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HANSARD

Wednesday, October 23, 2024 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2024 Fall Sitting

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

CABINET MINISTERS

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

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

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

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Yukon Legislative Assembly
Whitehorse, Yukon
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Speaker: I will now call the House to order.
 We will proceed this time with prayers.

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of a change made to the Order Paper. Motion No. 1060, notice of which was given by the Premier yesterday, was not placed on the Notice Paper, as it is outdated.

DAILY ROUTINE

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

INTRODUCTION OF VISITORS

Speaker: Introduction of visitors.
Visitors introduced

Speaker: Are there any tributes?

TRIBUTES

In recognition of Yukonstruct 10th anniversary

Hon. Mr. Pillai: Mr. Speaker, I rise today to pay tribute to the 10th anniversary of Yukonstruct. This valued institution has provided so many resources to our community, and I will do my best to capture the many positive impacts that it has had on the territory.

As operators of the first innovation hub north of 60, it has been at the forefront of supporting entrepreneurs who share the common values and priorities that the Yukon is known for. With a focus on sustainability, passion, and collaboration, the founders of Yukonstruct set out to provide resources and space for new ideas to flourish. With a wide range of members, including innovators, freelancers, start-ups, developers, students, inventors, creatives, and more, it is helping Yukoners with bold concepts to hit the ground running and to access vital opportunities for growth.

In 2018, it took a massive step to build on this work, opening NorthLight Innovation, a large, shared working space within our territory's capital, to expand what Yukonstruct could offer to its members and to increase creative collaboration. Today, NorthLight Innovation remains at the heart of entrepreneurship in the territory and is a setting for Yukoners to learn and grow through workshops and training opportunities. Since the company's inception, it has assisted thousands of innovators and entrepreneurs, both in Whitehorse and across the Yukon.

At Yukonstruct, you'll find a wide variety of learning and development activities geared toward all ages, encouraging locals to take action and to rethink how they approach challenges and changes.

Mr. Speaker, through Yukonstruct's 10 years of operation, businesses have been launched, youth have been inspired to pursue careers in science, technology, engineering, and math, and countless connections have led to collaboration.

The passion shown by Yukonstruct's staff shines through in all of the work that the non-profit brings forward. I want to recognize executive director Shayna Hammer, President John Glynn-Morris, and the Yukonstruct board of directors for their commitment to providing Yukon entrepreneurs with the tools to succeed and — I see that Jaret Slipp is here — Jaret Slipp, who was the tip of the spear for the work that was done by that incredible team.

Yukonstruct remains as a strong example of what can be accomplished when Yukoners work together toward common goals. I offer the institution my sincere congratulations on this significant milestone.

Applause

Mr. Dixon: I rise on behalf of the Yukon Party Official Opposition to pay tribute to the 10th anniversary of Yukonstruct.

Yukonstruct, as the Premier noted, is a non-profit society operating the makespace and cospace in Whitehorse. Their facility is now known collectively as NorthLight Innovation, and it is comprised of a broad range of members from innovators, freelancers, start-ups, developers, students, inventors, and much more.

Now, Mr. Speaker, it's rare that you can trace an organization like this back to a single event for its inception, but in this case, that is very much possible. It was a loosely organized, pizza-fuelled event on a Tuesday back in January 2014 at the top floor of what was then the newly constructed Waterfront Station. It may have been informal, but it was well attended with over 200 people in attendance, including me.

A *Yukon News* article about the event appeared in the January 17, 2014 edition and explained it in this way — and I quote: "Imagine if there was a space where you could build anything from cuckoo clocks to computer servers, a space where the community could come together and share ideas, expertise, tools and creativity..." And, added Ben Sanders, "... imagine if that space existed here in Whitehorse."

From that event in January, we went and built quickly, and throughout 2014, the group was able to secure support from the Department of Economic Development — I happened to be the minister at the time — and it really took off.

In September 2014, the doors first opened in the small 3,000-square-foot space to a multitude of enthusiastic makers. From then on, the organization has grown rapidly with many achievements in these past 10 years.

Five years ago, Yukonstruct moved into the current NorthLight building with over 20,000 square feet of space, an opportunity for more programming and more local businesses.

Within the first year of operations, membership grew so rapidly that Yukonstruct Makerspace Society launched a separate location called "cospace". This space provided rental space for Yukon's growing entrepreneurial community.

In addition to makerspace and cospace, NorthLight Innovation is home to Yukon University's Innovation and Entrepreneurship department, Yukon Women in Trades and Technology, Tech Yukon, the NGO Hub, Yukon Venture Angels, and so many others.

Yukonstruct has continued to grow throughout the years, and with the support of staff and volunteers, the society and members continue to achieve great success. Currently, there are over 300 members across the Yukon, with Yukonstruct supporting both makers and entrepreneurs in Yukon communities. They support businesses through their entrepreneurial supports programming, and there are so many success stories that we have come to know, offering products and services right here at home: Neighbourly North, Cryotech, Klondike Kettle Corn, Yukon Soaps, and many more.

In 2017, Yukonstruct received the National Startup Canada Entrepreneurial Support Award in Ottawa. They continue to grow memberships, and they hosted their first annual Innovation Week to honour Yukon innovators across the territory in 2020. Yukonstruct's community outreach manager has worked with 12 of Yukon's 14 First Nations to support chapter 22 and increased economic opportunities and education in rural communities. There are so many ongoing projects and achievements that Yukonstruct has had a hand in and unfortunately too many to list today, Mr. Speaker.

On behalf of all of my colleagues, I would like to thank the president, John Glynn-Morris, the entire board of directors, executive director Shayna Hammer, and one final person to recognize, the late Rick Steele, who was the former president of Tech Yukon and played an integral role, and I want to recognize him as well. Thank you to everyone for your work.

Applause

MLA Tredger: I rise on behalf of the Yukon NDP to celebrate the 10th anniversary of Yukonstruct.

When I think about where they are now, it is hard to believe that it all happened in 10 years. John Glynn-Morris tells a story about one of their very early meetings, saying: "We thought we'd get lucky if 30 people [came out]. I don't know how many times we had to reorder pizza because I think about 230 people showed up."

From those early days, the organization has had a focus of being a vibrant community hub. Every time that I walk in there, I'm struck that there is always something new happening. It might be a sign on the wall asking for input on someone's latest idea; it might be a new method of waste diversion, perhaps through creative repurposing; it might be a new class, a new technology, or a new project, but one thing is clear: Yukonstruct is a place of continuous energy, creativity, and innovation. Everything about the place, from the design through the décor, screams something cool is happening here.

Congratulations to all the hard-working volunteers, board members, and staff. You have done amazing things, and I have absolutely no doubt that there are many more ahead. Here's to another 10 years and more.

Applause

In recognition of Yukon First Nations Culture and Tourism Association 30th anniversary

Hon. Mr. Streicker: Mr. Speaker, I rise today to pay tribute to the Yukon First Nations Culture and Tourism Association celebrating their 30th anniversary. For three decades, YFNCT has played an essential role in showcasing the traditions, creativity, and knowledge of Yukon First Nations while empowering artists, entrepreneurs, and cultural leaders to share their stories with the world.

This approach not only brings visitors closer to the story of the Yukon but also strengthens the economy and cultural vitality of communities across the territory. By promoting experiences that invite visitors to engage with First Nation culture in meaningful ways, YFNCT fosters a deeper understanding of the land's history and the people who have called it home for millennia.

One of YFNCT's greatest achievements has been its unwavering support of Indigenous artists. Through workshops, mentorship programs, and exhibitions, the association has nurtured generations of Yukon First Nation artists, helping them develop their skills and share their work with the world. A cornerstone of this focus is the highly regarded Adäka Cultural Festival, which is Southern Tutchone for "coming into the light". I would like to give a shout-out to co-founders Katie Johnson and Charlene Alexander, who are here today.

Since 2011, Adäka brings together Indigenous artists, performers, and knowledge-keepers from across the Yukon, Canada, and beyond to celebrate creativity, culture, and community. The festival has become a vibrant standout in the territory's cultural scene, drawing visitors from around the globe and bringing the incredible talents of our Yukon First Nation artists into the light.

YFNCT has also been instrumental in creating opportunities for Indigenous-led tourism ventures, offering training, resources, and partnerships that empower Yukon First Nation entrepreneurs to build sustainable businesses rooted in their communities and cultures.

Whether it's a cultural camp, wilderness trip, or visiting an artist workshop, these tourism ventures offer visitors a chance to connect with the land through Indigenous experience. I want to especially acknowledge YFNCT's *Walk with Us — Respectful Travel Guidelines*, which invites visitors to engage with First Nation culture in a way that honours and respects traditional values, the land, and the people.

The guide emphasizes the importance of mindful travel, encouraging visitors to learn about the history and significance of the places they see and the experiences they have so that tourism benefits our economy and also fosters greater cultural understanding and mutual respect for all. YFNCT's impact over the past 30 years has been profound. The organization has strengthened the cultural fabric of the Yukon, provided countless opportunities for economic empowerment, and opened doors for deeper cross-cultural understanding between visitors and First Nation communities.

Mr. Speaker, I raise my hands to the dedication of everyone involved in the Yukon First Nations Culture and Tourism Association.

Mahsi' cho.

Applause

Ms. Van Bibber: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to tribute the 30th anniversary of the Yukon First Nations Culture and Tourism Association. I can't believe it's 30 years. This is dear to me, as I was one of the founding members of the Yukon First Nations Tourism Association in 1994. I'm so proud of the fact that we were also the first First Nation tourism association in Canada that focused on our people.

We were a small group of business owners who wanted to be taken as serious participants in the industry. There is strength in numbers and, from a small group, it has morphed into today's going concern. The association gave us room at the tables to discuss our growth and the need to encourage others to get involved in tourism. We held an annual tourism conference and it was always a sellout, along with the introduction of the first *Welcome* magazine.

We accomplished what we could with little funding and a strong volunteer board. The focus was and still is on promoting, supporting, and encouraging the sharing of culture and ways of life to visitors and locals alike. The successful Adäka Cultural Festival is a case in point. It allows everyone to walk comfortably among the displays and retail tables as well as take part in various workshops to learn new skills. There are displays, crafts, arts, fire chats, and, of course, food. Whether it is traditional or western fare, our people love to share food with others.

When travelling to promote Yukon, it was an easy sell. We have it all: wilderness, culture, arts, the white nights, the northern lights, and unsurpassed scenery. I wanted to see local First Nation businesses become more involved in tourism. The national and provincial aboriginal tourism groups quickly formed, and we had a united face to showcase a unique part of Canadian life.

I was a board member of the Canadian Tourism Commission and vice-chair of Aboriginal Tourism Canada for a few years, among others. We have modernized and adapted to new ways and technology, but it is good to see a resurgence in dance, song, and ceremony. As the visitors arrive, they are more sophisticated and looking for those learning experiences and involvement as opposed to just viewing scenery or driving through.

So, keep up the great work, and congratulations to all of the organizers, staff, and participants through those 30 years.

Well done. I am proud of our success.

Applause

Ms. Blake: Mr. Speaker, I rise on behalf of the NDP to pay tribute to the 30th anniversary of the Yukon First Nations Culture and Tourism Association. Yukon First Nation culture is a treasure trove of rich traditions, timeless stories, and deep-rooted connections to the land. It is a vibrant tapestry woven

from the knowledge and wisdom of generations — where the past and present blend seamlessly. The songs, dances, and art of Yukon First Nations are expressions of resilience, spirituality, and community, each telling a unique story of survival, celebration, and harmony with nature.

Tourism in the Yukon is more than just visiting; it is an opportunity to learn, respect, and engage with this incredible heritage. Visitors are welcomed into a world where Indigenous languages are still spoken and traditional practices such as hunting, fishing, drumming, dancing, and beadwork thrive. Through cultural festivals, guided tours, and interactive experiences, visitors have the chance to witness the beauty of Indigenous life and landscapes. From the northern lights to sacred gathering places, Yukon First Nation tourism offers not just a destination but a meaningful journey into the heart of Indigenous knowledge and stewardship.

By embracing Yukon First Nation culture, tourism becomes a path of education, respect, and a chance to support the preservation of traditions for future generations. It offers a profound connection to a way of life that honours the land and its people, leaving visitors with a deeper appreciation of what it means to live in balance with nature, culture, and community.

To all the staff, board members, and volunteers — past and present — thank you for everything that you do. The Yukon is a richer place because of you.

Mahsi' cho.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Cathers: I have today for tabling a letter to the Minister of Health and Social Services dated June 28, 2024.

Ms. Blake: I have for tabling a press release from Vuntut Gwitchin First Nation.

Speaker: Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House supports the launch of two new social studies curriculum units: “Our Voices, Our Stories: Yukon Indian Residential Schools – Truth and Reconciliation” for grade 5 and “Our Stories of Residential Schools in Yukon and Canada: Seeking Understanding, Finding Our Way Together” for grade 10 that were developed in collaboration with Yukon First Nation elders, knowledge-keepers, and former residential school students.

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

THAT this House urges the Government of Yukon to reinstall the “red signal ahead” advance warning light for drivers heading north at the intersection of the Alaska Highway and Robert Service Way.

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

QUESTION PERIOD

Question re: Whitehorse General Hospital capacity and health care infrastructure

Mr. Cathers: Mr. Speaker, today we will debate a motion calling on the Liberal government to release the Whitehorse General Hospital surgical services renewal project. This motion for the production of this plan from Yukon hospitals is necessary because the Liberal government has hidden it from the public since they received it in early 2018. I have asked the minister for it in the Legislature and have written to her to request it, but first, the minister of health pretended to not be aware of it and then ignored my letter.

So, I will ask again: Will the Liberal government agree to release this January 2018 plan to expand the Whitehorse General Hospital?

Hon. Mr. Silver: If the member opposite is talking about whether or not we’re going to release the document that he suggested in the motion later today, the answer is yes.

Mr. Cathers: Mr. Speaker, I appreciate that, but it does beg the question of why the Liberal government has waited so long to release it.

The plan itself will be important for Yukoners to see, because it shows that, back in early 2018, the Liberal government received clear advice from Yukon hospitals and the medical community about a needed expansion to Whitehorse General Hospital. During the 2021 election, the YMA called this an urgent need, and according to the YMA in a recent letter — and I quote: “Despite the tremendous efforts of doctors, nurses, cleaning staff and booking clerks to step up and do more with the same, this strain is unsustainable, and patients are suffering as a result...”

So, the question for the Liberal government is simple. Why has the Liberal government sat on this plan since they received it six and a half years ago, and why have they completely failed to act on the demonstrated need to expand OR capacity and add more bed space at Whitehorse General Hospital?

Hon. Mr. Silver: Mr. Speaker, if the member opposite would look past his speaking notes, he would see that, over the last six years, we have invested heavily in both the Yukon Hospital Corporation but also in health and social services — expanding services. The minister spoke at length yesterday about the increases of budgeting in both of those capacities, and we will continue to work with our partners and to listen to the communities to make sure that we are providing the health care that is not only necessary but expected in these very, very trying times, where we are seeing national considerations and

concerns when it comes to our health care systems and the pressures therein.

Mr. Cathers: Mr. Speaker, I will remind the Finance minister that even Ernst & Young called them out for chronic underfunding of the Hospital Corporation. The Yukon public have never had a chance to see this hospital plan because the Liberal government has been hiding it for over six and a half years. Despite this, the medical community has been clear that the solutions to this problem are already well-understood and solutions and a plan have already been presented to the Liberal government. The problem is that the Liberals have chosen not to act and they hid this plan developed by Yukon hospitals from the public.

Since they received this hospital plan back in 2018, they have done almost nothing and it sat collecting dust. Meanwhile, well-respected doctors have been ringing the alarm bell. Why has the Liberal government been ignoring them and ignoring this hospital plan for over six and a half years?

Hon. Mr. Silver: Mr. Speaker, again, the member opposite continues on his narrative that we just completely disagree with. In the last six or seven years, we have been investing very heavily in our Health and Social Services department — record investments. Our government is committed to ensuring that Yukoners have access to the services and supports that they need. We are providing a responsible and a transparent budget that responds to the health and social needs of Yukoners. We are working to address long-term pressures related to a growing and aging population, the rising demand and cost of delivering services. Health care in the Yukon is consistently above the national average cost per patient, at almost \$16,000 compared to the Canadian average of about \$8,700, as per the most recent forecast by the Canadian Institute for Health Information.

In 2023 alone, we saw an increase of about 1,000 residents, with more growth projected in the future. This place is booming right now. We are working with our health care and social care partners, including the Hospital Corporation, to meet core funding needs and to improve access to services. Alongside of other provinces and territorial governments, we continue to work with the federal government to discuss funding so that we are advancing Yukon’s priorities.

