



# Yukon Legislative Assembly

---

Number 203

1<sup>st</sup> Session

35<sup>th</sup> Legislature

---

## HANSARD

Wednesday, October 16, 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
<b>Hon. Ranj Pillai</b>	Porter Creek South	Premier Minister of the Executive Council Office; Economic Development; Minister responsible for the Yukon Housing Corporation
<b>Hon. Jeanie McLean</b>	Mountainview	Deputy Premier Minister of Education; Minister responsible for the Women and Gender Equity Directorate
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Environment; Highways and Public Works
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Minister of Health and Social Services; Justice
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Safety and Compensation Board
<b>Hon. John Streicker</b>	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
<b>Hon. Sandy Silver</b>	Klondike	Minister of Finance; Public Service Commission; Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Lane Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Wednesday, October 16, 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 a change made to the Order Paper. The Chair would like to remind members of my ruling on October 9, 2024 in this Assembly. Therefore, Motion No. 1039, notice of which was given by the Member for Pelly-Nisutlin yesterday, is not in order and has not been placed on the Notice Paper.

**DAILY ROUTINE**

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

**INTRODUCTION OF VISITORS**

**Speaker:** Introduction of visitors.  
*Visitors introduced*

**Speaker:** Tributes.

**TRIBUTES**

**In recognition of Breast Cancer Awareness Month**

**Hon. Ms. McPhee:** Mr. Speaker, I rise on behalf of the Yukon Liberal government to recognize Breast Cancer Awareness Month, held every October to educate people about the importance of early detection. A pink ribbon has become the official symbol of breast cancer awareness and is globally recognized as such.

Breast Cancer Awareness Month provides an opportunity to support breast cancer patients, survivors, and families, including all genders and sexual orientations, an opportunity to raise funds for breast cancer research and treatment advances, to promote healthy lifestyle choices and preventive measures, and to encourage people to perform self-exams and seek regular screenings for early detection.

Breast cancer is the most common cancer globally, with around 2.3 million new cases every year. It is estimated that one in eight Canadian women will develop breast cancer. Breast cancer can also occur in men, making up less than one percent of all cases.

Many of us know personally about the profound impact of this disease. In the territory, we have outstanding programs and initiatives to support breast cancer health, including: Run for Mom, an initiative that has made significant contributions to raise awareness of breast health; the Karen J. Weiderkehr Memorial Fund, which provides support for people diagnosed with breast cancer; the cancer care program at Whitehorse General Hospital; the Yukon Hospital Foundation; the Yukon's

mammography program; and Yukon Women's MidLife Health Clinic.

We thank all health professionals and volunteers who work tirelessly each day to ensure that we are reducing the impact of breast cancer in our community. In August of this year, the breast cancer screening program — a memorandum of understanding was signed by the Yukon government and the Yukon Hospital Corporation. This allows us to work collaboratively to enhance future care and delivery of breast cancer screening services to Yukoners.

I encourage Yukoners to talk to their health care provider about breast cancer risk and routine mammograms. If you are between 50 and 74, you can self-refer for a routine screening mammogram by contacting the medical imaging department at Whitehorse General Hospital. A mammogram is the best method of early detection.

I encourage all Yukoners to help raise breast cancer awareness in October and all year-round, to remain vigilant, and to encourage greater understanding of the disease and more research, leading to better treatments.

*Applause*

**Ms. Clark:** I rise on behalf of the Yukon Party Official Opposition to recognize October as Breast Cancer Awareness Month.

Breast cancer is one of the most common types of cancer to affect Canadian women, with about one in eight developing it sometime in their lives.

As a former Zumba instructor, I have been part of the pink ribbon pledge. Every year, my fellow instructors organized a dance called "Zumbathon" to raise awareness of breast cancer. Our goal was simple: to ensure that no woman felt alone in the fight and that everyone understood how vital early detection could be.

My fellow instructors did not stop there. We collaborated and partnered with the Whitehorse General Hospital and raised funds for Karen's Room. Karen's Room is a special environment for patients and families who are going through chemotherapy treatment.

Advancements in treatment and detection have come a long way in recent years — 3D mammography, AI in imaging, molecular breast imaging, liquid biopsies, genetic testing, precision medicine, risk-reducing drugs, and the list goes on. Advancements such as these have increased the five-year survival rate to 87 percent. They're more effective and less invasive and allow for personalized approaches to detection and treatment, thus offering new hope to patients and improving outcomes — early detection being an important factor in treatment success.

Mammograms are available at Whitehorse General Hospital and can be available to women by self-referral after age 40. I encourage all Yukoners to be proactive in your health care. Examine yourselves regularly at home and report any noticeable changes to your health care provider.

*Salamat po.*

*Applause*

**MLA Tredger:** I rise on behalf of the Yukon NDP to pay tribute to Breast Cancer Awareness Month. I don't imagine that there is a single person in this room who has not been touched by breast cancer, whether it be a family member, a co-worker, or a friend.

When we talk about breast cancer, we need to talk about a full spectrum of supports. We need to talk about prevention. Breast cancer can affect even very young people. There's a spectrum of tools for detecting breast cancer and everyone should work with their health professionals to make sure that they are getting the screening they need.

I'm very grateful that Yukoners can self-refer for mammograms here in the territory.

For people being treated for breast cancer, there are many health care providers who come together to provide care, and I want to thank all the doctors, nurses, pharmacists, hospital staff, lab techs, and so many more who do this work every day.

I also want to thank the community members who come together to provide support and care. I think of all the groups and people who have raised funds for this Yukoners cancer care fund and Karen's Room over the years. I think of Run for Mom, Mardi Bra, Stix Together, Paddlers Abreast, and there have been and are many more. Thank you to everyone who supports those funds to assist Yukoners living with cancer.

Cancer changes your life. For the survivors of breast cancer, our community care can't end when they are discharged. Thank you to everyone who provides ongoing support to neighbours, families, and friends.

Finally, I want to honour the Yukoners we have lost to breast cancer. They are missed, they are mourned, and they are celebrated.

*Applause*

### In recognition of Vern Peters

**Hon. Mr. Pillai:** Mr. Speaker, I rise today to pay tribute to Vern Peters, recipient of the Wild Sheep Foundation 2024 Jack O'Connor Writers Award and the 2024 Professional Outdoor Media Association of Canada award for a hunting feature.

Vern was recognized for his article "Old Ram Obsession" alongside his two sons, Graeme and Jody, this past spring during the Wild Sheep Foundation banquet. The story features Vern's quest to find a really, really old ram, and when he says "really" twice, he really, really means it — or so the story says.

Vern and his son Graeme make not one but two treks into the Yukon coastal mountains east of Kusawa Lake before they succeed in harvesting a 13-year-old ram but not because the opportunity for success didn't present itself the first time but because the first one didn't quite fit the bill. It was really, really big but not really, really old.

You see, Vern was looking for the one that he researched — the really, really old one with a sway-back, pot-belly, battered-up dark horns, and a face that could sink a thousand ships, a 13- or 14-year-old — less than one in 100 chance based on what he extrapolated. Mr. Speaker, the article doesn't just tell another hunting story; it paints a picture for the reader,

talking about the relationship and the bond that Vern has developed with his sons through sheep hunting.

It is a reminder to all of us how special recreating and harvesting on the land with loved ones can be. Vern is reflective of past hunts with his kids. The teacher becomes the student in this story as he is guided through the shot by his son who also has a really, really old ram under his belt with help from his dad as a young boy. In fact, both sons have 14-year-old rams under their belts, and they hang flanking Vern's, with their battered horns on the wall in their family home.

Mr. Speaker, the Jack O'Connor Writers Award recognizes the author of the best published article about wild sheep with a special focus on hunting and on conservation. Jack wrote over a dozen non-fiction books on hunting and conservation, two western novels, and is reported to have written more than 1,200 articles for hunting and fishing magazines.

He was a big proponent of sheep hunting, had gone on sheep hunting expeditions in the Yukon, and considered sheep hunting the most revered and challenging game. Vern is the first Yukoner and Canadian to win the award. Vern has called Whitehorse his home for many years. In addition to his creative works, he was a well-known teacher for many years in the Yukon, and for many, you might have caught him at Jack Hulland on an early morning in December singing Christmas carols with the school.

I commend Vern for his work — to continue to write stories that hopefully inspire young hunters inside and outside of the Yukon, as such stories did for many years ago. I also want to commend Vern on his leadership on the ORV regulation. He spent many years working on that and I appreciate all the guidance and help that he brought to the Assembly.

You have come a long way since the first sheep hunt in 1972, with only a homemade sleeping bag, flimsy aluminum-frame pack, and plastic sheeting for shelter. Well done.

*Applause*

**Mr. Istchenko:** Mr. Speaker, as the Premier was saying, Jack O'Connor was the undisputed champion of outdoor writers and inspired millions of people to experience hunting. He was an avid conservationist and loved being outdoors. Jack wrote many stories and books about hunting, especially sheep hunting — the white sheep. He came to the Yukon for many 40- to 45-day hunts and this inspired his writing.

His special contribution, in a wide and long list of accomplishments, was in educating hunters about wild sheep and sheep hunting. This year, the 2024 Jack O'Connor Writers Award was presented to Yukon's Vern Peters, who is here today. I watched a video presentation, Vern, of you speaking when you were accepting the award and it is definitely worth watching — just Google it.

Vern is a 10-year-old farm boy from southern Alberta who would read *Outdoor Life* magazines that tell Jack's stories of sheep hunting in the Yukon. Vern came to the Yukon, of course, dreaming of sheep hunting, and that he did — many hunts and many stories. One of the things in Vern's acceptance

speech that he said — and I kind of think it is probably a lot easier now with the two sons to imagine Vern's hunts being a bit easier, because packing sheep with his bright red \$29.95 pack with those thin shoulder straps would have — well, I can tell you a tale or two about that too.

Anyway, what earned Vern this award was a story he wrote that was published in *Outdoor Canada* magazine. It was entitled “Lofty Goal” and was — quote: “The tale of one hunter's quest for a really, really old ram.”

Congratulations, Vern, on this prestigious award presented by the Wild Sheep Foundation — you are the first Yukoner. That award is given out in honour of a writer and another great story and a great writer here in the Yukon. It is well-deserved — telling tales of mystery, hard work, and continuing the legacy of conservation here in the Yukon.

Congratulations, Vern.

*Applause*

**Ms. White:** Mr. Speaker, it's truly an honour to stand on behalf of the Yukon NDP to add our voices to the chorus of congratulations to a true Yukon legend and his winning of the Jack O'Connor Writers Award. We have heard a lot about Jack O'Connor himself and the reason there's a writers award named in his honour, so today I celebrate one of this year's recipients.

I first met Vern Peters in an official capacity way back in the day when he and his peers were advocating for environmental protection of the high alpine from off-road vehicles. He and his friends are sheep-hunting purists. They believed then and still believe now that to truly honour the animal, the only way to hunt up high was by your own power, and the reason why they were so involved with the Trails Only Yukon Association was because they believed in that protection of that high alpine.

When you grow up here, you start to hear the urban legends of the teachers who spend years and years teaching in Yukon schools, and I wish I had been any of the thousands of kids who had Mr. Peters as a grade 5 teacher. So, the legend goes that, if you didn't want to get deep into a math lesson, the best thing to do was to ask for a hunting story, because Vern always has a story to share, and they aren't short on detail, if you get my drift. Those stories sparked curiosity and passion of the outdoors to legions of Yukon students.

Vern has shared and passed on his love of the Yukon and hunting to so many people, here at home and away. He has guided so many on their first sheep hunts, judging the hunt, planning the stalks, and calling the shots. He has taught people young and old how to read the weather and what to do to stay warm and safe in the mountains, and the most important lesson he always shares is how to respect and preserve Yukon's natural environment.

I saw his son Graeme weeks ago just after he got back to town from his guiding season, and we were catching up and I asked about highlights, and he said: Easily, having my dad out for a month. When the hunters realized that he was that Vern Peters, he was asked to sign all sort of things, and he was treated like the rock star he is.

So, we can't celebrate Vern's achievements without recognizing the really important role that Debbie has played. He couldn't do what he has achieved without a partner who has been there to back him up since the very beginning. Debbie held down the fort and watched the boys until they were old enough to go along. Graeme recently mused that it has been 25 years of spending time with dad in the mountains.

So, Vern, we thank you for your leadership, sharing your passion and love of the high alpine, and we're grateful for how you've passed your love of hunting in the Yukon on to so many people.

I'm going to wrap this up with a couple of excerpts from “Lofty Goal” — and I'm quoting: “Far in one corner we found them, a group of seven. Very Canadian. One ram, in particular, stood out. It was very special. Not really, really big, but really, really old. He had it all: a swayback, a pot-belly, battered up dark horns, and a face that could sink 1,000 ships. This guy had character. But we let him be. Why? Commitment issues. It's generational they say. Leave your options open. Besides, if we took a ram, our hunt would be over. Did we want to go home, sit on the deck for the rest of the season and watch robins hop around on the front lawn? Nope.”

“Of old rams and old men, dignity and endurance, courage and camaraderie, adventure and contemplation, beginnings and endings — all these thoughts pile up and mingle freely in the thin air and high places.”

So thank you, Vern. We are really, really grateful for your storytelling.

*Applause*

## TABLING RETURNS AND DOCUMENTS

**Speaker:** Under Tabling Returns and Documents, the Chair has for tabling, pursuant to section 24 of the *Child and Youth Advocate Act*, the 2023-24 annual report of the Child and Youth Advocate entitled *Making Space for Children's Rights*.

Are there any further returns or documents for tabling?

**Hon. Mr. Mostyn:** Mr. Speaker, pursuant to section 22 of the *Workers' Safety and Compensation Act*, I have for tabling the 2023 annual report of the Workers' Safety and Compensation Board.

**Hon. Mr. Streicker:** Mr. Speaker, I have for tabling today a report that just came out from Clean Energy Canada entitled *Opening the Door: Clean energy solutions can save households hundreds of dollars every month, but some Canadians still face upfront barriers to adoption. Governments at all levels can help*.

