



Yukon Legislative Assembly

Number 244

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35th Legislature

HANSARD

Monday, April 14, 2025 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2025 Spring 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

LEGISLATIVE STAFF

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

**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, April 14, 2025 — 1:00 p.m.**

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

Prayers

Speaker's statement

Speaker: On Wednesday, April 9, 2025 during the appearance of witnesses, shortly after 4:00 p.m., the Assembly experienced an overload situation with our power usage. This could not be fully resolved immediately and led to an early adjournment. In addition, power was still not working on Thursday, April 10, 2025, so the Sitting day was cancelled.

Legislative Assembly staff, Property Management electricians, and IT staff worked on the problem this weekend and restored us to operations. I would like to thank the staff for their extra work.

For today and for the rest of the Sitting, we will be reducing our power load by turning off some of the lights in the Chamber. This may seem like an unusual situation, but the 1970s-era lights actually draw a significant amount of power. A plan is being worked on for a permanent solution, with work likely taking place during the summer and into the fall.

I thank you all for your patience and apologize on behalf of the Legislative Assembly for the inconvenience.

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

Unanimous consent for Tributes to exceed 20 minutes

Hon. Mr. Streicker: Mr. Speaker, pursuant to Standing Order 14(3) and notwithstanding Standing Order 11(6), I request the unanimous consent of the House for the time allotted for the rubric Tributes to exceed 20 minutes.

Speaker: The Government House Leader has, pursuant to Standing Order 14(3) and notwithstanding Standing Order 11(6), requested the unanimous consent of the House for the time allotted for the rubric Tributes to exceed 20 minutes.

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

In recognition of Spark25 Yukon Youth Summit

Hon. Mr. Pillai: Mr. Speaker, today I rise to pay tribute to the Spark25 Yukon Youth Summit. From April 8 to 10, youth from across the territory came together both in person and online for meaningful conversations about their future and

to help shape the territorial youth strategy. I was grateful to be there to offer some opening remarks as the summit got underway.

Each year, this gathering offers a valuable opportunity for young people to share their ideas, voice their concerns, and identify the support and resources that they need to thrive. This free event was open to all Yukon youth between the ages of 12 to 30, and this was their space to speak honestly about the issues that matter most to them.

The key highlight of the summit is the Youth, Elder and Educator Awards ceremony, a moment to recognize the people who are at the heart of our communities. Their dedication, often quiet and often behind the scenes, makes a lasting difference in the lives of young Yukoners. To this year's recipients, thank you for the care, consistency, and guidance that you bring to your work every day.

Also, I would like to lift up the elders who joined this year's summit. Their wisdom, presence, and stories brought so much depth to the conversations. They remind us that intergenerational learning is essential and that listening across ages, cultures, and experiences is how we grow stronger as a territory.

To the youth who took part, thank you. Your leadership, honesty, and willingness to step forward are what make the summit what it is. You are shaping the future of the Yukon and your voices matter.

In addition to these important conversations, the summit also hosted in-person and virtual expo booths showcasing organizations and initiatives that support youth right here at home.

Young people today are navigating a rapidly changing world shaped by new technologies, shifting social norms, and increasing diversity. Their perspectives are crucial as we work together to build a more inclusive, equitable, and resilient Yukon.

I also want to recognize the many partners who contributed to the development of the Yukon youth strategy, and a big thank you to the organizers and the sponsors of the Spark25 summit for making this event possible.

Applause

Ms. Clarke: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize Spark25, the 2025 Yukon Youth Summit, held April 8 to April 10 this year.

This incredible event gives youth from throughout the territory the opportunity to come together to have meaningful discussion and connect with other youth. It helps to inspire and empower participants to speak about what they envision for our future, facilitating thoughtful conversations with representatives from organizations and community leaders. It's wonderful to see our youth so engaged and immersed in finding ways to tackle the issues of today from a youth perspective. I understand that Elections Yukon held a pretty cool mock election this year to help engage participants in the democratic process and give them an understanding of how elections work in an issues-based and non-partisan way.

I would like to give our sincere congratulations to the recipients of the elder, educator, and youth awards. It's wonderful to see recognition where it is due for all those who work to inspire the next generation and help them grow into future leaders. And, of course, a huge thank you to all hosts, sponsors, organizers, performers, and those who participated in the summit.

Salamat po.

Applause

Ms. White: Mr. Speaker, I stand on behalf of the Yukon NDP in celebration of the Spark25 Yukon Youth Summit held last week in Whitehorse. Thank you to the incredible folks who again pulled off the impossible with this incredible event. Thank you to the youth and community members who continue to share their time, ideas, and vision.

Building on previous experience and success, this year's youth summit did not disappoint. The summit started with a beautiful and meaningful Youth, Elder and Educator Awards night where folks from across the Yukon were celebrated for the love that they radiated out into their communities. We add our congratulations to those recognized this year. We appreciate all that you do.

Building on last year's presentation of the territorial youth strategy, this year was about moving toward action. From smaller conversations and workshops to main-stage presentations and group discussions, youth are serious about working toward solutions. I was lucky to join a facilitated conversation at the Pit, and this group of youth and community leaders were supported to dig deep and look toward problem-solving. I had two take-aways: (1) the youth are strong, smart, and driven; and (2) if we as a community, as leaders, and as elected people dedicate meaningful time toward problem-solving, we could find solutions that work.

So, to the youth, we hear your calls for action and will do our best to put them into action.

Applause

In recognition of National Medical Laboratory Week

Hon. Ms. McPhee: Mr. Speaker, I rise on behalf of the Yukon Liberal government to pay tribute to National Medical Laboratory Week taking place this April as an important opportunity to honour the vital contributions of medical laboratory professionals across the country and here in the Yukon Territory.

These dedicated individuals are the firm foundation of our health care system. Every day, they work with precision, skill, and commitment to support patient care. This group of health care professionals, who work mostly behind the scenes, play a crucial role in every stage of patient care. From the moment a blood test is ordered or a tissue sample is collected, medical laboratory professionals spring into action. From performing complex diagnostic tests to ensuring the accuracy and reliability of results, laboratory professionals play a central role in helping health care providers make informed medical decisions.

Their work forms the backbone of medical decisions, helping physicians diagnose illnesses, monitor treatments, and provide the best possible care. Their expertise supports the diagnosis and treatment of illnesses, the monitoring of chronic conditions, and early detection of disease. In the various laboratory disciplines, a total of 70 percent of laboratory tests aid in critical diagnoses. In other words, modern health care simply could not function without the knowledge and dedication of medical laboratory professionals.

At the Whitehorse General Hospital, we have 23 medical laboratory technologists, 17 medical laboratory assistants, and two combined laboratory/X-ray technologists who keep the laboratory up and running 24 hours a day, seven days a week, 365 days a year. The Dawson City and Watson Lake hospitals both have one combined laboratory and X-ray technologist on staff in their laboratories.

Each year, approximately 35,000 laboratory samples are collected at the Whitehorse General Hospital outpatient lab and an additional 110,000 samples from the emergency department and inpatient units; 36,000 laboratory samples are also received at the Whitehorse General Hospital from various Yukon community health centres and clinics in the Yukon. The Whitehorse General Hospital laboratory processes approximately 65 percent of all samples collected on-site and the remaining 35 percent are sent to specialized laboratories down south.

National Medical Laboratory Week is an opportunity to say thank you and to express our deep appreciation for the hard work, commitment, and excellence demonstrated by lab professionals. This week and throughout the year, we celebrate them and honour their contributions. We appreciate their important role in helping deliver safe, timely, and effective care throughout our territory.

The contributions of medical laboratory professionals may not always be visible to the patients, but the impact of their work is immense. The sign at the Jim Smith Building here at 2071 2nd Avenue in Whitehorse will be lit up in the colour indigo until April 19, bringing visibility to our medical laboratory professionals.

Applause

Mr. Cathers: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize National Medical Laboratory Week, which takes place this year from April 13 to 19. This year marks 50 years of celebrating the medical lab at a national level, of understanding the impact of the laboratory to health care throughout the country, and the importance of the contributions of lab techs to patient diagnoses and care.

We would like to thank our local lab techs, lab assistants, and all those staff who help to support our health and well-being through collection, testing, and evaluation. It is worth highlighting that this important sector is vitally important to health care in the Yukon and would be well worth looking into for Yukoners deciding on a career path in health care services. There's never a shortage of work, and our labs are in great need of dedicated people to be part of the team here in the Yukon hospitals and other lab settings.

Lab professionals are an essential part of our health care system. Thank you to all who keep our labs functioning for your professional demeanour, your expertise, and your dedication to health care in the Yukon.

Applause

Ms. Blake: Mr. Speaker, I rise on behalf of the Yukon NDP to tribute Lab Technician Day and National Medical Laboratory Week. We are so grateful for the dedicated professionals who work tirelessly behind the scenes to ensure our health and well-being. These individuals, often unseen and unsung, are the backbone of our health care system and keep our health care system responsive and accurate.

This week is a time to shine the light on the brilliance, dedication, and compassion of those who often go unseen but are essential to every diagnosis, treatment plan, and recovery story. Their precision, skill, and commitment ensure that doctors have answers that they need, patients get timely care, and families find peace of mind.

The friendly jokes and rivalries that are shared in the labs and hospitals are an integral part of the community of health care professionals. It is a reminder that they are more than just co-workers but are teams who genuinely care about their work and share a deep respect for each other.

In our Indigenous traditions, we honour those who serve the community with dedication and humility. Medical laboratory professionals embody these values through their meticulous work and unwavering dedication to accuracy and care. They are the silent warriors who ensure that our doctors and nurses have the critical information that they need to make informed decisions. Their role is not just technical; it is deeply connected to the well-being of our people, ensuring that we receive the best possible care.

On this special occasion, let us acknowledge and celebrate the incredible achievements of our medical laboratory professionals. Let us remember that their work is a blend of science and compassion — a true reflection of the spirit of service.

To all the lab professionals, thank you for your dedication, your expertise, and your sense of humour. You are the steady hands and sharp minds that help heal our world while being the heartbeat of our health care behind the microscope.

Mahsi' cho.

Applause

In recognition of National Scrabble Day

Hon. Mr. Streicker: Mr. Speaker, who doesn't love Scrabble? Well, my wife Susan actually, but not me; I love Scrabble. Scrabble is one of those educational devices cleverly disguised as a game. The pretty little wooden tiles are just trying to lure us in to make spelling and learning fun. So, really, I think that Scrabble is just a gateway for literacy.

On behalf of the Yukon Liberals and the Yukon NDP and in honour of Scrabble Day this past weekend, I want to use this tribute to thank an amazing group of folks — the Yukon Literacy Coalition. Founded 20-plus years ago, the Yukon Literacy Coalition is dedicated to improving the lives of

northerners — quote: "... providing accessible and culturally appropriate learning opportunities."

They run the Family Literacy Centre in Whitehorse and have a vibrant, Yukon-wide outreach program. Like Scrabble tiles, they seek to build the foundational skills required for lifelong learning. From kids and families to youth to adults, they empower Yukoners through play, outdoor experiential learning, financial literacy — you name it. The coalition fosters engagement, learning, and growth.