Question re: Whitehorse General Hospital surgical services and health care infrastructure

Ms. McLeod: Now, this is what the president of the Yukon Medical Association told CBC Yukon this morning: “As far as I know, we have not made any public statements about P3, specifically as it relates to health care infrastructure...”

Can the Premier explain why he told the Legislature and local reporters on Monday that the YMA wrote a letter in favour of the P3 model used for the hospital in Yellowknife?

Hon. Mr. Pillai: On October 21, I walked into a scrum upstairs and my comments exactly were that we did receive a letter from Alex Kmet, the president of the Yukon Medical Association, and he talked and looked to be favourable terms on the hospital in Yellowknife. That’s what I said.

The next day, the Leader of the Official Opposition walked in — which started all of this — and he said, speaking about me — and I quote: “He went on to the media scrum and told reporters that Dr. Kmet wrote a letter that spoke in very favourable terms about the hospital in Yellowknife and the P3 model used in its construction.”

So, that’s what started this — absolute misinterpretation or information from the staffer from the Yukon Party, who stood three feet away from me for the 20 minutes and who took the wrong information downstairs or they interpreted a recording improperly, but this is exactly from there.

I had a great conversation with Alex Kmet, and I want to thank him for his leadership. I think it was very important.

What he did talk about today was the fact that we should be looking at all models to build infrastructure. Doctors, nurses, and health professionals just want to see that work continue on like we have been doing for the last number of years.

Ms. McLeod: Now, the Premier may have invented one aspect of what the YMA said, but we do know for sure that what they said is that we need to move urgently to upgrade our aging surgical services and hospital infrastructure.

Mr. Speaker, when will the Liberal government finally take action and actually invest in our surgical services capacity at the hospital?

Hon. Mr. Pillai: I think that the conversation has been about investment in health care infrastructure.

First, I want to just share with Yukoners: We were happy to come into government as a team and to be able to finish off the emergency services work and finish off that infrastructure. We think it has been incredibly important to work with the Hospital Corporation to build over \$30 million in new infrastructure as well, which was the second project that focuses on proper mental health services.

Remember, coming into government — as our former Premier used to say — happy to do that work. We had one mental health nurse in the entire of rural Yukon. We look at communities as well, like Old Crow, which were completely underserved when it came to health care infrastructure. Now we have a state-of-the-art infrastructure there, hospital services, and medical services, and sitting with the nurses who were there who are now working for the Government of Yukon, they talked about how important it was and what it was like before working in the previous space.

If this is about investment, you have been seeing it. You can drive by the hospital and see the work. I want to thank the local companies that have been part of building that and the important work they have done and continue, as we get ready for the next budget cycle, to continue to look at all of the other things we are going to have to build — not just surgical services but more.

Ms. McLeod: Despite the Premier putting words in the YMA’s mouth, I think it is worthwhile considering what they actually said.

I would like to put the question that they asked in their August 19 letter to the government now: When will the Whitehorse General Hospital receive the recommended

upgrades to its aging surgical services and hospital infrastructure to ensure the well-being of Yukoners?

Hon. Mr. Pillai: Look, the first paragraph of the letter that we keep talking about talks about depoliticizing the conversation. All I am going to say is that we absolutely respect the information letter. He talks about the rural family medicine program. If you go through that and take a bit more time and urge the opposition — all you have to do is go look at the program, look at where it is offered, look at Stanton as the hospital, look at the testimonials that are there, and you will see that they do teaching at the hospital.

As well, I am going to bring up that we had another letter that was tabled. It wasn’t favourable to some of the things we were doing, but it was from somebody who is incredibly recognized here: Dr. Storey.

I also touched on it yesterday. He spoke in August about the fact that they want to see hospital services that they think are as big as the hospital in Yellowknife, so we will work with the YMA. That was the commitment in my conversation with Alex. We will continue to do that. We will plan together with the Yukon Hospital Corporation and Health and Social Services. These are going to be big expenditures.

I want to remind the members opposite that everything we talked about over the last number of years, you voted against. Every piece of infrastructure that we talked about today, you voted against, so hopefully, as we get into the fall supplementary budget and increased investment —

Speaker: Order, please.

Question re: Whistle Bend Place propane system

MLA Tredger: Mr. Speaker, on January 19, 2024, there was an emergency response to a propane leak at Whistle Bend Place. The amount of propane that leaked was so significant that it could be seen pooling against the building on the security cameras, and it was estimated to be as much as 500 litres. According to a debrief document obtained through an ATIPP, the in-house investigation pointed to a total lack of preventive maintenance as the cause. Documents show that the government was unaware that it owned the propane system that it had purchased. As a result, from the time the government bought the propane system in 2018, no maintenance was done on the system — not once. For six years, it wasn’t inspected even a single time.

Can the minister explain how a mistake like this was made?

Hon. Mr. Clarke: Thank you for the question to the Member for Whitehorse Centre. Of course, the safety and maintenance of all buildings that are the responsibility of the Yukon government are first and foremost of mind for this government. I would remind the general public that we are responsible for in the range of 600 buildings, which includes all of the schools and this building. It’s a lot of infrastructure.

We are certainly concerned by the issue raised by the Member for Whitehorse Centre and will receive a briefing with respect to that and get back. We are absolutely concerned about these matters. My understanding is that the matter was rectified, but the Member for Whitehorse Centre is bringing concerns

about there having been a lack of maintenance over the course of a number of years prior. So, certainly, we will get back to the member and to the House with respect to her specific concerns.

MLA Tredger: The first responders on the scene were very worried about the situation. We heard that the fire department, quite rightly, parked a significant distance away and entered the building in special suits to prevent static electricity from igniting the gas.

The government press release states that the tanks will now be checked for damage, gas leaks, and odors on a more regular basis going forward. While it's good to hear that the government now has a contract in place for basic maintenance, that was supposed to be happening already. ATIPP's documents show that there was an after-action review that includes four recommendations, but they have been redacted.

Can the minister tell Yukoners what those four recommended actions were, and have they been completed?

Hon. Mr. Clarke: Mr. Speaker, thank you for the question from the member opposite. As indicated, the maintenance of all buildings within the purview and responsibility of the Yukon government is of utmost importance to the Department of Highways and Public Works and the Property Management division of Highways and Public Works, which is a big department — do yeoperson's work on a daily basis.

This is of concern, as I indicated in my first response, and I have heard what the member is looking for. I will receive advice with respect to providing advice with respect to that incident. All I can say to Yukoners is that ultimately there were no injuries — or worse — with respect to this incident. What the member opposite is presenting, of course, is concern, and I look forward to receiving additional advice with respect to the issue that took place at Whistle Bend Place.

MLA Tredger: I have to point out that six workers reported symptoms of propane exposure, and we are, of course, very grateful for all the work of the fire department, which helped avoid a much worse disaster, but we were very close to a real tragedy. As much as 500 litres of propane leaked, but it could have been much worse. An e-mail in the ATIPP points out that, if the temperature had been colder, the leak would have been even harder to detect and could have gone on for longer.

Workers and residents of the facility are justifiably concerned, and they need more than a promise to do better. They have the right to know what happened and what this government is doing to prevent it from happening again.

The ATIPP suggests that a third-party investigation was conducted to determine the cause of the leak and identify ways to prevent this in the future. Will the minister commit to making the reports from all investigations public and tabling them in the Assembly?

Hon. Mr. Clarke: Mr. Speaker, thank you for the question from the member opposite.

YG manages almost 550 Yukon government-owned buildings throughout their entire life cycle. YG manages over 1,200 contracts per year for everything from flooring projects to constructing new buildings. We hold 127 commercial leases as a tenant in 99 different buildings. We provide maintenance

services to 32 schools across the territory. These services include everything from landscaping and snow-clearing to capital upgrades like a new roof or gymnasium floor. We also lease out 22 different publicly owned buildings to 37 different tenants. So far in the 2024-25 fiscal year, the department has led approximately 50 capital construction projects, including constructing new buildings, energy retrofits, and systems upgrades.

I hear the member opposite loud and clear with respect to her specific questions with respect to this specific file, and I undertake to return to them as soon as is practicable once I have received a briefing from the department with respect to this specific matter.

Question re: St. Elias Community School staffing

Mr. Istchenko: Mr. Speaker, several parents in my community of Haines Junction have reached out with concerns about staffing shortages at St. Elias Community School. We have heard that, currently, grades 1, 2, 3, 6, and 7 are without qualified teachers, and a recent e-mail from the First Nation School Board let parents know that the principal is now on leave as well.

Parents have also told us that educational assistants are teaching grades 1, 2, and 3 because no qualified teachers are secured. We have also heard that 11 staff have left the school from last year to this year.

What is the minister doing to help to alleviate the severe staffing shortage at St. Elias school?

Hon. Ms. McLean: Mr. Speaker, the Government of Yukon, the Chiefs Committee on Education, and the First Nation School Board share a common goal of providing high quality and culturally appropriate education based on an Indigenous world view for all Yukon students. The Yukon First Nation School Board governs 11 schools across the Yukon. This is, again, a historic step for the Yukon First Nations and their citizens. St. Elias school is one of those schools that is governed by the First Nation School Board.

The First Nation School Board is enabling First Nations to reclaim greater responsibility for administration and management of education programs.

As the Minister of Education, I continue to collaborate with the chiefs committee and, of course, the trustees for the First Nation School Board. I know that my deputy minister, Mary Cameron, meets on a regular basis with Melissa Flynn, who is the executive director for the First Nation School Board.

We have a number of service agreements with the First Nation School Board and the trustees, and one of them includes the human resource management, which the First Nation School Board has chosen to administer on their own behalf. We continue to support for success of the First Nation School Board and continue to work regularly with the executive director.

Mr. Istchenko: I don't believe I got an answer to the question. I asked the minister what she was doing to help alleviate the severe staffing shortages at the St. Elias school.

The staffing shortage is also contributing to a loss of students at the school. Yukon Education enrolment statistics show a loss of 16 students from the last school year to the start

of this one. That is by far the largest decline in rural Yukon. We are hearing that some choose to home-school their children while others have decided to move their families to Whitehorse. One of the reasons is the chronic staffing shortage at the school.

Is the minister concerned about this population decrease and, if so, what is she doing to rectify the situation?

Hon. Ms. McLean: Mr. Speaker, again, we are working closely with the First Nation School Board, which is responsible for administering their human resource department. We have transferred staff to work with them. We work closely with them on work around hiring. We have done a number of trips together to work on attracting new staff to the Yukon.

As I've stated, we have a number of service agreements with the First Nation School Board. One of them is specifically around human resource development. We certainly are working to support for success and our deputy minister works regularly with the First Nation School Board executive director. We have taken many strategic actions for recruitment and retention. We have posted positions earlier to be more competitive with other jurisdictions. We have visited a number of universities. We have used all of the tools around communicating the positions available in the Yukon.

I can continue to build on that or bring more information to the House —

Speaker: Order, please.

Question re: Financial support for fertility treatment and surrogacy-related expenses

Ms. Clarke: Mr. Speaker, the 2023 confidence and supply agreement includes the commitment to — and I quote: “create a refundable tax rebate covering up to \$8,000 per year for fertility treatment and surrogacy expenses for eligible Yukoners for up to a maximum of five years...”

While we know that the government recently introduced a medical travel subsidy for these procedures, the promise of a tax credit seems to have not been included.

Can the Minister of Finance tell us when this commitment will be fulfilled?

Hon. Mr. Silver: Mr. Speaker, I'm not used to making announcements on the floor of the Legislative Assembly, but I will say that this is an extremely important endeavour. I want to thank the NDP for their work on this file as well. A lot of different conversations have been had when it comes to modelling the best in Canada and different approaches. We will be making an announcement very soon.

Ms. Clarke: The CASA specifically notes that the refundable tax credit should be modelled on the Manitoba fertility treatment tax credit.

Earlier this year, the Manitoba government doubled their credit to \$16,000. What amount is the Yukon government considering for their tax credit?

Hon. Mr. Silver: Mr. Speaker, again, I am not going to be making any announcements on the floor of the Legislative Assembly and stealing some of the good news from the Minister of Health and Social Services, but at the same time, we are very confident that our program, once introduced — and we will be talking about it this afternoon as well if we get to

that motion through the Legislative Assembly, through private members' day. We are very confident that our program will be an excellent move forward for those who are trying to use the fertility pathway. We will be very excited to make those announcements in due time.

Question re: Lewes River bridge

Mr. Hassard: Once again, safety concerns at the Lewes River bridge have arisen after a recent accident near the site. Since the accident, Highways and Public Works has repainted lines and installed double lines on one side of the bridge to the crest of the hill.

On March 28, 2023, the minister told this House, when asked about safety concerns at the bridge — and I will quote: “... \$100,000 is budgeted this year for fiscal 2023-24 for design work, and \$3 million is budgeted for fiscal 2024-25 for construction.”

Why did the construction not proceed as promised in the current 2024-25 fiscal year?

Hon. Mr. Clarke: Mr. Speaker, Government of Yukon takes the safety of those travelling on our highways very seriously. While we still do not know the cause of recent incidents in this area of the Lewes River bridge, we continue to take measures on all of our highways to improve the safety for all of our travellers.

Information from recent incidents will be reviewed as soon as it is available and will be considered in any future projects. The department has been actively involved in a project to improve sight lines and safety for drivers approaching the Lewes River bridge and is reviewing options to shift the intersection location of Sawmill Road and the Alaska Highway.

Work was undertaken this past year to identify any heritage values in the project area as well as to advance the engineering design. Highways and Public Works is now working to refine the scope to be more cost-effective while still improving safety outcomes.

Mr. Speaker, one of the primary challenges in this area is the limited lines of sight for traffic on a bridge and vehicles approaching from Sawmill Road, which we are working to address. At certain times of the year as well, fog may also impact visibility. On the west side of the bridge, the department has been reviewing options that would include lowering the grade of the hill, adjusting the road alignment, and widening the shoulder.

There is more to discuss on this, but we are certainly aware of concerns that have been raised at the Lewes River bridge.

Mr. Hassard: Mr. Speaker, maybe next time the minister is on his feet, he can actually answer the question, but we'll move on.

On May 2 of this year, the minister told us — quote: “The department is aiming to implement a project in fiscal 2026-27 that will focus on highway alignment improvements...” He went on to say that Highways and Public Works was starting the permitting process this year; however, I'm unable to find anything on the Yukon Environmental and Socio-economic Assessment Board registry regarding this.

So, can the minister confirm that permitting will begin this year? When will the project be submitted to YESAB, and does he expect construction to begin in 2026-27, as he promised?

Hon. Mr. Clarke: As part of the regular maintenance of the bridge, the department hired a consultant through a request-for-proposal process to conduct a detailed site inspection of the bridge, and they identified an area where some concrete repairs are required. We plan to complete the repairs in fiscal 2025-26.

Highways and Public Works, as I indicated, regularly monitors and maintains the protective barrier in the area beside the Sawmill Road intersection, repairing any damaged sections as needed to ensure safety.

In October, we refreshed, as the member opposite did indicate, and modified the line painting to prohibit passing farther away from the approach to the bridge. Our traffic engineers are assessing options to enhance cautionary signage to inform traffic approaching the bridge. The speed limit in the area of the bridge is also being reviewed. As I indicated in my prior response, we are also exploring options to increase lighting to the area and are reviewing options to relocate the Sawmill Road access farther from the bridge. This will enable us to increase the guardrail on the approach to the bridge.

We are certainly very much aware of the concerns that have been raised with respect to Lewes River bridge, and the hard-working staff and bridge engineers at Highways and Public Works are on this file.

Mr. Hassard: Unfortunately, the minister isn't living up to any of these previous promises. So, again, on May 2, this minister told us — and I quote: "... this is part of the capital plan, and I will certainly go back to officials and see whether there is any possibility of this being expedited perhaps by one year." That would mean that construction of this project would be in 2025-26.

So, can the minister tell us if he was successful in his lobbying efforts with his officials to advance this project by one year?

Hon. Mr. Clarke: Mr. Speaker, thank you for the question from the member opposite. I provided a timeline with respect to some of the work that will be done. I can certainly get back to the department as to whether any of this work can be expedited.

I can advise, with respect to the Lewes River bridge, that there has been a traffic analysis — and first of all, the Highways and Public Works traffic engineers have reviewed RCMP investigation reports to understand factors that led to highway incidents for the purposes of planning highway safety improvements in the area of the bridge. In the past 30 years, there have been a total of 14 reported collisions in the bridge area. In reviewing these collisions, there were a variety of contributing factors, with no single common cause.

Certainly, we are aware of the concerns raised, I will urge the department to continue with the good work that I have indicated in the first two responses with respect to that.

That is the position with respect to the Lewes River bridge.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS FOR THE PRODUCTION OF PAPERS

Motion for the Production of Papers No. 30

Clerk: Motion for the Production of Papers No. 30, standing in the name of Mr. Cathers.