**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. 25

**Ms. Clarke:** Mr. Speaker, I have for presentation the following petition to the Yukon Legislative Assembly:

This petition of the undersigned shows:

THAT many health professionals who were excluded by the Government of Yukon from the retention bonuses given to nurses felt insulted, and were left feeling that their work was not valued by the Minister of Health and Social Services, the Premier, and other Cabinet Ministers.

THAT nursing home attendants are an important part of nursing care teams, and work side by side with RNs and LPNs in providing care to patients and to residents of continuing care homes.

THAT nursing home attendants felt hurt, disheartened, insulted, and angry when they learned that retention bonuses were being provided by the government to some of their coworkers and some of the health professionals, but not to them.

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon to treat all health professionals with respect, including providing fair pay to all employees, and ensuring that if retention bonuses are given to some health professionals, other health professionals are not left feeling excluded and forgotten.

This petition was signed by 138 people  
Salamat po.

**Speaker:** Are there any further petitions to be presented?  
Are there any bills to be introduced?  
Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House encourages all members to provide information on the available Government of Yukon rebates to their constituents.

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

THAT this House urges the Government of Yukon to add accessible playground equipment to all existing schools and to ensure that all new schools have accessible playgrounds.

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

THAT this House urges the Yukon government to support the installation of new playground equipment at Hidden Valley Elementary School to replace the playground structures it removed in 2023.

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

THAT this House urges the Government of Yukon to keep the social service known as the “Jim Smith Building warming centre” open year-round.

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

## QUESTION PERIOD

### Question re: Nursing home attendant remuneration

**Ms. Clarke:** Mr. Speaker, earlier today, I tabled a petition with over 130 signatures that outlines the serious concerns of nursing home attendants.

According to the petition, nursing home attendants — and I quote: “... felt hurt, disheartened, insulted, and angry when they learned that retention bonuses were being provided by the government to some of their coworkers and some of the health professionals, but not to them.”

The minister first learned of these concerns when the letter was sent to her during the Spring Sitting.

Can the minister tell us what steps she has taken since receiving that letter to address the concerns raised by NHAs, and what steps has she taken to begin to repair the relationship with these important health care providers?

**Hon. Ms. McPhee:** Mr. Speaker, I appreciate the opportunity to rise to speak to another health care focus of Yukoners and their concerns with respect to health care provision here in the territory. There is absolutely no question whatsoever that our government supports our front-line health care workers. We have shown that in every action taken both during the world pandemic and following that period of time.

Retention bonuses were provided to registered nurses, nurse practitioners, and licensed practical nurses who needed a nursing designation and were performing nursing duties for the Government of Yukon, alongside allied health professionals.

The Government of Yukon, the Public Service Alliance of Canada, and the Yukon Employees’ Union ratified a new collective agreement in June of 2023. That is in effect until December 2024, so it is soon to be renegotiated. The new collective agreement contains new nurse pay grids and new retention allowances. Effective April 1, 2024, there were additional notations with respect to the amounts.

I look forward to further questions.

**Ms. Clarke:** Salamat, Mr. Speaker.

My question is about the NHAs. When the minister responded to my questions about this issue in the spring, she made a point of telling the Legislature that — quote: “Yukon’s nursing home attendants receive one of the highest wages in the country.” However, in their letter to the minister, they made it clear that it was not about the money; it was about treating nursing home attendants as an important part of the nursing team and not leaving them out or ignoring them.

So, other than reminding them of how much money they make, what actual steps has the minister taken to ensure that nursing home attendants feel appreciated and supported?

**Hon. Ms. McPhee:** The support and respect for allied health professionals in our system is absolutely crucial — there is no question. I spent quite a bit of time over the summer at Whistle Bend and other locations in the territory where I — and I have been contacted by many Yukoners to express their true gratitude for allied health professionals and the absolutely

extensive and critical work that they do with their loved ones and their family members, and I have some personal experience with that as well.

There is simply no question that the allied health professionals need to be properly compensated. There is no question that they need to be properly respected, should that be an expression of that respect for them. I can indicate — with respect to the letter that I received in the spring — that I tried to reach out to have a meeting with representatives of that group, but that letter was not signed by any individuals, and our attempts to contact a group of individuals who might want to meet and speak about this has gone unfulfilled.

I look forward — perhaps the member opposite could provide me with some names of individuals, and I would be happy to proceed with that engagement.

**Ms. Clarke:** Salam, Mr. Speaker. In the letter that the minister wrote to nursing home attendants in June, the minister told them that — quote: “I understand the frustrations raised and anticipate that there will be further discussions on this matter to come, particularly as we move towards the renewed negotiation period for collective agreements once the current agreement expires in December 2024.”

For some NHAs, this appeared to suggest that their complaints were simply a negotiating tactic for the next round of bargaining. Can the minister tell us if this is what she meant by suggesting that this was linked to their contract negotiations?

**Hon. Ms. McPhee:** I think the only person suggesting anything untoward in respect to that correspondence is the member opposite. I’m always very careful with respect to making sure that we’re addressing details in correspondence, and I’m also very careful to not suggest anything untoward, because I think it’s important to respect the individuals who write to me. I think it’s important to respect the individuals who express their concerns through a petition like has been filed today, and I think it’s absolutely appropriate and respect that they should bring those concerns forward, should they be so inclined to do so.

I would appreciate if reading in or suggesting anything untoward by the member opposite would be retracted from her comments, because quite frankly, that does not add to an appropriate discourse on this matter, which should be respected.

#### **Question re: Government relationship with health care workers**

**Mr. Cathers:** Mr. Speaker, unfortunately, it’s not only nursing home attendants who felt insulted and unappreciated by this Minister of Health and Social Services.

As my colleague pointed out, in the minister’s letter to nursing home attendants, she implied they were taking this position because of upcoming collective agreement negotiations. This was eerily similar to the minister’s comments about the YEU and PIPSC from last week when she accused them of leaving the Health Human Resources Steering Committee as a bargaining tactic.

So, why does the Minister of Health and Social Services keep dismissing the concerns of Yukon health care professionals and picking fights with them?

**Hon. Ms. McPhee:** I appreciate the opportunity to answer this question yet again. Again, the implications being made by the members opposite are their implications — clearly not what I wrote and clearly not what I’ve stated here in this Legislative Assembly.

The respect for the Health Human Resources Steering Committee is absolutely critical. What I can also note for Yukoners is that the Health Human Resources Steering Committee and the members of the Yukon Employees’ Union and PIPS union who participated in that steering committee were part of the group of people who authored the *Health Human Resources Strategy* and undertook to implement that strategy.

I am disappointed by their decision, as are the other members of that committee, as we work to make sure that the unions are respected and note that they are essential in shaping solutions for the health care workforce. We believe that our health care workforce challenges are best addressed from a broad diversity of participants, including those who have come today to our Legislative Assembly, including those who write to me, and including those who are represented by the unions mentioned in this question.

**Mr. Cathers:** Mr. Speaker, the way that the bonuses for Yukon nurses were structured by the Liberal government did not just cause an issue with nursing home attendants. Many health professionals felt insulted by this Liberal government’s decision to provide bonuses just to nurses, and even some nurses were left out in the cold by the Liberals, with about a dozen being told that they didn’t qualify because they were on maternity leave. The last we heard, those nurses had filed grievances about unfair treatment by this Liberal government.

Can the minister of health tell us if all nurses were actually treated equally and fairly by the Liberal government in handing out those bonuses?

**Hon. Ms. McPhee:** Mr. Speaker, I think that it is critical that Yukoners remember the context in which these nurses’ bonuses were brought forward by this government and, in fact, by many governments in Canada and across the world in recognition of the absolutely unprecedented work done by nurses on the front lines during the world pandemic — during a period of time when individuals were coming down with COVID-19, during a period of time when those individuals were crowding hospitals and crowding health centres and, in fact, when Canadians and many others around the world were dying of this disease. Nurses were the front line. Nurses were the individuals — which is, of course, not to say that other health care professionals weren’t also involved in that care, but nurses were the front line.

The opportunity for nurses’ bonuses for retention and recruitment were taken by this government in an opportunity to make sure that recognition of that work was appropriate and in the forefront. We will stand by the decisions to do that. We have continued, through negotiations with unions and representatives of other health professionals, to continue that

work as we go forward, and we will continue to make sure that recruitment and retention opportunities abound.

**Mr. Cathers:** Nurses were on the front line, but so were other health professionals. It is hard not to see a trend here. Between nursing home attendants who have said that they felt disrespected and ignored by this government and unions representing health care workers who say that their views were ignored and that they felt tokenized by this Liberal government — and when they spoke up, the minister of health accused them of angling for collective bargaining purposes — as well as nurses who felt that they were excluded unfairly and forced to file grievances against this government, this Liberal minister has developed a troubling pattern of antagonizing health care professionals instead of working with them.

Why does this Liberal minister of health continue to pick public fights with Yukon health care professionals?

**Hon. Ms. McPhee:** Mr. Speaker, let's talk for a second about relationships. Let's talk for a second about relationships that this government has built with the individuals who represent our front-line health care professionals, with the physicians, with nurses, with nursing home attendants, and with allied health professionals in this territory. Those professional relationships — those respectful relationships — have allowed us to have opportunities that we have never had in this territory before — never had the opportunity to restructure a health care system that Yukoners have told us they wanted, never had the opportunity of solving problems at a table, even if we disagree on certain issues. The opportunity to do that has come as a result of the work that this government and these ministers have put into relationship building.

I daresay that the member opposite — in fact, the member opposite speaking with respect to this question — had no such relationships, not with the Yukon Hospital Corporation, not with doctors. For any individuals who want to look at the history of that, it's evident in the media; it's evident in the evidence that was available at the opportunity, and we respect those relationships. We have worked hard to build them and we will continue that work to resolve issues of health care for Yukoners.

### **Question re: Connective Support Society and Whitehorse Emergency Shelter**

**Ms. Blake:** Mr. Speaker, in May of this year, this House unanimously passed our motion for the Liberal government to perform a review of Connective Support Society to determine if the organization should continue to be the operator of the programs it currently runs in our territory. This motion followed a coroner's inquest into the deaths of Josephine Elizabeth Hager, Darla Skookum, Cassandra Warville, and Myranda Tizya-Charlie.

Our goal in putting forward this motion was to ensure the safety and well-being of all people who access these services delivered by Connective Support Society. Can the minister provide an update on the progress of this review?

**Hon. Ms. McPhee:** Mr. Speaker, I have no issue whatsoever with providing an update. The review of the Connective programs, those run through collaboration with the

Department of Health and Social Services in collaboration with the Department of Justice and in collaboration with the Yukon Housing Corporation are, in fact, underway. We work well with Connective and are reviewing their processes, reviewing their policies, and working closely with them to make sure that they are providing the services that Yukoners need and want.

I can also note that, as noted in the question, there is a requirement, pursuant to the coroner's inquest recommendations, that a review of the programs of Connective be done by them by the end of this month, and I look forward to reporting publicly on that and the continued work of our government to review that process once Connective has completed it.

**Ms. Blake:** Mr. Speaker, the coroner's inquest recommended that Connective Support Society undertake a comprehensive policy review within the next six months. Specifically, the jury recommended that the review give priority to policies, procedures, and guidelines related to safety planning for shelter guests, response to overdoses and other medical emergencies, support for intoxicated guests, monitoring vulnerable guests, and the monitoring of high-risk spaces, such as washrooms and showers.

It is now coming up on six months, as indicated by the minister, since these recommendations were released. Can the minister provide an update as to whether or not this policy review has been completed and what changes have been implemented?

**Hon. Ms. McPhee:** Mr. Speaker, as I have noted already in the first question here from this member, in fact, that work is ongoing. I also noted last week when I had the opportunity to address this question that work is being done by Connective pursuant to meeting all of the requirements of the recommendations of the coroner's inquest jury and that this work is to be completed by the end of October, with the purposes of providing a response. I said last week that I would provide a response to the coroner more officially with respect to that work being done. I can also indicate that I have noted that I would be publicly reporting on the review of Connective when the work is complete.

**Ms. Blake:** Following the coroner's inquest, the jury issued a number of recommendations. Recommendation 5 was that an independent review be conducted into any future deaths at the Whitehorse Emergency Shelter. The coroner has confirmed that another death occurred at the Whitehorse Emergency Shelter on September 30, 2024.

Can the minister confirm that an independent investigation will occur into this death and any future deaths?

**Hon. Ms. McPhee:** Mr. Speaker, I can note that, as I have said, we are working closely with Connective with respect to the review of its programming that is required both by a motion here — both by their transfer payment agreement, regardless of the motion of this Legislative Assembly. That work was undertaken, and I can also indicate that the recommendations from the jury from the coroner's inquest are being very intensely respected with respect to the work of Connective and the operations of 405 Alexander with respect to that jury's recommendations.



That work is ongoing. I can indicate that we have accepted all of the recommendations from the coroner's inquest jury recommendations and that we are working to implement each and every one.

**Question re: Rural communities funding and support**

**Mr. Hassard:** Mr. Speaker, we continue to see an increasing trend of this Liberal government cutting services to rural communities. This week, we learned that the most recent example of this was the decision to cut the community training trust, which rural communities have accessed for the past three decades.

The fund was in place to help municipal employees, particularly those in rural Yukon, to develop and enhance their skills and ensure that they have the necessary qualifications to do their jobs.

Can the minister explain why the Liberal government has cut this important fund to Yukon communities?

**Hon. Mr. Pillai:** Mr. Speaker, I think, first of all, I'll just touch on the fact that there has been a long-standing relationship with the Association of Yukon Communities. The quantum of the fund has been \$100,000 over the last number of years. Part of the challenge that the department has had — of course, I always want to make sure that funds are in place for proper training — is that, through federal transfers, we have been reduced by \$800,000 in our training.

So, I know that there was a letter sent, I believe on June 24 of this year, just saying that there were going to be some challenges with the funding. There were some commitments made previously by the Association of Yukon Communities for \$33,000. We have negotiated and committed to make them whole. We're just making sure we have an agreement in place to transfer that money.