A couple of weekends ago, the Yukon Literacy Coalition hosted an amazing event down at Carcross at Haa Shagóon Hídi. The event was a two-day celebration of culture titled "Yukon — A Welcoming Place". To put this gathering into Scrabble terms, Mr. Speaker, it was a seven-letter, triple-word score event. They had a sacred fire, the Dakhká Khwáan Dancers, "Lunch Around the World" international boxed lunches, Japanese Taiko drummers, beading, communities, Ukrainian egg decoration, a tea ceremony, and henna tattooing — like I said, Mr. Speaker, a seven-letter, triple-word score moment. I met a couple there who are recent arrivals to the Yukon — I think from Lithuania and France. They seemed lovely. They were really taken with this place that we call home. I got the sense that they might be the latest in a string of folks who were just passing through the Yukon and then decided to make it their home for life, thus adding to the vibrant fabric of the culture here.

A big shout-out to the Literacy Coalition.

Gunalchîsh, shāw nithān, sógá sénlá, mahsi' cho, merci, thank you.

This wonderful group of Yukoners, like Scrabble, makes learning fun. Like Scrabble, they make learning fascinating, fabulous, foundational, forceful, fanciful, fetching, lifelonging, and fun. Happy Scrabble Day, Mr. Speaker.

Applause

Ms. Van Bibber: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to tribute the game of Scrabble — a topic I know. Scrabble is a simple word game that can be difficult to master played with 100 tiles, two of which are blank. Each player takes seven tiles and then forms words with various counts as dictated by tile placement — double word, triple letter, et cetera.

Scrabble will test your word-processing ability, your memory, math, and reasoning skills. It's a strategic game that is 10- to 15-percent luck, and the rest is skill and technique.

For the word nut, it is fun and challenging, but for those who struggle, it can be a nightmare. Players who are very, very good know the two- and three-letter words that can fit into hard-to-see spots and score big. Playing all seven tiles gives one the word count plus 50 to really leap ahead. One feels like they have won the lottery when you play a seven.

Good players are not afraid to play the words that they don't know the meaning of, words that don't seem like words, and words that they will never use in general conversation. It might seem unfair, but in the world of Scrabble, these words are what win the games.

The casual player plays for fun, a good family night, and a teacher for all who should learn to spell. The higher ranked players love the challenge, the competition, and to better their score. If you don't average a good 350 or higher, don't play with this character.

The professional who enters Scrabble competitions is timed, word challenged, high pressure, and there is no help if your brain freezes. There are many word games, some online — Words with Friends, Wordle, Jumble, Crossword — but the original board game of Scrabble is still the best.

As times change, slang and words not deemed usable in years past are now included. I cringe at some — “bro”, “homie”, “yo”, “thingy” — but as long as it's in the official Scrabble dictionary, it can be played. “Adult”, a noun, can now become a verb — “adulthood”. It is a very good idea to keep up with the new acceptable words allowed each year.

As we celebrate National Scrabble Day, play a game. You might get hooked.

I will leave you with this: Please don't drop your Scrabble tiles; it could spell “failure”.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McPhee: Mr. Speaker, I have for tabling a summary of the Connective program reviews dated April 10, 2025, along with five supporting review documents.

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

Are there any reports of committees?

REPORTS OF COMMITTEES

Hon. Mr. Clarke: Mr. Speaker, I have the honour to present the *Nineteenth Report of the Standing Committee on Appointments to Major Government Boards and Committees*.

Speaker: Are there any further reports of committees?
Petitions.

PETITIONS

Petition No. 29 — response

Hon. Mr. Clarke: Mr. Speaker, thank you for the opportunity to rise to respond to Petition No. 29. The safety of the travelling public is a top priority for our government. We acknowledge the concerns raised about winter highway conditions, particularly along critical stretches of the Alaska Highway in the Swift River, Watson Lake, and Teslin areas. These routes are vital corridors used by both local and commercial traffic at all hours of the day and night. We are committed to making sure that every road user experiences the highest possible level of safety.

During the winter months, our highway maintenance crews work seven days a week, including weekends and holidays, to keep our roads safe and passable. This includes plowing,

sanding, and actively monitoring conditions in the high-priority areas, such as Swift River, where the terrain and weather patterns present unique challenges.

We also support driver decision-making through real-time updates available on the 511 Yukon traveller information system. These tools help Yukoners and visitors plan their journeys; however, winter driving in the Yukon is never without challenges, and the Swift River area is no exception. This is a mountainous region that experiences higher than average snowfall and is subject to frequent freeze-thaw cycles. Its elevation and geography mean that weather can rapidly change, leading to icy surfaces even when the roads look clear.

Our crews focus on high-risk sections, including hills and curves, and reapply sand as often as necessary to improve traction. Still, despite these efforts, extreme conditions can pose difficulties. That is why, in the 2024-25 winter season, the department did increase the volume of sand produced in the Swift River area. This allowed us to respond more quickly and improve traction where it was needed most.

Highways and Public Works is also investing in the long-term safety of the route. This year, Highways and Public Works is rehabilitating 19 kilometres of highway in the Swift River area as part of our bituminous surface treatment, or BST, resurfacing program. BST helps to seal the road surface, extend the life of the highway, and improve traction, making travel safer and more reliable for everyone.

Our efforts go beyond surface conditions. We collaborate with the RCMP to review incident reports and assess contributing factors. Mr. Speaker, these insights help us to identify where additional safety enhancements may be needed.

In addition, our snowplowing and sanding policy includes formal inspections to identify potential hazards such as narrow shoulders and uneven road surfaces so that we can address them proactively.

Mr. Speaker, road safety is also a shared responsibility. While we remain committed to maintaining highways to the highest standard, safe travel also depends on drivers adjusting to changing road conditions. Posted speed limits reflect ideal conditions, not winter realities. We urge all travellers to slow down, drive to the conditions, and check 511 Yukon before heading out.

The concerns about winter conditions in the Swift River area guide our ongoing collaboration with communities and drivers. Every incident report and first-hand account from those navigating these stretches informs our action plan to strengthen this essential corridor. We remain committed to working with communities, commercial drivers, and safety partners to keep our highways as safe as possible for everyone.

I thank you again for bringing this petition forward.

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

NOTICES OF MOTIONS

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

THAT from 3:00 p.m. to 5:30 p.m. on a date during the 2025 Spring Sitting of the Yukon Legislative Assembly to be determined by House Leaders and reported to the Legislative Assembly by the Government House Leader, Michelle Grant, senior vice-president, and another senior official from PricewaterhouseCoopers appear as witnesses before Committee of the Whole to answer questions regarding the receivership, operations, and management of the Eagle Gold mine site.

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

THAT this House urges the Yukon Liberal government to open the Duncan Creek Road and all other placer mining roads in the Mayo mining district so that placer miners can access their claims.

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

QUESTION PERIOD

Question re: Whitehorse Emergency Shelter and downtown core concerns

Mr. Cathers: Last week, the Liberal government demonstrated how out of touch they are with what's going on in downtown Whitehorse and, in particular, the Whitehorse Emergency Shelter. The Premier asserted that there was no connection between the shelter and criminal activity, and the minister asserted that there was absolutely no permissiveness of drugs and alcohol at the shelter.

Despite their attempts to deny the facts, the government bought out one neighbouring business that has been seriously negatively affected by the Liberal government's mishandling of the shelter. According to the Premier, the government paid for an appraisal of the land and building and offered the business owner that appraised value.

In the case of the Duffy's Pets store, we understand that the amount was \$650,000. So, the question that many other businesses in the neighbourhood are asking is whether or not a similar offer is available to them. Is the government considering buying out other businesses in the area?

Hon. Mr. Pillai: No, we are not.

Mr. Cathers: When the Alpine Bakery closed in the fall of 2023, the Premier was quick to make promises about helping them. This is from an October 3 *Whitehorse Star* article. The Premier — quote: "... says he is taking steps to address the situation at the Alpine Bakery, and acknowledges the government does bear some responsibility."

Yesterday, Alpine Bakery issued an open letter that outlines how little the Premier's promises of action have resulted in. They say clearly in the statement that the promises from the Premier have not been matched with actions and they feel that the lack of concrete action by the Yukon government has essentially expropriated their business.

So, will the Premier provide the Alpine Bakery with the same opportunity that they eventually gave to Duffy's, and if not, can he explain why he will buy out one business but not another?

Hon. Mr. Pillai: Mr. Speaker, I would think that the Member for Lake Laberge probably did some deep research as he prepared to come in and ask me this question today. I would ask him, when he gets up, to tell me one promise that I made to Alpine Bakery that was not fulfilled.

Mr. Cathers: I would remind the Premier that I am quoting from the statement issued by Alpine Bakery. In that, Alpine Bakery notes that before government took over the facility in 2019, the shelter was operated by the Salvation Army in its current location with — quote: "... low to moderate impact on the neighborhood."

The owners of the bakery state — quote: "After Yukon Government took over control the shelter and transformed it in a low barrier facility, issues started to arise." That's something that even the Premier admitted back in 2023. The Alpine Bakery owners note that the Premier even took over the file from the minister with — quote — "a promise of change" but didn't deliver. "Although the Premier is loudly promoting the support of local businesses, the actions (or inactions) of his government demonstrate otherwise."

My question is for the Premier: What message does he have for the owners of the Alpine Bakery and other businesses and residents in this area of downtown?

Hon. Mr. Pillai: Mr. Speaker, I guess my message first would be that, coming into government, we have had a major investment right next to Alpine Bakery. One thing that I did not ever speak with Alpine Bakery about is: What was the consultation that was handled by the Yukon Party or maybe even the Member for Lake Laberge when that location was chosen?

I would say that the complexity in our community is challenging.

I would say that we are going to continue to support local business, which we always have.

I would again ask the Member for Lake Laberge — it makes good fodder in Question Period and, of course, I have seen the statement, but it is a difficult thing to say and it is sensitive. But, please, tell me a commitment that I made to Alpine Bakery that was not fulfilled. I sat with Alpine Bakery's owners. I had multiple deputy ministers come in and sit with me. We made a commitment on a number of things that we supported and we fulfilled those. We continue to work on a complex situation.

I am sure that when the Yukon Party built the shelter at 405, they took into consideration that we might have population growth and that the complexity of challenges would be greater and that we would have individuals as well who would come from outside of the territory into our downtown core. Maybe they did; maybe they didn't, but that is the reality of what we're dealing with.

Question re: Diesel energy generation

Mr. Kent: Mr. Speaker, last week, the Minister responsible for the Yukon Energy Corporation struggled to explain away the last five years' worth of his government's promises to never invest in fossil-fuel infrastructure.

As important as it is for Yukoners to understand his government's obvious inconsistencies on this, what they really want to know is more about this government's plans to invest over \$100 million in fossil-fuel generation over the next five years.

According to the plan tabled by the minister last week, work will begin this year to select sites, conduct public engagement, and start environmental assessments. Construction of a 15-megawatt thermal power centre in what the YEC calls "south Whitehorse" is being planned to begin next year in 2026.

