moved back to Whitehorse in 2008, 2009, and worked directly for the Kwanlin Dün First Nation for seven years prior to coming into this position. So, I have a wide range of views and definite experience living and working in rural communities in the Yukon and northern British Columbia as well. I definitely recognize the difference.

So, I wanted to address the issue that is crucial for the health and integrity of our democracy, the importance of rural representation. Rural communities often are geographically isolated and sparsely populated. They play a vital role in the fabric of our territory and our country. I think the discussion we're having today is certainly a discussion and a concern across Canada — throughout Canada.

Due to these distinct distances for rural communities, decisions are oftentimes made for them, not with them, by those who may not fully understand the realities of living in rural and remote areas, especially within Indigenous communities. Their voices are at risk of being drowned out by larger, more urban centres that dominate political discussions. I think we're seeing a lot of that play out as well in federal politics. We are seeing a lot of that even within the political climate of the United States right now.

Rural representation is not just about fairness; it's about ensuring that every community, no matter how remote or small, has a voice in shaping the policies that affect their everyday lives. Rural areas face unique challenges: access to health care, education, transportation, economic development, environmental protection, and infrastructure. These issues cannot be addressed with a one-size-fits-all solution developed far from the realities of rural life. Again, I certainly have experienced a lot of that myself. I recall living in the Watson Lake area when I went through a major health diagnosis and

treatment. I had to travel to Vancouver 13 times in one year for treatment, and I had a three-year-old son at the time. I really recognized how challenging that really is for folks in rural communities.

I can probably tell you a thousand other examples of what it's like to live in a rural community. I could tell you about driving from Watson Lake to Whitehorse in a day so that I could go to a meeting and be home back with my child the next day. I did that many times. I was just in Watson Lake last week talking to folks. I had a conversation in one of the stores, and we talked about that, weirdly enough, and how often we did that. It's very different. People who live in these communities understand their needs better than anyone else. They deserve a seat at the table where decisions are made. Representation matters, because it ensures that policies reflect the diversity of our territory.

It's not just about rural and urban, but there's gender, ethnicity, age, and experience. Again, going back to my opening comments, I think about people like Margaret Joe, Norma Kassi, David Keenan, Dave Porter, my uncle John Edzerza, Pat Duncan, Sam Johnston, and so many others who came before me and us in this Legislature — growing up and watching that representation, not fully knowing what it all meant, but that I could see myself in this Legislature.

I want to continue to ensure that this is the case for all generations going forward — that this is vital that we have that representation and that we can see ourselves in our Legislature and our leadership.

Rural communities are the stewards of vast lands and natural resources, and their wisdom is essential to the sustainable management of these areas. Rural voices provide a valuable perspective that benefits not only our territory but our nation as a whole. I mean, can you imagine — like, we influence Canada and we are constantly educating Canada on the differences between the Yukon, Northwest Territories, and Nunavut. All of our three territories are different and folks in Canada think that they are all the same. But there are some threads that are similar.

So, moreover, rural representation fosters a sense of belonging and inclusion. When rural citizens see their elected representatives advocating for their concerns, they feel heard and valued. This strengthens our democracy, as people are more engaged when they know that their vote truly counts. In today's fast-paced, interconnected world, we must not overlook the importance of these rural communities. Their contributions to our economy, culture, and environment are irreplaceable.

By ensuring robust representation for these areas, we honour the diversity that makes our country strong and resilient. Democratic representation gives every individual a seat at the table, an opportunity to shape their future, and it absolutely ensures that the unique challenges they face — whether it is access to education, health care, and economic opportunities — are not only heard, but they are acted upon.

Lots of folks have talked today about not having had a chance to really look at the final report of the Electoral District Boundaries Commission. I am looking forward — I have skimmed through it, followed a little bit of what the Leader of

the New Democratic Party had quoted, and I am very much looking forward to it.

I certainly participated in this commission and provided my own submissions and watched it closely. In our household, we've made it a family thing to talk about it and look at it and have good discussions about it, because it is important.

There is a necessity of consultation and collaboration. Our government firmly believes in the important role of consultation and engagement. We open the door to feedback at every single opportunity because we know that hearing from Yukoners is the foundation of good decision-making — full stop.

Whether it's land use planning, economic development, education, environmental protection, human rights, women's rights, our democratic representation, and so much more, we're constantly inviting input and weaving what we hear from communities into our decisions. That's how we ensure that the voices of Yukoners are truly reflected in the work that we do. We are always clear, when we go out to consult, about what we're consulting on and why and how it will be used. That's clear — always.