Speaker: It has been moved by the Member for Lake Laberge:

THAT this House do issue an order for the return of the Whitehorse General Hospital surgical services renewal project plan dated January 2018, which was submitted to the Yukon government by the Yukon Hospital Corporation.

Mr. Cathers: Mr. Speaker, while I am pleased, as the Yukon Party Official Opposition health critic, to have the chance to debate this motion for the production of papers, I also want to emphasize the fact that calling this motion for the production of papers should not have been necessary. The government should have simply released the documents being requested.

The Yukon Hospital Corporation provided the government with a plan in 2018 to expand operating room capacity at Whitehorse General Hospital by increasing the number of ORs and upgrading the surgical services area. It included building a new part of the hospital, which included more bed space. That plan was dated 2018 — over six and a half years ago, Mr. Speaker.

The Liberal government hid this plan from the public, but we all heard about it and the public heard about it from Yukon doctors talking publicly about the need to act on it. As I mentioned, the Whitehorse General Hospital surgical services renewal project was dated January 2018. The Liberals have never allowed the public to see it, and when I asked about it in April, the minister claimed not to be aware of it, despite the fact that the Yukon Medical Association called it an "urgent priority" during the 2021 election, and her own briefing notes from that same year talked about the project.

On Monday of this week, the minister of health admitted that investment in health infrastructure, in her words — quote: "... is absolutely desperately needed and has been ignored for a long time — too long." Mr. Speaker, she is right about that. For the past eight years, the Liberal government has ignored the Yukon Hospital Corporation's pleas for more money for both operational needs and O&M needs. Even the independent report that the Premier commissioned by Ernst & Young confirmed years of chronic underfunding of our hospitals under this Liberal government for the four-year period that they reviewed.

In the 2021 election — which is three years after this Liberal government received the plan from the Hospital Corporation — the Yukon Medical Association said that there was an urgent need to upgrade surgical services at the Whitehorse General Hospital.

I will quote from that April 5, 2021 CBC story later in my remarks.

As I mentioned, the minister's own briefing notes from 2021 talk about surgical services and the need for those improvements. The next year, at the YMA AGM, media reported that the minister of health heard from doctors and surgeons about issues including burnout and long wait-lists, including for surgical services. A quote from a CBC story from November 7, 2022 — I would just note that it does reference the minister's name. Of course, I will replace the minister's name with her title to respect the rules of this House. So, I quote from the November 7, 2022 CBC story: "Growing surgery wait times. Those wait times were brought up at the YMA meeting during time allotted for questions with..." the Minister of Health and Social Services. "We're currently struggling to keep up with giving Yukoners the surgical services that they need," Dr. Alexander Poole, a surgeon in the territory, told..." and again, insert the name of the Minister of Health and Social Services.

Yet, Mr. Speaker, when I asked about the hospital's 2018 plan that they submitted to the government for the expansion of Whitehorse General Hospital in April this year, the minister actually claimed not to be aware of its existence. One would hope and assume that every member of Cabinet would be aware of a major capital project request made by the Yukon Hospital Corporation. One would hope and assume that every single minister would read it and that, in particular, the Minister of Health and Social Services, the Finance minister, and the Premier would be quite familiar with its contents and the cost implications of a major capital request made by the Yukon Hospital Corporation.

Mr. Speaker, during budget debate in April of this year, I made a specific request to the minister for a copy of this 2018 plan by the Yukon Hospital Corporation, and I tabled a copy of that. Again, after the minister ignored my request in April, I sent her a letter in June specifically requesting a copy of that document. The minister ignored my letter and has yet to respond to it. I am going to quote from a few excerpts from it just for the record in Hansard.

In my letter of June 28 addressed to the Minister of Health and Social Services, which I entitled "Surgical Services Plan for Whitehorse General Hospital", I said, "During debate on the budget for the Department of Health and Social Services in the 2024 Spring Sitting of the Yukon Legislative Assembly, we discussed the plan that the Yukon Hospital Corporation had submitted to your predecessor for expanding and modernizing the surgical services area at Whitehorse General Hospital, as well as the strategic master plan.

"In reply to my questions, you said: 'The Yukon Hospital Corporation delivered a report on the comprehensive plan to the Department of Health and Social Services in January 2023. I think that is what the member opposite is asking about. The comprehensive plan is to expand services. Its recommendation is to expand services in priority order to meet current and future service needs. It speaks about improving efficiency in service delivery and patient safety and to ensure placement of expanded services — that they do not hinder future development of other services. The plan identified capital development needs through to 2035, including a new

emergency department and expanded surgical services wing. Surgical services planning includes a needs assessment and greater orthopaedic surgical capacity as a construction business case.' (Hansard, page 5424, April 30, 2024)"

Just to step away from the letter for a moment just to point out that the minister's own comments acknowledge — and she was speaking of work that was being done on the hospital's comprehensive plan — also known as the "master plan" — that was delivered in — I believe it was 2012, which included elements in it, including a new emergency department, the new secure medical unit — now known as the "mental wellness unit" — and the surgical services area.

Again, what I want to point to is that the minister herself in her comments this spring acknowledged that this plan, which was done by the previous government — or by the Hospital Corporation, I should say, under the previous government, in about 2012 — that hospital master plan for the campus there included, by the minister's own admission, a new emergency department and an expanded surgical services wing. So, Mr. Speaker, clearly, she was aware of the request.

Jumping back to my letter of June 28: "I requested a copy of those documents, including the report you received in January 2023, and the construction business case for expanding the surgical services area. I have yet to receive any of those documents, and will again repeat my request for a copy of those documents, and any other relevant information you are able to provide.

"In reference to the surgical services plan submitted by the Yukon Hospital Corporation to your predecessor, Minister Frost, I noted comments to media made by the President of the Yukon Medical Association in April 2021, and quoted a briefing note provided to you by the Department of Health and Social Services.

"As I mentioned in the Legislative Assembly: 'that plan had been developed and referenced by the Yukon Medical Association in a CBC article from April 5, 2021 entitled "Yukon doctors lay out list of priorities ahead of territorial election."' I made reference to specific quotes from that, including the president at the time indicating that there was — quote: "... an 'urgent need' to upgrade the surgical services at Whitehorse General Hospital." The minister's own 2021 Fall Sitting binder confirms the existence of that plan presented to them in their first term, stating after a part — actually, I will just read a couple of brief excerpts here: "The Yukon Hospital Corporation has started planning for the future of Surgical Services at Whitehorse General Hospital, to bring their services in line with modern surgical services standards." "A long-term surgical services plan has been developed." It then goes on to talk about the plan itself. It says: "This plan includes improvements to meet modern clinical standards as well as the future operating model, including service needs and volumes, staffing models, equipment, and physical space." (Hansard, page 5424, April 30, 2024)

"Again, I ask that you provide us with a copy of the surgical services plan received several years ago by Health and Social Services from the Yukon Hospital Corporation. If the

plan has been updated, please also provide the current version of it.

“Finally, I ask that you update us on the status of any work which has been done to implement that plan, as well as the estimated cost and timelines associated with implementing the surgical services plan.”

Again, Mr. Speaker, and for the reference of Hansard, I was quoting excerpts from my letter to the Minister of Health and Social Services dated June 28 of this year, entitled “Surgical Services Plan for Whitehorse General Hospital”, which, of course, I did table a copy of earlier today for the record.

Again, it is important to note that the minister never actually bothered even replying to that letter, let alone the request that I made in April specifically for those documents.

Yesterday when I asked about the Liberal government’s ongoing refusal to release the 2018 hospital plan, the minister made the outlandish claim that — quote: “... government ... needed to obtain the report from the Whitehorse General Hospital and the Hospital Corporation.” We are talking about the same report that the Liberal Cabinet has had for over six and a half years. I find it very hard to believe that it isn’t in their offices. And again, as I noted earlier, one would certainly hope and expect that every member of Cabinet would be aware of it and certainly expect the Minister of Health and Social Services, the Premier, and Finance minister to be aware of this major and urgently needed capital request by the Yukon Hospital Corporation.

I hope that no one in the Yukon would believe that the Yukon Hospital Corporation and senior Health and Social Services officials would not have briefed the minister on this major capital request for our hospital shortly after she was sworn into that role as Minister of Health and Social Services or that those officials would not have done their due diligence and made sure the Premier and the Finance minister were fully aware of it as well. The Liberals may hope that people are that gullible, but I think that Yukoners are smarter than that.

Mr. Speaker, while the Liberals hid this hospital plan from the public, health professionals and patients were seeing the impact of overcrowding at the Whitehorse General Hospital and a need for more operating room capacity, as demonstrated through growing surgical wait times — issues that we have raised previously in this House about wait times for a long list of areas, including orthopaedic surgery, which is just one example of this.

The Yukon Medical Association and several well-respected doctors and surgeons have gone public several times, repeatedly sounding the alarm bell about this crisis. I would point out that this crisis is due to the Liberal government’s failure to act on the recommendations they received over six and a half years ago. I also want to mention, since the minister attempted to suggest yesterday that the government was doing work related to long-term planning for the health — which she called “A 30-year strategy plan...” — an odd name for it, but that’s what she referred to it as.

She also said — and I quote: “This is a plan like has never been done before in Health and Social Services or by any

government with respect to looking forward at health infrastructure.” Again, as I reminded the minister — and as even her own comments from the spring of this year made reference to — the hospital had a comprehensive master plan, which included the emergency department, the secure medical unit — which is still not open under this Liberal government — as well as the surgical services area. Significant work had been done by the Hospital Corporation involving doctors and other health professionals in that process. What has happened is that this Liberal government has had eight years in office but has done very little to act on any of the items in it and has completely failed to act on the surgical services upgrades that were identified in the plan that they received from the Hospital Corporation in January 2018.

I do remind members — in contrast to the narrative that the Minister of Finance was attempting to float in Question Period and that the Premier and health minister have attempted to float before — that even the independent report that this Premier commissioned from Ernst & Young, which the government then stalled on releasing for months, confirmed that there was chronic underfunding of the Yukon Hospital Corporation, including a chronic cash shortage. Ernst & Young found that the corporation had to use millions of dollars in capital funds or was at risk of not being able to meet the payroll for that specific fiscal year that they looked at.

This chronic underfunding of Yukon Hospital Corporation for both its O&M and cash needs has been, unfortunately, something that has occurred throughout the eight years that this Liberal government has been in office.

No wonder, Mr. Speaker, that the government doesn’t want to release this 2018 hospital plan; no wonder that they hid the plan from the public, because health professionals and patients are seeing the impact of overcrowding and a need for more surgical services capacity and operating room capacity. And as I noted, the Yukon Medical Association and several well-respected doctors and a surgeon have repeatedly and publicly sounded the alarm bell on this.

This summer, a letter from the Yukon Medical Association and Dr. Dave Storey referred to the 2018 plan and made the case for urgent action to expand the infrastructure at our hospital to meet the current needs. Mr. Speaker, the Liberals have neglected our hospitals since taking office. They hid this specific plan and request for over six and a half years and failed to act on it. Then they tried to pretend that it never existed.

Mr. Speaker, all MLAs and indeed all Yukoners deserve to see the hospital plan from 2018 and the request that was made by the Hospital Corporation over six and a half years ago for this much-needed infrastructure.

With that, I hope that all members will support this motion. I would urge the government to follow through with releasing these documents if this motion passes. In fact, even if the motion doesn’t pass, I hope that they will release it. I would also urge them to proactively release other information about the capital needs of the Yukon Hospital Corporation instead of forcing us to resort to motions for the production of papers or ATIPP to receive that information. The government should

proactively share that information not only with all MLAs but indeed with all Yukoners.

Hon. Mr. Pillai: Mr. Speaker, on behalf of the Minister of Health and Social Services, I will be tabling this report today. But there was so much that was said.

While the media is here — and others — I want to first point out that the motion that we had today: That this House do issue an order for the return of the Whitehorse General Hospital surgical services renewal project plan dated January 2018, which was submitted to the government —

The Member for Lake Laberge, almost in every question that was asked today, was incorrect. The time frame that was repeated over and over was incorrect. The narrative that was built was absolutely incorrect. The understanding of timeline was incorrect. So, there was a real lack of understanding of what process happened.

There is a document here. We conferred today with Assembly staff and leadership just about the fact that it talks about a report from January 2018. That actually was really the point in time when the project started. There was a draft in a version in 2018, and then there was another version that was led by doctors and hospital staff on their work that went to January 14 and then finally later in the winter of 2019. Then, of course, as folks will remember, the teams from Health and Social Services as well as the folks at the Yukon Hospital Corporation, just about a year later, had this thing they were focused on, which was a global pandemic. This was 2020, 2021, and parts of 2022.

Here we are in 2024, and during that whole time — we are happy that we concluded the work that was completed with the emergency room, as the member opposite touched on. There was work that was defined. We then continued to make sure that we worked with the Yukon Hospital Corporation on the work that had to be completed around the mental health infrastructure.

There was another comment made today that really focused back on the Ernst & Young report. What I will say is that my recollection is that there needed to be solid communication coming between the Yukon Hospital Corporation and the Department of Health and Social Services — and then, of course, inevitably the Department of Finance and government — on what the needs were.

I have said in the House before — and I said it when the previous CEO of the Yukon Hospital Corporation was here — that we needed to ensure that we knew what was required. I will put on the floor of the House today and for Hansard that I had that discussion directly with the CEO of the Yukon Hospital Corporation last year going into the year, and I said that it's something we need to know. What are the funds that they need to make sure that the hospital can run as it should?

I will remind the member opposite that not only when it comes to the surgical services but the enhancement here for the orthopaedic surgeries that, as far as I understand, didn't actually occur previous to this government being in place.

When you think about some of the procedures, both knee and hip, as a consistent service — and, again, that's working

directly with that team of doctors and making sure that we don't have people having to fly outside of the Yukon to receive those services.

I've sat in meetings where there has been good, solid conversation and dialogue with the Yukon Medical Association as well as the minister talking about what the expectations are from the hospital, us having an opportunity to share the financial realities of building infrastructure such as this.

I wouldn't — well, I had no plan to dig a little bit deeper, but I think what we saw was an absolutely incorrect set of statements by the Member for Lake Laberge. I will remind the member that Yukoners with long memories — and I shared this yesterday — remember that when he was in charge, it was absolute chaos. You had the chair of the board of the hospital resign and quit because of — I think it was called the — quote — “command and control” style. He then went on to hire a CEO who quickly left the territory, and it was absolute madness.

So, there wouldn't have been anything built at that time. There wasn't anything built that we're aware of at that time. There probably wasn't effective planning, but the Member for Lake Laberge is quick to get up and go through a series of statements and a speech that — and as you review this, you'll see — was absolutely incorrect.

So, I hope that tomorrow, after reviewing this, there is an opportunity for the Member for Lake Laberge to correct the record. We're going to respect the motion as it is stated, even though it has been done with a misunderstanding. The comments today were all misunderstood — or the premise of them was misunderstood — and there was a lack of knowledge of what happened, but we're still going to make sure that this document can be tabled today. We're happy to share that.

I think it's important, though, to also be aware that there is a response that is rooting back from the letter.

It's important to know that this Cornerstone report — that the work was substantially completed by Cornerstone. Again, the first version was received by the Hospital Corporation later in 2018, and then you see these other versions.

Starting in 2012, the Yukon Hospital Corporation developed and has followed a strategic master plan. The plan identified capital development needs through to 2035, including a new surgical wing as a priority need after the implementation of a new emergency department and mental wellness unit. The new emergency department was completed in 2018, and the mental wellness unit is on track to open in 2025. In keeping with the master plan, the Yukon Hospital Corporation conducted long-term planning related to future needs of surgical services at Whitehorse General Hospital in 2019, resulting in the Whitehorse General Hospital surgical services renewal project report, which is what we have here today.

Again, it's important to note that the timeline that was repeated over and over and over again by the member opposite — absolutely false, incorrect. Please correct the record tomorrow.

This is a large, complex, long-term —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: Mr. Speaker, the Premier was very clearly, with his remarks, suggesting that I was not only incorrect but deliberately so, which is contrary to 19(h).

I have relied on the information shared by the Yukon Medical Association and others, and if the Premier believes that any part of it is incorrect, he can share the information proactively so that we can see all of those timelines ourselves.

I would ask you to have him retract his comments and apologize.

Speaker: The Government House Leader, on the point of order.

Hon. Mr. Streicker: Standing Order 19(h) is talking about charging another member with uttering a deliberate falsehood. The Premier has been pointing out that the member across has been saying incorrect things in his statement and has continued to do that. This point of order is not about uttering a deliberate falsehood.

Speaker's ruling

Speaker: On the point of order, the Premier is treading close to the line of being out of order. I would caution the Premier to temper his remarks.

There is no point of order.

Hon. Mr. Pillai: Thank you, Mr. Speaker.