Can the minister inform residents of south Whitehorse which sites are being considered, and what type of community engagement can they expect?

Hon. Mr. Streicker: Mr. Speaker, when these questions came last week, I went back through Hansard to look at the dozen or so questions that the members opposite have posed over the last several years about diesel generators. I checked every one of my answers and I have always said that we would require thermal — "thermal" means either diesel or LNG or some form of fossil fuel — for backup always and winter-peaking when needed. So, I have always said that.

The question that has existed in this House has been whether it should be rented diesels or owned diesels, and two years ago, I said that we would re-look at that — whatever the preferred choice was — and that we would listen to the technical advice of Yukon Energy Corporation, so that's what's happening.

The question was asked about where in Whitehorse south — the area that they are looking at is at the south end of the airport near where the battery site is. It's not near any residential areas. I'm not sure how wide that engagement will be, but I certainly think that it's welcome to all Whitehorse residents to provide comment. I know that we have been working to deal with the sound from the plant near the dam because it has affected Riverdale residents. But that is the site that they are looking at.

Mr. Kent: Mr. Speaker, we have heard from a number of residents in Riverdale South that noise from the existing diesel generators is causing quite a disruption to the quality of life of those residents who live just across the river. Residents have conducted their own noise tests and have recorded decibel levels that are the same as a neighbour using a lawnmower throughout the middle of the night. It is keeping children and families awake. This is so much of an issue that one resident tells us that they are contemplating moving their family out of Riverdale.

What is the minister doing in the short term to prevent these issues from continuing in Riverdale, and what are the long-term plans to make sure that the problem isn't simply moved to residents in south Whitehorse?

Hon. Mr. Streicker: I don't know if the member opposite didn't hear me, but the area that is being contemplated is not near a residential area.

What is being done in the short term — there is work that Yukon Energy has committed to this summer or this season to look at sound-dampening with some of the diesel generators. I will point out that this year was a very tough year for renewable energy. We lost the Aishihik 1 hydro facility and the whole of Aishihik was really low on water. With that, we got down to 82-percent renewable energy. That is what led to that extra use of diesels. That is why we need to move the conversation away from the thermal backup and the diesels to the more important question: How do we want to electrify our future? Is it through renewables or not? That is what I keep looking for the Yukon Party to talk about. That is what I think our big debate should be in this House — it is about renewables and where we will head.

Mr. Kent: Mr. Speaker, let's step back to the \$100 million in fossil-fuel generation that this Liberal government is investing in. By the way, it is going to be renting diesels and owning permanent diesels, according to the Energy Corporation.

The plans tabled by the minister last week include a commitment that the construction of two new fossil-fuel-generation centres in Whitehorse will cost more than \$100 million. Normally, an expenditure of this size would include a contribution from the Yukon government along with debt and equity from the Energy Corporation. We note that there is no such commitment from the Yukon government to provide funding to this project in the budget.

So, is the Yukon government planning to contribute to this project, and if so, how much?

Hon. Mr. Streicker: Mr. Speaker, that is still a question that we are considering. By the way, it won't be just us as a government that is looking at whether we contribute; it will also be for other governments to look at to see whether they would contribute. That changes the impact to ratepayers — so, still to be determined.

I think in the first piece of the long-term plan — "a reliable and robust grid: reinforcing our foundation", the short-term portion of the plan that I tabled last week — it talks about \$500 million or so in capital investment. Yes, \$100 million of that is toward diesels and that side — thermal generation — but there is a lot of work that we need to invest across the board. Across all of that, we will look for opportunities to invest infrastructure dollars like we did, for example, in the battery project. That project, roughly speaking, \$35 million — maybe a little bit under. Roughly speaking, \$16.5 million came from — I think that it was the Arctic energy fund, but I will have to check — but it was government investment in infrastructure dollars, which will bring down the cost to ratepayers, so we will look at that, for sure.

I think we're looking to reschedule the witnesses to reappear to finish their time here — so more opportunity for the opposition to ask questions.

Question re: Supervised consumption site

Ms. Blake: Mr. Speaker, the Leader of the Conservative Party of Canada has said that, if elected, he will close supervised consumption sites across the country. Since its opening in September 2021, the Blood Ties supervised consumption site in Whitehorse has successfully responded to 133 overdoses, provided services to 544 Yukoners, and has never had a death on-site. The safe consumption site decreases public drug use and discarded drug use equipment, connects people to supports and services, including withdrawal management treatment and cultural supports, and most importantly, it saves lives.

Closing the site would result in deaths. The Yukon has already seen far too much loss to the overdose crisis, and losing this site would be devastating. What is this government doing to ensure that the Yukon does not lose its only supervised consumption site?

Hon. Ms. McPhee: Mr. Speaker, I appreciate the question — thank you to the member opposite for the information she provided to Yukoners about the supervised consumption site. She has provided some facts that are very important to Yukoners. It supports the supervised consumption site — the continuation of the work that is done there, the role that the supervised consumption site plays in the substance use health emergency, and, in fact, the support that we have as a government for the supervised consumption site, having been opened by our government as part of the harm-reduction approach to the substance use health emergency.

We will continue the support for that site. We appreciate the work of our partners and, particularly at that site, of Blood Ties Four Directions as well as others in the community to support the level of care that is provided there — the drug-checking facilities that are provided there, the harm-reduction services, and the harm-reduction items that are provided to Yukoners at the supervised consumption site.

The staff at the supervised consumption site have, as noted, reversed 109 on-site overdoses, and it's critical that it continue.

Ms. Blake: Mr. Speaker, we have lost 109 Yukoners since the crisis began in 2016. This has left many Yukoners without their parents, children, partners, and loved ones. The grief that this crisis has caused has been devastating across the territory.

This number would be much higher without the efforts of Blood Ties Four Directions and the supervised consumption site. We need to do more, not less, to prevent overdose deaths. In response to the Conservatives' comments, Ontario addiction medicine specialists said — quote: "I don't pretend to be a politician. I would appreciate it if politicians don't pretend to be medical experts..."

What actions has this government taken to advocate against the closing of the supervised consumption site?

Hon. Ms. McPhee: Mr. Speaker, I hope that I haven't been unclear. This government supports the supervised consumption site; it opened a supervised consumption site; it funds a supervised consumption site. We believe it to be an integral part of the harm-reduction approach that we have taken, a part of the substance use health emergency strategy,

and at no time do we have interest or intention — unlike the Conservative Party of Canada — of closing such a service, such a program, and such an opportunity to support Yukoners.

Ms. Blake: Mr. Speaker, last week, the Province of British Columbia vowed they would not close supervised consumption sites in their province regardless of who wins the upcoming federal election. The BC Minister of Health, Josie Osborne, said that, even if a new federal government removed federal exemptions for this site — quote: "... that's not going to change the path that British Columbians are on in terms of providing these sites, in terms of investing in treatment and recovery, and in continuing to do everything we can to support people in their journey..."

The Yukon must follow the example of BC and preserve life-saving services. Will this government make a public commitment to ensuring that the supervised consumption site stays open and fully funded regardless of the outcome of the federal election?

Hon. Ms. McPhee: Mr. Speaker, I'm pretty sure I just made such a public declaration. Our government collaborated with health system and community partners on the development of the substance use health emergency strategy. I can note that the primary purpose of the strategy is to provide a road map for action on how the Government of Yukon, working with partners, can reduce substance use-related harms in the territory. It is a living document. The strategy is designed to evolve over time as it adapts to the changing needs of the communities and incorporates ongoing feedback from our partners.

The vision of the strategy is that all Yukoners will be mentally, emotionally, spiritually, and physically well and safe throughout their lifespans and able to contribute to the wellness of their families and their cultures and their communities.

The supervised consumption site remains a core part of the response to the substance use health emergency here in the Yukon Territory, and it will do so into the future.

Question re: École Whitehorse Elementary School replacement

Ms. White: Mr. Speaker, since June 2022, residents of Takhini have been asking for meaningful dialogue with this government about the École Whitehorse Elementary School relocation. After nearly three years of requests, last week, the Department of Education finally held an event in Takhini about the proposed school relocation. What people wanted was a public presentation to the entire group with an opportunity to ask questions, hear from neighbours, and discuss this proposal, which will have profound impacts on their neighbourhood. Instead, what they got was an open house with no opportunity to ask questions of the minister or the department, no assurances that meaningful feedback on the proposal would effect any changes, and limited responses.

So, Takhini residents left the open house feeling just as frustrated and ignored as they were before, if not more so. Will the minister commit to hosting a public presentation with an opportunity for the community to ask questions, to hear from each other, and to hear responses from government officials?

Hon. Ms. McLean: Mr. Speaker, again, our government is so proud to be investing in school infrastructure in our territory. We have made some significant strides over our last nine years in government in terms of building schools and looking to the needs of our young Yukoners. The Department of Education is nearing the end of the pre-design phase of the replacement of École Whitehorse Elementary during which key studies and reports will be completed. These documents will inform the design of the new school. Highways and Public Works received the complete traffic impact assessment study, which was shared with stakeholders during the engagement session at an open house on April 10.

I will state that, when we met with the Takhini Neighbourhood Association and other partners, this was what was suggested: to do a work — like a workshop-style meeting. The traffic study, again, evaluates the impact of major intersections around the Takhini area. Over 110 people attended the April 10 open house, including a large portion of Takhini residents.

In terms of what will come from this, based on — there was verbal feedback received, including appreciation for the engagement and wishing for additional Q&A. There will be a “what we heard” report from this meeting.

Ms. White: Mr. Speaker, Takhini residents were really hoping to hear a commitment for a public meeting.

It has been three years since the government unilaterally announced the relocation of École Whitehorse Elementary School from downtown to Takhini. After intense lobbying, the minister finally did meet with members of the Takhini Neighbourhood Association, but that is a far cry from a public meeting with the community. Residents of the Takhini neighbourhood are still waiting for their chance to speak to the minister about what this means for their community. Community members continue to raise questions and concerns about the increase in traffic and how safety will be addressed. Current traffic is already a concern for the daycare and seniors residences as well as the existing school, and the traffic study has done little to calm those concerns.

The Takhini community needs a chance to speak with the minister or her department officials to ask questions and to have those questions answered and to provide feedback on this plan. When is the minister going to meet with the Takhini community and give them a chance to ask questions and have those questions answered?

Hon. Mr. Clarke: Mr. Speaker, thank you for the question. With respect to the traffic impact assessment, the traffic impact assessment has been conducted. As part of the assessment, the consultants took into consideration the project location, current traffic, and the project-anticipated demands on the area, including parking. This assessment included vehicle, public transit, pedestrian, and bike-traffic considerations.

The traffic impact assessment did not identify impacts that could not be mitigated, in their view. The traffic impact assessment found that less than six percent of Whitehorse Elementary School students currently reside in the Takhini neighbourhood, which aligns with the plan for approximately 90-percent school bus ridership. With most students relying on

bus transportation rather than private vehicles, this will help minimize the overall traffic impact in the neighbourhood.