How many consultations have we done? In the information that I have, we've done a total of 124 formal public engagements with Yukoners since 2017 on many things that really help us shape new legislation and that help us amend legislation and create new policies. Again, they range from flood hazard maps to public lands legislation and the expansion of the sexualized assault response team.

I was looking back at some of the legislation that I had the absolute honour of working on, like the *Vital Statistics Act*, the *Human Rights Act*, *Gender Diversity and Related Amendments Act*, *Equality of Spouses Statute Law Amendment Act (2018)*, *Public Service Labour Relations Act*, and we repealed the *Married Women's Property Act* — I'm still happy celebrating that — *Sexual Orientation and Gender Identity Protection Act*, and we just released a “what we heard” on the *Child Care Act*.

These consultations are necessary and valuable. While there are many differing opinions in a final decision, the engagement approach taken here is notably more extensive compared to some previous governments. Sometimes, this approach means that progress isn't fast — as fast as some would like — but we believe that it's more important to do things right than to do things quickly, and that means making room for thorough feedback and dialogue.

Yukoners need to see themselves and how the proposed act or whatever it is that we're working on — they need to see themselves in that work. A really good example of that is that we have a pretty extensive act that we have worked on for the last eight years — the *Traffic Safety Act* that is before this House right now. Every single person, I think, in the Yukon will see themselves in that, because that was extensive consultation.

I don't know how much time I have, but I wanted to talk about all of these pieces and how important consultation is. It's imperative that any democratic process involving rural communities includes those communities not just as participants but as partners. Proper representation is not just

about numbers; it's about ensuring that our voices are strong and heard. Their wisdom is invaluable in conversations around land use, environment protection, and sustainable development. Culture and historical ties are essential to the preservation of their ways of life. I have heard that very clearly and I really internalize that because, as a First Nation person myself, I know just how important that is and what really makes us distinct people. It's so foundational to everything that I do. Even though I was born and raised in the Yukon — I take on so many of the values and culture of the Yukon, but my First Nation is Tahltan, and I always go back to that first. With all of this, it's so important that we have the right representation and that our voices are reflective of who we are.

In this way, we honour their wisdom and traditions while ensuring that their influence extends beyond geographical boundaries.

This has been a great debate today, hearing everyone's perspectives and how folks have brought forward their ideas and their concerns from all sides of the House. Again, I thank the Member for Takhini-Kopper King for bringing forward this bill. I am looking forward to hearing some of the responses that we will hear soon in Committee of the Whole.

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

Does any other member wish to be heard?

Ms. White: Mr. Speaker, I thank my colleagues for the range of comments. I do appreciate them.

I think that there is a challenge, which is that I know what I heard in the comments at meetings from the commission regarding the need to make changes, and the commission signalled in the summary the intention to re-confirm Vuntut Gwitchin and rule adjustments. I know that the Member for Mount Lorne-Southern Lakes, the Member for Kluane, and the Member for Whitehorse Centre all heard similar comments because I saw them at Electoral District Boundaries Commission public hearings. I attended more than one hearing and heard the same message repeated over and over — that without more direction in the *Elections Act*, the boundaries commission would be left to themselves — and was currently left to themselves — which was why they started looking at the plus or minus 25-percent variance, and that, without direction, future boundaries commissions would be left grappling with similar challenges.

I am sure and confident that other folks in this Chamber attended similar meetings. I am sure they did. I didn't go to all of them, so I know that other people attended meetings. What I'm asking them is to reflect on what they heard from the Chief Justice during those meetings. She was very clear. I heard more than once at public meetings that the *Elections Act* has not been updated, unlike other jurisdictions across Canada, and that by not updating it, it does not reflect any Yukon considerations with respect to the implications of the Supreme Court decision regarding section 23 of the Charter. All of these repeated comments were why we were prompted to come forward with this amendment.

I will remind the Liberals that the *Elections Act* currently resides with the Executive Council Office despite best efforts by the Members' Services Board to have it moved to them — a multi-member board reflective of this Assembly. Right now, it really is held by politicians. Worse than that, it's held by a political party, whereas if it was with the Members' Services Board, it would be under the Legislative Assembly, so multiple members of the Assembly would have influence on it.