Again, for the record, I was not pointing out that the member opposite was deliberately making comments that were false. What I was saying is that, upon reviewing this record, there will be an opportunity to go back and understand that the comments were not correct. On top of that, I'm just saying that it would be helpful to verify to Yukoners that mistake. I think that's fair and is good information.

In keeping with the master plan, the Yukon Hospital Corporation conducted long-term planning related to future needs of surgical services at the Whitehorse General Hospital in 2019, resulting in the Whitehorse General Hospital surgical services renewal project report. This is a large, complex long-term planning initiative, with about a five- to seven-year time horizon.

A needs assessment and high-level functional service program were completed with engagement of surgeons, other surgeons, surgical nursing staff, and support staff. Planning included consideration of current and rapidly changing quality standards and projected future service demands. This report aims to ensure that Yukon is able to, again, maintain a robust elective surgical services program, recognizing that surgical care and increased inpatient bed capacity are both essential for the expanding population of the territory.

In a similar vein, the RFP for long-term health system development was determined as a pathway to better equip the team at Health and Social Services to pursue health infrastructure planning — which we talked about lots this week — that ensures that we have the physical space and facilities required to provide high-quality care for many years to come.

The Yukon Hospital Corporation and its infrastructure is a very large component of this to consider.

I want to say for the record that we are happy to bring this to the House and share this information.

As I've shared with medical professionals, we are happy and excited to be able to work with those individuals and plan out the future of surgical services, making sure that Yukoners, over the years in front of us, have an opportunity to continue to see more services here than they have and a chance to not have to leave our territory to go to British Columbia or Alberta to receive services.

With that, I will table the report and move forward to the next element of the motion.

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

Does any other member wish to be heard?

Mr. Cathers: That was an interesting narrative spun by the Premier. I would point out to him that if there are any issues with the timelines that I stated based on the publicly available information, then the solution to that is to actually disclose the information to us, including the report and the timelines and information about consultation. For over six and half years, this Liberal government has not shared that information with us, so we are left relying on the information that we have seen in correspondence from doctors who have gone public regarding this report, as well as others. We look forward to seeing if the government actually does disclose this report if this motion passes.

I do want to also note that the Premier made reference to the orthopaedic program and repeated the incorrect claim that his Minister of Health and Social Services has tried to float on several occasions: that there wasn't an orthopaedic surgery program before the Liberals took office. That is completely incorrect, Mr. Speaker. Orthopaedic surgeries have happened in the Yukon going back for decades. In fact, the hip and knee surgery program being offered locally at Whitehorse General Hospital began roughly 20 years ago. The members can make reference to press releases from the government at the time as well as comments in Hansard about surgeries being provided locally. Changing the structure of the program, which indeed did happen under the Liberals, does not change the fact that there are many Yukoners here in the territory today who had knee surgery or hip surgery at Whitehorse General Hospital prior to the Liberals taking office. So, they might want to retract that ridiculous talking point.

With that, Mr. Speaker, I will wrap up my remarks and just note again, as I did in the introduction, that this motion for the production of papers never should have been necessary. The Liberal government should have released the surgical services renewal project after they received it from the Yukon Hospital Corporation in 2018. Following that, they should have released it when I specifically requested it this April and when I followed up on that request with the letter I sent to the minister and read excerpts from in June of this year.

I hope, if this motion passes, that the government will finally release this long-awaited report so that all MLAs and indeed all Yukoners can review it, judge it, and assess the need for this project.

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. 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 17 yeas, nil nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion for the Production of Papers No. 30 agreed to

Speaker: Pursuant to Standing Order 14.2(3), the Third Party designated Bill No. 308 as an item of business today. Therefore, I shall now leave the Chair and the House shall resolve into Committee of the Whole.

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter now before the Committee is general debate on Bill No. 308, entitled *Act to Amend the Elections Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 308: Act to Amend the Elections Act

Chair: The matter now before the Committee is general debate on Bill No. 308, entitled *Act to Amend the Elections Act*. Is there any general debate?

Ms. White: Madam Chair, I thank my colleagues for the opportunity today to get back into Bill No. 308 and talk about what the Yukon NDP is trying to do right now, which is to ensure that Vuntut Gwitchin stays as a riding going forward and that there be seven other rural ridings — so eight all together — outside of the City of Whitehorse.

So, the last time we were here, it was the day that the Yukon Electoral District Boundaries Commission report was tabled and there was a lot of speculation as to why I had access to the report ahead of time. I believe, in my closing statements, I alleviated those fears by mentioning that I had read it during Question Period.

I also encouraged all my colleagues to read the same report and to look at some of the submissions that are now available online.

The real crux of Bill No. 308 actually comes from what I heard at the boundaries commission hearings. So, I'm just going to go back to page 75 of that final document. It says: "Observations and General Recommendations

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

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

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

again for the next Commission, especially as the population of the Yukon grows and the disparity increases.

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

“Other jurisdictions have adopted changes to their legislation that allow for significant geographical and demographic factors to be addressed. We suggest that the Yukon legislature examine the approaches taken in Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador. Legislation in these jurisdictions take different approaches that allow for greater deviations than the accepted 25% in certain areas of their respective provinces, where the population is lower but effective representation requires ongoing representation requires ongoing representations from those areas. Some jurisdictions have legislatively protected certain electoral districts outside of the 25% deviation that have particular characteristics or interests.”

So, I will note here, Madam Chair, that the commission suggests that we look toward Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador, and indeed, the Yukon NDP did when we brought forward this bill.

So, then I am going to go forward to page 15, which talks about the challenge — quote: “How can effective representation best be achieved in the Yukon with our unique population distribution and geography? If we consider voter parity as the prime, but not exclusive, condition of effective representation as the law requires, then areas with more voters, like Whitehorse, have more representatives, unless there are circumstances that are necessary and justifiable to achieve effective representation. How do we, in our Yukon context, balance the democratic and legal principle of peoples’ votes throughout the Yukon having the same weight, with the democratic and legal principle of ensuring the Legislative Assembly represents all of the Yukon?”

“Between 1978 and 1989 in the Yukon, there was consensus in the Legislature to the over-representation of people living outside of Whitehorse. In fact, the rural areas held the majority of the seats, despite the larger population in Whitehorse, even at that time. In 1991, with the Supreme Court of Canada decision and a mandate given to the 1991 Commission to consider ‘the principle of equality of voting power amongst electoral districts,’ for the first time, the Whitehorse area had more seats than the rural areas. All electoral districts except for Old Crow were within the +/- 25% deviation. One consequence of this was the creation of some

very large rural electoral districts containing several very different communities.

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

“After hearing from the public, both during the public hearings and through the written submissions, and after further vigorous discussion, reflection and consideration, including of the legal parameters, and past Commission reports, the Commission members are of the view that there are good reasons to change some of the proposals made in the Interim Report, even though those changes will create an increase in deviations from voter parity in the Interim Report. The deviations - both the number of electoral districts and the amount of the percentage deviation - are lower than the current deviations.

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

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

“Other reasons for maintaining 8 electoral districts outside of Whitehorse are: MLAs outside of Whitehorse have more challenges of travel, geography, and communication to reach their constituents than the MLAs within Whitehorse; MLAs outside of Whitehorse may also have more issues to address than their Whitehorse counterparts, as well as issues of greater complexity due to location, such as significant land use planning, roads, essential services, fire prevention, infrastructure, tourism, food security, waste management, and wildlife management; although Yukon First Nations have their own governments, these are not a substitute for the representation in the Yukon Legislature - they are citizens of the Yukon Territory; their voices need to be heard on the issues,

for which the Yukon government is responsible; their concerns and their communities need to be addressed, and the changes attempted to contribute to reconciliation.

Finally: “The ability of the Yukon Legislature to be representative of the entire Yukon could be at risk with a reduction in rural seats to 6.”

The reason why I started with that, Madam Chair, is that it lays out the whole argument that talks about why we brought forward Bill No. 308.

So, there are a couple of different ways that we could go. I could read from submissions; I could talk about submissions that say that we need to keep rural representation; I could talk specifically about Vuntut. But maybe what I will do instead is that I will start by answering some of the questions that were asked from statements when we were in the second reading.

I already addressed the timing of the elections report. Again, it was expected to be tabled that day. I got a copy; I read it during Question Period. There were questions about the City of Whitehorse boundaries and if they need to be defined. Well, the City of Whitehorse is already defined in the *Municipal Act* in OIC 1987/017.

There was a great question about Lake Laberge, and I am happy it was asked, because we recognize Lake Laberge as being both inside and outside the riding. In the Electoral District Boundaries Commission final report, it repeatedly refers to the Lake Laberge riding as being outside of the City of Whitehorse. On page 24, the map showing ridings outside of Whitehorse includes Lake Laberge; on page 25, the language there includes Lake Laberge as a district outside of Whitehorse, and on page 41, it reads — and I’m quoting: “Lake Laberge ... is the 2nd smallest electoral district outside of Whitehorse ...”

While the current riding is not entirely outside of the city limits, it is currently the only district that straddles the boundary in such a way, but a clear majority of its residents and land mass lie outside of the city limits. While many of the residents of the riding may commute to Whitehorse and use services here, it is notably more rural than any other district within the city boundaries.

There were lots of questions about why Old Crow is distinct and not others and: Shouldn’t all First Nations have their own ridings? Why not the Kaska? That’s an excellent question. Old Crow has been its own riding since 1978, and boundaries commissions have repeatedly suggested that it should not be but have never made the change.

So, we wanted to make sure that we preserved Vuntut Gwitchin as its own electoral district because we think that’s important. The results of the boundaries commission final report do try to keep First Nation groups together, so the Tlingit are together, the Kaska are together, and the Northern Tutchone, where possible, are together.

There is simply no reasonable place for the Vuntut Gwitchin to go other than on their own — although I will point out that the Leader of the Yukon Party did make a suggestion that Vuntut Gwitchin could be with Whitehorse Centre. That was a unique perspective and that was a submission, if anyone read the submissions.

So, that was in response to one of the questions about Vuntut Gwitchin.

There was a question of — this is an interesting one: What kind of precedent does this set out to just let politicians codify boundaries whenever they want?

Well, I’ll remind everyone that the *Elections Act* is actually governed by the Executive Council, which is the Premier’s department. So, it’s not a stretch to say that it is already the case. The Premier is solely responsible for the laws that govern our elections.

I will point out that Members’ Services Board is trying to get the *Elections Act* to the Legislative Assembly and to that group.

So, this is actually an opportunity for all members of the Assembly to be able to debate this, whereas we saw unilateral changes with the previous Premier when we had fixed election dates. There wasn’t a chance — we didn’t have the same opportunity to have the same kind of conversation.

There were questions about consultation with First Nations. So, we have been in touch with Vuntut Gwitchin throughout the process, and they have spoken strongly in favour of remaining on their own as a district. We are echoing what we heard from their leadership and their leaders. And today, my colleague the Member for Vuntut Gwitchin tabled a press release from the Vuntut Gwitchin. I’ll just quote from that. It says: “The Vuntut Gwitchin First Nation also acknowledges the Private Member’s Bill tabled by Yukon NDP ... last week. The Bill seeks to amend Yukon’s *Elections Act* by defining the Vuntut Gwitchin electoral district within the *Elections Act*. We thank the NDP for advancing the conversation on representation in the territory. While the Yukon NDP Bill would meet VGFN’s immediate interest in maintaining the Vuntut Gwitchin electoral district, we continue to have serious concerns with the *Elections Act*, which was developed without consultation with Yukon First Nations.”

I echo some of those concerns. I believe we should review the *Elections Act*, but that is more than I can do as opposition.

There was consultation about everyone — about the territory. Well, I will point out that the boundaries commission undertook extensive consultation with communities in affected ridings and our office attended many of those meetings — I attended many of those meetings. Everywhere we went, we heard the same thing: Don’t take seats from rural Yukon and don’t put Old Crow with Dawson City. So, Yukoners were pretty clear about that and that’s what we have included in the bill.

So, then there’s the question around: Why a minimum of eight ridings? So, eight is the current number of rural ridings, and we heard loud and clear from Yukoners that they did not want to have any of them taken away. We hear, as elected representatives, all the time that decisions are being made in Whitehorse by Whitehorse for Whitehorse, and we agree that this is of concern.

People living in Yukon communities need to have their voices heard and preserved. I will go out and say that, within this Chamber right now with the eight elected members for rural Yukon, they do a good job of representing those voices

from all sides. Every party here has rural members and I can't imagine, honestly, losing those perspectives, even if I don't always agree with those perspectives.

There was a question about why the riding of Vuntut Gwitchin shouldn't be reviewed every two elections. I will point out that it is unlikely that Vuntut Gwitchin will ever have a road connecting it to the rest of the territory. It will always be unique in the way that it is, and by making sure that this is enshrined in law, it means that, in two elections when there is another review, this won't be another conversation that the next boundaries commission will have to go in circles around.

There were questions about what side effects there could be in other legislation. First of all, I just want to say that there would be a side effect of not doing this. Let's be honest: Whitehorse is growing. It is growing quickly and, at this rate, we could easily be in a place in a decade or more where there are at least 15 or more seats in Whitehorse and just three or four seats to represent all of the other communities. This is about putting in the lines. It is about saying that rural Yukon deserves representation — seven plus one, so eight rural seats.

Someone asked if this is in order. Yes, it is in order. It is drafted to the requirements; we are going to debate it here, so it is in order.

There was a question about consultation with Elections Yukon and the Boundaries Commission. Well, like anyone else, I was invited to boundaries commission hearings, and I went. What I heard over and over again is that they didn't have the tools in the current *Elections Act* to do what Yukoners were asking of them in consultations, which is: Don't just look at population; make sure that rural Yukon still has a voice.

Again, with this bill, we are hoping to rectify that problem by providing future commissions clear guidance on how to craft riding boundaries in a way that respects the uniqueness and influence of rural Yukon. I appreciate that the Chief Electoral Officer disagrees. That is fine; he had a dissenting voice in the document.

Someone said: Shouldn't this question be posed to all Yukoners? It was already — Yukoners were pretty unanimous in their support of these ideas during the consultation. Again, the boundaries commission did the consultation. I was just along for the ride. I went out and listened; I heard from Yukoners. Again, the consultation happened with the boundaries commission and the good news is that, as a non-political body, they were able to get out to a lot more places.

There was a question about — I wasn't sure if someone asked for more information — yes, they did. They wanted more information on the Îles-de-la-Madeleine in particular, as well as other jurisdictions. I can tell you that the Province of Québec has 125 electoral districts, and at 11,195 electors, Îles-de-la-Madeleine is about one-third of the number of electors in the next largest district and less than one-fifth of the population of the largest district. It has 78.1 percent deviation from the average number of electors, which is, interestingly enough, similar to that of the Old Crow deviation. It has been legislated since 1989, but more than that, it was in the 1800s when that first became a riding, but it wasn't actually mandated until 1989. If anyone is interested, I could read you the *Elections Act*.

Essentially, the questions that came during second reading — I don't believe that attempting to bring fairness or representation for rural Yukon is gerrymandering. I mean no disrespect to the current Member for Vuntut Gwitchin, but if that member didn't sit with me, I would still be trying to fight for Vuntut Gwitchin, recognizing the uniqueness of that community.

I welcome questions today. I ask for patience, as I am using technology and the opposition office has lost Internet twice already, so I am hopeful that we will be connected.

Thank you for the debate.

Mr. Dixon: I hadn't planned on standing in Committee today, but I just wanted to make one correction for the record. I don't think that the Leader of the NDP meant to say it this way, so I will just correct.

During the submission process for the boundaries commission, we had included the suggestion that, if Vuntut Gwitchin was not permitted to be its own riding anymore and if they were looking for an alternative to being lumped in with Dawson, it could be included in "Yukon Centre", not Whitehorse Centre. I say that because, as I mentioned, I am sure that's not what the Member for Takhini-Kopper King meant to say, but I just wanted the record of Hansard to understand that I do not propose lumping in Vuntut Gwitchin with Whitehorse Centre. That's not what we said.

Hon. Mr. Streicker: To begin, I would like to acknowledge that I am happy to rise. I am happy that we are here debating this. I think these are super important issues. I just want to say thank you to the Leader of the NDP for bringing this forward. I think it's an important debate for us to have.

I'm going to also — I don't know — correct the record a bit, but add a comment in. When I stood up to speak to this at second reading and talked about the final report of the Electoral District Boundaries Commission, what I said was that I was impressed with how fast the Member for Takhini-Kopper King had gotten in there and done that work and that I would need more time. Now, when I look at my final report of the Electoral District Boundaries Commission, it has a lot of highlighter on it. In fact, a lot of the highlighter is sitting right in those sections where the member quoted from today talking about the observations and general recommendations — that's on page 75 — and talking about the challenges, which are on pages 15 and 16.