Currently, three bus routes serve Takhini Elementary School, and optimization efforts will ensure that these routes are adjusted efficiently to meet the needs of both schools. The traffic impact assessment also found that traffic impacts will be minimal if 90 percent of students take the bus as planned. The school itself will not significantly add to congestion at key intersections, but some improvements will still be needed to support safe and active efficient traffic flow.

To improve safety, the traffic study recommends extended school zones on Range Road and University Drive, new bike lanes and pedestrian crosswalks along Range Road, as well as a detailed parking plan to ensure safe drop-off and pickup areas.

Ms. White: Mr. Speaker, I know that the Department of Education has met with the First Nation School Board, but in this whole multi-year process, Takhini Elementary School administration, staff, students, and families have been completely excluded from discussions. The open house last week had no information particular to Takhini Elementary School about what adding another school would mean for their existing programming. There was certainly no way for the school community to raise many questions that they have about how this is going to affect the Takhini Elementary School.

Takhini Elementary School administration, staff, students, and families have some very specific questions about how this plan will affect programming, student experiences, school facilities, and especially outdoor spaces. When is the minister going to meet with Takhini Elementary School staff and families to hear their many concerns about this plan?

Hon. Ms. McLean: Mr. Speaker, I think that there are a few things I would like to reply to in this particular question and to wrap up some of the other comments.

Representatives from the Government of Yukon met with the Takhini Neighbourhood Association on October 18 to better understand the community’s key concerns, including the need for a traffic study and ongoing engagement. The *Choosing the future site for École Whitehorse Elementary School* location report was updated on yukon.ca, which was a request. The Department of Education will continue to engage with the Takhini Neighbourhood Association as planning proceeds, and future opportunities for all partners and stakeholders to discuss the project will be provided.

The meeting that happened last week was a public meeting; it was not a political meeting. We did have very knowledgeable folks who are involved in the planning of this new school there to answer any questions. Happy to follow up now with the Takhini Neighbourhood Association, and I will do so.

In terms of the Takhini school, that is a First Nation School Board school. Mr. Speaker, we have been working very closely with the First Nation School Board, and they are working with their school community and will continue to do that work in that way. I would love to share more of the details around some of the other aspects of this —

Speaker: Order, please.

Question re: École Whitehorse Elementary School replacement

Mr. Dixon: Well, thank you, Mr. Speaker. I will give the minister an opportunity. The Liberal government's decision to construct the replacement of the École Whitehorse Elementary School in Takhini has been fraught with concerns from just about every stakeholder affected since they unilaterally announced the decision in the summer of 2022. Last year, the Yukon Party put forward a motion calling on the government to hold off on the construction of this site until after the election and go out and consult on alternatives. That motion passed with a majority.

On October 8 last year, here is what the minister said in response: "This is not viable given the urgent need to replace school infrastructure." That was the justification the minister used to vote against our motion and ignore the will of the Legislature to look at alternative sites for the new school.

My question for the minister is this: If it was so urgent that the government didn't have time to consult properly or consider alternatives, can she now tell us the current timeline for construction?

Hon. Ms. McLean: Mr. Speaker, again, we are so very proud to be investing in school infrastructure, something that the Yukon Party did not take much interest in during their time in government, but it is a priority for our government. The Department of Education is nearing the end of pre-design phase 2, during which key studies and reports will be completed. These documents will help inform the design of the new school.

As I have stated, Highways and Public Works received the completed traffic impact assessment, and our Minister of Highways and Public Works talked about some of the details of that today. We certainly will be — based on the feedback received on the "what we heard", we will produce a report from that.

The initial input included comments about the desire for safe and active transportation and unanimous positive remarks for the new large gymnasium that is being contemplated with this project. Feedback from the survey will help guide the conceptual design phase by identifying community priorities, addressing concerns, and ensuring the project aligns with the users' needs and expectations.

Again, Mr. Speaker, we are so proud to be investing in school infrastructure. I'll sit and wait for the next question.

Mr. Dixon: Mr. Speaker, I'll follow up with the minister on some of those commitments that she just referenced.

The budget that is included in the current budget documents, which includes the five-year capital plan, was the original estimate for just the school's replacement. Since then, the Liberals have made massive new promises. They have said that the school would include a high school-sized gym and a new multipurpose field in the school's yard. They have promised a brand-new diamond at the Pepsi softball complex, upgrades to one of the diamonds across from Range Road at the Pepsi centre, and upgrades to the Robert Service diamonds.

Now their traffic studies show that significant upgrades are needed for Range Road, including traffic circles, crosswalks,

and other traffic-calming measures. Not a single one of these new promises has any money budgeted yet, and there's no sign of it in the five-year capital plan.

So, how does the Liberal government intend on keeping any of these promises without any money budgeted for them?

Hon. Mr. Mostyn: Mr. Speaker, I'm really happy to hear the Leader of the Official Opposition talking about our five-year capital plan. I know that this is a new initiative that we've had for nine years now — or eight years. I'm glad to see that they're using it. I'm glad to see that it's helpful for them, and they're using our briefing notes too, I see.

Mr. Speaker, listen, we have a Minister of Education who is actually investing in the education system. We have not seen this level of education support in many, many years. Personally, I'm not going to take advice on schools from opposition members who shrunk schools and who had fights with the French Language Services. Here again, they're opposing a French language school in the neighbourhood of Takhini.

We are consulting with Sport Yukon; we're consulting with Softball Yukon. On Friday, I talked to the Mayor of Whitehorse about this school and about permitting. We're going to work with council to make sure that the permitting goes through.

This is a really, really good investment in Takhini for the residents. People are going to be able to walk to school. We've done the traffic studies that show that we can deal with the traffic issues in this growing city, and we're going to continue to do this and make the investments in our children that people are demanding across the territory.

Mr. Dixon: Mr. Speaker, since the minister wanted to talk about the city, I am happy to ask some further questions about that.

As expected, there were significant concerns raised at the information session last week, but what was notable to anyone who has been following this is that, despite the minister's assertions that beginning construction is needed urgently — so urgently that the government needs to ignore the motion that was passed in the Legislature last year — the government has failed to take any actual steps to advance the necessary City of Whitehorse processes. The city requires that this site be rezoned, that the OCP be amended, and that a master plan for the site be developed. Each of these steps is required before construction can begin, and each of these steps is the responsibility of the Yukon government.

Can the minister tell us if a single one of those processes has been initiated yet, and if so, what is the timeline for the completion?

Hon. Ms. McLean: Mr. Speaker, again, we are in phase 2 of the planning. I have said that a couple of times just today. As we work through the planning, those discussions, of course, will happen. We have been very clear about that.

It is deeply disappointing to hear that the Yukon Party does not support building new schools or new sport infrastructure. We clearly have this school in our five-year capital plan — that is a commitment to build a school. That is in my mandate letter. Yukoners elected us as the sitting government, and it was in our platform to do this particular work.

We are so proud that we have built — had to solve a court case, for one thing, with the francophone community. That is a fact — that we came in after a decade of fighting with the francophone community. We then settled that court case — thankfully, to our current Minister of Justice — and we built the francophone high school. We have built Whistle Bend school; we are building Kluane school — Kêts'ádañ Kù is a hundred-year commitment that we should have been able to have this done long ago. We are proud to be doing this work on behalf of Yukoners.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 49: *Technical Amendments (Estates, unclaimed bodies and related matters) Act (2025)* — Third Reading

Clerk: Third reading, Bill No. 49, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: Mr. Speaker, I move that Bill No. 49, entitled *Technical Amendments (Estates, unclaimed bodies and related matters) Act (2025)*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Justice that Bill No. 49, entitled *Technical Amendments (Estates, unclaimed bodies and related matters) Act (2025)*, be now read a third time and do pass.

Hon. Ms. McPhee: Mr. Speaker, I rise today to offer some brief additional context on the key issues that are being proposed for Bill No. 49 and have been debated, albeit succinctly, here in the Legislative Assembly with respect to this bill.

Ideally, everyone would have the necessary estate planning documents in place, including an advanced health directive or enduring power of attorney, in order to make their wishes known for decisions to be made while they are alive and a will to resolve their estates after their death. Unfortunately, most Canadians and Yukoners have not completed these vital estate instruments.

The changes to the *Enduring Powers of Attorney and Related Amendments Act*, which this bill will bring into force if passed, are designed to make estate planning easier and more accessible for Yukoners, allowing them to draft their enduring powers of attorney without the need to hire a lawyer. The proposed amendments will allow the templates for donor-drafted enduring powers of attorney to be easier to understand and complete while providing additional protection against fraud and financial abuse.

The bill also includes amendments that will make it easier for the public guardian and trustee to deal with the physical property that is left behind when someone dies without a will. A recent study by LegalWills found that many Canadians do not understand the impact of dying without a will, believing

that their spouse or family automatically inherits their property or that wills are only needed if a person has significant wealth to bestow to their next of kin. Thinking about incapacity and death may remain something that many Yukoners will put off until it's too late to provide clear direction about their wishes, but for those Yukoners who are taking the important steps of preparing their estate planning, we can make that process easier and hopefully encourage others to take it on.

The bill before us will also make dealing with intestate estates easier. The current *Estate Administration Act* requires the public guardian and trustee to accept all personal property when someone dies without a will; however, it only authorizes the public guardian and trustee to deal with that property if the public administrator applies for letters of administration and agrees to resolve the full estate. For the majority of intestate estates, that is not in the public interest, because many intestate estates do not contain enough funds to cover the cost of estate administration to resolve existing debts.

The proposed amendments in this bill will empower the public guardian and trustee to deal with the property delivered to their care in a way that will address the impractical requirement to store that property indefinitely as well as removing the government's liability for those items that are stored in its care. The amendments will also give the public administrator the duty to direct the disposition of any unclaimed body so that they may have a respectful burial.

The bill before us will ensure that even those Yukoners without a will or a family will receive a decent burial and that perpetually storing their property does not become a burden to the Yukon taxpayer.

Mr. Speaker, I look forward to the Legislature's support of this important technical amendments act.

Mr. Cathers: Mr. Speaker, this is, as the minister noted, a technical amendments act. It is housekeeping in nature, and at this point in time, we have not had any concerns after reading it, after the briefing by officials, or identified at the Committee of the Whole stage, and no concerns with it have been brought to our attention by any Yukoner.

So, with that, I will turn the floor over to the Third Party but note that we will be supporting this legislation, as it seems somewhat housekeeping in nature.

Ms. White: As we indicated in both the second reading speech and Committee of the Whole, the Yukon NDP will be voting in favour of these changes. What I really look forward to is folks being able to go online to download documents for their own enduring power of attorney to make that easier so they don't need to hire an attorney for that.

I appreciate how this is going to streamline the processes for unclaimed bodies and supporting of estates. With that, we will be voting in favour.

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

Does any other member wish to be heard?

Hon. Ms. McPhee: Thank you, Mr. Speaker, and I thank my colleagues for their comments and indicated support for this important bill.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Pillai: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Clarke: Agree.

Hon. Mr. Silver: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Agree.

Mr. Kent: Agree.

Ms. Clarke: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

MLA Tredger: Agree.

Ms. Blake: Agree.

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

Speaker: The yeas have it.