The reason that I bring this up is because this is an amendment that I would have ideally proposed in that space. I would have had the conversation with my colleagues at Members' Services Board, reflecting what I heard at boundary commission meetings, what I read in the summary of proposed changes to the interim report — that I think that would have been a great place to do it, but that is not the reality, because right now, the *Elections Act* lives in ECO, which means that it is governed by the Premier.

So, will a politician make changes to the *Elections Act*? Well, we are all politicians, so my answer is yes, always, just like when the former Premier brought forward unilateral changes to bring in fixed election dates. Was there public consultation ahead of time on fixed election dates? Were there surveys? Were there meetings? Did we go to every community? Did we have that conversation? I don't remember those consultations, but maybe they happened. Maybe I wasn't paying attention.

Those changes were brought in by a majority government, so it didn't matter what we thought in this Chamber, because it was going to pass no matter what. To be clear, I support fixed election dates, but let's be honest: We in this Assembly right now are set up in a way to have far more ability to have a conversation about Bill No. 308 than I ever had the ability to have a conversation about fixed election dates, because the reality is that I am not a majority government; there isn't a majority government, and we will all have the ability to have this conversation.

To respond to some of the comments from the Minister of Highways and Public Works, the *Elections Act* does not provide for any consultation between interim and final report. That is one of the problems. It is not included in section 419 of the *Elections Act* and the boundaries commission talked about how section 419 of the *Elections Act*, which listed out the boundaries commission's responsibilities, was lacking. The 2024 commission, in its principles, determined to provide public feedback between the interim and the final, and they provided that summary in September to facilitate that process. So, that September report was very clear, and it added two additional seats in Whitehorse. It kept Vuntut Gwitchin, and it talked about the importance of those rural ridings.

I want to be clear: I am not debating the electoral boundaries report, because that is something completely separate. I am not talking about the rural ridings as they have been described in that report; I am talking about a number. I am talking about a number because that is what I heard from Yukoners when I was at those meetings. It is what I heard through the select committee on electoral process; it's what I heard reflected from the Member for Klondike — is that rural

Yukon — I mean, I definitely heard it from my colleagues in the Yukon Party about how important it is to have rural representation.

I think about the process that commission members — so, keeping in mind, of course, that each political party nominated a commission member. So, commission members were able to brief their respective political parties after the interim report was made public. That was totally within the rules. And maybe this was a similar situation for the Liberals as with the *Legislative Assembly Act*, and that is that the information wasn't shared by their member, but this is merely speculation, because I don't know what the answer is to that.

But the contents of that summary to the changes of the interim report are reflected in Bill No. 308. I caution us, because this isn't a debate on the Electoral District Boundaries Commission work, and I would hate to see the extensive work by a determinedly non-partisan group treated in a partisan manner. Because today we aren't debating the Electoral District Boundaries Commission 2024 final report; we're debating Bill No. 308.

I want to ease everybody's mind, because I heard it a couple times, the speculation. I first saw the final report when it was brought into this Chamber in a blue folder during Question Period. That was the very first time I saw the report. And how, you might wonder? Well, the Yukon Party House Leader let me know that the tabling of the report was listed in the day's business because I had been waiting for it. I then asked a member of my staff to go and ask how we could get a copy as soon as it was tabled. And are you ready for the big conspiracy? We were told that we could pick up a paper copy from Elections Yukon the second it was tabled. The second the Speaker tabled the report, we could pick up a paper copy. Mystery solved.

We asked the experts of the Chamber — the experts on Chamber business — how to go about it, and we followed the directions. We were told it was tabled here; we could go to Elections Yukon and pick it up. I didn't go pick it up. I was in the Chamber; it was Question Period.

So, I'm just letting you know. There was no conspiracy. I didn't see it ahead of time. It came in inside a blue folder during Question Period — question number 2, just in case anyone wanted to know — and I couldn't look at it until after I asked my question, which is in spot number 3. So, if anyone wants to know, it's seven and a half minutes per question, so I had 14 minutes to get it done.

First, during Question Period, I read the table of contents, and I skimmed it because I already knew what was coming because of the summary report that said there were going to be changes. And I followed that up with reading the challenge, because it's pretty self-explanatory: What was the challenge with the report? Then I went to the very back of the table of contents and I found observations and general recommendations, and that's on page 75, and then I read that too — all during Question Period — all during questions 4 and 5, I read; I read really fast, just to be clear, which is probably why I stumbled when I read it out loud.