Okay, let me get to my questions and, of course, I appreciate that the member is here on her own and that sometimes we are all sort of subject to the vagaries of our Internet connection.

I do want to start talking about — I heard the member when she stood moments ago and talked about that the way in which the consultation happened was around using the Electoral District Boundaries Commission and having read submissions that came into it and having attended the public meetings.

I myself attended several of them, and I listened to those submissions as well, but I never heard the commission talk about these as potentially permanent changes or enshrining these changes here in the Assembly. Can I just ask — to start with — the member whether she had any conversations about

that or whether she had talked to Yukoners about that? This is about the notion of taking the differences from the interim report to the final report and enshrining those into the *Elections Act*.

Ms. White: Just before I get to that answer, I do want to apologize to the Leader of the Yukon Party. The line says — and I'm quoting: "Remove the community of Old Crow from Yukon North, and add it to Yukon Centre."

Apologies; that is substantially different from Whitehorse Centre — going on from there.

During the Electoral Boundaries Commission meetings, the one thing that I heard over and over again is that, when people said: Why did you come up with the initial recommendations? — I am going back to the report where it dropped down to six and it kept it as 19. The final recommendation is for 21. It is eight rural ridings and 13 urban ridings.

What the commission said often — and I'm terrible at notes and didn't take notes at all of those — what they alluded to was that, without direction in the *Elections Act*, they were always going to have to go back to that 1991 court decision that talked about voter parity. They recognized that it's not just about the numbers, but it also has to be about the ability for representation, so the reason why I started with page 75 is that they acknowledge that — they want the legislator to consider future amendments to the *Elections Act* related to concerns that arose during the commission process. Again, it says that there are two significant challenges for the commission: first, the Vuntut Gwitchin electoral district, given its very small number of electors and the special nature of the community; and second, the effect of the high percentage of population in and around Whitehorse compared to the population outside of Whitehorse.

To me, that is what that is; that is saying that these are things that need to be considered going forward. It talks about the perceived imbalance of power between the people who live outside of Whitehorse and those within Whitehorse. It talks about how other jurisdictions have adopted changes to their legislation that would allow for significant geographical and demographic factors to be addressed. Then it actually directs to look at the legislation that we did. The drafter did look at all that legislation, and that is why we came up with the recommendation or the amendment that we did — based on those things.

I appreciate if the minister is looking for those direct words, but I feel that what is being said in the boundaries commission final report is what I heard at those meetings. It is reflective of what we are trying to do with the amendments to the *Elections Act*, which is to enshrine Vuntut Gwitchin so that future commissions don't have to have that conversation. Keeping in mind — let me highlight that, at any point in time, there could be direction and they could look at it again, but it means that it's not an automatic assumption that it won't be looked at and the recognition that rural Yukon requires representation and that they deserve that representation. It's not saying what those rural ridings look like. It's not saying that these seven rural ridings should exist. It just says "seven rural

ridings" and then "Vuntut Gwitchin". So, it's keeping it at eight.

The final boundaries commission report did say that, in recognition of all the feedback they got from that initial draft report, they recognized that lowering rural to six was wrong. It was incorrect. They listened to people's concern, about their concern about not having representation, which is why they came back and they kept eight rural districts. So, that is what we're attempting to do for future boundaries commissions.

Hon. Mr. Streicker: I agree that — at least in the meetings that I attended and in the conversations that I had — I heard those similar concerns. The thing that I'm really trying to focus on, though, is: Was there conversation that the member heard — because I didn't — about making this permanent?

I definitely read the report, and the first part of the quote that the member read from the final report was that the commission would like the Legislature to consider future amendments to the *Elections Act* related to concerns that arose during the commission process.

What I'm trying to find out is, in listening to Yukoners, whether she had heard about this becoming the permanent solution rather than: This is what we want you to do right now. I didn't when I was at those meetings, so I'm just checking whether there was that specific conversation about it getting locked in.

I appreciate the point that, of course, any future Assembly could come back and amend again, but just whether there had been the conversation between the boundaries commission and Yukoners about this being a more permanent thing.

Ms. White: I thank the minister for that question. As an example, at the meeting that was held in Haines Junction that the Member for Klwane was at, there were questions about: Why are you doing this?

The commission said: Well, we have to, and we're held to the 1991 Supreme Court decision, and it talks about voter parity and it talks about a plus or minus 25-percent deviance, and that's what we're held to right now. They said that there wasn't direction in the *Elections Act* and without that direction, it made it very difficult to go outside of that variance.

I'll point out that I believe that what we are doing right now is exactly what that first line is in "Observations and General Recommendations", which is "... consider future amendments ...". So, here we are; we're considering those amendments right now. Again, it's based on what I heard at those meetings. I heard the concerns of Yukoners asking: Why are you trying to take away the voices of rural Yukon? I heard the commission say: We're tied to this plus or minus 25 percent. There was lots of feedback after that report went out, which is why they indicated that there were going to be changes to the final report. So, I did hear from Yukoners, and I heard from the commission, and I believe that those of us who attended those meetings heard similar things.

I could go through some of the submissions if that's helpful. I can read off some of those if that's helpful. The minister can let me know, and I'll start sorting through those.

Hon. Mr. Streicker: Thanks — and yes, so look, the thing that I'm trying to look for — and it's a subtlety; it's not

whether — because when I sat in on the meetings, I definitely heard: Please don't go with six non-Whitehorse ridings; that will really imbalance this Assembly. I heard that, and I heard about the importance of Old Crow from the people who responded after the interim report came out, by the way.

What I'm really trying to get at is the notion of making it permanent. So, if the commission had comments about that, then yes, of course, I would like to hear that. When I read their report, I didn't find that; what I found was that they were directing us to try to work on it.

Let me check in, because Elections Yukon — or the Chief Electoral Officer was a member of the commission. I know that there was a — I forget what the term is, but they weren't unanimous in their final recommendations. The amendments that are proposed today to the *Elections Act* — did the member opposite have a direct conversation with Elections Yukon about bringing in these amendments and what their perspective was on the amendments as proposed?

Ms. White: I think it's probably a lot more complicated than the minister realizes. I, for example, have been in conversation, through my role on the Members' Services Board, with the Chief Electoral Officer for six years about updates and amendments to the *Elections Act* that just haven't happened.

I am also going to say that I respected the non-partisanship of the boundaries commission and respected those roles and responsibilities that they have. I did point out in my second reading speech that there was an opportunity for each selected member of that boundaries commission — representing the Liberals, the Yukon Party, or the Yukon NDP — to come back and have a conversation after that initial report went out. I did have a conversation with our representative, Elizabeth Hanson, the former MLA for Whitehorse Centre, my mentor, and former Leader of the Yukon NDP. We had a conversation and she talked very clearly about the challenges that she had heard.

Again, in reading the observations and general recommendations, it cements what I heard at those meetings, which is: Unless there is direction put into the *Elections Act*, every boundaries commission going forward will grapple with the same things. They will grapple with the percentage deviation and they will grapple with Vuntut Gwitchin. What I have heard from rural Yukoners is that they understood that there could be the requirement of additional seats in Whitehorse, but what they said is that they didn't believe that rural Yukon should lose seats. They said that they understood that Whistle Bend was very big; they understood that, but they said repeatedly that it didn't mean that it should go from eight rural ridings to six rural ridings. What the commission said, in the meetings that I attended, is that they were bound because there was not direction in the *Elections Act*.

So, what Bill No. 308 is attempting to do is to give directions in that *Elections Act* for future boundaries commissions so that, when they go out, they know that they don't just have to do it based on population or voter parity — that it is about representation.

I think it is said very well in a submission from April 9, 2024 from Floyd McCormick, who was our previous Clerk.

The line that is the one that I will probably just repeat — it's a great submission and I could read the whole thing — says — quote: "... I believe the electoral district boundaries commission should focus on providing fair and effective representation for rural communities by retaining the existing eight rural electoral districts. The commission should also focus on ensuring voter parity within Whitehorse and between Whitehorse and rural electoral districts, even if this leads to an increase in the number of Whitehorse electoral districts."

The reason why I highlight this is that it is about the importance of fair and effective representation as opposed to equal representation. So, if we were talking about equal, it would be only based on voter parity — so, the number.

But fair and effective representation recognizes, for example, that there will be fewer electors in some ridings, but they still deserve to have that representation. That is what I heard. This is one of many submissions that talk about it.

I appreciate that the minister would like more, so I will try my best, but at the meetings I attended, what I heard from rural Yukon was: Don't make us do this again; we have to do this every two elections. They go to those meetings. They say: We don't want to lose out. I heard it in 2018 when I went to those commission meetings. It was based on listening.

Hon. Mr. Streicker: I am again also going to agree with the member opposite. I have heard similar things about the importance of rural representation. I know because she and I and the Member for Lake Laberge were also part of the electoral reform select committee, which had the privilege of going around the territory and talking to Yukoners here in Whitehorse and in many communities. I heard similar comments. The part that I am really trying to get at here is that this makes some of this stuff more permanent. While I agree with it, I have always wanted to know what Yukoners think about that. That is what I am trying to get at.

The member said that it was through the conversations with the Electoral District Boundaries Commission and maybe through some of the experiences of the Special Committee on Electoral Reform. I am trying to ask about the notion of enshrining this and whether that was part of the conversation. In other words: What do you think about making this permanent? What say you? Of course, I also care about what Whitehorse residents think. I care what Yukoners think. That's the part that I am trying to hear about. If there are other examples of this, that would be great.

Let me shift a bit. In the report from the Electoral District Boundaries Commission, the suggestion was made about several jurisdictions. They talked about Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador.

The member, when she spoke at second reading, really talked about another one that I thought was pretty close to the Vuntut Gwitchin situation, and that is Îles-de-la-Madeleine. Just now in the opening remarks for Committee of the Whole, she talked about that difference.

I would have to check back through the member's opening remarks, but there was a range of choices there. They use different ways in which to come up with their solutions in each

of these provinces. I think that the Northwest Territories was one of the ones that the member spoke about, although the commission did not. Can I start posing some questions about the choice of how to enshrine this?

There are sort of these two ways that it's being done. One is with Vuntut Gwitchin. I think that the member drew the comparison with Québec and the Magdalen Islands. Can I just hear about the other choice — the one about how there should be eight ridings or seven plus Vuntut Gwitchin — and which of the other jurisdictions seem to align with that? Can I just start with that, please?

Ms. White: I thank the minister for that.

There are a couple of different things. If we look toward Newfoundland and Labrador, it says that, in Labrador, there need to be four ridings. Within Labrador, there will be four ridings. Other places talked about percentages. Other ones said that, above a certain border, there would be a riding. There were different classifications put in different spots. The reason why, in the end, we chose to go the way we did is because it's not about saying what ridings they will be, except for Vuntut Gwitchin.

I appreciate that the minister went back to Îles-de-la-Madeleine, because it is actually quite odd. It was in the 1800s that Îles-de-la-Madeleine became kind of a voting constituency for the first time.

I can go further into it and I can go into what the legislation says in Québec, but the reason why I think it's interesting is because the Province of Québec has 125 electoral districts. At 11,195 electors, Îles-de-la-Madeleine is about one-third of the number electors in the next largest districts and less than one-fifth of the population of the largest districts.

So, the ones that are closest in size — it's still quite a bit smaller, and it's much smaller than the largest district. It has a 78.1-percent deviation from the average number of electors, which is interestingly enough quite similar to Old Crow's deviation. It was legislated in 1989.

So, the Quebec *Election Act* reads as follows: "16. The boundaries of each electoral division shall be delimited in such a way that the number of electors in a division, according to the permanent list of electors, does not deviate by more than 25% from the quotient obtained by dividing the total number of electors by the number of electoral divisions.

"17. The Commission de la représentation may, for exceptional reasons, depart from the rule set out in section 16 if it considers that its application would not adequately serve the purpose of this chapter. Every such decision shall be in writing and give reasons.

"Notwithstanding section 16, the Îles-de-la-Madeleine described in Schedule I are an electoral division."

So, when we were looking at different things, we didn't want to be so prescriptive that we said there was the ability to deviate above or below a certain number, because that could affect how that worked. We didn't want to be more prescriptive in terms of saying how those divisions would be done. We believe that's the work of the boundaries commission.

Again, when we talk about the seven electoral districts outside of Vuntut Gwitchin, all that it says is that there have to be seven outside of the City of Whitehorse.

I addressed the concerns that were highlighted about Lake Laberge. Lake Laberge is recognized in the final boundaries commission report as being a rural district, even though it has parts of the City of Whitehorse in it. It is still called a rural district. We believe that the intent is still captured in our proposed amendments to the *Elections Act*.

So, I'm just waiting for some additional information about the others, but the reason why we specifically chose to go the way that we did was because we didn't want to be as prescriptive as some other areas that included a percentage and we wanted to make sure that the boundaries commission had the ability to make the decisions about what those boundaries would look like.

Hon. Mr. Streicker: I guess one of the things that I'm hearing is that there's — and not surprisingly — likely a range of ways in which this can be accomplished.

If we leave the Vuntut Gwitchin one aside for a second — because I think that is being presented as this very unique place that has fly-in only, along with all these other reasons why it is distinct — but if we think of the rest of the rural ridings and how this could get captured inside the *Elections Act* to inform future boundary commissions so that they don't have to tackle the problem each time, it does feel like there was a range of choices there. The member opposite just discussed a percentage system versus a base number of ridings. That leads to a choice, and in that choice was that part of the discussion. So, I guess, through the boundaries commission or wherever it happened, did that debate come up? If so, where did it land?

Ms. White: In large part, similar to when the government has legislation drafted, they depend on the expertise of the drafter, as did I.

Saskatchewan, as an example, divided the northern portion into two ridings, as recommended by the boundary commission, and the southern portion into 59 ridings. There are rules about the constituencies being equal-ish by population, and that only applies to the southern portion. The northern portion is divided according to the boundary commission report. The boundary commission makes the decision as to where that line is in the north, but it says that the north has to have two ridings. Right?

Saskatchewan, as an example — and they talk about the south, and they say they have to be similar — what we see in the boundaries commission and in some submissions — like, there are submissions again from the previous clerk that talk about making that parity within the City of Whitehorse. Gord Curran from Teslin has a similar recommendation where it says there has to be a different recognition for outside Whitehorse than inside Whitehorse.

Similar to Saskatchewan, where they said two above a northern boundary and 59 below —

Sorry, I am just confirming here.

In Newfoundland legislation, it says — and I quote: "Notwithstanding the other provisions of this section, for

the purpose of the commission's report in 2015, the commission shall divide the Labrador portion of the province into 4 proposed districts..."

Legislation that says, "Notwithstanding the other provisions of this section, for the purpose of the commission's report in 2015, the commission shall divide the Labrador portion of the province into 4 proposed districts, including the district referred to in subsection (4), and shall, in describing the boundaries of those districts, consider their historical boundaries."

I'm just waiting to see if there's one particularly with percentages, but the point is that, in Saskatchewan, it just says, "north of", right? So, what we're doing with this legislation is saying that it's outside of the City of Whitehorse. We're not prescribing it, because it's not as easy as saying that all the population is in one spot. We know that, south of Whitehorse, there are communities; we know that, north of Whitehorse, there are communities; whereas in Saskatchewan, it's a pretty clear line of population versus non-population.

Hon. Mr. Streicker: I have two different threads in my mind, but I appreciate the response from the member opposite. She talked about the expertise of the drafter providing that advice, I think, about using this model, because it would suit the Yukon better outside of Whitehorse and it aligns with the way in which Saskatchewan did it, although there are slightly different realities. It's not, say, outside of Regina and Saskatoon or something like that, but it talks about the north, which again talks about communities and large geographies.

When the drafter made that suggestion about that route to go, was that part of the conversation? In terms of talking with Yukoners, was that part of the conversation around this choice versus others? Did the drafter, when the member was talking with the drafter about this, discuss what would happen if, in 20 or 30 years down the road, future commissions decide to continue to add ridings inside Whitehorse, so we get more — we go from 13 to some larger number, whatever that is — and now the eight is not providing the same balance of representation? Was there contemplation of that? If so, can we just hear what that thinking was from the drafter who provided that advice? Was there any conversation about that outside of drafting the legislation — like, did that get into those conversations with Yukoners?

Ms. White: Just to correct it, in the legislation, it says: "Establish a minimum number of electoral districts outside of the City of Whitehorse ...", not a maximum. So, if the minister would like to increase rural representation, I'm sure that rural Yukon would be jazzed to hear that.

What we did hear from Yukoners — and to be perfectly frank, I have been elected since 2011, and I have spent a lot of time in rural Yukon, and I have always heard that there is more to Yukon than Whitehorse from full walks. So, what we heard from Yukoners at those meetings, including people in the City of Whitehorse, is that they were concerned about rural Yukon losing representation, and this is what reflective — I will point out to the minister that legislation — any single piece of legislation — is able to be changed. I have been here for lots of it; some I have agreed with; some I haven't agreed with.