Motion for third reading of Bill No. 49 agreed to

Speaker: I declare the motion carried and that Bill No. 49 has passed this House.

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

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

Motion agreed to

COMMITTEE OF THE WHOLE

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

The matter before the Committee is continuing clause-by-clause consideration of Bill No. 48, entitled *Early Learning and Child Care 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. 48: *Early Learning and Child Care Act* — continued

Chair: The matter before the Committee is continuing clause-by-clause consideration of Bill No. 48, entitled *Early Learning and Child Care Act*.

Clause 10 was stood over; therefore, we will return to clause 10.

On Clause 10 — previously stood over

Chair: Is there any debate on clause 10?

Hon. Ms. McLean: During our last time in Committee of the Whole — I believe it was on April 7 — we heard concerns about part 3, section 10, on the composition of the board during the Committee of the Whole debate. My colleague shared that a minimum of five members may be challenging for the board to complete the important work that they do.

The changes to the number of board members from not less than seven members in the *Child Care Act* to no more than nine members or no less than five in this bill acknowledges the challenges in attracting and retaining board members. In the past five years, there has been an average of five to seven members on the Child Care Board. Presently, there are seven members on the Child Care Board.

Although the department officials did meet with the Child Care Board on April 2 to specifically discuss the details of the bill, at that time, they were unable to share the specific details of the legislation as it had not yet been tabled. After the bill was tabled, department officials were able to conduct a more thorough technical briefing with the board and at that time heard more concrete feedback, including a desire to ensure appointment of enough members to do the necessary work.

The department also spoke to the chair of the board last week after the section that we are discussing today and the other one that we will discuss in a few moments that were stood over and received confirmation expressing their desire to maintain a minimum of seven members.

I am in support of changing section 10(1). I will now introduce an amendment to change section 10 on the composition of the board from a minimum of five to a minimum of seven board members.

Amendment proposed

Hon. Ms. McLean: I move:

THAT Bill No. 48, entitled *Early Learning and Child Care Act*, be amended at page 7 by replacing, in subclause 10(1), the expression “five” with the expression “seven”.

Chair: The amendment is in order.

It has been moved by the Member for Mountainview:

THAT Bill No. 48, entitled *Early Learning and Child Care Act*, be amended at page 7 by replacing, in subclause 10(1), the expression “five” with the expression “seven”.

Is there any debate on the amendment?

Mr. Dixon: I appreciate the minister bringing forward this amendment. We'll be supporting it. The only question I have was — it was my understanding that the Child Care Board had sent a letter to either the minister or the director, I'm not sure which. I'm just wondering if the minister can provide that letter to the House at some point — not necessarily right now but at some point. Other than that, we support the amendment.

Hon. Ms. McLean: We have received a letter confirming what we are proceeding with today. I'm happy to provide that letter to the members opposite.

Ms. White: I appreciate the amendment from the minister. I just have a question with regard to the board composition. So, it would go from no fewer than seven to a maximum of nine. In a letter that the Yukon Child Care Board sent to the minister in November, I believe, of 2024 in an addendum, it says on board composition that the board is legislated to be composed of no less than seven members. Ideally, the board would be composed of up to 10 members to fulfill the need for balanced experience and to hold space for diverse membership, especially members from rural and remote communities.

In discussion with the Child Care Board, did the minister ask about the maximum number of board members?

Hon. Ms. McLean: When discussions happened as we contemplated this amendment, there was a satisfaction with the nine members.

Ms. White: Can the minister help us understand what the question was? Can the minister tell us what the communication was — how few members or what is the maximum number? I only say this because November 2024 is not that long ago. In that document, it says a minimum of seven and a maximum of 10. I appreciate that we are going to move to a minimum of seven and a maximum of nine, but I'm just wondering about that extra number that was recommended in November of 2024.

Hon. Ms. McLean: The discussion happened with the chair of the board and our director of Early Learning and Child Care. The letter that we have speaks to only the minimum number of board members. Generally, with boards such as this, we would prefer an odd number.

Amendment to Clause 10 agreed to

Clause 10, as amended, agreed to

Chair: Clause 24 was also stood over; therefore, we will return to clause 24.

On Clause 24 — previously stood over

Chair: Is there any debate on clause 24?

Hon. Ms. McLean: Section 24(e) of the bill was stood over.

Section 24 is based on the requirements of how licensed providers must provide their programs. I will read out the content from the section of the bill:

“A licensed provider must provide their licensed program in accordance with the regulations, including in relation to the following:

“(a) staffing requirements, including child to staff ratios and group sizes;

“(b) staff qualifications and requirements;

“(c) program of activities and night care;

“(d) parental involvement and access;

“(e) behaviour management;

“(f) standards of health, safety and nutrition;

“(g) requirements in relation to the authorized premises, including

“(i) compliance with any applicable enactment or bylaw, and

“(ii) the maximum number of children that may be on the premises at any given time during the provision of the licensed program;

“(h) financial records;

“(i) administration and records standards;

“(j) insurance.”

My colleagues from the New Democratic Party and the Official Opposition heard concerns about the use of the term “behaviour management,” which is in 24(e) of this bill. The Third Party put forward a suggested amendment to change “behaviour management” to “behaviour guidance”.

I want to get into the difference between these terms and share information on which terms are used in other jurisdictions. “Behaviour management” involves using techniques and strategies to influence and direct behaviour in a positive way. “Behaviour guidance” provides children with appropriate and positive models of behaviour and helps them to develop respect, self-regulation, self-confidence, and sensitivity as they learn and grow.

When we look at the terminology used in other jurisdictions on responses to behaviour in childcare settings, both “behaviour management” and “behaviour guidance” are used as well as additional terms. Saskatchewan and Nunavut use “behaviour management”, whereas British Columbia, Manitoba, Nova Scotia, Newfoundland, and the Northwest Territories use “behaviour guidance”. Resources developed by the federal government use both of these terms. Ontario and Alberta have gone with different terminology, including “supportive and nurturing practices” and “effective supervision”.

Based on the concerns heard from the New Democratic Party and the Yukon Party and the terms used at a national level, I am in support of changing section 24(e). I will now introduce an amendment to change section 24(e) on requirements from “behaviour management” to “behaviour guidance”.

Amendment proposed

Hon. Ms. McLean: I move:

THAT Bill No. 48, entitled *Early Learning and Child Care Act*, be amended at page 12 by replacing paragraph 24(e) with the following: “(e) behaviour guidance;”.

Chair: The amendment is in order.

It has been moved by the Member for Mountainview:

THAT Bill No. 48, entitled *Early Learning and Child Care Act*, be amended at page 12 by replacing paragraph 24(e) with the following: “(e) behaviour guidance;”.

Is there any debate on clause 24 as amended?

Mr. Dixon: I appreciate this amendment put forward by the minister. During debate earlier on this bill, I had expressed concern that I had heard from the ELCC community about the term “behaviour management”. While I never specifically advocated for any alternative wordings directly, I do believe that this represents an improvement, and so we’ll support the amendment, as we believe that it certainly improves the bill.

Ms. White: I thank the minister for this amendment. I did champion the language and I did go through the difference between “management” and “guidance”. I do appreciate the minister talking about the cross-jurisdictional scan and appreciate that if we have the most up-to-date legislation at this point, we should have the most up-to-date language. So, I appreciate the willingness to work together and I thank the minister and her officials for making these two amendments happen.

Chair: Is there any further debate on the amendment?

Shall the amendment carry?

Amendment to Clause 24 agreed to

Clause 24, as amended, agreed to

On Title

Title agreed to

Hon. Ms. McLean: Before I move to report progress, I would like to thank our officials for their hard work and the team behind this important bill. I truly, on behalf of all the Members of the Legislative Assembly, thank them for their hard work.

On that note, I move that you report Bill No. 48, entitled *Early Learning and Child Care Act*, with amendment.

Chair: It has been moved by the Member for Mountainview that the Chair report Bill No. 48, entitled *Early Learning and Child Care Act*, with amendment.

Motion agreed to

Chair: The matter now before the Committee is general debate on Bill No. 50, entitled *Inclusive Yukon Families 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. 50: *Inclusive Yukon Families Act*

Chair: The matter now before the Committee is general debate on Bill No. 50, entitled *Inclusive Yukon Families Act*.

Is there any general debate?

Hon. Ms. McPhee: I would first like to welcome Jen Gehmair, one of our assistant deputy ministers in the Department of Health and Social Services, and Caitlin Kerwin. I don’t have her actual title, which I will put properly on the record, but she is certainly the leader with respect to our project policy development with respect to Bill No. 50. I am pleased to

have them here today joining me. I do have some opening remarks.

I appreciate the opportunity to rise today to speak about the *Inclusive Yukon Families Act*. I would like to take a minute to acknowledge and express my profound gratitude for the expertise and lived experiences shared by members of the 2SLGBTQIA+ community and those who have used assisted reproduction, gamete donation, and surrogacy to grow their families — they are allies and advocates — and for First Nation partners and their members who have long advocated for the right to reclaim their cultural traditions, including their traditional languages and names.

This omnibus bill is a landmark legislative initiative, one that modernizes our legal framework on both parentage and naming, marking an important first step toward more inclusive Yukon laws. It is built on the fundamental belief that our laws must evolve alongside our society, recognizing the diverse ways in which Yukon families are formed and ensuring that every Yukoner is acknowledged and valued regardless of their gender identity. At the same time, it modernizes our naming legislation to honour the cultural heritage and identity of First Nations and Indigenous peoples in Canada and to better reflect the diverse backgrounds that make up our Yukon communities.

This legislation reaffirms our commitment to reconciliation, equality, dignity, and inclusion of every Yukon family. Since 2016, our aspiration has always been to help build a more inclusive and prospering society for Yukoners. This is why our government has prioritized making all legislation more inclusive and identifying ways to make progress toward this ambitious goal.

Over time, we have heard from many Yukoners. Some have directly reached out to us. Many have participated in interviews or focus groups, while others shared their views through the online survey. It is my commitment to these individuals that we continue with our momentum to finalize this legislation to ensure that no one else is faced with discrimination or left to feel that they aren’t represented within the laws that govern us as a territory. We have heard from Yukon families who have used assisted reproduction to grow their families. They shared their stories of difficulties that they faced through the lengthy and costly court process required to be legally recognized as parents to the child they deeply desired and thoughtfully planned for.

These barriers have placed an unnecessary burden on parents who turn to assisted reproduction to fulfill their dream of having a family. We have heard from members of the 2SLGBTQIA+ community and their allies — and from the Yukon Child and Youth Advocate Office — who highlighted ways in which our government could better meet their needs. This work directly aligns with the Yukon government’s commitment to the LGBTQ2S+ *Inclusion Action Plan* and the United Nations *Convention on the Rights of the Child*, ensuring that all Yukoners are recognized and supported within the legal framework.

This is why, over the past four years, the departments of Health and Social Services and Justice worked diligently to modernize the Yukon’s parentage legislation that balances the

rights of all families, communities, youth, and children to be more inclusive and reflect the modern realities of Yukon families. We have conducted extensive research and contracted industry experts to support a robust analysis on the complex topic of family law. This included considering all legal opinions written over the past three decades on parentage issues as well as studying parentage and naming legislation that has recently been modernized or is in the process of being modernized in several Canadian jurisdictions.