I went ahead and I read that during Question Period, because based on the summary of the proposed changes to the interim report, I knew that there would be changes that we captured in Bill No. 308, and I wanted to talk about them. I understand that the timing is weird; I fully respect that — I do. I'm willing to point out that Opposition Wednesday happens every two weeks, and this is the only one where I'm guaranteed to be in the first two spots and the only one that I'm guaranteed to be in the first spot. So, I wanted to start the debate because — guess what? — there is no guarantee that I was going to have the chance to start at any other time — or maybe we would and it would be 4:45 p.m. on a Wednesday six weeks from now. So, I wanted to put this out there. I did — I wanted to start the conversation.

I hope that everyone in the Chamber has a chance to read and digest the final report, because I am not — I mean, I'm a lot of things, but I'm not super dense. I appreciate — I have not read pages 16 to 75; I read pages 15, 16, and 75. I have not had a chance to read everything else. So, I hope that everyone in this Chamber takes the opportunity to read that so that when we come back to discuss Bill No. 308, we are all going to be on the same page. And more importantly — I'm just going to tell everybody right now — the website is really hard to find for the boundaries commission, so let me just tell you what the website is, because it's really hard to find, which is probably not what their intention was. The boundaries commission website is: www.yukonboundaries.ca.

I'm saying this right now because that's where you're going to find all of the reports and soon, I was told, all of the submissions. The reason why I think that the submissions are going to be important is because it's going to add to this conversation, and we will hear from rural Yukoners, and we will be able to read the words, and we will be able to understand what they were saying about the importance of rural ridings.

Again, I want to be clear: I haven't said what those rural ridings look like because that is the job of the boundaries commission. What I have said is that I have said a number. So, I'm hoping that between now and the next time this comes up — and to be clear, we're so close to the end of the day. It's not going to be in two weeks; it might be in a month. It might be in six weeks and it might be in the spring, but I will bring this back, because I think we have to have this conversation.

I think we have to have this conversation so that future boundaries commissions have more direction, and I think we need to have this conversation because the truth is that the *Elections Act* needs to be completely redone, and it's not going to happen between now and the next time the boundaries commission comes up.

What the boundaries commission said in pages 15, 16, and 75 is that they had literally repeated the work of previous boundaries commissions. On this website, [yukonboundaries.ca](http://www.yukonboundaries.ca), you can read the 2008 and 2018 reports. They almost verbatim talk about redoing the work the one in front of them did. This is something that the commission highlighted which I read. Even in the first report, it talked about getting rid of the Vuntut Gwitchin riding. Then I read again in their summary report

where they said that, actually, no, this isn't right and they are not getting rid of rural ridings; we recognize their importance.

The reason why I'm hoping that everyone can go back and read and digest the final report is so that we can all appreciate the challenges and the opportunities the commission is suggesting not just for the next two elections but to ensure that future commissions are given clear mandates and legislative direction to carry out their work. They are looking for some parameters, and that is why there is a commission established by the *Elections Act* to do that extensive consultation and, in a non-partisan way, to make recommendations to the House.

I appreciate how many times I heard about consultation, but the truth is that the consultation was done by the boundaries commission. The boundaries commission did that consultation. They did the consultation, and we will see it reflected in the submissions. I will remind all members that the mandate of the commission is set out in the act, and again, if you're interested, it's in the guiding principles section; I think it's on page 7 of this one. It's through those guiding principles, and that's what guided the work of the commission and the range of consultation with experts both on electoral boundaries as well as legal experts — in addition to communities and individuals across the Yukon.

Hopefully, once members read this report that we can altogether see the submissions on the electoral boundaries website, the discussion in Committee of the Whole will reflect a full understanding of the work that was done by the commission, including how they incorporated legal advice and other expertise. Hopefully, the amendment in Bill No. 308 will be seen, as was our intent, to accurately reflect what we as the Yukon NDP heard — and I am confident that other members in this Chamber heard — and read in the interim report and the statement that the commission provided in September indicating the proposed changes to the interim report as part of their consultation before preparing their final report.

So, my intention is not to speed ahead, but the reality is that I have a limited amount of time to be able to do this and certainly a limited amount of time to know when it is going to happen. I haven't read the submissions because they weren't available online. The report — again, to everyone, I read three pages out of a more than 75-page report, so I am not pretending like I read the whole thing. But I do know that Bill No. 308 reflects some of the direction — and by "some of the direction", I am talking about the need for clear directions for boundaries commissions in the future, and that is what I am trying to do.