I have, however, had a unique position compared to him, which is that I have been in opposition to two majority governments when decisions could be made and changed, and there wasn't so much of a working together in the Assembly that a decision was made and changed. So, again, I think we're unique in the situation, because at this point in time, I have no idea where anyone is going to go. I mean, to be perfectly frank, everyone could — except for the Yukon NDP — vote against us, and that's fine — right?

The point is that, in hearing from, like, rural Yukon, they didn't want to lose that. And we are not discussing — we are not debating the boundaries commission report itself, but I'm highlighting what the boundaries commission said, which is: They reflected that, with the growing population of Whitehorse, without changes to the *Elections Act*, that future boundaries commissions were going to have similar problems, because unless there was direction that said that there could be a deviation — and the way that we're addressing that deviation is by trying to say that, outside of the municipal boundaries, there must be seven rural electoral districts and Vuntut Gwitchin. We're trying to address it that way.

Again, this can change many times. We saw a bill brought forward by the Electoral District Boundaries Commission defeated in 2018. You know, we are using the same boundaries as 2008, and the population has changed a lot. In 2008, Whistle Bend didn't exist, and Whistle Bend is by far the biggest neighbourhood in the City of Whitehorse.

I think that the point that the minister made about, you know, if Whitehorse grows and it's 17 ridings and there are just eight outside, the point that I think that I'm trying to make is that it's about fair representation. It's about making sure that representation exists. It is not about voter parity; it is about equal and fair representation. It is not about one-on-one.

It is about having the ability to have that voice, and the boundaries commission did talk about that at their hearings, and they did talk about that they were hearing that people were concerned with the one-on-one, because what it meant is that rural Yukon went down to six and the City of Whitehorse went up to 13. Again, it is just a minimum for outside. It says "minimum" — it is not a maximum, and again, at any point in time, legislation can change.

People in these seats in the future will make decisions. They will accept the recommendations of the boundaries commission or they won't, but what we are trying to do is make sure that the boundaries commission, in two elections, is not caught in the same loop as they were right now, which is trying to do it within the voter parity — coming out with the first report and having that mass amount of pushback. That is what I am attempting to do. Again, it says "consider", and here we are considering that very recommendation.

Hon. Mr. Streicker: Madam Chair, I think that this is going to be my last question, so I want to begin just by thanking the member opposite for taking the time to share her perspectives back and insights, and in particular, thanks for that last response. The word "minimum" is — there it is.

Earlier, the member talked about a comment from newly re-elected, reappointed Mayor Gord Curran. I used to have the

job of working with the Association of Yukon Communities and all municipalities and LACs. My recollection with AYC is that, if there are going to be changes to boundaries, they would want to be engaged and consulted. I was happy to hear the member reference Mayor Curran's comments. For the changes that are proposed in front of us, did that conversation get to AYC or to other municipal leaders?

Ms. White: I had conversations definitely with municipal leaders who said that they didn't want there to be fewer seats in rural Yukon. I did not share the draft legislation with them. The minister doesn't share draft legislation with many, so a similar thing, but there was conversation.

Again, to just quote Gord from his August 19 letter, he says: "I propose that rural Yukon should have a different electoral quotient than the Whitehorse area. Whitehorse's geographical and general community homogeneity makes it easier for an MLA in Whitehorse to serve many more constituents than an MLA in rural Yukon. I am also not convinced that this will be challenged in court, as while there is a percentage difference beyond the variance, it is not a huge difference in absolute numbers. There is also voter parity consistency within Whitehorse and the Communities, even if each quotient is different."

Again, I appreciate the questions and look forward to others.

Hon. Mr. Streicker: Thank you to the member opposite. Can I just hear again about the quotient? Because that sounds like a slightly different thing. Is there a suggestion or was there a suggestion that we end up with a quotient that would be one quotient that's for in the City of Whitehorse and one quotient that's outside?

Ms. White: That is the hazard of reading a letter that you haven't fully highlighted. I believe the point that he's trying to make is that rural Yukon is going to have a different variance from the City of Whitehorse. So, I won't go back to that until I can go through it with a highlighter.

But I will point out that the Yukon NDP — we sent our submission to the Electoral District Boundaries Commission, and we did actually send it to all municipalities. I'm just trying to pull that up online right now, because that will be important.

So, we submitted it on August 22, 2024. On August 22, 2024, we sent our submission to the Electoral District Boundaries Commission, and we sent it to all municipalities and we sent it to all First Nation governments.

It says: "To the Electoral Boundaries Commission,

"The Yukon NDP Caucus would like to first and foremost thank you for your time and energy in trying to solve this difficult problem. The public consultations have been extensive and time consuming and we appreciate your efforts to come to the best possible solution. However, we feel that the Draft Report has two significant problems that we hope you will address in the final report, as well as some minor adjustments that would better reflect established communities of interests.

"In this era of truth and reconciliation and the need to increase First Nation representation in society and government, we disagree with reducing the number of seats available outside Whitehorse. Vuntut Gwitchin; one of the two seats that the

commission is proposing to dissolve has always elected an Indigenous MLA to the Legislature.

"Further, Canada has been experiencing a decades long trend of urbanization where more and more Canadians are living in urban centres, and this is especially true in the Yukon. While representation by population has long been a pillar of Liberal democracy, the Yukon NDP believe it cannot be the only consideration when determining the fair and just representation of electors by their politicians. The commission must give more weight to communities of interest and the balances of power between them.

"We feel the commission should apply the same argument it used to justify status quo for the district of Mayo-Tatchun to other rural districts. In the draft report, Mayo-Tatchun was allowed to exceed the 25% variance based on geographic size and communities of interest, but other communities were not given this same allowance. To be clear — we support the application of this line of thinking to Mayo-Tatchun and the Northern Tutchone community of interest. We hope that this principle will be more broadly applied in the Commission's Final Report..."

It goes on to talk about the rural versus urban: "We disagree with the Commission's decision to reduce the number of seats representing seats outside of Whitehorse.

"While we understand the Commission's desire to bring as many ridings as possible within the 25% variance established by the Courts, we feel there is room for additional special considerations, such as those that were applied to the district of Mayo-Tatchun. These considerations should be applied more broadly to maintain more seats outside of Whitehorse.

"We believe the Commission must consider that the needs of rural Yukoners are different than those living in or living in close proximity to the capital city as well as the importance of maintaining a reasonable balance of power between those needs."

It goes on to say that recognizing the large number of electors in Whistle Bend and the planned growth in that area, we believe that the addition of urban seats should be considered while maintaining the current number of rural seats.

Madam Chair, there's a lot more in that submission, because it is six pages long. I did send that out to municipal leaders and all chiefs and councils on August 22, 2024 when I submitted that to the Electoral District Boundaries Commission.

Mr. Pillai: I just want to clarify a few things, and hopefully there is no redundancy in the questions after the questions from my colleague. If so, I will quickly go through those. I will start by just asking the member opposite if she could explain the choice in wording that was used in regard to the ridings being located outside the municipal boundary of Whitehorse. I do want to get specifically into that and then we'll talk about how there may still be some difference from that and the report that is coming — or that has come out as well.

Ms. White: The decision to use the language of the "municipal boundary of the City of Whitehorse" was a recommendation from the drafter in large part because of how the current electoral map is written. I think it's important to note

that Yukoners distinguish heavily between Whitehorse and outside of Whitehorse, and we do actually think that this makes sense. The concern was that Whitehorse was continuing to grow and that was going to affect it.

I will point out very much again about Lake Laberge, because I recognize that Lake Laberge does have very small portions of the City of Whitehorse. It's important to note that in the electoral boundaries final report, in the general description of Lake Laberge, it says: "This electoral district consists of communities along the North Klondike Highway including Hidden Valley/MacPherson (Whitehorse subdivisions), the Mayo Road, Grizzly Valley, and Lake Laberge as far as Braeburn Lodge, as well as Takhini Hot Springs Road, Takhini River Road, Pilot Mountain, Ibex Valley, Forestview (Cousins Airstrip Road). This is the 2nd smallest electoral district outside of Whitehorse at 14,450 km²."

It's important to say that it is viewed as a rural riding because it does recognize that it has parts of Whitehorse in there, and we believe that while the current riding is not entirely outside of the City of Whitehorse, it is currently the only district that straddles the boundary in such a way. But a clear majority of its residents and land mass lie outside of city limits. While many residents of the riding may commute to the city and use services here, it is notably more rural than any other district within the city boundaries.

Hon. Mr. Pillai: I think it would be fair to state that the boundaries report — Elections Yukon report — also included maps. Of course, would the drafter have had an opportunity to review those final maps before drafting this piece of legislation?

Ms. White: No, as that was included as the final report.

I recognize that the difference is that we used what was used prior, which was a verbal description of an area. I totally appreciate that, in the piece of legislation coming forward based on the boundaries commission recommendation, it is now using maps because it recognizes that things like rivers can move.

I am open to any kind of amendment. If the Premier has a series of maps he would like to include, I would be happy to do so. Really, the intention is just to make sure, going forward, that we are talking about seven rural ridings and Vuntut Gwitchin — so that the boundaries commission has those borders to work with.

Hon. Mr. Pillai: My next question would be — just to clarify, in the legislation, we are talking about eight rural ridings, which also includes Vuntut Gwitchin. Under the current description that has been provided in this legislation, whether it was a drafting error or not, you would be excluding Lake Laberge from being a rural riding based on the fact that the municipal boundary of the City of Whitehorse is clearly used and there are no maps provided. It would also be offside with the final report from Elections Yukon, as it is stated here, without any sort of amendment to this legislation.

Ms. White: I think it's important to note that we raised the issue with the drafter, and they felt that Lake Laberge would still be considered and stand with this amendment due to the overall nature.

I am just wondering if the Premier has a legal opinion suggesting the position he has just voiced.

Hon. Mr. Pillai: No. What I am asking is that, when I look at the report that has been provided by Elections Yukon, it states that a portion of the riding of Lake Laberge is inside the municipal boundary.

This legislation explicitly states that, in order to be a rural riding, it has to be outside of the municipal boundary, and then it also states that there has to be a minimum of eight rural ridings. So, if you take into consideration that the final report from Elections Yukon has a portion of the riding of Lake Laberge on the municipal side of the Takhini River bridge, it would be excluded. Therefore, this legislation states that there needs to be eight ridings that are rural, and then the drafter — whether the drafter feels that it is okay or not okay, it explicitly states the municipal boundary as the City of Whitehorse. Therefore, this legislation would be putting offside the final report from Elections Yukon, as it defines rural ridings. I just want to see if we are under the same understanding.

Chair: Would members like to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continuing general debate on Bill No. 308, entitled *Act to Amend the Elections Act*. Is there any further general debate?

Ms. White: I do really appreciate the 15 minutes that we just had, because it actually gave me a second to collect my thoughts.

There are a couple of things that I will say first. One is this amendment to the *Elections Act*. It actually does not affect what the boundaries commission has just recommended. That is a completely different thing. This is talking about going forward. We did have a conversation with the drafter about being more prescriptive around the definition of the municipal boundaries, but what it turned out to be then is — what we were really going to do is we were really going to guarantee Lake Laberge as a riding, and that is going to be up to the next boundaries commission. There is no saying that, for example, between Crestview and the Mayo Road corner, there isn't a lot of growth in the next 10 years and that riding expands and the riding of Lake Laberge changes and it keeps Forestview and maybe it changes in that way.

So, by becoming more prescriptive, by adding things around the municipal boundary, the concern became — is that it was just about indicating future things about keeping Lake Laberge as it is, and that is also very prescriptive for the boundaries commissions in the future. Again, if we used more qualifying words, it was risking being overly prescriptive, so we are trying to allow future boundaries commissions to make the call either way, right? They can still choose to have a riding of Lake Laberge, including those parts that are within the

municipal boundaries, or they can make different decisions. Again, the next boundaries commission is closer to 2030 than to where we are right now, 2024. That is the justification for the language in the act.

Hon. Mr. Pillai: I apologize; I don't have a completely clear understanding after that explanation after speaking with the drafter. I will just clarify a couple of points. I hear that this amendment is looking at really affecting the next electoral report that we would see in the future. Just for clarity, this amendment would ensure that Lake Laberge will never have areas inside the municipal boundary again, if it is to be seen as a rural riding in the next report — if I could just get clarity on that.

Ms. White: Not necessarily; that would be up to the next commission.

Hon. Mr. Pillai: Okay, but if it states that it has to be outside of the municipal boundary of Whitehorse, wouldn't that preclude any areas inside the municipal boundary of Whitehorse for Lake Laberge?

Ms. White: I will put it back this way, and I will say that there is lots of legislation that has a five-year review clause. The Child and Youth Advocate is an example, and I think that we are 12 years into that one. So, although it is in legislation — again, it is going to be up to the next boundaries commission.

Hon. Mr. Pillai: What the member opposite is stating is that this amendment would have to be amended in order for the Lake Laberge riding to stay as it is and still be considered a rural riding in the future.

Ms. White: I am not going to take a guess as to what the makeup of Yukon will look like in two election cycles, which is when the next boundary commission will be. According to our drafter, given the rural-identity nature of Lake Laberge, it is still considered rural. It is considered rural in the current final recommended plan from the boundaries commission.

I look at the submission from the MLA for Lake Laberge from April 9 when he describes the character of the area — and I am quoting: “The character of the area is rural, with most homes being either on rural residential or agricultural property. Residents of these areas (including inside city limits) are responsible for their own water, garbage disposal, and sewage. Most homes have water wells or receive water delivery, while a smaller percentage haul water themselves, including some who use blue jugs.”

I don't think fire departments are probably relevant there. He is describing the area as rural, including those that are within city limits. It's important to note that the commission can decide whether “outside” means “wholly or in part”. The legislation does not specify.

Again, if the member is comfortable with an amendment, I am open to it.

Again, the commission can decide whether “outside” means “wholly or in part”. Right now, the commission has that ability to make decisions, as they currently are.

Hon. Mr. Pillai: Based on the explanation that was provided by the member opposite which defines that the commission can define either “in” or “out”, why then is the

legislation defining the municipal boundary of the City of Whitehorse in this amendment?

Ms. White: From the 2018 commission, in accordance with the act's legal direction to consider municipal boundaries and create clear, recognizable boundaries — so, it is based on the 2018 commission report. Again, it's about the act's legal direction to consider municipal boundaries that create clear and recognizable boundaries.

Hon. Mr. Pillai: Okay, thank you for that. What we can I believe come to understand is that the municipal-boundary language in the amendment specific to the City of Whitehorse is coming from the 2018 report. The current final report — which I have right here — would not be consistent with this language, and we actually would only have seven rural ridings in this report based on this, but in the future, this amendment would conform in the future, and Lake Laberge could stay as it is in the future if a commission amends this amendment at some point between 2030 — okay. I think we can see that there are some challenges, and this does actually completely — it will change the makeup of Lake Laberge. When you look at the population density through Hidden Valley and the fact that this language defines it, it actually will eliminate it because of how specific it is going back to 2018. I think it's probably just a challenge that the drafter had — there was something sort of maybe missed in the drafting of it, and it's just sort of — it has been caught.

I mean, I would think that it does impact the Electoral District Boundaries Commission work, because it's putting together an amendment that is actually going to say that this report has less rural ridings. It's not that — I think the challenge was that the amendments were written prior to seeing the final report, and of course, the final report has maps that are also with it but also the fact that Lake Laberge — that riding — I believe has been pretty consistent that it has been on both sides of the Takhini River bridge — previously. So, if you looked at that, you would see that you need to have more definition than just “municipal boundary”.

I guess, just quickly, I want — just so we have it in Hansard: What definition of “municipal boundaries” is the member opposite using as a reference in this amendment? Is it — because we don't see it in the *Elections Act*.

Ms. White: So, there are just a couple things that I would like to point out to the Premier. For one thing, I think he's misunderstanding that the boundary commission report and the legislation that has come forward for that are completely separate. It is entirely separate; it is a separate entity. It is going to be debated in what was presented. That is one thing.

I would also highlight that Lake Laberge is a 14,450-square-kilometre riding, and it is referred to in the report as the second smallest electoral district outside of Whitehorse. So, it does call it a rural riding in the report. So, if he wants to go to that, that's fine as well.

The City of Whitehorse is defined in the *Municipal Act* in the OIC of 1987-17.

Hon. Mr. Pillai: I do — I appreciate the comments from the member opposite. I think it really doesn't matter how large an area the riding of Lake Laberge is as it pertains to the question that I had. I'm just pointing out that this amendment will ensure that Lake Laberge as a riding, as it is defined here, will change forever.