The Yukon is not alone in this work. Across Canada, jurisdictions are modernizing their laws to ensure that parentage and naming frameworks are more inclusive and aligned with contemporary values. Many Canadian provinces and territories have recently updated their parentage legislation to recognize parentage beyond a heteronormal and biology-focused lens and to establish clear legal processes for surrogacy.

While some jurisdictions have started working toward the ambitious goal of removing gendered language, only a few — including Ontario, Saskatchewan, and Manitoba — have successfully updated some of their laws with gender-neutral and inclusive terminology.

With regard to naming, Canadian jurisdictions are responding to the Truth and Reconciliation Commission's call to action 17, waiving fees for the reclamation of Indigenous names and working to make diverse naming convention and spelling a reality in the coming years.

I would like to now speak a little bit about this bill in detail. First, I would like to draw your attention to the amendments to the *Children's Law Act* and the *Vital Statistics Act* supporting inclusive parentage. Throughout these two acts, the language has been updated from gendered language to gender-neutral and inclusive language. This is to fulfill the intent to step away from the binary assumptions about gender and sex of individuals who have legal status as parents upon the child's birth and to reflect the diverse ways that Yukoners are growing their families and Yukon families are structured.

This bill will amend many provisions to replace gendered terms like "mother", "father", and "paternity" to "parent", "person", and "parentage" and introduce new gender-neutral terms like "birth parent". This makes Yukon laws more reflective of Yukon families where parents may be trans, non-binary, gender nonconforming, or members of the 2SLGBTQIA+ community.

This bill will broaden the definition of "parent" beyond the genetic connection between a parent and a child and the definition of "partner" beyond marriage and cohabitation.

This results in shifting the presumption of paternity to presumption of parentage, expanding presumption of parentage to parents who conceive a child with assisted reproduction and being more inclusive of diverse family formations in ways a child-parent relationship is formed.

Another significant change that this bill will bring, if it passes, relates to ways that Yukoners are relying on to grow their families. Although the current act outlines parentage, when artificial insemination is used to conceive a child, it

mostly relies on genetic and/or gestational connections that exist between the parent and the child.

This new bill acknowledges the validity of the previous act when it comes to parentage and expands the criteria to be inclusive of the ways that Canadians and Yukoners use to grow their families with the assistance of reproductive technologies and processes with the intent to be a parent of a child.

This bill will introduce a definition of "assisted reproduction" within the bill and broaden its scope to reflect the current and anticipated developments in science of assisted human reproductive technology.

It will also define how intended parentage is established when assisted reproduction, including surrogacy and donation of reproductive material, is used.

This bill will work to expand and define "presumption of parentage" and where it applies for the parent who gives birth to the child and their partners when surrogacy is not involved. It will provide a framework for families using surrogacy to establish their parentage and enable the registration of intended parentage when valid surrogacy agreement and proof of the surrogate's post-birth consent are provided.

This bill will also clarify the status and protect the rights of each person involved in bringing a child to life — whether they are the parent giving birth to the child, their partners and gamete donors when surrogacy is not involved, or intended non-birth parents, surrogate, and gamete donors in the case of a child who is conceived through surrogacy.

With respect to the diversity of family context and arrangements, parentage legislation may not be able to anticipate all the scenarios that establish a child-parent relationship. This is why this bill will also introduce parentage agreements as a helpful tool to establish parentage for all people involved in the process of bringing a child to life, particularly where presumption of parentage doesn't apply to them. Both agreements — the parentage agreement and the surrogacy agreement — stand as a testament to our commitment to a transparent and equitable legal framework.

They are designed to support the full spectrum of Yukon families — whether they are heteronormative, same-sex, single-parent, or multi-parent families or families composed of parents who are trans, non-binary, gender nonconforming, or members of the 2SLGBTQIA+ community — to affirm intended parentage, clarify arrangements, and allow the registration of parentage without court involvement up to four parents.

By clearly articulating the intentions and the responsibilities of all parties, they reduce the need for costly judicial interventions while ensuring that every child is born into a secure and recognized family. These measures not only provide legal clarity but also honour the diversity and dignity of all Yukon families, reflecting our dedication to inclusivity and fairness.

Although the amendments intend to streamline the process and reduce the reliance on our judicial system, family law remains a very complex and fast-evolving matter and the amendments won't be able to accommodate all the unique scenarios that some Yukon families may face.

More complex cases — such as establishing parentage where presumption doesn't apply and there is no valid agreement, where more than four individuals intend to parent a child, or where there is a dispute among the parties of a surrogacy agreement, for example — will require the involvement of the court to help balance the rights of the child with the rights to the parentage.

Another critical aspect of this bill is about children's rights. The amendments will support essential rights highlighted under the United Nations *Convention on the Rights of the Child* — such as the right for a child to be cared for by their parents and the right to non-discrimination regardless of their family background — by enabling the registration of parentage upon the birth of a child in more cases than we are currently able to do. This will help create stability and certainty for the child, which is certainly what any of us would wish for our children.

This bill and the amendments here will support the rights of the child to have access to their information by enabling the registration of information related to the child's genetic connection as part of the birth registration when available. This is critical information that a child may want to access whether they want to know their personal history, inquire about medical conditions, or potentially claim certain lineage rights.

We understand that there might be some questions from Yukoners using assisted reproduction technologies and processes to conceive a child and from members of the 2SLGBTQIA+ community regarding access to information about the biological connection between a child and their parents and gamete donors. I would like to reassure this House that the information is never intended to be public. It is intended to be included as part of a statement used to register the birth of any child and it won't appear on the birth certificate or on any public-facing document used to access other government services or identification.

This information will be available to the child who has become an adult upon request to the registrar's office.

The rationale to including this requirement stems from responses to our engagement where: 65 percent of respondents felt strongly that children should have the right to know their biological background; 19 percent of respondents felt neutral to this sentiment; while only 16 percent of respondents disagreed. Additionally, as per subsection 31(2) of the *Vital Statistics Act*, a copy of the birth registration may only be issued for a reason deemed satisfactory by the registrar or upon a court order. We recognize that this provision may not establish sufficient parameters to limit access to such sensitive information. To address this issue further and to strengthen the protection of personal information, we plan to set parameters in the regulations under the *Vital Statistics Act* to limit who may access such information — information included in the birth registration — and enable the partial release of information relying on the regulation-making powers set out in section 41 of the act.

Furthermore, the Vital Statistics birth registry is protected by a high level of security. Security measures for Vital Statistics records meet the requirements set out under the *Access to Information and Protection of Privacy Act* and the

Health Information Privacy and Management Act. These measures include storage in locked rooms and filing cabinets within areas subject to restricted access.

I will now take a moment to speak to another important set of amendments to the *Change of Name Act* and the *Vital Statistics Act* that strive to make our naming conventions even more inclusive and would become law if Bill No. 50 is passed.

Naming is deeply personal. For most of us, it reflects our identities, our cultures, and our histories. Yet under the current legislation, Yukon's naming framework is very restrictive and requires that a person has both a given name and a surname and that names be written in the Roman alphabet. This bill will remove both requirements and, as a consequence, expand naming options available to Yukoners. It recognizes that some cultural traditions follow a single name practice, including some Indigenous cultures, and it works to ensure greater inclusivity of linguistic diversity by enabling individuals to use other characters, symbols, and accent marks as they become available.

Also, in direct response to the Truth and Reconciliation Commission's call to action 17, this bill will also remove the financial barrier by eliminating fees for Yukoners who want to reclaim their Indigenous names.

The Yukon government will be waiving these fees indefinitely. This is to acknowledge that the process of reclaiming one's Indigenous culture and identifying birth names can be complex. It can take time, and it may occur over many generations. Changes to naming are particularly significant for Yukon First Nations and Indigenous peoples of Canada.

For generations, colonial policies took away traditional names from Indigenous peoples, severing an essential link to their heritage. By modernizing our naming laws and waiving fees for the reclamation of Indigenous names, we take an important step toward reconciliation, toward recognizing that reclaiming names is an essential part of revitalizing Indigenous languages and cultures in our territory and across Canada.

At the same time, this legislation acknowledges the growing diversity of Yukon's population. Many Yukoners come from cultural backgrounds that use naming conventions outside the western norms of given names and surnames. It expands naming options available to every Yukoner within the limits of our national and international conventions.

Finally, this bill also includes amendments to the *Regulations Act* and the *Interpretation Act* to support the ambitious goal of achieving a gender-neutral style across Yukon's statute book. Amendments will enable the Commissioner in Executive Council to make technical amendments. It notes renaming in section 4, and these amendments will be instrumental to the modernization of our legislation.

I have comments with respect to section 53, but I know that we will get to that in our conversation. I can note that the government will be making amendments to section — proposing amendments to section 53 based on the fact that they, as printed, include an error. I look forward to that conversation as we go forward.

Mr. Dixon: Madam Chair, I appreciate the opportunity to speak today in Committee, and I appreciate the opening comments from the minister.

I only have a few specific questions. I think that — as I said in my second reading speech on this bill — in many ways, this bill is largely a result of the evolution of reproductive technologies and procedures that are available to Yukoners now to grow and expand their families. With that comes some complications that require additional clarity that this bill seeks to provide.

To that end, I will begin with the first question. The minister has previously referenced the fact that one of the intents of this bill is to avoid lengthy and costly court processes that can arise in these types of issues, and while I realize that the jurisprudence around family law is evolving rapidly and this won't relieve all of the instances or cases where these types of issues might come up in the courts, can the minister give us a sense of the volume or the types of issues that will now no longer need to go to the courts to be resolved? Can she give us a bit of a sense of what sort of previous disagreements or matters that needed to be resolved by the courts that this bill will seek to provide some lightening of that burden?

Hon. Ms. McPhee: Thank you for the question. I think it's a very good one for people to be able to understand the sort of very technical changes that are being made here and the impact of them in their lives.

One example would be the use of a surrogate, if the surrogate would automatically be named as the mother — the person — the woman person giving birth would automatically be named as the mother on a birth certificate even if it was not intended that that person would be involved in the parenting of the child in any way. The surrogate could give birth to a child who would be parented by two male persons in a relationship, forming a family with that child.

Currently, our legislation and our records of birth would require that those two — I will call them “dads” in this example — those two dads would need to go to court in order to be named on a birth registration as the parents of that child. You can imagine that, if that example were taken further, it might involve a surrogate with two female parents or a non-binary person as a parent, and because a surrogate would be automatically named as “mother” on the birth registration, there would be no way to properly record that (1) for those individuals to be named as the parents and (2) perhaps even more importantly, for the child's records for them to understand the history of what had occurred for them to become a child of that family.

Mr. Dixon: Madam Chair, I appreciate that explanation from the minister.

Just for my clarity — the way it works right now is that a family in that situation would need to seek a court order to make that change. Can the minister confirm that?