So, Mr. Speaker, understanding that the Chamber has not had a chance to read the final report — nor have I myself — nor seen the submissions, I will not ask that the House now resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 308 at this time.

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. Pillai: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Clarke: Agree.

Hon. Mr. Silver: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Agree.

Mr. Kent: Agree.

Ms. Clarke: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

MLA Tredger: Agree.

Clerk: Mr. Speaker, the results are 18 yeas, nil nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion for second reading of Bill No. 308 agreed to

Speaker: Bill No. 308, entitled *Act to Amend the Elections Act*, has now received second reading and, pursuant to Standing Order 57(4), stands ordered for consideration by Committee of the Whole. Pursuant to Standing Order 14.2(3), the Third Party designated Bill No. 308 as an item of business today. The Leader of the Third Party is therefore entitled to decide whether the House should resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 308. I would ask the Leader of the Third Party to indicate whether she wishes the House to resolve into Committee of the Whole.

Ms. White: Mr. Speaker, I will not ask that the House now resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 308 at this time.

Speaker: Pursuant to the request of the Leader of the Third Party, we will now proceed to Opposition Private Members' Business, Motions Other Than Government Motions.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 1021

Clerk: Motion No. 1021, standing in the name of the Leader of the Third Party.

Speaker: It has been moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to establish a public inquiry into the role of the Government of Yukon in the failure of the Eagle Gold mine heap leach facility under the *Public Inquiries Act*.

Ms. White: I'm pretty confident that everyone in this House is aware of the catastrophic heap leach failure at Victoria Gold's Eagle mine this June. This is unfortunately not the first mine failure that Yukon has seen, but it is definitely the first that we've seen in this way.

With this failure, cyanide-contaminated water was released into the water system and environment surrounding the mine on the traditional territory of the Na-Cho Nyäk Dun. It has been devastating for the First Nation and the residents of the area, and this summer has been full of uncertainty and grief for the community.

I have spent a lot of time speaking with the First Nation of Na-Cho Nyäk Dun and learning from them. They have been clear. They said that it took the government over a week to address the public, and I can say that it took three and a half weeks for the opposition to be briefed. Multiple concerns about the regulation of the mine came to light over the summer. The company was unable to contain or treat the contaminated water on the site effectively, eventually leading to them being forced into receivership, and there are questions that need to be answered about the government's efficacy in the role as the regulator of this mine.

There are many questions to be answered, like: Why was Victoria Gold allowed to be non-compliant with its water licence for months before failure? Were the recommendations of the PIDA report implemented? If they weren't, why weren't they implemented?

We know that the water licence required Victoria Gold to have a water treatment plant capable of treating more than 13,000 cubic metres of mine water per day. So, why was the mine allowed to operate despite never being able to meet this requirement?

We understand and we know that a technical review has been ordered into the immediate causes of the disaster, but it does not fulfill what has been asked for by the First Nation of Na-Cho Nyäk Dun since the very beginning.

The First Nation has been clear that a comprehensive, public, and independent review is what is needed and what they want.

The minister has yet to commit to a public inquiry. A government-appointed review board cannot investigate. The minister — and I say "minister" because the minister is responsible for the department or the regulatory structure of the mine. So, we need a much broader scope than the government's proposed approach. Na-Cho Nyäk Dun's territory has been forever affected by this disaster, and we need to ensure that the First Nation receives answers that they're asking for and that there is accountability. We need to understand what happened, what role the government played as the regulator, and how to prevent future disasters, and this can't happen without a full public inquiry.

The pattern of failure of mines in the territory — from Faro through to Wolverine, Minto, and now Eagle — is deeply concerning. While it's convenient to label them all bad actors, I think we have to look inward as well. Are we as a territory being an effective regulator? Does the Department of Energy,

Mines and Resources have the tools that it needs to enforce our regulations? And how much influence do elected officials have on giving mines the green light?

There are so many questions that remain unanswered, and it leaves the Yukon public wondering where we're at, where the government is at, and what the next steps are. We believe, along with the First Nation of Na-Cho Nyäk Dun, that a public inquiry is the only way to assure that these questions and far more questions are answered and that the faith in the regulator is restored to the Yukon public. It's important to note that the First Nation of Na-Cho Nyäk Dun now has a live website. It's called emergency-response.nndfn.com, and a highlight on that is the call for a public inquiry.