Right now, our department is actually looking at topping up the total amount that is required, which I think is not \$100,000; it's \$88,000 I believe, based on my conversations with my department over the last 48 hours.

So, we're going to make sure there's funding in place, and I'm looking forward to working with Minister of Community Services, who seems like he has some solutions for the go-forward year and the 2025-26 budget.

**Mr. Hassard:** So, once again, we see this Liberal government making decisions about rural Yukon that result in more and more services being cut.

In the CBC story about this issue, the mayor of my community of Teslin was quoted as saying that this is yet another example of death by a thousand cuts.

The outgoing Mayor of Carmacks told CBC — and I'll quote: "It's a big hit for us."

So, Mr. Speaker, why does this government keep cutting services to rural Yukon communities?

**Hon. Mr. Pillai:** Mr. Speaker, I appreciate that there was a second question already written before hearing the first answer.

I think, as I identified, we are digging deep even though we don't have the funding that we used to have to make sure that

we work with the Association of Yukon Communities so they can provide that.

We have heard this narrative over the last number of weeks, and what I hear from municipal officials from rural Yukon and from rural Yukoners is that they have seen absolutely unprecedented investment in their communities. There is not a community that you can go to, whether it be Mayo or Carmacks — and pieces of infrastructure that they have waited decades for, pieces in some cases where the previous government would do — as the Member for Lake Laberge would like to use that term — a "photo op", with a shovel in somebody's hand and an announcement, and then nothing was ever built.

You can go from Old Crow right through to Watson Lake; you can see a school that was committed to a hundred years ago — a hundred years ago — in Kluane and never built and is now underway. So, you can tell by the ire and the emotions of the members opposite that we are hitting a touchy spot, because those are the facts. In the last eight years, there has been more infrastructure than decades before put into rural Yukon.

**Question re: Yukon convention centre**

**Ms. Van Bibber:** Mr. Speaker, this summer, Whitehorse City Council heard about plans for a new convention centre in Whitehorse. According to that presentation, the Chu Níkwän design team is working toward completing schematics and a cost estimate by this fall. If money is approved for construction, it is hoped that the convention centre would be open in 2027.

Can the Minister of Tourism and Culture provide an update on the funding for the proposed new convention centre?

**Hon. Mr. Streicker:** Mr. Speaker, I really appreciate the question.

Just right now, the ministers of tourism are meeting — I think it's in Banff, Alberta. I wish I could be there, but I don't have the opportunity because, of course, we're sitting in session here. I know that we had the Minister of Tourism and Culture up here in the Yukon — I think it was late in April. The Tourism Industry Association of the Yukon invited Minister Ferrada to come up here, and it was terrific because all of the industry and we as a government made sure to emphasize how important this project is.

I would like to congratulate Chu Níkwän Development Corporation for emerging as the highest ranked proponent. There is work underway right now.

There was, I think, a presentation late last week to the Yukon Tourism Advisory Board from Chu Níkwän. Unfortunately, I didn't have a chance to hear it, but they are still working through that analysis. It remains a high priority for us. We are excited about this project. We think it's a very important project for the sector and for the Yukon.

**Ms. Van Bibber:** During the presentation this summer, the COO of Chu Níkwän said — and I quote: "It's going to need support from all levels and functions of government." Can the minister tell us if the Yukon government will provide any financial support for this project?

**Hon. Mr. Streicker:** That is a good question, and I hope that the members opposite will support this. The way to do that is to support our budget as it comes forward and the capital planning that is in place. I'm super excited to hear that the Yukon Party is supportive. Thank you so much, Mr. Speaker.

**Question re: Carbon tax exemptions for home heating fuel**

**Mr. Istchenko:** Yesterday, when the Premier was asked about the carbon tax exemption and the subsequent federal heat pump program, he said this — and I quote: “We have signed off on the agreement; it’s the best agreement in the country...” However, about an hour later, the Minister of EMR confirmed that the program is not yet in existence and that Yukoners cannot actually apply for the new heat pump program that came in following the carbon tax exemption on home heating fuel.

When will Yukoners be able to apply for enhanced support for the purchase of heat pumps under the new program?

**Hon. Mr. Streicker:** Yukoners can apply right now. We do have a program in place that provides up to \$8,000 back for heat pumps. We do have an agreement in principle with the federal government, and it is a strong agreement. I let the members opposite know — maybe the Member for Kluane didn't hear it — but when I was in Committee of the Whole yesterday, I let colleagues know that the new agreement that we're looking at will provide for up to \$24,000 for Yukoners. It's a very strong agreement.

We are working to finalize that internally, but I think that this is going to be a really great boon for Yukoners, especially in that transition away from fossil fuels. I'm looking forward to more to come.

**Mr. Istchenko:** The reality is that no amount of heat pump installations will allow Yukoners to stop using home heating oil or propane to heat their homes. The limitations of heat pumps in the north are well understood, and the exemption from the carbon tax on home heating oil is only temporary.

The only way to ensure that it is removed permanently is to axe the carbon tax altogether.

So, will the Liberal government reverse course and call on the federal government to permanently remove the carbon tax that is directly increasing the cost of living in the Yukon?

**Hon. Mr. Streicker:** Today, we offered to do a ministerial statement on rebates for Yukoners, and the opposition members vetoed that. So, sorry, we couldn't share that with Yukoners in a ministerial statement. Second of all, the Yukon Party would have us stay tied to fossil fuels. They are not supportive of heat pumps, and I just heard it. Heat pumps — no, they won't displace all fossil fuels — I even said that yesterday, but what they would do is eliminate — I don't know what the number is — call it way more than 50 percent of the fossil fuels used to heat our homes — up to like 80 percent. It is somewhere in that range. They are really good pieces of infrastructure. This is a great deal, and I am surprised that the members opposite wouldn't support such a great deal for Yukoners.

**Mr. Istchenko:** Mr. Speaker, yesterday, the Premier said that the Prime Minister's handling of the carbon tax was,

in his words, “disrespectful”. Can the Premier explain what aspects of the Prime Minister's handling of the carbon tax he found disrespectful, and can the Premier explain clearly to Yukoners what his position on the carbon tax really is, and does the Premier support the ever-increasing carbon tax that is directly contributing to the skyrocketing cost of living here in the Yukon?

**Hon. Mr. Pillai:** Mr. Speaker, what I said was disrespectful was the fact that, on two occasions — under the Member for Klondike and then under my public request done on national news — was a request to go back to the table. I said that, because we didn't go back to the table, because those requests weren't answered, I said that was disrespectful. I think that it is important to get back to the table with all premiers; many premiers like aspects of some of the programs that we have seen.

We see even a federal Conservative leader talking about leaving in the corporate component but not the more residential component. So, I think that there are pieces of that program that can work, but I think that it is also important to go back and reflect on areas that you can improve.

What I said is: It's a federal program, and I hope that whoever is in government — in a federal leadership position — understands the impacts of climate change, and hopefully, what we will see over decades to come is that federal governments will always improve the programs to ensure that we are taking on the challenges in front of us.

Right now, this is the first program of its kind. We have seen BC — now the Conservative government of British Columbia — was Liberal, now Conservative — that put the first program in place, and, of course, we will always work to battle climate change.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 43: Act to amend the Business Corporations Act (2024) — Second Reading**

**Clerk:** Second reading, Bill No. 43, standing in the name of the Hon. Mr. Mostyn.

**Hon. Mr. Mostyn:** Mr. Speaker, I move that Bill No. 43, entitled *Act to amend the Business Corporations Act (2024)*, be now read a second 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 read a second time.

**Hon. Mr. Mostyn:** Mr. Speaker, it is my privilege to introduce Bill No. 43, the *Act to amend the Business Corporations Act (2024)*, which adopts beneficial ownership transparency. Mr. Speaker, I am pleased to speak today on the important role that this bill will play in safeguarding against the misuse of corporations for illegal purposes.

Through this bill, our government is participating in national and global efforts to combat money laundering, tax evasion, and other illegal conduct. Bill No. 43 adopts the two key features of beneficial ownership transparency: First, corporations will hold up-to-date information on beneficial owners and make it available on request by law enforcement and tax and regulatory authorities; second, the bill will strengthen a requirement for share certificates to be in registered form, not in bearer form.

Before I review the bill in detail, I will provide some background. The *Business Corporations Act* provides a governance framework for corporations that includes rights and responsibilities of the board, management, and shareholders. Community Services administers the act by facilitating the creation and dissolution of Yukon corporations and the registration of out-of-territory corporations.

We receive filings, promote compliance, and provide public information on corporations in the Yukon. Currently, about 3,400 Yukon corporations are incorporated under the act, and 3,300 out-of-territory corporations are registered in the Yukon.

Mr. Speaker, business corporations enable entrepreneurs to manage financial risk when investing in businesses. They are an important source of jobs and prosperity for Yukoners. Unfortunately, corporations can be misused by criminals to conceal the true owner of property for illegal purposes.

The 2016 Panama Papers and other offshore leaks highlighted how criminals were hiding behind opaque corporate structures to launder money, evade taxes, and facilitate other crimes. Since then, international standards have been updated and many countries enacted equivalent rules.

In 2017, all finance ministers in Canada agreed to pursue amendments to territorial, provincial, and federal corporate statutes for beneficial ownership transparency. In 2018, an intergovernmental working group planned for harmonized rules as Finance ministers undertook targeted outreach to national-level business organizations and other stakeholders for their input.

So far, beneficial ownership transparency is in effect under the federal statute and nine provincial statutes, which apply to about 85 percent of corporations in Canada.

Mr. Speaker, stakeholders with a direct interest in this bill include Yukon corporations and their lawyers, directors, officers, shareholders, and beneficial owners. Some may be familiar with the national initiative from past media coverage and legal commentary.

I will take a few moments to outline Bill No. 43, starting with the new corporate record and disclosure duties.

The act mandates a corporate record to identify all shareholders, whether they are individuals, other corporations, or legal entities. Under the bill, Yukon corporations will keep an additional corporate record called a “register of individuals with significant control”. An “individual with significant control” over a corporation will mean a person who is a shareholder or beneficial owner of at least 25 percent of the voting rights or total shares or who has control over that number

of shares or who has some influence which, if exercised, would result in control in fact of the corporation.

If two or more individuals jointly own or exercise control of at least 25 percent of the shares of the corporation, each will meet the criteria for “significant control”.

Mr. Speaker, individuals with significant control over a corporation are commonly referred to as “beneficial owners”. The register will include personal information that identifies beneficial owners like — it will ask for their name, date of birth, residential address and citizenship, a description of how they have significant control, and when that control began or ended.

The bill will establish when information in the register must be updated and disposed of.

If a corporation requests information for the register from a shareholder, the shareholder will have a duty to reply to the best of their knowledge. Corporations will disclose information from their register to investigative bodies on request for criminal enforcement, tax compliance, or regulatory purposes. This will support investigations of illegal conduct in Canada, as well as interjurisdictional investigations involving conduct in another country.

Investigative bodies who may access the information will be the RCMP, tax authorities, the federal anti-money laundering agency, the Yukon securities regulator, and any regulator prescribed in regulations. Directors and shareholders may access information in a corporation’s register for corporate-related matters only.

Last, the registrar of corporations will have access on request to foster compliance with the act. To align with statutes elsewhere, the registrar will be authorized to make inquiries into compliance and to examine any corporate record mandated by the act.

The new record-keeping and disclosure rules will apply only to privately held Yukon corporations incorporated or continued under the act. The rules will not apply to public companies, since securities laws include owner transparency rules. They will also not apply to out-of-territory corporations, since their home statutes should have equivalent rules.

Regulations will be enabled to exempt additional classes of corporations. Failing to comply with the new rules without reasonable cause will be an offence. Penalties will be set out in regulations and may include imprisonment for knowingly recording or disclosing false or misleading beneficial ownership information.

Recently, further amendments were enacted in the federal, British Columbia, and Québec statutes for transparency registers to be filed centrally, with some ownership information made publicly available. Officials in other Canadian jurisdictions, including the Yukon, are monitoring those changes.

As I noted, Bill No. 43 will also strengthen a requirement that share certificates be in registered form, not bearer form. A share certificate in registered form specifies who the registered owner is, whereas a certificate in bearer form is owned by the person who possesses it. This is an important distinction. A corporation may be unaware who owns bearer shares until a person holding the certificate presents it to exercise a right

attached to the shares. As reflected in the Finance ministers' agreement and in international standards, bearer shares are not compatible with beneficial ownership transparency.

In 2015, a requirement for share certificates to be read in registered form came into effect but did not address bearer shares that may have been previously issued and remain outstanding. Under the bill, corporations will not give effect to rights attached to any outstanding bearer share until they cancel the certificate and replace it in registered form. Also, corporations will not issue certificates in bearer form for share purchase options or other rights to acquire shares. For any prior issued certificate, they will replace it with one in registered form on request.

Under the act, an out-of-territory corporation may make the Yukon their home jurisdiction by applying to continue in as a Yukon corporation. Shares previously issued by a corporation that continued in to Yukon are deemed to have been validly issued under the act. Under the bill, a corporation continued in to the Yukon will not give effect to a privilege that may be attached to its shares to convert them into bearer shares.

Lastly, the bill will enable regulations for things like the process to prepare and maintain the register and additional criteria for significant control in exempting a class of corporations. By April 2025, next April, regulations will be made to support the transparency regime, similar to regulations elsewhere in Canada. Most provisions in the bill will come in force on June 1, 2025. On that date, the corporations will start developing their register of individuals with significant control.

Certain offence provisions will come into force on October 1, 2025. This will provide a four-month grace for corporations to prepare their register. Starting October 1, 2025, failing to have a register or to disclose information on request will be an offence in the absence of reasonable cause.

I will conclude by reviewing the key reasons that our government is introducing the bill and adopting beneficial ownership transparency.

Bill No. 43 will strengthen enforcement, protect market integrity, enhance corporate governance, and promote sustainable economic growth. It meets our government's commitment to this national law reform project with our territorial, provincial, and federal partners. The bill aligns with very similar provisions enacted by most provinces and the first phase of federal changes.