Hon. Ms. McPhee: Yes, that would require a court application in order to do that, because our law requires that surrogates would be listed as “mother” — the person giving birth would be listed as “mother” — and there is no ability for our birth registrations to include non-traditional families — like

two male persons, two female persons, perhaps a family where there are more than two parents — and any of those combinations of things require a court order for recognition.

Mr. Dixon: I appreciate that explanation from the minister; it's helpful.

I will move on to the TRC recommendations. The minister has referenced that this is in some way following up on a recommendation of the TRC — in particular, the recommendation around the removal of fees for reclaiming names or changing names. Can the minister tell us what the current rate for a name change is today and confirm that it will move to zero?

As well, does she happen to have any stats on the number of name changes that occur in the Yukon per year? I am just trying to get a sense of the annual loss of revenue, if you want to call it that, which is impacted by this bill.

Hon. Ms. McPhee: Thank you for the question. The current fee for a name change application is \$50. On average, there are very few but I would say an average of five a month. I should also say that I don't have the stat on how many of those five per month would be Indigenous name changes, but in practice, we have been waiving those fees for Indigenous name changes for a while now. This will allow us to do that specifically in the law.

I should also note that, while this is an important step going forward, we have cautioned individuals that we are continuing to work with the federal government so that when they are able to change their requirements for specific names to be included on federal government documents, like your passport — just because you change your name here and the recognition is here or in other provinces or territories in the country, the federal government has yet to recognize a single name on a passport or certain spellings and inclusion of a different alphabet and those things. They are working to do that, but the changes that you can and will be able to make, should this bill pass here in the Yukon, are not automatically available for a federal government piece of ID.

Mr. Dixon: I appreciate that response from the minister. The minister has also referenced the fact that a component of this is very much in relation to child rights — the rights of a child.

Did the government conduct a child-rights impact assessment in the development of this bill?

Hon. Ms. McPhee: Thank you for the question. There are members of our team at the Department of Health and Social Services who have taken the child-impact rights assessment training with the Child and Youth Advocate. It was reconfirmed with the Child and Youth Advocate that this lens was brought to the policy work done in the development of this piece of legislation. I understood that she was satisfied that they had done that work and that they had taken that lens because they are trained to do so and that she was appreciative of that — not to speak for her, but that's what I understand to have been her position.

MLA Tredger: I really want to start by thanking the department for bringing this forward. This is a really powerful and important piece of legislation that I think will make a really

big difference in a lot of people's lives. I think it's long overdue and I'm just really excited to see it here today.

I have read the bill in quite a bit of detail and I would say that about 99 percent of it, I think, is excellent. I'm really happy to support those parts of the bill. I think they're going to make a big difference for people. I think that they are really well-thought-out and really important.

I do have a couple of general questions, and then I want to talk a little bit about the one clause that I do have quite a bit of concern about, which is clause 51. I highlighted that in my second reading speech and the minister provided some helpful information in her opening remarks. I have a number of follow-up questions about that clause.

But I want to start a little bit by talking about parentage agreements, because I have been talking to some families who are currently planning to grow their families through assisted reproduction and are not quite sure where they are going to fall in the implementation of this bill. They are not sure how they should draft a parentage agreement that will meet both the requirements of the current act and future acts to make sure that, no matter when they actually end up having a child, they're able to register the birth properly and register the intended parents properly.

So, I'm wondering if the minister can talk about, if this passes, when she expects it to come into force and how parents should plan their parentage agreements to make sure that they are valid regardless of the date of the birth of the child.

Hon. Ms. McPhee: Thank you for the question. The expectation is that, when passed here, the work will begin diligently on the details to bring the act into force. The expectation is that this will happen in approximately 18 months. Once the bill receives royal assent, the departments of Health and Social Services and Justice will work toward amending the vital statistics regulations which would be required by this bill and the related forms and will work to update the Vital Statistics IT system and to adjust processes developing supporting documents to give Yukoners growing their families through assisted reproduction or surrogacy all of the information that they need in the available documents.

These changes need to include updating forms and systems with gender-neutral language and additional details required at birth registration, such as the genetic linkage, particulars of the surrogate, and particulars of the gamete donors when available. We expect that these steps, as I've said, should take about 18 months to complete before the changes could come into effect, although we too are excited about this legislation and I know that Yukoners are awaiting the changes. I personally know some families who are awaiting these changes. I should note that there is currently no provision in the current legislation for a parentage agreement, although individuals can have parentage agreements; they're just not recognized by the current legislation. So, any advice that individuals might need with respect to how to do those agreements now — and/or when this does come into effect, how to do that — is the information that we intend to provide, so they should seek professional advice if that was an issue currently for them — but about 18 months.

MLA Tredger: Thank you to the minister for that. So, because families are drafting parentage agreements now that will likely still be the parentage agreement that they may be using for a birth registered under this new act if it passes, it would be helpful to have a little bit of information about those now.

Some questions that I have been asked include: Does a lawyer need to help draft that parentage agreement? If so, does it need to be a lawyer who is able to practise in the Yukon, or can it be a lawyer from outside of the Yukon? As the minister knows, it can be quite hard to find family law lawyers in the Yukon, so I'm wondering if she can answer those questions.

Hon. Ms. McPhee: I can advise that, like any sort of private agreement between parties, a lawyer would not be necessary to draft a parentage agreement. Individuals might seek the advice of a lawyer to draft a parentage agreement. Just like, as an example, with a separation agreement, two parties could agree to write their own separation agreement or they could have lawyers help them to make such a thing. In the event that a lawyer is giving advice to an individual and that is their client, they need to be licensed in the place in which that person or the client is getting that advice. So, if it is advice to Yukon members of a family, then that individual would need to be licensed in the Yukon. There is an agreement between law societies across the country — I don't have it get into it here, but it is easy for individuals to become licensed practitioners in more than one jurisdiction. If you were seeking the advice of a lawyer and they were from somewhere else, they could temporarily get a certificate to work here and give you that advice or they could become a member of the Yukon law society and continue to give that advice.

I can indicate that parentage agreements — and the work that we will do to help develop those to assist individuals — will be working with the Family Law Information Centre and will be taking their advice and making information available to individuals in that way.

MLA Tredger: Thank you to the minister. I will pass on that information. It's really helpful.

I am going to turn to clause 51, which is the one that specifies what information needs to be included to register the birth of a child. As I have highlighted, my concern with this is the pieces of this clause that would require parents to give information about the genetic connections that their child has.

Before I start debating its merits and the reasons for it, I want to make sure that I really understand it. So, if I go through the subclauses, it needs to include the particulars of "(a) the child" — that is pretty straightforward — "(b) each parent of the child who signs the statement, including whether the reproductive material of that parent was involved in the conception of the child". To me, that indicates that parents would have to indicate whether they are genetically related to the child, according to the wording in the clause.

I'm a bit confused going forward. So, (c) says, "each person who signs the statement who is not a parent of the child and whose reproductive material was involved in the conception of the child..." I am wondering if the minister can

talk about in what situations a person would sign this statement when they're not a parent?

Hon. Ms. McPhee: Thank you for the question. An example of someone who might fall into that category would be an individual who is a gamete donor to the process of creating a child for a family. That person, as the gamete donor, would agree to be known to the parents and known to the future child and agree that their information should and could be available to those individuals but who does not intend to be involved in the parenting of the child.

MLA Tredger: Thank you; that does make it clear to me.

I guess my follow-up question is: Under section (e), it says, "... any other prescribed persons." I am wondering if this could include a gamete donor who does not sign the statement and if that is the intention — that a gamete donor who does not sign the statement would be included under (e).

Hon. Ms. McPhee: This would be a situation, first of all — let's back up a little bit in that a prescribed person would have to be prescribed pursuant to regulation. So, in the development of regulation, there might be potential for including a gamete donor's information if the gamete donor were deceased, could not sign a registration or permit that information to go forward upon the birth of a child, but that information is known to the parents or to individuals who would be filling out the registration. That is just one example of somebody who perhaps deceased before the birth of the child, but there is no need to prescribe individuals. It's an opportunity to enable the prescription of some individuals or information to be included in the event that is determined to do so. The development of the regulations will include some engagement not only with the individual groups who we have already mentioned here today and the individuals who have helped work on this policy development but the opportunity to think very carefully about whether or not we are intending to prescribe anyone at all.

MLA Tredger: That's helpful. I hadn't thought about a situation where the gamete donor had perhaps deceased but wanted to sign and be on the paperwork.

What I am trying to understand is, in the cases where parents know their gamete donor or have conceived their child with a gamete donor and know who that donor is, if they are going to be required to share that information or if it will be optional in the case that they ask that person to sign the statement and that person signs the statement. I am really wondering about the cases where they don't want to share that information. If either their donor or they don't wish that information to be recorded here, is that an option that is available to them?

Hon. Ms. McPhee: The provision of this information is an option for the gamete donor. So, in the event that the individual wants to be a donor but does not want their information included, that is up to them. If the information is known to the parents and they want to include it, that is — because it's optional for the gamete donor, it is up to them, but in the event that the gamete donor is a person who agrees to sign the birth registration, by virtue of doing that, they agree

that the information — you know, their name and who they are and the fact that they were involved in the creation of this child — is included in the birth registration for the future knowledge of that child should they ever want it.

MLA Tredger: Thank you for that. Just so I understand the genetic pieces of this, I just want to overlay — or overview what we have discussed. So, the parents will have to indicate whether they contributed reproductive material to the conception of the child. If they want — if both they and the gamete donor want to include that information, they can do that by having the gamete donor sign the agreement and indicating that they are the gamete donor and then, if there is a surrogate, the surrogate has to be listed; is that correct? Have I missed any other situations that a genetic connection would be recorded in this clause?

Hon. Ms. McPhee: I believe exactly what the member opposite has said is correct, but I couldn't hear the very last part of what that member said, so if she could repeat that. If I'm confirming it, I want to make sure that each part is true.

MLA Tredger: That is correct. I had just added that if there were any additional scenarios where a genetic connection would be asked for or required, and it sounds like there aren't, so I will just make sure that the minister can confirm that.

Hon. Ms. McPhee: No, that is correct. This is an opportunity to include this information in the registration of the birth of a child if it is known and if the individuals who contributed to the creation of that child are interested in doing so.

MLA Tredger: I'm going to try to understand a little bit more now about — I guess get into the arguments on why this clause should be the way it is or whether it should be different now that I feel like I really understand what it's saying.

I wonder if the minister could just tell me a bit more about the rationale for requiring parents to indicate whether their reproductive material was involved in the conception of the child and perhaps give some examples of scenarios in which this information would be accessed.

Hon. Ms. McPhee: Thank you for the question. I'll be working to answer the question: Why should information about the biological connection between a child and the people whose reproductive material has been used to conceive that child — why should that be recorded as part of the birth statement?

I think that's the question that is being asked.

First of all, Vital Statistics records are the official records of civil registration of vital events, including live births, still births, adoptions, deaths, marriages, and divorces. These vital records, including birth registration information, serve as legal documents for individuals and are used for various purposes, like obtaining a passport or enrolling in school or claiming heritage or claiming an inheritance or establishing family relationships, accessing social security programs, or meeting other personal needs. They serve as a known place and a trusted source where people can request access to their own information or, in some instances, for someone else to access it on their behalf. This information includes, as per section 5 of the current act, particulars of a child and the parents and, as proposed in this bill, particulars of the surrogate and individuals

whose reproductive materials were used to conceive the child or perhaps for the child to be born as of a surrogate.