I had a meeting last week with the Yukon Chamber of Mines and we talked about it, and they weren't sure that a public inquiry was a way that they would go. And I said: Look, I can't call for another similar investigation. There is nothing in the law — like, if you can find me another piece of legislation where I can ask for something else, I will. But they agree that it has to go deeper than what the independent review board is able to do.

If you go to the *Public Inquiries Act*, it talks about the establishment of the inquiry; it talks about what they can do and who they can compel for testimony, and it goes much further. So, what we are asking today is that we call a public inquiry into what happened at the Eagle Gold mine. Is that not the motion? I thank the Minister of Health and Social Services offic and I will find the wording of the motion.

It is a big day here, Madam Deputy Speaker, a big day. There we go.

I moved that this House urges the Government of Yukon to establish a public inquiry into the role of the Government of Yukon in the failure of the Eagle Gold mine heap leach facility under the *Public Inquiries Act*. That is what we are calling for, and I look forward to hearing from my colleagues on the motion.

Hon. Mr. Streicker: Mr. Speaker, first of all, I want to begin by thanking the Leader of the NDP for bringing this motion forward. It is certainly an important motion. It is going to give me a chance to provide some of those answers. I am going to do a couple of things up front and then I will dive in. I know that I am going to talk for a while, so I will apologize right up front, but this is such a big deal.

I woke at up a 3:00 in the morning today thinking about Victoria Gold. It just seems to be what happens. It has been such a difficult issue. The heap leach failure happened on June 24, and I just know how hard everybody has been working. When I say "how hard", I include in that Energy, Mines and Resources, the Department of Environment, I know that Justice has been working on it, I know that Finance has been working on it, and Executive Council Office — it has been a lot of work. And then, when I talk to Chief Hope from the First Nation of Na-Cho Nyäk Dun, she says exactly to me that her technical experts have been flat out; her community has been flat out, and I believe it. I was just at their general assembly this past weekend to talk about the heap leach failure,

and I will reference that a few times, because there was a lot of conversation that came up there and still more to come, I am sure.

First, thank you for the motion. Second, this is a very big deal. Third, just to correct one small point. The Member for Takhini-Kopper King said that it took over a week for us to talk about it publicly. No, it happened on the first day. Within two days, we had put out a statement, and the Premier got questions in the media. Within four days, we had the first briefing for the public. It got hard, because it was all set up to happen at the Elijah Smith Building, and just before it was about to run, the folks who were in charge of the building — maybe it was the security staff — said: What? You're having a media briefing in this building? Not allowed. They had to scramble to try to shift it to another location. It was a kerfuffle, but I know that everyone who has been working on this file — and I will include the folks at Eagle Gold — have been working very hard to try to deal with the situation.

Let me take a few minutes to try to describe this heap leach failure in a few ways. Basically, whatever caused this event — we still don't know what caused it, and that's why we're working to try to find that out — it happened in a heartbeat. I am not exactly sure how much time it took and whether it was 30 seconds or three minutes, but it was fast. What you have to understand is that there is a big pile of crushed ore called a "heap", which is set on top — it's sort of a valley — set on top of this giant liner. Down at the bottom or at the foot of it is a small embankment that was used to bring that liner up so that as cyanide solution that gets put on top of that heap of rock filters down through it, it collects at the liner at the bottom and comes down to that collecting area at the foot of the heap. That cyanide solution is mostly water but definitely has this concentration of cyanide that you would never want to get outside of that contained area, because it would be extremely detrimental to the environment.

In that moment, in that 30 seconds or three minutes or whatever it was on the morning of June 24, that giant pile — that heap of ore — gave way. It came down over top of that embankment. Roughly speaking, four million tonnes of ore slid. It came over top of that embankment and went into Dublin Gulch and effectively flowed. Even though this is rock or crushed rock, it flowed down into that valley — Dublin Gulch valley. So, it's way past the area of containment.

Now we get to the first of the problems. You now have two million tonnes of that rock which is saturated with a cyanide solution which is now in contact with the bare ground. In that moment, you have surface water but also contact with the groundwater. Now, the mine — the first thing they did was they worked — well, the first thing they did was to make sure everybody was safe, and thank goodness no one was killed in this failure — this catastrophic failure.