The 25-percent ownership threshold aligns also with federal anti-money laundering regulations, under which financial institutions and other reporting entities verify the identity of their corporate customers. Adopting beneficial ownership transparency supports worldwide efforts to address the threat that money laundering and tax evasion pose to the international financial system. The bill mitigates privacy impacts by ensuring that beneficial owner information is used only for investigating illegal conduct, supporting corporate governance, and promoting compliance with the act. Complying with the new rules should be straightforward for most Yukon corporations that have just one or a few shareholders.

Community Services officials will soon reach out to stakeholders in the Yukon to provide information and guidance on what will be required and when the changes take effect. I thank the officials from the departments of Justice, Finance, and Community Services for their work in preparing this bill.

Mr. Speaker, I now move that Bill No. 43 — I am going too far ahead. I will leave it there.

**Ms. McLeod:** I am pleased to rise to speak to Bill No. 43, *Act to amend the Business Corporations Act (2024)*, at second reading today. I would like to begin by thanking the officials who provided the briefing on this bill.

The intent of this bill is to require certain corporations to prepare and maintain a record of shareholders or individuals with control over corporations and, in some circumstances, provide these records if requested. We understand that some provinces in Canada have taken similar steps, and we understand that the general objective is to improve transparency. I want to emphasize that we support the goal of improving financial transparency, as well as combatting unacceptable practices, such as money laundering.

We will be voting in favour of this bill advancing to the Committee, and we will have some questions there.

**Ms. White:** Today, I am speaking in response to Bill No. 43, *Act to amend the Business Corporations Act (2024)*.

To be perfectly frank, I think this is a long time in coming. This is in large response to the Panama Papers, which came out in 2018 and really unfortunately showed that not only was Canada a tax haven for money laundering, but the Yukon specifically rated high on that, where corporations could be based here without actually physically being here.

I'm looking forward to further conversation, and not to keep any secrets, we'll be voting in response now, and we will be voting in favour of this bill.

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

Does any other member wish to be heard?

**Hon. Mr. Mostyn:** Following up on my spoiler alert of about two minutes ago, Mr. Speaker, I now move that Bill No. 43, *Act to amend the Business Corporations Act (2024)*, be now read a second time.

**Some Hon. Member:** (Inaudible)

**Hon. Mr. Mostyn:** I did it. Okay. I'm done. Thanks.

**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. 43 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

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

The matter before the Committee is general debate on Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*. Do members wish to take a brief recess?

Committee of the Whole will recess for 15 minutes.

*Recess*

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

### **Bill No. 42: Act of 2024 to amend the Land Titles Act, 2015**

**Chair:** The matter before the Committee is Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*.

Is there any general debate?

**Hon. Ms. McPhee:** I would like to take the opportunity to welcome with me here today for the purposes of discussing Bill No. 42 the assistant deputy minister and acting deputy minister, David Christie. Our policy and drafting expertise has been brought to us by Abdul Hafeez. Welcome to both of them here today.

I do have some comments that I believe might answer some of the questions that might arise as a result of our conversation about Bill No. 42. It is critical that we make changes to enable landowners and developers with options to use restrictive covenants, and that's what we're here to discuss today.

Housing has been an important topic of discussion, and improving housing access and affordability remains an important goal for this government. Affordable housing is a growing national struggle, not just here in the territory. In Canada, for housing to be considered affordable, it should cost less than 30 percent of a household's before-tax income. The 2021 census on housing in the territory revealed that one in six Yukoners or approximately 15 percent of Yukoners spend more than 30 percent of their income on housing.

The term "affordable housing" refers to a wide range of options, including rental housing that is subsidized by the government, but it also includes housing that is provided by private, public, or non-profit sectors. It also includes rental, ownership, and cooperative ownership, and it also includes temporary or permanent housing. Of the Yukoners who spend over 30 percent of their income on housing, the percentage of homeowners and renters is almost evenly split.

Restrictive covenants are a tool that can be used — and are being used in other jurisdictions — to impose certain conditions on title holders, including affordability of housing units. Restrictive covenants are limitations on the use of property that are tied to the property title and — quote: "run with the land" to place conditions on how land must be used in future.

The *Yukon Land Titles Act, 2015* does not currently provide a comprehensive framework to effectively govern or enforce restrictive covenants as a mechanism to ensure adequate protections for how the land would be used in future after it is titled to private owners or even upon sale of other properties. Canadian courts have not necessarily been consistent or clear in recognizing and enforcing restrictive covenants in common law, and a clear statutory framework is needed.

A clear statutory framework, as proposed here in Bill No. 42, will, in fact, put to rest the concern or rules around how restrictive covenants can work in this context. The proposed amendments in this bill include a mechanism like what is established in British Columbia's *Land Title Act* and British Columbia's *Local Government Act* to resolve the issue of registration and enforceability of covenants, but with a narrow scope focused on creating tools aimed at supporting protections for housing affordability in our case. The purpose of the proposed amendments is to ensure that there is a legal framework in the Yukon for the registration and enforcement of statutory covenants that can facilitate the long-term affordability of new housing developments.

The bill before us, as Bill No. 42, proposes amendments to the existing *Land Titles Act, 2015* that together would create a clear legal framework to achieve this goal. It would allow statutory covenants to be granted only in favour of and to be enforceable by the Government of Yukon. The bill would allow a person in whose favour the covenant is registered — also

known as the “covenantee” and, in this case, the Government of Yukon — to submit a statutory covenant for registration as a charge against the land if the covenant meets specific requirements. A regulation-making power is included to allow for specifying the types of requirements that can be added to a statutory covenant in this case.

Upon registration, the rights and duties mentioned in the statutory covenant are annexed to the land and run with it. They can be enforced against the person who made the covenant — the covenantor — at the time they own the land and against future owners of the land. The bill includes adding a liability exemption to protect a person against being liable when the covenant is contravened by someone else in future who takes over ownership of the land.

The bill also provides for indemnity of the covenantee benefiting from the statutory covenant, covering matters agreed upon by both parties and allowing for a fair distribution of responsibilities under the covenant.

The amendments would also provide a mechanism for the discharge of statutory covenants.

Finally, Bill No. 42 specifies the provisions that can be included in a statutory covenant, such as requiring that the land be built upon in a certain way or prohibiting that it be built upon except in accordance with the covenant. It could also require or a provision of the covenant could be specifying restrictions on the type of tenure that is permitted, like ownership for rental or occupation of the land or of a housing unit that is on the land.

It also could specify the establishment of restrictions on the use of the land, whether for the purpose of affordable housing or specifically for residential purposes, or it could be by specified classes of persons — for example, people earning less than a certain amount of income or people with less than a specified amount of existing assets. It could also provide for establishing restrictions for future resale prices, such as specifying the price at which a house can be sold to another person in future.

It could also require a provision establishing the buyer’s and tenant’s qualifications. So, a covenant can include methods or calculations to determine the eligibility criteria for the groups of people who are allowed to buy or rent a housing unit, for instance.

It also could provide provisions for allowing for a binding first option to purchase, so a covenantee can have the first chance to buy the land or a housing unit if the covenantor seeks to sell it.

Allowing for the establishment of a rent amount or restrictions to place a ceiling on how much rent can be charged for a unit, including establishing methods or calculations to determine the maximum rent that can be charged at a given time, could also be provided for in the covenant, and allowing for requirements to be set for the management and administration of the land or the housing units on the land could also be a provision.

Each housing development is unique. This bill is not specifying what would be used for any particular project. It is creating a framework for future agreements. Eligibility requirements to purchase or rent an affordable housing unit will

be described in the actual agreements when they are used under this framework that is contained here in Bill No. 42 and would be created by the passing of Bill No. 42.

Importantly, this bill includes amendments to allow a covenant to include calculations or methods to determine the maximum allowable sale or rental price of a housing unit at a future date or for changing set income or asset levels when defining eligible purchasers or renters to allow for scaling over time.

The price formula or method will be set out in the actual agreement for that development. For example, some common methods that can be used for calculating future resale prices or rent caps can include: an income-based formula; a consumer price index or inflation-based adjustment; a fixed percentage of annual increase; or a resale or rental price, based on area median prices.

Clearly, these can be used to require that properties that might be developed would be sold at a particular price, and then that would attach to that particular property, and they could only be resold at a price as set out in the agreement, thus supporting affordable housing.

In case of a buyer’s or renter’s qualifications, some common methods and considerations that can be used are: income eligibility; asset limits; a requirement that purchasers be first-time buyers, for instance; a requirement that the housing unit be the buyer’s primary residence; or perhaps a mortgage pre-approval requirement; and/or targeting specific groups, such as prioritizing families with children, single-parent families, seniors, or persons with disabilities. So, there are many options available.

The proposed amendments will enable the Government of Yukon to place certain restrictions in a statutory covenant to support new housing units developed through affordable housing projects to remain affordable over the long term.

Our goal is to ensure that where public resources, such as land or funds, are being used with the policy objective of increasing the supply of affordable housing, that sufficient legal mechanisms exist to ensure that the affordability of the housing is protected over time.

This legislation will support governments, community organizations, non-profits, and the private sector working together to provide affordable housing to Yukoners and to make it available into the future.

I would like to take the opportunity to thank those who worked to initiate such developments, and my thanks go, of course — on behalf of all of the Members of the Legislative Assembly — to the Department of Justice and to Energy, Mines and Resources for tackling the issues that were presented here, for doing the research and the hard work and ultimately resolving this issue through the form of Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*, to allow for future developments that will protect Yukoners’ investments.

Thank you for the opportunity, and I look forward to questions.

**Mr. Cathers:** I do thank the officials for the briefing. I will just begin by asking the minister to confirm a point that we had discussed with officials at the briefing, and that is regarding

when a restrictive statutory covenant can be imposed. It appears, under section 2 of the act, that it is restricting the ability to impose statutory covenant to situations where both the owner of the land and the government have agreed to that. Can the minister confirm that it is restricted to those situations and can't be used, for example, unilaterally by the Yukon government to deal retroactively with imposing restrictive covenants on titled property that someone currently has clear title to and does not have any agreements with the government regarding funding or those types of arrangements?

**Hon. Ms. McPhee:** There is no ability for these covenants to be retroactive in any way. I can also indicate that they also cannot be unilateral. This is an enabling part changing part of the *Land Titles Act* that will allow agreements agreed to by two parties to be registered against the property. These provisions will not typically have a retroactive impact on agreements made before the covenant comes into force.

I think that there are two parts to this. One is that retroactive covenants coming into force behind Bill No. 42 — Bill No. 42 will operate, should it be passed by this Legislative Assembly, going forward — so, opportunities for those covenants will be on a go-forward basis. The second part of this question is whether there would be retroactive impacts on the agreements that are made before the covenant would come into force.

For specific cases, of course, legal advice or a detailed review of the covenant language should be done of individual agreements. That would be necessary, but the proposed amendments will apply moving forward from the time that they are proclaimed. Affordable housing agreements made before the coming into force of the proposed amendments would continue to be under the terms and conditions upon which they were original agreed to.

In most cases, affordable housing agreements could be amended by the parties, and therefore, the parties to an agreement could include the application of a proposed statutory covenant once it comes into force. Again, the covenant is an agreement between parties and both parties would need to agree. So, it could not be imposed unilaterally by the Government of Yukon.

**Mr. Cathers:** I do appreciate the minister confirming that. We certainly understand that this was intended to be used in connection with affordable housing agreements, but we do want to ensure that this unquestionably will not impact the title that other Yukoners have to their properties if they don't have an affordable housing agreement with the government.

I did hear the minister confirm that the government can't act unilaterally in this area, that it would be connected with agreements, such as affordable housing agreements.

I'm going to move on to a question I had as well about classes of persons. There are several references on page 3 of the act under what can be included in a statutory covenant to classes of persons. For example, (e) says: "... respecting classes of persons identified in the covenant as being eligible to purchase..." and then it goes on to describe the land, et cetera. Subclause (g) says in part: "... respecting classes of persons eligible to lease or rent a housing unit contained within a

building on or to be erected on the land..." But the minister, in making reference to this, talked about — gave a number of examples of this.

Could the minister clarify: In the initial presentation of this legislation in the briefing, we understood that this was intended to deal with the issue of affordable housing and who would be eligible to purchase it, and that income level or the number of assets or — pardon me — the value of assets someone had would likely be the main qualifications. But in her comments earlier, the minister made reference to other examples, including that it could be prescribed that the buyers or lessees had to be families or single parents or first-time buyers or persons with disabilities.

Could the minister indicate: Are there any limitations on what the government can prescribe as a "class of person"? It does seem that this may have the potential to stray from something targeted toward affordable housing to get into potentially, depending on the will of the Cabinet of the day, prescribing other classes of persons, and we would like to know what the limits are on that, if there are indeed limits.

**Hon. Ms. McPhee:** Thank you for the question. The examples provided and the examples of eligibility requirements — in particular, the examples of eligibility requirements for affordable housing — will be mentioned in the actual agreements themselves; they will not exist in the act or mentioned here in Bill No. 42.

So, I appreciate that the question is: What sort of limits are there? There will be limits based on the application of the human rights legislation both here and other places in Canada. There will also be limits based on what the parties agree to. But I'll give some examples.

Eligibility requirements for affordable housing that exist in other places — and they will be mentioned, of course, specifically in the agreements themselves that are drafted and become covenants under this legislation. The proposed provisions will allow for the establishment of formulas or methods by which a tenant's qualifications could be determined in a covenant.

For example, the following are common methods or formulas and considerations that can be used and have been used in other places — as I mentioned earlier and as the member opposite has mentioned — household income, asset limitations, family and appropriate unit size. So, tenants may need to meet certain household-size requirements to ensure that, if they are renting units, they match their family size — for example, numbers of children, et cetera, or families as opposed to single individuals or a couple.

A specific demographic group could be named in a covenant for the use of certain properties for the benefit of specific groups if they were built for that purpose, such as seniors, families with children, single-parent families, or perhaps persons with disabilities or Indigenous populations would be one example.

So, that is with respect to the focus of affordable housing and the rental concept once those properties are built and what might be attached to them through a covenant.