Let me just ask this. There was a letter sent to chiefs. There was a letter sent to the municipal leaders. Was there any communication with the folks in the Lake Laberge riding so they would understand that this amendment will change their riding on the floor of this House, as it is understood now, in perpetuity?

Ms. White: I think my concern is that the Premier is making a lot of assumptions right now, including what a boundary commission might do in the future. Who knows if Lake Laberge will be kept as a riding in the future? Who knows if it will be moved in and saddled around? I don't know.

So, there are other pieces of Yukon legislation that refer to the boundaries without defining them, and the legislation, as proposed, doesn't prescribe whether it's wholly within the boundaries or partially. So, again, the commission could define that.

As to whether or not I sent that submission from August to the councils, I just totally drew a blank. I understand the community is Lake Laberge. I'm trying to think about the body out there — the local area councils. Thanks to the team for that.

No, he's correct; I didn't, but he's making a lot of assumptions about the future, so I'm not — again, lots of legislation refers to boundaries without defining them. I don't know what the riding of Lake Laberge will look like. As it stands right now, I don't know what — there are a few — ridings will look like before we have a debate or a vote on what was proposed, including, you know — if we do or do not adopt that next piece of legislation — I mean, what the City of Whitehorse looks like. I don't know what that looks like; I don't know what the future looks like.

I do know that I believe that we need rural representation. I do know that I believe that the riding of Vuntut Gwitchin should be protected, and I just wanted to know if the Premier has any proposed amendments, because I'm open to them. I have said that since the beginning. I said it to the House Leaders; I said it to the Minister of Energy, Mines and Resources; I said it to the Yukon Party House Leader. So, I'm happy to entertain amendments and look forward to hearing one.

Hon. Mr. Pillai: No, I'm not here to provide amendments; I'm just asking some questions to get clarity on the amendments that are in front of us.

Under the same understanding, as the member opposite stated, I don't know what is going to happen in the future, and I think that is a fair comment. Under that same understanding, I don't know what is going to happen in the future, but I know that this amendment in the present will change Lake Laberge as it is defined, and I know that, in the present, the final report that is just coming forward — which we will be taking forward — and the final report, which of course, has the *Electoral District Boundaries Act*, and that will be debated — will be offside with

this amendment as it defines the ridings here, and it will have less rural ridings even though the commission worked incredibly hard — as we understand it — to try to ensure that there were more rural ridings.

I think that the member opposite knows that too, so I think that it was missed by the drafter. It was probably — you know, the drafter may have felt that it was a subtle mistake, but it is significant, and I'm sure members opposite will have something to talk about — well, if it affects their ridings, I'm sure, and their constituents.

I'll move on. Based on the information provided across jurisdictions and the member's acknowledgement during second reading that there are a number of ways to address the discrepancies that may exist here — and noting that the current *Elections Act*, under section 419, does list some special considerations already, being those — such would be the density and rate of growth of the population of any area, the accessibility, size and physical characteristics of any area, the facilities and patterns of transportation and communication within the different areas, available census data and other demographic information, the number of electors in the electoral district appearing on a most recent official list of electors, any special circumstances relating to the existing electoral districts, the boundaries of municipalities and First Nation governments, public input obtained under section 416, and any other reasons or information relied on by the commission.

So, with that in mind, how did the member opposite reach the conclusion that this was the best method of addressing the concerns laid out by the members of the commission?

I guess the second part of that would be that, if this is a totally different process, there has been a lot of discussion from the member opposite about this commission and the comments made by this commission, even though it was a different process. There seems to be some correlation as we look at what was the catalyst for this policy amendment.

Ms. White: Just so that we're on the same page of understanding, can the Premier tell me which boundaries commission meetings he attended so that I have an understanding of what he heard there?

Hon. Mr. Pillai: I think that the member opposite has spent a lot of time — we heard today, both in these processes and in the opposition role of asking questions during Committee of the Whole — I think that usually what happens is that the person who has the legislation tabled, the other person asks the question. I believe that is my job here today.

Ms. White: I will just remind the Premier that he has done the same to me during debate on budget or different legislation or he is asked a question, and sometimes it can be answered and sometimes it can't. The reason why I am asking what boundaries commission meetings he attended, what hearings he attended, is because then I will have a sense of what he heard from the commission.

Many of the comments from the commission at the meetings suggested that they did not feel that the *Elections Act* gave them clear enough directions. They said that over and over again — at the four meetings that I attended, they said that.

They said that they were working within what they felt the direction was within the *Elections Act*. I am just seeking clarification so that I have an understanding of what the Premier heard at boundaries commission meetings so that I know that we are on the same page. I am confident that the Minister of Energy, Mines and Resources, the Member for Lake Laberge, the Member for Kluane, the Member for Whitehorse Centre — I know that the Minister of Health and Social Services — I know because I saw folks at those meetings.

I heard the Member for Pelly-Nisutlin when he read his comments, so I'm just looking for clarification, because it will be easier for me to understand if the Premier heard the commission at those meetings. I am just looking to find out what meetings he attended.

Hon. Mr. Pillai: My preparation for this is to go through the report as well as to prepare for the work that we have to do to take the final report forward and put the act in. Simply, today, we are just trying to find out some of the catalysts that drove the work here. That is really what my question was.

To be broad — whether they were meant to have substantial change to some electors or not, there are some effects to the amendments. I guess I would just say this: Does the member opposite feel that — it has already been touched on, so it's probably yes — but does the member opposite feel that a broad enough group of stakeholders have been spoken to specifically on these amendments? I will leave it at that for that question.

Ms. White: Yes, I believe that the boundaries commission did an excellent job with outreach.

Hon. Mr. Pillai: Was there any concern from the drafter that we're going to be put into any sort of threat of a Supreme Court challenge on the amendments?

Ms. White: No, these types of amendments are widespread across the country, as I've laid out, and the drafter was confident that they would withstand a court challenge.

Hon. Mr. Pillai: I guess this was touched on by the member opposite, and I think the term that was used by the member opposite was "gerrymandering". I believe that the was the term used by the member opposite. Clearly, there is pushback against that, and I agree with the comments. I think that most folks hear that term used in US politics, but what it does do is it involves one party changing electoral boundaries to benefit — and I'm not saying that is what this is, and I want to say that for the record.

I think the concern in the House is: Is there any concern from the member opposite that, in the future, a political group could use the action of these amendments to justify something that could be looked at as gerrymandering?

What was interesting, in just listening to the answers to my colleague's questions today, was — and I was writing it down and I know that my colleague did too — that there were examples where actually the member opposite spoke about the last two governments previously — and both governments that had a majority in the House — and how the member opposite felt that control of the House was not consistent with the member opposite's views.

So, is there any fear that, by doing this today — where one party comes into the House — that, in the future, one party could come into the House and have majority votes and base the decisions, say, to change ridings, and there could be any sense or riding.

Now, I heard the argument before that this work for the *Elections Act* gets put forward through Executive Council Office, and it does in the majority of legislatures across the country — many of them. I can go back and look at that. But I'm saying one party coming in, not the work where a commission comes together or the work of an all-party committee comes together with recommendations and that then comes to the House — but the fact that this would say that one, at any point — or would it justify the fact that one political party can walk in and make an amendment and vote through and say: Well, it was done before; the NDP did it before and there's nothing wrong with that. I want to get the sense.

I know there can be push back, but this is I think a major concern with how this came forward. It was not about the end goal. To be open, I will close it up. I do want to hear the view of that.

I think that, to close, the comments about Vuntut Gwitchin that the member opposite made — I echo everything that was said.

I don't believe the member opposite echoes everything that is said. That is not consistent with what has been said by the government of Vuntut Gwitchin and their comments about the process. I think that probably after there were some discussions with Vuntut Gwitchin, the member opposite quickly came in and put a motion on the floor about changing —

Some Hon. Member: (Inaudible)

Point of order

Chair: The Member for Takhini-Kopper King, on a point of order.

Ms. White: I believe right now that the Premier is imputing false or unavowed motives to another member. The speculation right now about my actions or what I have or have not done is totally out of line. I am happy to have him have a direct conversation, but to insinuate that I have taken actions or steps that I haven't is offensive, actually.

Chair: The Member for Mount Lorne-Southern Lakes, on the point of order.

Hon. Mr. Streicker: I have been listening to the presentations by both the Premier and the Leader of the Third Party. I didn't hear anything about false or unavowed motives. The Premier was just sharing some perspectives; that is all.

Chair's ruling

Chair: There is no point of order.

Hon. Mr. Pillai: In wrapping up, all I was pointing out was that I don't believe that, from the comments earlier, the member opposite said that this amendment and the actions of the member opposite echo all of what has been put forward by Vuntut Gwitchin. Then I stated that I believe that there are probably some changes to the *Elections Act* that the member

opposite is — or a look at the *Elections Act*. That part, as well, seemed to echo a couple of the points.

To close, I will ask this question to the member opposite: If there are two separate exact processes and if the premise of the answers today was that the boundaries commission is a completely different process — and I can go back in Hansard — that has nothing to do with the amendments today, how do you justify consultation on the amendments today as the consultation that was done for the boundaries? If that is a completely separate process that has nothing to do with your amendments, how are you using all of that consultation as the justification for the amendments today?

Ms. White: I did use the term “gerrymandering” today, and that was actually in response to the Minister of Community Services who used it in second reading, the Minister of Highways and Public Works who used it in second reading, and actually, the Premier himself used it in second reading. I guess we could congratulate the House that the last time it was used that I could find in Hansard was in 1982. So, congratulations to those three ministers for second reading. I did make the mistake of repeating it today, for sure — absolutely.

There are lots of different things — the press release that Vuntut Gwitchin sent out was about concerns with the *Elections Act*, which was not developed with consultation with Yukon First Nations. They are reiterating their call to revisit and transform elections in the Yukon in collaboration with Yukon First Nations. I do echo that.

I attended commission hearings, and I heard commissioners say that there were not directions in the *Elections Act*. I appreciate that the Premier read section 419. I had it up and I appreciate what it says there under the section “Relevant considerations”. I do appreciate that.

I will highlight that, within the boundaries commission final report, on page 75, it talks about what the challenges are — the observations and general recommendations. It highlights the two significant challenges: first is the Vuntut Gwitchin electoral district and then, of course, the perceived imbalance of power between people who live inside and outside of Whitehorse. I stand by it. This is an effort to try to make sure that rural Yukon is guaranteed voices going forward. That is what the intent is; it's to get voices of rural Yukoners represented going forward so that, in two commissions, they don't try to come back and knock it down to six or they don't try to knock it down to five because the City of Whitehorse continues to grow.

Hon. Mr. Pillai: I think that all members of the House here support that commissions ensure that there is rural representation and I hope that is reflected in the dialogue that we have later on in the Legislative Assembly this month.

The one question that wasn't answered — and I just want to go back to that — was that the term that was brought up in second reading which was, yes, “gerrymandering” — and I appreciate the Hansard review to tell us that it was used a number of years ago. For the record, I am not saying that this is what it is.

My question is, seriously — and there are two or three pieces to this: Does the member opposite feel any concern that

this sets a precedent that could then be used in the future for one political party to come in and make a major change if they had the votes, without anybody in opposition having the right? That could be done without recommendations or work done through a triparty process, because, with this commission, every party had the opportunity to pick somebody to go there and to speak on behalf of the parties and on behalf of Yukoners. The work that all folks do through Legislative Assembly committees then drives up and that's what we do. This would be a very interesting piece. In the future, wouldn't there be concern? Because the member opposite touched on that a number of times today.

When there were majority votes, this is what happened, and I was — you know — this was inconsistent. So, in 10 years' time, doesn't somebody have the opportunity — or 15 years' time — to be able to come in and say: Hey, we're just going to amend and it was done before; the NDP, in 2024, put a bill together, and it has been done before, because I reviewed Hansard, and it's okay?

I just want to get a perspective. And that is my last question.

Ms. White: So, I'm just going to highlight a couple things, I think. I'm going to do my best.

So, when I was elected in 2011, there was a majority Yukon Party government, and unilateral decisions were made in all sorts of pieces of legislation — I'll use the example of the *Oil and Gas Act* — and removed the ability for First Nations to say no. So, that's an example.

Then, in 2016, congratulations to the Yukon Liberals who formed a majority government. There were lots of changes to legislation that you as government made — which was totally fair; I mean, that's how it works — including fixed election dates that weren't consulted on in a wide way. What it meant, though, was that, for example, if I had disagreed with those fixed election dates — and I could have said so, and I could have voted against it — it actually wouldn't have mattered, because a majority had the ability to change that.

So, the really unique perspective that we're in right now is that this actually isn't one party making a decision, because we, with two votes, really can't make it go anywhere on our own — three votes when we get to the third reading.

So, the interesting thing is that this is really and truly an opportunity for all parties to participate, because in a minority-government situation, no one party has the power to make changes on their own. That's a really interesting thing. They don't. So, this is an opportunity to have that conversation in a way, and this is an opportunity for folks to be able to vote.

The interesting — the point that I'll say is that, at any point in time, any political party can try to make changes to any piece of legislation. The makeup of the Assembly may be different and that may lead to different things, but what I will say is that the intention of this is to ensure rural Yukon has voices. It's to ensure that Vuntut Gwitchin is a riding going forward, and it's to assist future boundaries commissions.

So, I think that's it for now, and I welcome any other questions.

Chair: Is there any further general debate on Bill No. 308, entitled *Act to Amend the Elections Act*?

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

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Title

Title agreed to

Ms. White: Madam Chair, I move that you report Bill No. 308, entitled *Act to Amend the Elections Act*, without amendment.

Chair: It has been moved by the Member for Takhini-Kopper King that the Chair report Bill No. 308, entitled *Act to Amend the Elections Act*, without amendment.

Motion agreed to

Chair: The Chair shall now rise and report the bill without amendment.

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 308, *Act to Amend the Elections Act*, and directed me to report the bill without amendment.

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.

Pursuant to Standing Order 57(4), Bill No. 308 stands ordered for third reading.

Pursuant to Standing Order 14.2(3), the Third Party designated Bill No. 308 as an item of business today. The Leader of the Third Party is therefore entitled to decide whether the House should proceed to third reading for the purpose of continuing consideration of Bill No. 308.

I would ask the Leader of the Third Party to indicate whether she wishes the House to proceed to third reading.

Ms. White: Mr. Speaker, I would ask that the House now proceed to third reading for the purpose of continuing consideration of Bill No. 308.

Speaker: Pursuant to the request of the Leader of the Third Party, the House will now proceed to third reading of Bill No. 308.

BILLS OTHER THAN GOVERNMENT BILLS

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

Clerk: Third reading, Bill No. 308, standing in the name of Ms. White.

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

Speaker: It has been moved by the Member for Takhini-Kopper King that Bill No. 308, entitled *Act to Amend the Elections Act*, be now read a third time and do pass.

Ms. White: Mr. Speaker, I thank my colleagues today for the breadth and depth of the questions on this proposed bill to amend the *Elections Act*.

I spent a lot of time in rural Yukon since I was first elected in 2011, and I spent a fair amount of time during the electoral boundaries commission process, actually at boundary commission hearings, listening — including a fair amount in rural Yukon. The one thing that was repeated over and over again by folks was that they were concerned that Whitehorse had too much power — that Whitehorse had the voice. So, there was lots of talk and consideration around the importance of representation for rural Yukon and the desire to keep that there.

At second reading, I urged my colleagues to look at the submissions and to take a look at what folks were saying, because I thought that was important. I am going to take the opportunity right now to read some of those submissions, because I believe that they are the reason why this amendment has been brought forward.

This one is from August 6, 2024, and it says, “Understanding how the population growth in Whistlebend affects the districts, I strongly believe its preferable to add a new riding(s) instead of cutting back on rural Yukon ridings.”

“Concentrating even more power in Whitehorse is not desirable.”

“Population numbers should not be the only factor in determining ridings. The different needs and identities of communities should play a factor ie [combining] Dawson and Old Crow. Two very different regions where a one size fits all approach does not serve their individual priorities.”

“Rural Yukon needs proper representation.”

A submission from August 7 says, “I strongly oppose the electoral district reform which eliminates the Vuntut Gwitchin/Old Crow riding and merges it with the Klondike region.”

Another one says, “Just wanted to add my voice to the list of citizens who objects to the combining of the Klondike and Vuntut Gwitchin electoral districts ... Old Crow would be extremely neglected and lose its important voice if its voters were represented by an MLA who had no roots in the riding.”

An individual from Old Crow themselves says, “... I am strongly opposed to the proposed change to the Yukon electoral boundaries that includes a combination of the Vuntut Gwitchin (Old Crow) and Klondike (Dawson City) ridings.”