They informed us. Of course, I informed Cabinet — the Premier and Cabinet — to let them know what had happened. My next call was to the First Nation of Na-Cho Nyäk Dun, and my next call was to the Mayor of the Village of Mayo. We had staff — or our inspectors were up that day working on it. I remember being in a call that afternoon with the Executive

Director of the First Nation Na-Cho Nyäk Dun and they were saying to me, "Who are you bringing on as experts?" And I said, "I'm going to get you names, and I will get back to you by tomorrow morning."

And I remember, in that conversation, he and I both said — he said, "Okay, you know the priority has to be the environment." And I said, "Yes, the environment and safety." And it turns out that those have been our two priorities since.

I called him back the next day, and we told him about who the experts were, about our lead expert who we were going to get to look at this failure. Then, within two days, we had a very long conversation — a couple of hours, sort of like a Teams call — where it was Energy, Mines and Resources, Environment, and Na-Cho Nyäk Dun and their experts.

The mine very quickly put in place things to deal with the surface water — and that was incredible — and to route water that would be coming down Dublin Gulch and get it around that slide — also incredible. It was great to see that happen so quickly, but the problem was that — and you knew that it was there — you had this groundwater that was in contact — the slide was in contact with the ground, so what that meant was that the cyanide could be down getting into the groundwater. I am going to refer back to this now and then as I speak to this motion — that groundwater is out of sight, so it is hard to see. You have a slide that has come down and it stopped — maybe the total run of the slide was about a kilometre and a half, and if it had gone farther, it would have gotten into the control pond at the bottom of Dublin Gulch. If it had gone just a little bit farther after that, it would have hit the camp. Again, very thankful that there were no fatalities.

When that slide came down, it didn't just sort of slump down. No, it took out one side of the heap and it left this scarp — a steep face of this crushed ore that is not stable. There is no way that is going to be sort of the angle of repose that you would want. So, you have a head scarp up there above all this, and the place where you want people to work is right at the foot of the slide. Why? Because that is where, if you are going to try to get at groundwater to monitor it and in all likelihood to capture the part of the groundwater that is contaminated and to then work to treat it — store it and then treat it — you need to be right at the foot of the slide. That is the ideal location to do that work, but it is also — the engineers told us — risky to do so because a secondary slide is still possible up top.

We don't know what caused the first one. We don't know if there is a risk of a second one happening, but we can see that there is a steep face up there and it's not the sort of thing that you want to be unsure about. In the days that followed — and I will check to see when we first briefed the opposition — sorry — it was July 17. So, the slide was the June 24; so, the member is correct — it was three weeks.

But we did weekly briefings with the public starting in that first week — so, the slide happened on — I would have to check — Monday — thank you — and the first briefing was on a Friday. Mind you, I had put out a statement on the Wednesday. We have been working to keep the public informed all along. I don't speak for the First Nation of Na-Cho Nyäk Dun, but I will say that we have — we appreciate their technical expertise that

they have brought to bear on this issue, and we — I thank them for all of their efforts — their hard work.

One of the comments that I will make right away is how Chief Hope spoke to me about it, and what I heard when I went to their general assembly this past weekend is that they are deeply concerned about this and they are extremely worried about their environment. They are worried about a few things, but that is a very big concern.

Okay — I will talk at some point about how we talked with people downstream. What we did is that we put in this series of testing along — Dublin Gulch connects to Haggart Creek, so we started doing testing along Haggart Creek. We did testing far downstream, and I have seen the website that the Na-Cho Nyäk Dun put up; I saw it last week. But there is also a Government of Yukon website, and if you want to see whatever the latest is in the testing, it's always up there. I took a look today before knowing that we were going to be debating this. I encourage all Yukoners to take a look, but, of course, we do testing near the site but much farther out as well, and we can see that, so far, we haven't had a lot of contamination in Haggart Creek.

There was one moment when we did and that was when Victoria Gold was still managing the site. They thought they had water treatment that was ready and they started discharging it. We saw this sudden spike in cyanide in the creek. It led to some fish mortality, for sure. You can see that right on the graph. There is this clear spike right in there. So far, Haggart Creek has not seen a lot of contamination, but what we can see is — because by now, we have drilled many more test wells near to Haggart Creek, and the berm is now progressing, and there will be those other wells closer to the foot of the slide. What we can see is that there is contamination of the groundwater, as we expected, and that the groundwater, through time, is slowly moving toward Haggart Creek. Once it daylight in Haggart Creek, it will flow quickly, and it will impact the fish around it, and we will start seeing problems.