But there is also the question of what are affordable housing units and how they can be purchased under the proposed statutory covenant. The proposed provisions here in Bill No. 42 allow for the establishment of formulas or methods by which a buyer's qualifications can be determined in a covenant. Therefore, the eligibility requirements to purchase an affordable housing unit will be described in the actual agreement. For example, the following are some common methods or formulas — considerations that can be used. This is important when there is a development of units, for instance, being sold for the purposes of the purchaser knowing full well that they are not permitted — if they were to be described as “affordable housing” — could still be an entry-level purchase for people, but there would be a restriction on how they could sell that property and for what kind of income.

There might be examples of methods or formulas where it might be income eligibility. Again, it might be asset limitations. It might be that they could only sell to first-time buyers; that would be a status required by the covenant. There could be a primary residence requirement, so you can't purchase that unit for the purpose of renting it to someone else if you have another primary residence — the idea being of allowing and supporting people getting into the housing market. There might be a pre-approval requirement of mortgages or a residency requirement that you would have to live in that property or you would have to live in the territory, for instance, if it was here in the Yukon. It might also be targeting certain buyer groups. Some affordable housing programs are designed for specific groups, such as families with children, single-parent families, seniors, persons with disabilities, or Indigenous populations — again, to focus on providing housing for certain groups of individuals.

Lastly, I think that part of what is being asked is: Will the proposed statutory covenants lead to discrimination if they require only certain groups that may qualify for affordable housing units or even to rent those units? Section 95 of the *Land Titles Act, 2015* clearly states that if an encumbrance, which a covenant is, includes a provision that limits the sale or the ownership or the use or the occupancy of the land based on discrimination prohibited under the *Human Rights Act*, then that provision is invalid. So, clearly, there would need to be restrictive covenants with formulas or qualifications that did not offend the *Human Rights Act*, as I mentioned earlier.

**Mr. Cathers:** I do appreciate the clarification from the minister. I would just note that the wording of the act regarding classes of persons and what appears to be leaving powers to Cabinet to define that in regulations and/or in agreements individually with buyers is a bit concerning to me and to some of my colleagues as well. The language appears to be overly broad and it is part of what, as the minister will know, we have criticized as a general trend under this Liberal government — including language in legislation that gives Cabinet the ability to make major decisions through regulations, effectively bypassing the scrutiny of this Legislative Assembly. In our view, that is just generally a bad trend to moving the major policy decisions behind closed doors instead of being debated here in the Assembly and subject to the scrutiny, questions, and

ultimately approval or disapproval of elected members of this House.

Just to confirm the parts about classes of persons — the minister gave a list of examples. I'm not going to list all of them, but she suggested that it could be required that units match family size and that perhaps the number of children could be specified in the terms of this or that it could be for senior citizens, for example, or persons with disabilities, and she went on with a number of examples of this.

Could the minister confirm that the decision about what constitutes a “class of persons” under this legislation will be made either through regulation or through the agreement with a land purchaser or perhaps both in regulation and in that agreement?

**Hon. Ms. McPhee:** Thank you for the question. A statutory covenant that can be registered under subsection 3 can be either restrictive or affirmative and can “... include one or more of the following...” requirements. Then there is the entire list of those. I am reading that from section (5) in Bill No. 42. I should note that it is not the intention to include the classes of persons in regulation — that, in fact, they will be included and the restriction of a particular piece of land or a particular group of units and those kinds of things would be included in the restrictive covenant — that being an agreement between the parties.

**Mr. Cathers:** I appreciate the minister confirming how that would be addressed, which is that it would be through those individual agreements. Again, I would note that we do have concerns about that broad approach, which does seem to leave, in that case, perhaps even more power in the hands of the minister, not even Cabinet, to decide what “classes of persons” should mean and how it would be applied to property.

Again, I will note our concern about that. We do generally recognize the need to ensure that, if there are affordable housing agreements in place with government, the buyers of that are held to account and are required to fulfill those terms, but we're concerned a bit about the specific way that the government is doing it in this case.

Could the minister remind the House — we're looking at this piece of legislation entitled *Act of 2024 to amend the Land Title Act, 2015*. This isn't the first time that this government has brought forward amendments to the *Land Titles Act, 2015*. Could the minister remind the House how many times the Liberal government has, since taking office in 2016, brought forward amendments to the *Land Titles Act, 2015*?

**Hon. Ms. McPhee:** Madam Chair, I'm just trying to get the number of amendments or times amendments were made to the *Land Titles Act, 2015* as asked for by the member opposite. In the meantime — and I can come back to that number when I'm able to get it — I think that there are a couple of things that I should just add.

My notes indicate that there are 187 occasions in which “classes of persons” are used. The term “classes of persons” is used throughout Yukon legislation, so it is a common opportunity for further descriptions to be made. I would also like to just note for Yukoners that the language of having certain provisions in regulation is not necessarily overly broad;



it is a common modern drafting technique to put in legislation — and we have lots of it here in the Yukon, because we have lots of older legislation. But the modern drafting technique is to put things that might need to change over time or where flexibility might be necessary in regulation rather than in legislation so that changes can be made to respond to the needs of Yukoners in a more nimble way.

I also think that it's important — just based on some of the comments in the last question — to remind Yukoners that these are covenants that the Yukon government will be party to for the purposes of not only enforcement but, perhaps more importantly, for the fact that they will come into play when government land or government funds are being used to help develop a project. They are designed to encourage affordable housing, in particular, or it may be that they are designed to encourage housing for particular groups of individuals, and that is why the terms we have been discussing in the last few minutes are written the way they are.

**Mr. Cathers:** I do look forward to hearing answers from the minister regarding how many times the government has amended the *Land Titles Act, 2015*.

In the interest of moving on to other items of business, since this Legislative Assembly does have a number of matters, including supplementary estimates, to deal with, I would pass the floor to the Third Party at this point, and I would ask the minister if she could provide that information about how many times they have amended the *Land Titles Act, 2015* as soon as she receives it.

I would also note in my closing comment that the minister referred to the structure of the bill as a common, modern drafting technique. I have to point out that, while it may be a common modern drafting technique in other jurisdictions, it is also a deliberate policy choice by Cabinet which results in less public debate on major policy matters in this Legislative Assembly and less democratic scrutiny of those decisions. There is a lot to be said for having the meat and the structure within the legislation itself so that, in fact, there is an opportunity for members of all parties to debate it and to scrutinize it. While that process can sometimes seem messy or time consuming, there is also a lot of benefit to having major decisions made within the public forum of the Legislative Assembly.

With that, I will thank the officials for supporting the minister with answers. I look forward to receiving that specific one that is outstanding, and I will turn the floor over to the Third Party for their questions.

**Hon. Ms. McPhee:** I do have some information about legislative amendments that were made: once in 2017 — I believe that it is six times overall — once in 2017, once in 2019, once in 2020, twice in 2022, and once in 2023. That was during my responsibilities with the Department of Justice. It was also done twice in 2016 by presumably the former government.

**Ms. White:** I thank the minister and, of course, the officials who are here today and thank them for the briefing.

I was wondering if the minister has any letters of support for these changes to the *Land Titles Act, 2015*.

**Hon. Ms. McPhee:** I don't have any with me. I can happily report directly to the member opposite with respect to the amount of engagement that has occurred with respect to specifically one group of land trust developers who are interested in providing opportunities for Yukoners for affordable housing purchases, but I don't have a specific letter written to me, and presumably, it would also likely be written to the Minister of Energy, Mines and Resources, responsible for lands and land distribution. I know that he and I have worked on this over the last year or more and, in particular, meetings with those individuals. I don't know that there is a specific letter, but I am happy to garner more information about the support of this particular group who instigated some of the research in this matter.

**Ms. White:** I appreciate that answer from the minister — I mean, having been on the receiving side of being asked for letters of support, it seems that it's an important thing for the government, so I wanted to know if that was equal opportunity. I wanted to know if there has been consultation with others. As an example, there have been Yukon Housing projects that have had, in the past — obviously previous to this legislation being brought forward — that have had the caveat of "affordable" kept in it, and I wanted to know if there has been any talk with folks who developed those spaces.

**Hon. Ms. McPhee:** Thank you for the question. I can indicate that broader engagement with the public on specific covenants that are presented in the amendments to the act as part of Bill No. 42 were not conducted or legally required by the consultation. The public and stakeholders may have concerns on many fronts. We have heard repeatedly about the availability and affordability of housing. That is a significant concern for Yukoners. I can also indicate that there are ongoing conversations with many of the NGOs that are involved in issues of housing and individuals having concerns about housing, such as the Yukon Anti-Poverty Coalition, Safe at Home, and other parties and partners with the substance use health emergency. We've had conversations, of course, with respect to more broad conversations about availability and affordability of housing because it is a significant concern.

I can indicate that we have spoken at length with the Yukon Housing Corporation and, as represented by their officials with respect to the possibility of restrictive covenants, as I've said, we've spoken at length between government departments — Department of Justice and Department of Energy, Mines and Resources — about the specifics of permitting these covenants and how they could be enforceable for the purposes of encouraging development of this kind, as we have been discussing.

I can also indicate that a legal requirement to consult with five Yukon First Nation governments that have worked with Yukon and Canada to amend their self-governing agreements was identified to enable settlement lands to be registered under the *Land Titles Act, 2015*. With respect to the question I answered a few minutes ago, some of those amendments to the *Land Titles Act, 2015* were, in fact, the opportunity to enable self-government agreements to be registered as settlement

lands. I recall the support for bringing those forward here and the support here in the Legislative Assembly to do so.

The opportunity to enable settlement lands to be registered under the *Land Titles Act, 2015* without affecting aboriginal rights and title is part of the governments of Kwanlin Dün First Nation, the Kluane First Nation, the Champagne and Aishihik First Nations, the Carcross/Tagish First Nation, and the Ta'an Kwäch'än' Council. Details on the proposed amendments and the supporting policy rationale were provided to all five of those First Nations and a response was requested. A 60-day consultation process on the proposed amendments concluded in July 2024. We did not receive any input on the proposed amendments from any of those First Nation governments and none identified concerns with the amendments proceeding here in Bill No. 42.

**Ms. White:** Did the minister reach out directly to those First Nations to ask questions about the proposed amendment to the *Land Titles Act, 2015* that we have in front of us now?

**Hon. Ms. McPhee:** I am happy to answer this question on behalf of myself, but I certainly would like an opportunity to speak with the Minister of Energy, Mines and Resources as well. I did not personally reach out to the First Nations that I identified in the last answer — as those with opportunities to register settlement lands under land titles. I didn't speak to them directly about this particular amendment to the *Land Titles Act, 2015*, but I will confirm and provide to the member opposite by way of an answer whether or not those conversations also took place with the Minister of Energy, Mines and Resources.

**Ms. White:** I thank the minister for that. Ultimately, I'm excited to see these changes. I believe that being allowed to keep prices down and things like the land trust are important, and so I look forward to that being able to go forward. I thank the officials for their time today.

**Chair:** Is there any further general debate on Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*?

Seeing none, we will proceed clause-by-clause.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

*Clause 4 agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. McPhee:** Madam Chair, I move that you report Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*, without amendment.

**Chair:** It has been moved by the Member for Riverdale South that the Chair report Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Vote 12, Department of Finance, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** I will now call Committee of the Whole to order.

### **Bill No. 215: *Second Appropriation Act 2024-25***

**Chair:** The matter before the Committee is general debate on Vote 12, Department of Finance, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

#### **Department of Finance**

**Chair:** Is there any general debate?

**Hon. Mr. Silver:** Madam Chair, I would like to welcome back to the Legislative Assembly my deputy minister, Jessica Schultz. As the deputy minister, Jessica and her team work very hard to provide the most up-to-date financial documents and statements that are debated in this House. Welcome back, Jessica, and thanks for your support.

For the sake of time, I am going to dive right into things. On the expenses side, the amount included for the department in the *Second Appropriation Act 2024-25* is made up almost entirely of O&M in the form of an increase in line-of-credit expenses and a unit transfer.

We also have modified our forecasts for income tax revenues to include revised projections from the federal government. This change reflects the amounts collected nationally from corporate income tax as well as proportional amounts collected here in the Yukon. I will detail both of those overall changes for the Legislative Assembly, starting with O&M costs, which are particularly the result of the Department of Finance welcoming the Capital Planning Office under its banner.

This unit leads the development, implementation, and communication of the Government of Yukon's five-year capital plan, which Yukoners are well familiar with since its inclusion in our annual budgeting process several years ago. This publication, along with the rest of the unit's work related to capital planning, was most recently conducted under the Department of Highways and Public Works. To improve coordination with the rest of the budgeting process and to help improve efficiencies of their work, the Capital Planning Office was moved back — moved to the Department of Finance in June of this year.

In accounting for that move, the *Second Appropriation Act 2024-25* includes \$487,000 in O&M to cover personnel and office expenses for this team. The amount is being transferred from Highways and Public Works, so there is no impact on the government's overall spending, and a corresponding decrease is seen in capital and O&M, where these positions were budgeted within that department.

The unit has integrated seamlessly into the larger Management Board Secretariat by providing invaluable advice to the deputy minister's office and Cabinet and by bringing their expertise and background directly to the analyses and decision-making process. We are already enjoying their presence, with significant contributions to the department in their short time with Finance, and I hope that the Capital Planning Office team members are equally enjoying their time in the department.

Moving on, the largest amount included for the Department of Finance in the *Second Appropriation Act 2024-25* is related to interest expense in the Government of Yukon's line of credit.

As members know, the Government of Yukon has access to a line of credit in order to supplement its short-term cash-flow process. Short-term borrowing is an important financial tool for the government to deliver programs and services as we process claims and as recoveries are recovered and received. When exercising the usage of this line of credit, as with all short-term lending instruments, the amount being used is subject to interest.