The reason why I'm reading these now again is that it goes back to what the boundary commission said, which is that they

were really challenged with two significant challenges — right? — that the Vuntut Gwitchin electoral district, given its small size and special nature of the community and, second, the effect of the high percent of population in and around Whitehorse. Again, the first line in that says that the commission would like the Legislature to consider future amendments to the *Elections Act* related to concerns that arose during the commission's process.

Bill No. 308 comes from hearing from folks at that commission's process. It came from hearing from the commissioners when folks were upset when the original proposal was to drop it down to six. The commission said: Look, we're following what it says in the *Elections Act*; it doesn't give clear direction. It doesn't give that ability to have that variance. It doesn't give that ability to look at it in a different way.

I have read both page 75 and pages 15 and 16 more than one time, so I'm not going to repeat myself, but ultimately what this is trying to do, going forward, is that there is a minimum of eight rural ridings in the Yukon. It could be more. It could be added. We could have huge population growth in a way that is unanticipated two elections from now, but it's to make sure that there is a minimum of eight ridings outside of the City of Whitehorse.

I think that it is really important that we look at enshrining Vuntut Gwitchin. It is a unique area. It is unlike anywhere else in the territory. It is the only fly-in Yukon community. I think I have said everything that I needed to say before this point. I look forward to hearing people's closing, and I look forward to finding out where we are with the vote.

Hon. Mr. Streicker: First of all, I want to again thank the member opposite for bringing this before us. I agree that the Electoral District Boundaries Commission wants us to consider changes to the *Elections Act* and how we can deal with this. The challenge is that we need to be careful that we do that through listening to Yukoners. I also agree with the member opposite — when I attended the hearings held by the commission, I heard that, but it was not put to people about whether it would be enshrined.

When I was on the Special Committee on Electoral Reform, I remember that we did a lot of work talking to Yukoners, and there was a time when we were considering whether we should go for a citizens' assembly. The Member for Lake Laberge — well, I'm sure in conversation with his caucus — said that we haven't heard from Yukoners about this or it wasn't clear when we first put out a survey. So, we went back out and redid that survey, and I felt that it was worth it. I thought that posing the direct question to Yukoners — we heard back — and it wasn't just even a little bit; it was like the most responded-to survey that we had ever heard back on. It was clear that, yes, we should set up a citizens' assembly, and that, for me, was talking to Yukoners.

It's so tricky when we're talking about our electoral system because — and one of the things that I heard from Yukoners and from us as parties when we talked about the electoral system was that we needed to make sure that the way in which

we considered changes to our electoral system was being driven from Yukoners, not from us as parties. Of course, it has to end up here. If we're going to make the changes, it has to come to this Assembly; we have to consider them; we have to make the changes. But it's one of the ways in which we always talk about how important it is to consult or engage with Yukoners on these important topics and especially if we're talking about our election system.

I just went back and looked through Hansard when we had debate on this bill at second reading on October 9, and there were three times that the term "gerrymandering" was referenced. Let me go back and just highlight those. The first was for the Member for Riverdale North and he talked about — and I quote: "We must do all that we can to protect democratic values and prevent partisanship and the perception of gerrymandering when redrawing political boundaries."

Then, the Member for Porter Creek South, when he talked about it, said — quote: "This is why boundary commissions and regular reviews are so vital. They safeguard against gerrymandering and democratic shifts that could distort political representation over time."

Then, the Member for Whitehorse West made a comment — quote: "I have absolutely no doubt that the NDP's motive is noble and sincere. However, unfortunately, it can easily be criticized or seen as gerrymandering. It sets a precedent for majority governments in the future to tinker with riding boundaries in their favour and enshrine them in law."

By the way, when the Member for Takhini-Kopper King was talking about how we brought in a change during the 34th Assembly about fixed election dates and said that we didn't talk to Yukoners, I disagree with that. That was a whole election campaign. We put forward a platform that said that these are things that we would seek to do. In fact, our theme was "Be Heard", and we talked to a lot of Yukoners about that. That was one of the things that we heard, and so I think that a mandate, especially when it is explicit and has come from the electorate — that is engaging with the electorate. But the real question that I have — I agree with the things that are being proposed here: safeguarding a minimum of ridings outside of Whitehorse and looking at the unique nature of Old Crow. But I want to be way more careful to do the diligence ahead of taking this decision as an assembly today because, really, we haven't talked with Yukoners yet about whether this should be permanent versus the boundaries commission that was talking about a point in time.

So, I think we can get there. I just think that work needs to happen.

I think it is critically important that we hear from Yukoners, and I don't make the assumption that because it was talked about as the right thing to do now, this is the way to legislate it.

The member herself talked about how there had been these options that were there and that it was the drafter who recommended that this was the best way to go. I have no context for whether the public agrees with that. My guess is that they probably do, but I sure don't want to guess on changing our *Elections Act*. I want to hear from Yukoners.

Unfortunately, the member may feel that this is criticizing what has been brought forward; it's not meant to. It's that I still feel we have a step in front of us, and I think it's important to put that step in there, because I do worry about what precedent we set.

I do worry that future governments could decide: This Assembly made the decision to change it without getting that thumbs-up from Yukoners. That is something that someone might use in the future. I hope they never would. I've always believed that our politics here is above the fray that seems to happen in other jurisdictions, and so I feel that we have more respect for each other and a better connection with wanting to hear from Yukoners. We don't have the same challenges that maybe some other jurisdictions or other countries sometimes display.

I just feel that what we have today is that the boundaries commission didn't go out and ask this question, and I think we need to do that work with Yukoners and then come back and make the amendments based on what we hear. Then I think that sets the right precedent for us going forward and I think that it can happen. If the next electoral boundaries commission is happening in two election cycles, surely there is time to do that work with Yukoners.

Just as I was sitting here, I went and read the submission from Mayor Curran. I found it interesting and fascinating, but nowhere in it did it say that we should enshrine this. I also read the submission from the Leader of the NDP and their submission to the Electoral District Boundaries Commission, which, they said today, they sent out to First Nations and municipalities. But nowhere again in there does it say: Let's enshrine this. In fact, let's do this choice of how to do it. This is what we think is the best choice. There are other examples from across the country, but this one looks to fit better with where the Electoral District Boundaries Commission got to between the interim report and their final report, and so that is why we think this is the best approach. What say you, Yukoners?

Again, I want to say that I really appreciate the work that has gone into this and the principle that is at play here. I just believe that we need further steps in the process, because I don't want to assume what Yukoners would have to say about this. It is my sense that if we are going to amend the *Elections Act*, you kind of need that level of engagement like we just had with the boundaries commission or the Special Committee on Electoral Reform. It is that level — out we go, we talk to Yukoners, and we give them a chance both directly and if they wish to provide submissions. They have that opportunity.

I appreciate the opportunity to rise to speak to this at third reading. I think that it is so important that we consider that balance between voter parity and the trade-off between Whitehorse and our communities. That is the thing that I would like to ask Yukoners about — and how or if we should consider enshrining this.

Thank you for the opportunity, Mr. Speaker.

Mr. Cathers: Mr. Speaker, I'm pleased to rise to this. I also in particular wanted to speak to it since there was a lot of

discussion between the mover of this bill — the Leader of the Third Party — and the Premier about my riding of Lake Laberge and my constituents in it.

First of all, I want to note that my colleagues and I do agree with the concept of protecting rural representation, including the concept of including guidance in the *Elections Act*. I would note that the commission itself suggested that on page 75 in its observations and general recommendations. I would note as well that the Leader of the Yukon Party Official Opposition, myself, and several of my colleagues all wrote to the commission after the release of the interim report arguing for more rural representation.

The real question is how that is done. I do note that, from my read of Bill No. 308, it does seem that the legislation proposed by the New Democratic Party would conflict with the final report of the boundaries commission, particularly as it pertains to my riding of Lake Laberge. The wording proposed in the act is that a minimum of eight electoral districts shall be located outside of the municipal boundary of the City of Whitehorse. Again, notwithstanding the comments made from the NDP after further conferring with their legal drafter, this is wording that, to me, very clearly would send the indication to future commissions that the districts have to be outside of the municipal boundaries of the City of Whitehorse — not primarily outside or mostly outside or largely outside but that the entirety of their boundaries needs to be outside of the City of Whitehorse, and that is a problem for my constituents.

Lake Laberge has been a riding since 1992. It has had the current boundaries for over 20 years, since 2002, and during all of that time, the riding has included a portion of country residential within Whitehorse as well as rural and agricultural areas outside of the City of Whitehorse. In 2018, when that commission proposed changes to carve off Hidden Valley/MacPherson and put them in Whitehorse, that concept was not popular with my constituents. The majority of submissions that were received from the commission in writing were actually from people in the Lake Laberge area, and the majority of those submissions were opposed to that change.

So, the current commission, to their credit, seemed to reflect on that in their initial work and did not propose the change that was unpopular in 2018.

But the wording of the Member for Takhini-Kopper King's bill would seem to suggest to me that, unless there were a subsequent amendment to the *Elections Act* to change what the NDP are proposing putting in, it would force a future commission down the road of splitting Lake Laberge and having Hidden Valley and MacPherson taken out of the riding and put in with a different riding. That is not something that has been supported by my constituents in the past.

I would also note that the commission, in their interim report, had a second riding on the south side of town that they also proposed being partially inside city limits but mostly outside. The legislation that the NDP has proposed would also preclude that type of situation happening. For those reasons, I have concerns with the specific approach.

I do want to note — and I will try to keep my comments relatively brief, knowing that other members wish to speak here

— that when I wrote to the commission following the June 11 public hearing in Ibx Valley — which I understand was tied for the record of the most-attended public meeting held by the commission, at least to that point in time — I followed up with the commission in a letter.

This was prompted both by listening to my constituents and the comments of commissioners at that meeting — regarding a section in my letter that I will briefly quote from rather than reading the entire thing of June 25, 2024. I noted some information about the job of a rural MLA based on my own experience and that of colleagues.

Under a heading entitled “Population concentration in one city is unique in Canada”, I quoted from a report by Dr. Keith Archer, former Chief Electoral Officer of British Columbia, done for the all-party committee on electoral reform, who noted that “... no other province or territory has so much of its population living in just one city. That situation is unique in Canada.”

So, in noting that, I went on to note: “I would respectfully suggest this also means court cases that set the legal standard did not consider such an extreme population concentration in one city, and some adjustment beyond the 25% standard is both reasonable and necessary to ensure Rural Yukon is represented effectively.”

I also went on to provide examples of the structure of the House of Commons, noting how the Yukon compares to the average size of ridings across the country, with the Yukon being less than 26 percent of the average population of federal ridings.

While I noted that: “While I am not suggesting that large a variance from the standard, I think it may show the outer limits of how far beyond may be legally justifiable in Canada. In my view, it is reasonable to predict a court case specific to the Yukon would likely determine the variance needs to go beyond 25%.”

Then I went on to reference discussions at the Ibx Valley fire hall and noted that there was a broader discussion of the topic of how other provinces protected rural representation and suggested that perhaps a specific provision in Yukon legislation would be an appropriate way to clearly define exceptions to the 25-percent variance, which is the normal standard of variance from the average riding population.

In my letter, I also noted my own view that it seems to me that such a provision could take one of several forms, such as requiring a minimum number of rural ridings, stating that at least a certain percentage of the seats in the Legislative Assembly must be from rural Yukon or, specifying a higher percentage threshold, rural ridings here may go beyond the normal 25-percent standard for the purpose of counterbalancing the concentration of power and population in one city.

I went on to note, “While I can see several ways that goal might be achieved, there seems to be growing public interest among Yukoners in finding a way to better protect the voices of Rural Yukon, and avoid the dominance of Whitehorse growing even more.

“I also found it notable that at the public hearing in Whitehorse on June 10th, multiple Whitehorse residents tried to

make the case for keeping more rural seats. No members of the public who were present seemed to disagree with that pitch for more rural representation.”

Again, that is concluding my references to my letter regarding the interim report, Mr. Speaker.

Then, going on to the specific recommendations of the commission contained in their final report, I think it’s notable that it seems that the commission reached agreement that the Legislature should consider the possibility of future amendments to the *Elections Act* regarding the issue of rural/urban representation.

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

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

Again, while I do appreciate what the NDP was trying to do in ensuring the protection of rural representation with this, I feel that the clause they identified does create a situation that conflicts with the commission’s recommendation regarding Lake Laberge specifically. I also have concerns with the fact that, while the Leader of the NDP indicated that they had taken a look at the legislation from those other jurisdictions, we have certainly not had an opportunity, as our caucus, to take a look at the approaches taken respectively in Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia, and Newfoundland and Labrador, as suggested by the commission, and to consider them. As I noted in my letter, there are multiple ways of achieving guidance in the *Elections Act*, and I think that there is room in discussing all of them and considering them through an all-party process that also includes the ability for feedback from Yukoners, feedback from the public, on what the best way is to provide legislative guidance to future commissions on protecting rural representation.

With that, Mr. Speaker, I will wrap up my remarks in the interest of allowing other members to speak to this. I do thank the Leader of the NDP for initiating this discussion, but again, as I noted, I have personal concerns with the specific wording of that section, that it seems to me to conflict with the proposal of the commission and would create a situation that might be

legally out of step with the *Elections Act* if this Legislative Assembly were to adopt the commission's final report.

I also, as I noted, believe that there is room in allowing for the possibility of other ridings in the future that might straddle the border of the City of Whitehorse, and the approach taken by the Third Party in this, in my view, has made that option hard to proceed with.

Again, as I touched on in my letter, I personally think that there are several different models of guidance that could be considered. All of them have their strengths and their downsides, and I personally believe that would be best done through an all-party discussion that also involves the voices of Yukoners and attempts to reach all-party consensus on what the approach is for that. I would note that the commission, to their credit, has demonstrated the ability for representatives appointed by parties to come together and reach agreement on a path forward. That has also been done on committees such as the all-party committee on electoral reform, and I believe that making a sincere attempt to have multi-party agreement on the model for this guidance is important.

With that, I will conclude my remarks.

Hon. Mr. Pillai: Mr. Speaker, I just want to finish today on third reading by touching on a couple of comments that were made and just to summarize some of the points that I spoke to during second reading as well as during Committee of the Whole. I think that it's important to put it on the record.

There was a back-and-forth during Committee of the Whole, and I think the first thing that was really important to try to point to — and it was touched on by the Member for Lake Laberge — is the fact that there seemed to be a significant mistake that was made in how you would define a “rural riding”. Quite simply, we are going to be coming forward here with a piece of legislation to go through from the elections commission. Today what we would be looking at is an amendment that would actually be offside with the work that has just concluded. It is specific to the riding of Lake Laberge.

I also want to put on the record — as was done by my colleague — that we are in a position where everybody here in the House, I think, wants to see strong rural representation, and we want to see as many ridings as possible, but it's how we get there. I think that there was grave concern and, during Committee of the Whole, I wanted to have that dialogue and try to get a sense from the member opposite about any concerns about what could be done in the future if this went through today.

I think my colleague did a great job today in his closing remarks talking about how the decision was made around getting support for the fixed election dates and what the process was and what the public conversation was to get to that place.

But I think, when we're talking about specifically having a party come in and start to define a riding — and I agree with the majority of points that were put forward concerning the uniqueness of Vuntut Gwitchin riding, if not all, but I'm wondering if, in the future, we're not in a situation where a political party that comes forward will not make a compelling case for another community.

In dialogue with other members of the Assembly, members of the Assembly have said to me: You have the community of Kwanlin Dün inside of Whitehorse, and it is incredibly unique in that it sits specifically inside of the community. And you have Beaver Creek, which is also in a situation — as one person said — that is incredibly unique at the end of the highway and maybe in a different place on the border. How do you contemplate that?

All of us here in the Assembly today can probably point to the fact that, today, this particular riding that we're speaking of has all of those unique characteristics, but what happens down the road where one political party can come back and look at this? I think that was part of the concern.

Pointing to other pieces of legislation without going directly to that question kind of missed the mark on what the dialogue was really about. There was no answer to the question about concerns specifically and the comments that were made specifically on how you would be looking at our democratic process and how one party could really shift things based on decisions today.

So, I want to table that.

I think as well — not something that we contemplated coming into the room, but I think there was such an argument made as well around the differences in the processes between the commission and the amendments, and it was said a number of times and was used to counter maybe some of the positions that I thought or understood or was taking, but it was that these —

Speaker: Order, please.

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

Debate on third reading of Bill No. 308 accordingly adjourned

The House adjourned at 5:30 p.m.

The following documents were filed October 23, 2024:

35-1-262

Surgical Services Plan for Whitehorse General Hospital, letter re (dated June 28, 2024) from Brad Cathers, Member for Lake Laberge, to Hon. Tracy-Anne McPhee, Minister of Health and Social Services (Cathers)

35-1-263

Whitehorse General Hospital: Surgical Services Renewal Project Vision/Strategy, Clinical Service Plan, & Functional Program — Final v1.3b March 2019 (Pillai)