Cyanide itself has sort of this immediate impact, and then, as other streams enter in or feeder streams come into Haggart Creek and as it dilutes downstream, it dilutes quickly and it's not considered heavily persistent over time, but the other metals that can come with a cyanide solution can be persistent. This is why we have to get at the groundwater.

When I went to the site — I can't remember exactly when that was, but it was a few weeks in when I made my first trip to the site — it was when Victoria Gold was still in charge of the site. We looked at the heap from different angles, such as over from the ore pit where it was far away, but even at that distance, very quickly, I could see what I always anticipated, what the experts said would happen, and what I witnessed myself: When you have this sort of slide and it has come over that embankment, that's where the liner stops. You might think the slide has happened and the contamination moment or event has happened and now we're done — no.

The valley where the heap is will continue to have the leach come down and through the slide — come over top of that embankment and down into Dublin Gulch. So, you continue to put cyanide solution in contact with the ground. And you can

see it even from far away, because where the slide itself flowed over top of the embankment, you'll have this overburden of that ore, but you can see it eroding. It's eroding like little rivulets when you watch. Even on the clay cliffs, you go and check out where there's water coming down and you just see that erosion. In this case, the water was inside the slide as it comes up over that embankment, and then it's coming down into Dublin Gulch. So, the problem persists.

And just a reminder that, as time marches on, so does that contaminant start to move down in Dublin Gulch, and the longer we take, the more that issue persists.

Okay. So, that's what the experts said would happen. That's what I witnessed. That's what we're seeing as we test the groundwater, and that's what we need to deal with.

But we need to deal with safety at the same time. So, how does a government — how does a regulator work to deal with that? What we do is we issue orders; they're called inspector's directions. We say to the company, "Victoria Gold, this is your site. You have the quartz mining licence for this site. Here are things we need you to do. We need you to provide more water storage on-site. We need you to provide water treatment. We need you to put in place a berm so that we can get to the bottom of this slide safely. We need to get at that groundwater."

And so, we issued these directions, but unfortunately, over time, we felt that those orders were not being followed. As time ticks ahead, we have this situation where the groundwater keeps moving. So, time is against you; you have to make decisions.

Last week, when we started this session, the Yukon Party stood up and said that they believe we should have left Victoria Gold in place. Let's just run that scenario for a second.

Victoria Gold was there and they were managing it. I am saying to you and to Yukoners that we didn't have their attention. We were not confident that they were going to comply with the directions that we had issued. At a point when our confidence was lost, we went to the courts and applied to the courts to put in place a receiver to take over the management of Victoria Gold.

The first thing that I want to talk about — and I am taking this from the judge's remarks — PricewaterhouseCoopers, the receiver, has put this up, but it is on their website; anyone can find it — but this is what the judge stated as her rationale for putting this in place. The judge noted that Victoria Gold had applied for an adjournment — so, to not have the receiver come in. Now I am going to quote: "The stated purpose of the VGC adjournment request is to file an application under the CCAA. That reflects the tenuous financial situation of VGC and its ability to fund the remediation."

CCAA stands for the *Companies' Creditors Arrangement Act*, and really, it is bankrupt protection. So, Victoria Gold said: Hey, don't bring this application to the court right now, because we want to apply for bankruptcy protection. So, if we followed the Yukon Party's position to, say, leave Victoria Gold in place, what we would have is a mine that very quickly was going to apply for bankruptcy protection.

So, the reason I disagree with leaving Victoria Gold in place is several reasons. It is financially, it's environmentally, and it is not supported from the industry's perspective either.

The Yukon Party has talked about putting taxpayers on the hook, and I will have a few more quotes here from that proceeding, but to jump to the chase, the money would end up going to the banks. If it ended up in the courts in bankruptcy protection, where the money would end up going is the banks. Instead, what is happening right now is that the money is — Victoria Gold's remaining funds are going to remediate the site.

Speaker: Order, please.

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

Debate on Motion No. 1021 accordingly adjourned

The House adjourned at 5:30 p.m.

The following sessional paper was tabled October 9, 2024:

35-1-163

Yukon Electoral District Boundaries Commission 2024 Final Report (Speaker Harper)

The following document was filed October 9, 2024:

35-1-259

Relocation of Whitehorse Elementary School, letter re, from Jennifer Dagg, President, Takhini Neighbourhood Association, to Hon. Jeanie McLean, Minister of Education (White)