On the other side of the coin, any time spent in a positive cash position yields interest for the government. The department is responsible for interest payments on the line of credit usage for all government departments, not just its own. In the 2024-25 main estimates, the department forecasts \$3.7 million for these payments. Since then, we have updated our forecast and determined that an additional \$5.7 million is required due to the increases included in the supplementary budget. This additional amount is being proposed to cover additional cash flow — cash-flow needs stemming from significant infrastructure projects as well as costs related to emergencies, like floods and fires, and the advancement of other major government initiatives, like those in the health care sector requiring the use of cash throughout the year. As always, the financial costs related to the interest expenses will be published as part of our Public Accounts for 2024-25.

Moving on to revenues, the Government of Canada emphasized in its budget 2024 that, on a national level, corporate tax income is declining. Since about 60 percent of Yukon corporate income tax revenues come from companies that file taxes in multiple jurisdictions, we have similarly reduced our forecast by \$6.67 million, coming to a total of \$34.46 million in forecasted corporate income tax revenue for the fiscal year. It's also important to note that corporate income tax can change a lot from year to year and adjustments are to be expected.

Our tax revenue forecast for the supplementary budget does not include anticipated changes from the suspension of operations at the Eagle mine, as we are still gathering information on the full impact of this event. That impact will be reflected in future supplementary estimates.

Madam Chair, this concludes my remarks on the first supplementary estimates for the Department of Finance, and I welcome questions from the members opposite.

**Mr. Cathers:** It will likely not surprise the Minister of Finance that I begin with a few questions about the line of

credit. I would also, before moving to my specific questions, welcome the official here this afternoon and to any officials listening for their support on any questions that I ask here this afternoon and getting answers to those.

So, moving to the line of credit issue, when the minister and I discussed this matter on October 7 during this Sitting, the minister had indicated that the amount of the line of credit that the government has is now \$300 million. The minister was less forthcoming with explaining what the current balance was on that account, but it is concerning that — just to remind everyone listening of the context, this government went from coming into office with net financial assets and literally cash in the bank to a situation where, despite economic growth according to the fiscal and economic forecast that the minister tabled showing that the average annual rate of growth is 4.9 percent in revenues per year, they have managed to grow expenses at an average rate that is averaged over that 10-year period, again, almost all of it under the current government, but some of it covering the very tail end of when we were in office. The rate of expenditure growth has exceeded the rate of growth of revenue.

To quote from page 3 of the fiscal and economic growth forecast, from "... 2013-14 through 2022-23, gross expenditures have grown by an average of 6.2 per cent annually..." — which is higher than revenues at — "... 4.9 percent annually."

So, again, it is concerning that the overall trend has been what it is and that, although pretty much every year we hear indications from the government that they plan on getting spending under control, the actual results that we see year after year is that this problematic trend has continued where despite revenues growing at a healthy rate, expenditures have grown at an even higher rate.

Now, instead of having cash in the bank, the government is currently dipping into a line of credit, which they have increased to a \$300-million line of credit. That, of course, is only for the Government of Yukon.

So, just to recap on the context of that, the government also has corporations that have lines of credit.

Can the Minister of Finance tell me: In addition to the \$300-million line of credit that's available to the Government of Yukon, what is the size of Yukon Development Corporation's line of credit? What is the size of Yukon Energy Corporation's line of credit? Does the Yukon Hospital Corporation have a line of credit, and if so, what is the size of it? Could the minister please provide us with that information?

**Hon. Mr. Silver:** Again, when it comes to reporting, we will continue to report based on the requirements of working with the Office of the Auditor General when it comes to reporting — at multiple and different times of the year — the numbers responsible through that FAA process.

The government's most recent update on borrowing specifically was published in 2022-23 Public Accounts, just like the member opposite when he was a former minister — his government used the same principles. On March 31, 2023, the borrowing totalled \$233.4 million. We discussed the breakdown of that before in the most recent Public Accounts. The corporation total loan balances were the Yukon

Development Corporation at just over \$205 million, the Yukon Hospital Corporation at \$23.6 million, the Yukon Housing Corporation at \$791,000, and the Yukon University was just under a million at \$966,000. The accrued interest and capital lease was just under \$3 million.

In addition to long-term borrowing by the government's corporations, the Government of Yukon also has access to a line of credit with our bank provider, CIBC, which is used to manage temporary or short-term cash-flow needs throughout the year. This isn't long-term borrowing; it's short term. Additionally, the government also discloses interest expenses incurred at each fiscal year on a non-consolidated basis. Corporate interest expenses were approximately \$100,000 for the 2022-23 fiscal year. This represents interest on the government's line of credit.

On a consolidated basis, excluding the Yukon Development Corporation, interest expenses incurred totalled \$1.4 million for that year.

Interest expenses incurred by the Yukon Development Corporation for its loans and other borrowing in 2022-23 totalled \$9.5 million. The Government of Yukon's interest rate on its line of credit follows the CIBC prime rate. As of early October 2024, the bank's prime rate was 6.45 percent. The next Bank of Canada interest rate announcement, which typically influences CIBC and other lenders' prime rates, is scheduled for October 23.

There is also an additional discount factor that is applied to this rate, as the line of credit was secured through a competitive public tender. As a result of that competitive process, the discount factor is not disclosed in the government's annual documents; however, in the 2023-24 Public Accounts, we will provide an average or range of interest rates applied throughout the year.

**Mr. Cathers:** Again, I understand that the Minister of Finance is reluctant to provide additional information, but I would remind the minister that the government is going to new levels of debt, new levels of borrowing that have previously been unprecedented, to the use of lines of credit that previously has not occurred at all or not occurred to the same level within the government. The fact that the government itself has a line of credit is something that has not been the case for many years. While corporations such as YDC and YEC have had their own lines of credit, the size of those lines of credit and the use of them has been smaller than we are currently seeing. For the minister to insist on only disclosing numbers from a point in time that reflects the last fiscal year that we have Public Accounts for is to insist on only sharing information with this House that is more than a year out of date while refusing to provide information about the current financial picture.

I think that itself is very telling on how bad the current financial situation appears to be under this Liberal government — that they don't want to let all members know what the current status of the situation is.

I believe the minister said — and I would just ask if he could confirm, because I asked a question specific to the size of the lines of credit of the Yukon Development Corporation, Yukon Energy, and the hospital. The minister responded with

long-term debt figures. Then he went on to cite an interest number of \$9.5 million paid by the Yukon Development Corporation. I believe that was interest paid on YDC's line of credit.

Could the minister confirm or correct my understanding of his statement?

**Hon. Mr. Silver:** Yes; what I said was that on a consolidated basis, including Yukon Development Corporation, interest expenses incurred totalled \$1.4 million for that year — 2022-23. Interest expenses incurred by Yukon Development Corporation for its loans and other borrowing in 2022-23 totalled \$9.5 million. Yukon Housing's line of credit — their limit is \$11 million in a line of credit. Yukon Development Corporation's limit is \$7.5 million. Yukon Energy has a \$100-million limit.

But let's talk a bit about the money that is being spent continuously on debt that was incurred under the Yukon Party government. In 2010-11, there was a loan that the Yukon Party decided to incur, and that was for the Yukon Development Corporation; it was a bond — a 30-year bond — at 5-percent interest — interest payable semi-annually, principal due June 29, 2040. So, think about that, Madam Chair — \$100 million borrowed by the Yukon Party. Not a single cent of that principal to be paid off, yet every year, 5-percent interest — \$5 million in interest — on that one loan by the Yukon Party government, due for a future government to pay off in 2040.

So, when we go over these numbers, there is a reason why we rely on the Public Accounts. One of the main reasons why we rely on our Public Accounts is to make sure that these fiscal indicators — they are based on a whole bunch of different variables throughout the fiscal year, and these figures are not typically provided at a point in time outside of the documents that we adhere to with the federal government.

So, the member opposite did not provide, in his time in government, the numbers and the point-in-time numbers that he is looking for from this government and also does kind of go around the narrative that remembering \$5 million each year, currently still, is based upon a loan that his government provided to the Yukon Development Corporation.

Also, if you look at total debt in all of the years of our government since devolution, the largest amount of total debt — these are loans and bonds that governments decide to move forward on — was the Yukon Party government at over a quarter of a billion dollars — to be very specific, \$254,466,000.

So, again, with the members opposite, when they borrowed, we are still dealing with that; we are still paying that interest, but the member opposite will say that he is very concerned about our government currently with our borrowing strategies. We are using short-term debt, not long-term saddled debt for decades that his government did. We are using short-term lines of credit, and yes, we do have to pay interest on those short-term lines of credit, but I would also remind the member opposite to take a look at the forecasts moving forward. Because, again, past the pandemic, past the inflation, past the floods and fires, and add into that the contingency money that we put into our budgets, we have a plan and a trajectory to get back to a fiscal position with a positive cash flow.

**Mr. Cathers:** I do have to remind the Finance minister of a few things, including that when we were in government, I was never the Finance minister, contrary to what the member seems to think. I was never being asked the types of questions that he is asking me. I also don't recall the member, during his time as a private member, asking questions of this type of the Minister of Finance, since he very rarely asked detailed questions about the finances of the territory during his time as the lone Liberal member or one of two Liberals.

It is very interesting — the creative math and narrative that we are hearing from the Minister of Finance regarding this. The minister had made reference to \$205 million being borrowed from the Yukon Development Corporation, and I would remind the minister that, contrary to his assertions, the amount of the bond that was borrowed in association with Mayo B was, in fact, less than \$100 million, because a discount rate was applied to that. Now, in contrast, the minister has indicated that the \$800-million borrowing limit that they got from the current federal government apparently isn't enough to satisfy them. They actually want to increase that limit to an amount that they haven't specified.

Again, there is a great deal of difference between borrowing under \$100 million in association with Mayo B and deciding that \$800 million as a borrowing limit is not enough. I also, in going through the Yukon Development Corporation consolidated financial statements from last year, notice a long list of loans that have come up under the current government.

I am going to move on to other items. I know that the Finance minister is unfortunately reluctant to provide information about the current status of lines of credit in point in time. I want to ask him a question that my colleague the Leader of the Official Opposition asked him and that the minister tried not to answer regarding the impact of the situation at the Eagle Gold mine on the economy. We know that the minister had tried to downplay that, indicating that there wouldn't be too much of an impact because he claims that they have diversified the economy and claimed that he had heard from local companies that were not that concerned about it. But, in fact, his own economic outlook that he tabled says that the removal of Eagle Gold's production creates a \$1.5-billion hole in our economy over the next two years.

The question that my colleague then went on to ask is, for the minister, based on that indication from the fiscal and economic update that the minister tabled and the fact that the economic outlook, according to the minister's own document that he tabled, shows that the economy is shrinking by a projected 2.3 percent — the simple question that the minister repeatedly tried to dodge the other day is: Is the Yukon in a recession?

**Hon. Mr. Silver:** I don't remember dodging that question. I remember answering that question, saying that we have done a very good job of diversifying the economy and, if you take a look at the GDP forecasts, you see a downward trend for now but also, within that fiscal framework, saying that it's really too early to tell. We're seeing numbers coming out right now about job vacancies. Those numbers, again, are trending in a positive way, even in light of the issue.

The member opposite is trying to make it seem like we are not concerned about the Eagle Gold mine. No, it's a major hit. It's a major hit to the outcome for mineral production — period.

We recognize the seriousness of this heap leach. We've been saying that a lot, but the members opposite don't hear that. It's treating the response as a government priority is what we're doing actually, and it's reflecting the urgency of the situation is what we're doing. Our priorities — I'm not sure about the member opposite — but our priorities are to ensure the health and well-being of Yukoners and to protect the environment.

An independent review board has been established to investigate the heap leach failure that occurred at Eagle Gold mine. Three highly qualified experts are on the independent review board. The objective of the investigation is to determine the cause of the heap leach facility failure, and we're absolutely committed to working with the First Nation of Na-Cho Nyäk Dun to develop remediation strategies for the future.

Now, economists will write about where we are right now, and we will write the interim fiscal update. In that interim fiscal update, we provide a full commentary about the transparency of government spending and forecasting, and we have some highlights, including: continued strong demand for workers is contributing to earnings gains and to an unemployment rate that is among the lowest in Canada.

Again, this was my answer to the member opposite, but yet, the member opposite says that we're in a recession.

Ongoing moderation of inflation is providing some relief. We're getting to that situation where there's some relief from inflation, which is good to see, and trending below national rates. We have a strong tourism sector, which has rebounded from the height of the pandemic, as evidenced by the year-to-year visitation figures, and they are near record levels; continued growth in consumer spending and in retail sales — highest ever. We remain very optimistic about our long-term and our medium-term forecasts while also acknowledging the serious concern that a heap leach failure brings to the bottom line of not only this government but also the private sector.

We have challenges, like wildland fire management, and we have responded to these needs — a very significant fire season experienced in the territory.

We're addressing pressures that we see in insured health to support the well-being of Yukoners as well. Funding for the Hospital Corporation requirements — again, additional O&M funding for converting the 10 beds at the Thomson Centre for acute care use.

We are moving forward on a receiver for the environmental protection at Eagle Gold. In this instance, we are funding advancements to the receivers to make sure that the suspension of operations at the Eagle Gold mine —

Again, we are very cognizant of the effects that has to our forecasts and to our GDP. At the same time, there is a material change in the outlook and mineral production, for sure, in our real gross domestic product and an expected contraction of 2.3 percent in 2024, but again, on the medium and long term, we see a rebound. Beyond the impacts of the territory's real GDP, those near-term impacts related to the mine suspension — yes, there are some job losses, for sure, but there is also an

increase in jobs from September to September, looking at the Stats Canada latest updates.

While the seriousness of these events cannot be overstated, they are unfolding at a time when the Yukon's economy continues to be strong and can absorb much of the impact. In addition to low unemployment, a strong labour force, and ongoing wage growth, the Yukon government's \$50-million contingency fund included in budget 2024-25 is also reducing the impact of pressures in other areas.

Again, I sat in opposition for five years. I asked questions about the finances. I usually got back a response of 20-minute diatribes of different things, and then I would get very frustrated because my questions weren't answered, sure. But at the same time, we would always be told: There goes mining; there goes the Yukon. That was it; that was the narrative from the Yukon Party.

The economy is diverse now, and it is very, very important to recognize the strides that have been made by the private sector in other industries, at the same time, holding true to the fact that mining is an extremely important part of our economy.

**Mr. Cathers:** While the minister is certainly oversimplifying what the Yukon Party said when in government, I would remind him that the impact on the mining industry, according to his own interim and fiscal economic outlook, is serious and is having a consequential impact on other parts of the Yukon economy, such as the restaurant sector, for example. For small businesses that have seen the impact of that, the impact is very real, and the minister's own fiscal and economic update notes that.

A colleague of mine just asked me to ask the minister: Can the minister tell us what the impact of the Victoria Gold receivership has been on mining exploration and investment unrelated to Victoria Gold, but what impact did that decision by this government to seek receivership have on the mining sector overall?

I'll just move back to the question that I had originally intended to ask next, which is regarding the rate of inflation and the impacts of that. We see on page 18 of the fiscal and economic update that — quote: "... overall, prices are up about 20 per cent from August 2020. Prices for food, shelter and transportation, key areas of every household's budget, have seen growth that exceeds overall inflation since August 2020." Again, that is from page 18 of the fiscal and economic forecast.

We know that the parliamentary budget officer and others have noted that the carbon tax is inflationary. Some of the minister's own officials acknowledge that as well. My question for the minister is: In light of the fact that overall prices impacting, again, every family in the territory — every household's budget — have increased by 20 percent from August 2020, how can the minister and the Premier still be among the last devout supporters of the carbon tax in Canada? Will they recognize the information that he has tabled himself and the calls from premiers across the country regarding this and, in fact, recognize that their carbon tax that they and the federal government continue to support is negatively impacting people's lives and has been a contributing factor to that 20-percent spike in inflation over the last four years?

**Hon. Mr. Silver:** You know, we have had this conversation a lot about carbon pricing and its price and effect and the fact that it is revenue neutral, but the members opposite just don't listen to that. There has also been a debunking of some of the parliamentary office's analysis — I don't have it in front of me right now, so I'm not going to quote from that. Suffice to say — I'll just say this: The price of doing nothing is a lot more expensive to the taxpayer. It's interesting that the Yukon Party, who holds itself as, you know, a protector of the public's finances, would rather have the general population pay for pollution as opposed to showing them a model that they campaigned on when it came to carbon pricing — show the model that was their intent when they signed the Vancouver Declaration, which signed the Yukon up for a carbon-pricing mechanism.

Now, again, we've had the Premier even today talk about how we're not necessarily always happy with how the federal government implements their carbon-pricing mechanism. That is why, when I was Premier, Christie Clark, myself, and others made sure that there was a five-year review on the carbon-pricing mechanism to make sure that it actually works as effectively as possible to reduce the actual emissions so that less of the taxpayers will pay for pollution.

That five-year review was done without us, and we talked about that. We talked in the Legislative Assembly when we lost our local exemptions here how we were not happy with the federal government, how there are lots of unanswered questions on the federal government's carbon tax.

However, what is lost in this whole thing is: What would the Yukon Party do? They campaigned on a carbon price. He can try to forget that, but it's true. It happened. They signed the Vancouver Declaration when they were in power. A former premier signed on the dotted line for the Yukon to start down that road to consider carbon-pricing mechanisms; yet they never came forth with a comprehensive plan to show what that would look like.

We can continue to have this argument. That's fine; it's no problem here to continue to advocate for the environment and to say that we need to have a model. If there is a federal change, we would hope that any government that inherits the federal government would have a plan to put a price on carbon. Is it going to be the plan now? Probably not, depending on the elections. Maybe the current federal government will reverse some of their actions on price signal. Again, we were very frustrated and talked in the Legislative Assembly here when we were looking at our own exemptions having to be moved over to a business model or business bucket, if you will, about how we weren't happy that a federal price signal now was something that the federal government could do but we couldn't do.

Again, this model isn't necessarily perfect. I loved the conversation back in 2017 when the then-Premier of British Columbia talked about how their forecasts and the rate of increase of their tax did not match up to what the federal government said would be theirs and how, at that point, let's put all those plans on the table and see which one is the most effective way of reducing emissions, because that's what it's all about.

Also, it is a conversation about putting the onus on the polluter as opposed to the general taxpayer. The price of doing nothing is more expensive than the narrative that the members opposite in the Yukon Party would have you believe when it comes to the cost of the carbon-pricing mechanism, which is revenue neutral. More money goes back than what is going in because the government puts its part into that as well. Again, with the lack of another plan from the Yukon Party, I guess it is just that the taxpayers will have to take the burden on for the floods, fires, and continued environmental degradation that we are seeing nationally, internationally, and locally.

**Mr. Cathers:** That was quite the spin cycle from the Minister of Finance. It is interesting that the minister continues to deny — even as the Parliamentary Budget Officer releases another report showing that, when you factor in the indirect impacts of the carbon tax, most Canadian households are worse off — that the Finance minister is still desperately trying to spin this as somehow being revenue neutral. They even go so far as to claim that it has a positive impact for some people. But, in fact, when the fiscal and economic report tabled by the minister himself shows that 20-percent spike in costs — with transportation costs going beyond that just in a four-year period — it shows the real impact on Yukon households.

The Minister of Finance stood and had this somewhat odd narrative where he first tried to argue that the Yukon Party supports carbon pricing and then he blasts us for not agreeing with the carbon tax. I guess that is why the minister is a Liberal. He can simultaneously argue that his opponents support a carbon tax and oppose it, but I think that Yukoners will see that narrative for what it is and recognize that they are seeing the direct impact of inflationary government policies on their lives, including, according to page 18 of the interim fiscal and economic update tabled by the Minister of Finance himself — it shows a 20-percent increase in inflation impacting Yukon households. Meanwhile, the minister stands here and tries to deny reality while continuing to refuse to provide us with appropriate disclosure on how much the government has borrowed at this point in time.

Madam Chair, I would like to spend more time here, but in the interest of moving on to other items of business, I will pass the floor over to the Third Party.

**Ms. White:** Madam Chair, colour me surprised; I didn't think I would get up today. So, it's just going to take me a second to flip through my notes to get to Finance. Of course, I echo the welcome and hello to the Deputy Minister of Finance today.

To be perfectly frank, I have very few questions on the Department of Finance mostly due to the nature of the briefing, which is always complete. I am entertained always by the questions from my colleague from Lake Laberge. I don't think it will surprise anyone when I say that I don't often agree, and the times when I do, it's a bit weird for me. So, I don't see that I'm going to be necessarily in agreement today.

So, I actually have no questions at this time and I thank the minister for the time and the deputy minister for the briefing.

**Chair:** Is there any further debate on Vote 12, Department of Finance?

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

**Ms. White:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 12, Department of Finance, cleared or carried, as required.

**Unanimous consent re deeming all lines in Vote 12, Department of Finance, cleared or carried**

**Chair:** The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 12, Department of Finance, cleared or carried, as required.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

**On Operation and Maintenance Expenditures**  
**Operation and Maintenance Expenditures in the amount of \$6,187,000 agreed to**

**On Capital Expenditures**

**Total Capital Expenditures in the amount of nil agreed to**

**Total Expenditures in the amount of \$6,187,000 agreed to**

**Department of Finance agreed to**

**Chair:** Now before the Committee is general debate on Vote 51, Department of Community Services, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** Committee of the Whole will now come to order. The matter before the Committee is general debate on Vote 51, Department of Community Services, in Bill No. 215, entitled *Second Appropriation Act 2024-25*.

**Department of Community Services**

**Chair:** Is there any general debate?

**Hon. Mr. Mostyn:** I thank the members of the Legislature. I would like to introduce a couple of people here this afternoon. We have Marie-Alexis Dangureau, who is our director of Finance. We also have Damien Burns, who is our new deputy minister, following the moving over to Health and Social Services of Matt King. So, this is their first time in the Legislative Assembly. I want to welcome them here. I have some opening remarks that I will give and then we will take some questions this afternoon.

This afternoon, we are presenting the Department of Community Services *Supplementary Estimates No. 1* for 2024-25, totalling \$23.8 million. That is an increase in operation and maintenance expenditures and \$40,000 in capital costs along with an increase of \$6.5 million in recoveries.

I am going to start with Wildland Fire Management. It carries the lion's share of the funding that we are asking for this afternoon: \$21.4 million. Wildland Fire Management protects life, critical infrastructure, and property while facilitating the creation of wildfire-resilient Yukon communities. In 2024, Wildland Fire Management responded to more than 140 wildfires, which burned more than 165,000 hectares, including 28 wildfires — that's about 20 percent of all fires — that were high risk to communities and critical infrastructure. The team also responded to other emergencies, including spring flooding in the Klondike and Old Crow.

Our teams in many fire management regions were challenged by wildfires of note, evacuation alerts and orders, and critical infrastructure disruptions. Crews did excellent work on initial attack efforts. Without these efforts, the wildfire impacts to Yukon communities would have been far greater. The majority of this supplementary estimate request reflects the expenses incurred for that work and for costs related to sending fire personnel to assist with suppression outside of Yukon.

Wildland Fire Management is also continuing the good work of the 2 Billion Trees program. This program is the result of an agreement with the federal government that helps us tackle the dual challenge of climate change and biodiversity loss by providing the resources to plant fire-resistant trees around the territory, mainly in firebreaks. Prevention is a key piece of our work. This supplementary estimate asks for an increase of our expenditures on FireSmart projects, which will assist us in protecting communities from the threat of fire.

For these three items, we are requesting \$21.4 million in the supplementary estimate. That request is offset by: \$3.6 million that we are receiving from other jurisdictions to pay for the costs associated with exporting our wildfire crews; \$293,000 for the 2 Billion Trees project from our funding agreement with the federal government; and another \$294,000 for the forest-fuel abatement projects, which is 100-percent recoverable from the emergency management assistance program for enhancing First Nation FireSmart projects.

The next item that we are going to shift to is the Emergency Measures Organization where we are asking for \$1.449 million, just a hair off of \$1.45 million. The Emergency Coordination Centre was activated for 46 days in total over two periods between May and August. During these activations, the Emergency Coordination Centre supported emergency responders and evacuees, coordinated resources, provided information and communications expertise, and issued advisory alerts and orders as required. This activity is the reason behind the supplementary estimate request of \$1.449 million. This request is offset by \$864,000 of recoveries from Crown-Indigenous Relations and Northern Affairs Canada for eligible expenses related to our Old Crow flooding response. This money is provided as part of our coordinated response with the federal government, Crown-Indigenous Relations and Northern Affairs Canada, which agreed to provide the Vuntut Gwitchin Government with matériel, including Tiger Dams, as part of the federal government's emergency response obligations. The Vuntut Gwitchin Government requested the matériel through our Emergency

Coordination Centre and so we procured and shipped the matériel to Old Crow.

Next, I am going to turn to sport and recreation. We are requesting an additional \$558,000 in sport and recreation funding as part of these supplementary estimates. \$200,000 of this money is earmarked for meeting responsibilities under the Canada-Yukon northern wellness agreement, which will improve the health and well-being of Yukoners, especially children and youth. That agreement comes with a corresponding \$200,000 contribution this year from Canada.

A further \$144,000 will be used to increase the foundation's grant, which reflects an increased contribution from Lotteries Yukon for the same amount, and \$214,000 will be used by Sport Yukon to administer the kids recreation fund. Subsequently, the same amount will be transferred over from Health and Social Services. This money will be used to support sport governing bodies and special recreation groups.

In the area of community development, this supplementary estimate includes \$175,000 for identifying climate adaptation measures and bolstering infrastructure asset management strategies in Yukon municipalities and First Nations. We will do this by hosting professional development forums for senior leadership and staff from eight municipal governments and 14 First Nations. These sessions will focus on incorporating climate change into infrastructure management and planning. This request is offset by our three-year agreement with Canada, which is supporting communities in implementing adaptation measures among Canada's professionals.

Next, the Fire Marshal's Office — \$234,000. The Fire and Life Safety branch improves life safety and fire protection in the Yukon through leadership, education, enforcement, and program development. They work in partnership with communities to recruit and retain fire service volunteers and ensure sustainable fire services. The Association of Yukon Fire Chiefs is an important part in our collective efforts to support community fire services, and they have a vital role in supporting volunteer fire services across the territory.

The Association of Yukon Fire Chiefs has asked us to review the honorarium rates for volunteer firefighters because it is an important tool for recruitment and retention. We understand that low population density and vast distances make it challenging to provide fire suppression in rural Yukon. Rural communities often struggle with volunteer recruitment and retention. To support these requests, we are responding. This supplementary estimate asks for an increase of \$234,000 to be used for volunteer firefighter honoraria wages starting in September 2024.

That is all I have for my opening remarks, Madam Chair, and I look forward to the questions from my esteemed colleagues on the benches opposite.

**Mr. Hassard:** I thank the minister for his opening remarks, and I would also like to thank the officials for being here today and hope they enjoy their first time here in the Legislature. It's always a lot of fun.

Madam Chair, my first question for the minister today would just be to ask for an update on where the government is regarding the CCBF.



**Hon. Mr. Mostyn:** So, we've been working very hard on the new agreement with Ottawa on what was once known as the "gas tax" and is now called the "Canada Community-Building Fund".

So, this summer, we signed, with the Government of Canada, a 10-year agreement for the building fund. This is an infrastructure pot that supports the creation of vibrant and healthy communities. A lot of our communities rely on this funding for critical infrastructure investment.

The new agreement expires in 2034. Over the first five years of the agreement, Yukon is expected to receive \$94.5 million through the Canada Community-Building Fund. This year, 2024-25, Yukon received a total of \$18 million from Canada. During the renewal, the government took the opportunity to connect with our recipients and stakeholders to discuss the program delivery and the challenges they face.

With that feedback, we've made significant improvements to the administration process to simplify how the program is delivered and to allow recipients greater certainty in accessing their funding and allowing them to undertake long-term capital planning.

What engagement did we do? We had a sustainable communities forum in November as part of our engagement with ultimate recipients. We hosted a one-and-one-half-day forum with participation from municipalities, First Nations, and the Association of Yukon Communities for a half-day facilitated session to gather feedback on the Canada Community-Building Fund.

In January and February, Community Services hosted a series of information sessions for ultimate recipients and the Association of Yukon Communities. In January, the focus was on updating recipients on the renewal process and changes in the agreement. In February, Community Services presented the new reporting requirements and communication protocols. Each session was provided at two separate times and dates to ensure all recipients could attend. These sessions were well-attended and the feedback was positive.

At the end of February, Community Services presented at an AYC meeting for chief administrative officers to discuss internal process changes. In May, we attended the AYC annual general meeting in Dawson City and provided a booth at the trade show to discuss the Canada Community-Building Fund renewal and solicit feedback on new draft documents.

In June and August, Community Services hosted more virtual renewal information updates for all building fund recipients and to discuss their upcoming annual expenditure reports.

Once the federal agreement was signed, Community Services pivoted to one-on-one sessions. Individual meetings were scheduled upon request to assist with their annual expenditure reporting.

On September 7, 2024, we presented the details to the Association of Yukon Communities board of directors.

I'm sure there may be other questions. I'm happy to take them.

**Mr. Hassard:** I thank the minister for that information. I am wondering if the minister could provide the House with

some information regarding how much the government takes of that CCBF for administration fees and if those fees are changing or have changed.

**Hon. Mr. Mostyn:** The administration fees for the Canada Community-Building Fund have changed. They have gone from two to three percent. We are currently finalizing our business case with Canada that will lay out how we use those funds. Those negotiations have not yet finalized; stay tuned.

**Mr. Hassard:** Can the minister let us know when he anticipates those negotiations to be completed?

**Hon. Mr. Mostyn:** I am told that the negotiations are expected to wrap up within three months. That is the anticipated timeline.

**Mr. Hassard:** I thank the minister for that information as well.

Moving on, I'm wondering if the minister could give us an update on where the government is at in regard to the CMG, or comprehensive municipal grant, and their talks with municipalities regarding that grant.

**Hon. Mr. Mostyn:** So, there was a task force struck. The member may or may not know, but there was a task force struck between the Association of Yukon Communities and the Government of Yukon through Community Services. That task force had a deadline of September 30 to come up with a report. I'm happy to report that the report is done. I have been told now that the report has been received by the Department of Community Services. I have not yet seen the report.

They're currently doing a review. It was submitted in early October — the first week of October. It hasn't made its way to my desk yet. I look forward to seeing that report. When I do, I will have more to say.

**Mr. Hassard:** I certainly look forward to hearing what that report had to say and how the government plans on moving forward with it.

I have a question regarding landfills. Now, I know that the government is in the process of signing regional agreements — or very close to signing regional agreements with municipalities regarding regional landfills, but my understanding is that the Department of Environment has now requested — or maybe not — "requested" isn't the right word — has told municipalities that they need to do an adaptive management plan on all landfills as well.

In light of this new information, I'm curious if the minister can enlighten us as to how this is going to affect the signing off of those regional landfills, and is Community Services going to be sharing in dealing with the costs of those new requirements?

**Hon. Mr. Mostyn:** I thank the member opposite for the question this afternoon.

All right, the adaptive management measures have been — I want to decouple it, first of all. This has nothing to do with the landfill agreements that we have signed with municipalities. I can go into that — I am sure that we will get more questions on that — but we have signed those agreements with Carmacks, Dawson, Haines Junction, Mayo, Teslin, and Watson Lake. That is to ensure that these municipalities can continue to provide sustainable and high-quality waste management services to all Yukoners. This is part of the huge investments

that we are making in rural Yukon, contrary to some narratives that I have heard. We are actually pumping a lot of money into these rural communities.

The agreements that we have signed provide more than \$425,000 in annual operating support to municipalities, in addition to nearly \$100,000 per year for groundwater monitoring at municipal waste management facilities. It is part of trying to manage these facilities better, to bring some controls so that they are just not wild garbage-dumping areas. We're bringing some oversight and some management to things that haven't been done before.

We are also, of course, investing in and upgrading 12 solid-waste facilities operated by the Government of Yukon, and these investments ensure that, at any facility, whether municipal or government, residents will have access to the same high standard of waste management practices wherever you go.

That is where we are going with these regional landfill agreements that were requested of us by the Association of Yukon Communities. What has happened in the last six weeks or so was that the Department of Environment asked us to take adaptive management measures at landfills. It affects municipalities, and it also affects the Yukon government as an operator of landfills. As I just mentioned, we have 12 of them ourselves. This is part of assessing in these landfills what impact the garbage is having on our groundwater.

I know that — I just came from a waste and water conference this morning. Safeguarding and protecting our water supplies is important and critical to many and certainly to us. So, Environment has actually asked us to do testing. We are working through that with municipalities on the one hand and with Environment on the other to — it's really to increase the water testing in our landfills and understand the environmental impacts of said landfills. We also know that the Auditor General of Canada is asking us to better define our environmental liabilities, and I'm sure that this will probably play into that as well.

As an operator, we too are assessing what this means for the Government of Yukon and municipalities. We actually just held a luncheon this afternoon — at noon, I'm told — with municipalities on this very subject. We are going to continue to work with our municipalities to assess what this means to them, and we have been working closely with them for a long time now. We are going to continue that work and make sure that our landfills not only are better run but that the mitigation is — that we better understand the effects that our landfills are having on groundwater and manage it so that we limit that impact into the future.

**Mr. Hassard:** So, the question was actually about the cost and how this was going to — or one of the questions — affect the municipalities.

The minister talked about the regional agreements as being done. My understanding was that these were agreements in principle, so can the minister confirm: Are these regional landfill agreements a done deal — signed, sealed, and delivered — or are they agreements in principle that could still change or fluctuate?

**Hon. Mr. Mostyn:** The member opposite is correct; these are interim agreements with these municipalities, for sure. What remains to be talked about with municipalities is the asset retirement obligations. That is the landfill liability that is shared between the Yukon government and the municipalities where the Yukon government operated their landfills. We are trying to ascertain how much of the liability rests with us and how much rests with the municipality. Those talks are ongoing. They will probably be ongoing for a while now.

What we have done with the interim agreements is start to bring some control to our landfills so that the liability doesn't get worse. We have the interim agreements with the municipalities that I named just a few minutes ago. We are going to continue.

The interim agreements that we signed with these municipalities are really limiting the damage, I think — or at least controlling the costs into the future. The agreements ensure that all public waste management facilities in the Yukon have gates, operating hours, consistent tipping fees, and on-site staff to monitor and manage waste streams so that you keep the chocolate out of the peanut butter; you don't want to mix them. You want the whole thing separated so that you are really limiting the damage going forward as much as you possibly can. That's what the management regime is all about.

The further negotiations in the time we're doing have to do with the liabilities. We all know — what I've been talking about in this House — that the insurance on these sites is immense. The cost of decommissioning and finding new dumps is very, very expensive. The better managed they are, the better it is for all citizens in the territory — not to mention, in this society of ours, we're producing an awful lot of garbage. Any effort we can make to have people think about the garbage that they're creating and disposing of is helpful for society going forward.

So, the member also asked about costs. As I said, we had a meeting today with municipalities over lunch. We're working with municipalities and we're working with Environment to assess what the cost of some of this water monitoring is going to be. In the landfills, we're going to continue. We don't have costs yet. We're ascertaining that and we're working that through. When we have more to say, I will certainly say it here on the floor of this Chamber.

**Mr. Hassard:** So, I guess the question is still there, Madam Chair. If the Department of Environment is asking for these adaptive management plans, which the minister says will involve more testing of groundwater, we can anticipate more monitoring wells drilled and obviously more testing, as the minister said. Now, these are not cheap things to do.

So, again, is the minister committed to helping with those costs, or is this going to be borne solely by the municipalities?

**Hon. Mr. Mostyn:** What I can say to the member opposite is: I hear you knocking; I am going to wait before I answer the door.

I will say that, right now, already, we are giving the municipalities more than \$100,000 per year for existing groundwater monitoring and municipal waste management facilities that they are doing currently. This new adaptive management plan that the Environment department has asked

us to implement is new. We are currently assessing what that means for ourselves at the Yukon government and what it will mean for municipalities. Once we have figured that out, we will certainly work with our municipal partners, as we have for many, many years, assessing what the cost is of putting this adaptive management in place and what capacity municipalities have to pay that. Right now, it is early days. We are still doing the work with municipalities and ourselves to understand what this means to the Government of Yukon and municipalities. When I have more to say on that matter, I certainly will.

**Mr. Hassard:** This is a concern that has come up from municipalities for as long as I can remember, whether it is the federal government or the territorial government changing the rules or imposing new regulations on municipalities but not ever helping with the funding of it. It is very frustrating for municipalities because they have — just like everybody else — a very limited budget.

So, if they want to change things on their own and play with their budgets to make everything work, that's fine, but when someone else at a higher level of government comes along and makes changes arbitrarily without any, you know, previous discussion or indications that this is coming forward, it makes it very challenging for the municipality to suddenly have to deal with this. So, it's very concerning that the minister won't commit on the floor of the Legislature today to say: Yes, this is something that came forward from my government and therefore I am committing to helping the municipalities deal with the new costs that have been brought forward by my very government — so, yes, I mean, it's bothersome.

I'm curious if the minister can tell us: Was there any heads-up from the Department of Environment? Because we know that this government talks about a one-government approach a lot and not working in silos, so I would like to believe that Community Services was informed well in advance that this was something that was coming down the pipe from Environment. I'm curious if the minister can tell us when they first learned about this and why they didn't convey it sooner to the municipal governments.

**Hon. Mr. Mostyn:** I have to compliment the member opposite for his narrative and the questions. I understand — believe you me, I have heard — I have been working with municipalities for several years now, and I understand their frustrations — one of the reasons why we are currently in negotiations on the comprehensive municipal grants. It's one of the reasons why my good colleague the current Minister of Energy, Mines and Resources put in an escalator in our comprehensive municipal grant for the first time — in 2017, I believe the year was — to make sure that they weren't locked in time from a bygone era, from 2015 or whenever the last CMG was put in place. We actually put in an escalator so they get cost-of-living increases. They are constantly seeing their revenues going up with the cost of living, which wasn't the case previous to this.

We are working very hard to make sure that our communities are well-financed, and we have seen that in — every year, we are seeing multiple millions of dollars more invested in our municipalities, not to mention the fact that we

have — in concert with historic investment from the federal government — invested \$600 million, I believe the figure is — maybe more than that — in Yukon municipalities and the Yukon in general, all of which is a windfall for municipalities. I know that they have been benefiting from this historic investment that came, really, with surprising speed throughout the territory and really addressed a number of their needs in rural Yukon.

That's not to say that there isn't more that can be done. I understand that — I seem to understand that — perhaps the member opposite — maybe he can clarify when he takes to his feet in the near future — whether he is advocating that there is no oversight and that every municipality does what it does and they can test the water or not without any oversight from people with a view to the entire territory and the costs to the entire territory. Maybe the member opposite is advocating for a kind of laissez-faire approach to management of municipal affairs where there is not federal or territorial oversight on these things and municipalities or people can do whatever they want and there are no consequences or oversight on how things are done. So, one community may do water testing and another community doesn't, and they all make up their own minds.

That's where we were, and we're trying to bring that to heel a little bit and bring some structure around it so that every landfill in the territory is better managed and so that the environmental liability, the insurance costs, the cost of remediation, and the cost of decommissioning and commissioning new ones is known ahead of time and is as cost-effective for citizens of the territory as it can possibly be. Maybe there is a philosophical difference between my good colleague and myself.

I hear the concern from the municipalities about having rules imposed on them and that the costs are there. We don't know what the costs are. They may be negligible. They are covered by our \$100,000 a year. I don't think so, but we're doing that work right now to see what it all means so that we have a better idea of how the groundwater across the territory is being affected by the garbage that we're tossing and have been tossing with very little oversight for many, many years. We are trying to bring that to heel and bring some control around it.

I do know that there will be some concerns from municipalities. We have shown ourselves to be in close communication, both with the Association of Yukon Communities and with municipalities. We are working very, very hard to make these things affordable or at least — the other thing is, if you do the work monitoring the groundwater, you're going to be putting the municipalities in a stronger place when they go to insure these landfills and have to pay for the cost of decommissioning.

They'll have the information. They know that the groundwater isn't being affected or they will be able to manage their landfills in a way that mitigates any potential groundwater contamination that they may be finding on their site.

I think that's important work. I think that's important for us to maintain. I'm not saying that municipalities are going to like it, especially when it's an unknown. That's why we're

working both for ourselves and also for the municipalities to ensure that we know more about what Environment is requiring of us and what the costs are and what's driving it.

To wrap up, I will leave it to my good colleague to decide whether or not he wants to answer my request — whether this is just a philosophical difference between me and him. It may be, but it may not be.

I also would like to take a second to point out that funding made available by our regional landfill agreements aren't the only supports available to our municipal partners. We're working with rural municipalities to install weigh scales and composting equipment. These are more investments that further support service enhancements at the regional landfills.

Now, Madam Chair, seeing the time, I move that you report progress.

**Chair:** It has been moved by the Member for Whitehorse West that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

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

### **Chair's report**

**Ms. Blake:** Mr. Speaker, Committee of the Whole has considered Bill No. 42, entitled *Act of 2024 to amend the Land Titles Act, 2015*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 215, entitled *Second Appropriation 2024-25*, and directed me to report progress.

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

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

**Speaker:** Mr. Speaker, it has been moved by the Government House Leader that the House do now adjourn.

*Motion agreed to*

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

*The House adjourned at 5:27 p.m.*

### **The following sessional papers were tabled October 16, 2024:**

35-1-165

*Making Space for Children's Rights 2023/2024 Annual Report Yukon Child & Youth Advocate Office* (Speaker Harper)

35-1-166

*Annual Report 2023 Workers' Safety and Compensation Board Yukon* (Mostyn)

### **The following written question was tabled October 16, 2024:**

Written Question No. 59

Re: lots released through lotteries and tenders process (Kent)