Currently, the biological connection between a child and their parents is often indirectly implied. Under the *Vital Statistics Act*, section 1 includes definitions of a “mother” and a “father”. Of course, we are going to change that.

The definition of a “mother” is — quote: “... the woman from whom a child is delivered...”, which implies a genetic connection to the child as per the *Children’s Law Act* whether the child was conceived through sexual intercourse or artificial insemination. The definition of “father” is — quote: “... a person who acknowledges being the biological father of the child...”

It is vitally important that a child may want or need access to information about their genetic makeup for many reasons, including health and heritage, and the Vital Statistics office is the one place where people would direct such requests, as it is intended to maintain vital records, including those related to someone’s birth, in accordance with the *Vital Statistics Act*.

The “what we heard” report relates that, during engagement, many participants shared their concerns about what is in a child’s best interests. They indicated that they want children to have access to information about their genetic, gestational, and birth connections. They also shared that this information should be recorded for medical history, ancestry, and other legal purposes.

When it comes to recording information about the genetic and/or gestational connection between the surrogate and the child — when surrogacy, either traditional or gestational, is used — 65 percent of the participants agreed that this information should be recorded for informative purposes. The proposed amendment regarding the collection of information about the biological connection between a child and the people whose reproductive materials were used to conceive that child, section 5 of the *Vital Statistics Act* and section 51 of this bill — it supports essential rights outlined in the United Nations *Convention on the Rights of the Child*, specifically article 8, which addresses children’s identity and access to information, contributing to their identity.

Article 8 reads as follows: “1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

“2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.”

There are also many scenarios where the opportunity to share this information with a child or with a child who has become an adult may have been missed. For instance, the death of a child’s parents shortly after birth or perhaps during their childhood could make it difficult for a child to access information about their biological origins even if the parents intended to share that information with their child going forward.

This is just one example of where that might become difficult. This information may never be sought by a child. In

the event that it is, our current and future provisions of protection of information would apply. This would be personal health information of a child. Our access-to-information laws and our health information privacy protection laws would apply.

We know that, in the past, we spent many, many years keeping information regarding adoptions, by one example, from individuals who sought that information. We also know that — in circumstances — this information belongs to that individual and the opportunity for them to seek that information is critically important. They cannot seek that information if it is not recorded in a way that is able to be recorded at their birth if that information is known and if the individuals agree to do so. The intention would be that this information, like all personal health information, should be protected and be available only to the individual who seeks that information or has the authority to seek it on behalf of another person.

MLA Tredger: I am trying to understand why the piece about whether the parents provided gametes for the conception is mandatory but the piece about who did provide the gametes, if not the parents, is optional. I am trying to imagine a scenario where it upholds the rights of the child to know that their parents weren’t the providers of the gametes without knowing who is.

So, in a scenario where the parents are filling out the form, they are required to indicate, for example, that they did not contribute — one or both of them did not contribute — reproductive material for the child, but they do not wish to disclose who did, and so that part isn’t included. I am just trying to understand what scenario this would apply to, and in what scenario would this be helpful to the child?

Hon. Ms. McPhee: I think the answer to this question is known or unknown — all of that information would be beneficial to a child. In the event that a gamete donor is used and there is information about that individual that is known and it is included in the birth registration, that would be helpful.

In the event that another process for a gamete donor is used and the details about that individual are not known, that would also be beneficial to a child. It may be that they choose to look in other places. It may be that they understand that this information was not available to their parents at the time. Certainly, we can imagine where an unknown donor, for instance, would be used, that information would be beneficial to a child perhaps who is looking for genetic connections or extended long-away family members through genetic DNA testing or something otherwise.

What I think is the case — I appreciate that this piece of legislation, this bill, is taking a step forward to protect individual children’s rights, but I also think we will quickly be overtaken by science and the genetic abilities of DNA testing and other kinds of testing to identify family connections, medical issues, heritage connections, and other things. We all know an individual or two who have used one of those genetic testing kits and found extended family or relations of some kind. The science with respect to that is fast overtaking, I think, the work that is being done, and we are trying to take a step here to record whatever information is available that might assist an

individual in answering those questions should they ever want to ask them.

Chair: Do members wish 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. 50, entitled *Inclusive Yukon Families Act*.

Is there any further debate?

MLA Tredger: So, before the break, we were discussing the situation where parents chose not to indicate who did contribute genetic material or who a donor might be but were still required to say whether they had provided the genetic material and in what situations that would be helpful to the child.

So, I understand from what the minister said that there might be a situation where a child — where the parents had either deliberately hidden the information from their children or had died before they could share that information and then the child presumably had a reason to suspect this was the case — or otherwise they wouldn't go to Vital Statistics to ask for it — and then was able to see on their birth record that their parents had indicated that they were not the genetic contributors and that information alone is helpful to them, because then they can go and try to find the genetic donor in some other way, like genetic testing or, I don't know, asking around or trying to figure it out through other connections.

Are there any other situations that this is meant to cover that would require subclause (a) to be mandatory without requiring the information about the donor to be mandatory?

Hon. Ms. McPhee: I think that the question is — first of all, I think that the synopsis is correct in the question about what we have talked about so far. I think that one of the questions — part of the question is: What would be another example of — or be an example of — where this would benefit the child to have this information included? I think that example might be if more than two parents were indicated on the birth registration — three or even up to four is the provision that would be permitted here so far — and a child was interested to know which of those parents, if any, they were genetically connected to. I think that is an important opportunity, and I think this is also an important opportunity to reinforce that this information is to protect the information on behalf of the child. It's about the right of a child to know their personal health information. Genetics is personal health information, and frankly, once we expand — let me just say it this way — and it doesn't necessarily — it includes up until today.

Quite likely, the current law is written so that there is the assumption that the mother or father on a birth registration are somehow connected genetically to that person, and that may not be the case. It simply may not be the case.

Once we expand into the use of the word “parent” and the concept of “parentage,” which is what we're doing here in this bill for the purpose of this legislation, I argue that we have an obligation to include that information, if it is known, for a child to be able to access that information in the future. It is important that we recognize modern families. The name of the legislation is modern families. It is incredibly important that we do that, but at the same time, it is critical in doing that, in changing the terms that are used in expanding the concept of “family” and expanding the number of parents who intend to parent a child and the record of that for that individual child, that we include as much genetic information for them — or information about their history and parentage in a genetic way — as possible so that protects the individual child's information if they choose to seek it.

As I noted earlier, the United Nations *Convention on the Rights of the Child* supports this approach. It is in the best interests of the child that the intended parentage is established as early as possible upon the birth of a child, and that is the focus of these proposed amendments — that they will allow intended parents to establish legal parentage upon the birth of a child, which is different than exists right now. We have court applications that are required to establish legal parentage. This will allow parents to choose to become the legal parents of a child through different pathways, including written agreements or otherwise. As I have said before, the proposed amendments include the registration of information related to the child's genetic connection as part of the birth registration, which is critical information that a child may want to access to know their personal history and to potentially claim certain lineage rights, heritage rights, or other. That is the purpose of this section: to protect that information for a child who will someday become an adult and may want to know that information.

MLA Tredger: I would point out that knowing that their parents are not their genetic donors wouldn't actually give a child the ability to claim heritage or lineage rights. They would need more information than that. So, this information on its own does not do that; it only perhaps indicates to the child that they could look somewhere else for that information.

I am going to really zero in on this part of the legislation that requires parents to indicate whether they provided the reproductive material for the conception of their child. Can the minister speak to whether or not her department did a cross-jurisdictional scan, and are there any other jurisdictions in Canada that require parents to provide that information when registering the birth of their children?

Hon. Ms. McPhee: Over the past 15 years, the Uniform Law Conference of Canada has published the *Uniform Child Status Act (2010)* and the *Uniform Vital Statistics Act (2017)*, which include recommendations on parentage, naming, child status and rights, and alignment with the Truth and Reconciliation Commission report. Both acts recommend the modernization and harmonization of legislation by determining parentage, whether a child was conceived with or without assisted reproduction, accounting for advances in human reproduction technologies, and collecting data about vital

events, as vital statistics information forms the basis for identity documents.

They note that, while some Canadian jurisdictions have started to address these issues, challenges remain where these new realities have not yet been addressed. These two acts from the Uniform Law Conference of Canada were considered as part of the research during the early stages of this project to help inform the policy directions. During the drafting stage, Health and Social Services, with support from the legislative counsel office — I think is the right title — referred to provincial legislation enacted under the publication of the *Uniform Child Status Act* and around the same time or after the *Uniform Vital Statistics Act*.

The two key provincial references used during the drafting stage of this bill were the 2020 amendments to Saskatchewan's *Children's Law Act* and the rules of parentage included in the Ontario *Children's Law Reform Act*, 2016. Both appear to have integrated and even progressed beyond approaches followed in the uniform law acts. For instance, the 2017 *Uniform Vital Statistics Act* identifies issues such as the rights of the child, as found in articles 7 and 8 — as I've mentioned already — of the United Nations *Convention on the Rights of the Child*, which deal with the child's right to a name, the right to know their parents, and the right to preserve their identity as out-of-scope issues that jurisdictions may nonetheless wish to address.

I can also note that, in general, in the legislative framework of jurisdictions across Canada, the biological connection between a parent and a child is implied in most cases, as their vital statistics legislation is still using gendered language or is using terms that include the biological connection between a child and their parents, such as "birth parent".

In jurisdictions like British Columbia and Ontario — just to name a few — they are doing so. In Ontario, the vital statistics legislation and the birth registration form also include the definition of the term "biological parent". The BC *Vital Statistics Act* allows the registrar to determine what information is to be submitted to the registrar, which could possibly include genetic information. Subsection 3(1) of that act — as set out here in my document — uses gendered language, but 3(1.1) — which applies to the births by assisted reproduction — uses non-gendered terminology. I can also note that, in Ontario, the regulations under Ontario's *Vital Statistics Act* include that the statement certifying the birth of a child shall be made in the form that the registrar approves, which could possibly include genetic connection information between a child and their parents. It goes on to state the terms "mother" and "father" included.

I think that what is critically important is that we are the first jurisdiction in Canada to go as far as this bill does with respect to the references to "parent" and "parentage" and non-gender-specific language. As a result, it's incredibly important that we also take the step to include what information is known about the connection of a child genetically to the individuals who are named as parents. I do not disagree that, in the event that neither or none of the parents who are listed on the birth registration are genetically connected to that child, that is also information that would benefit a child. Of course, it leads

them somewhere else if they're interested in going somewhere else, but the inclusion of any of that information is critical for that child.

MLA Tredger: I'm just going to follow up on a bit of that. I'm looking through the *Uniform Child Status Act* and the *Uniform Vital Statistics Act*, and I can't find anything in either of those that suggests that parents should be required to disclose when registering the birth of their children whether they are genetically related to those children or not.

Hon. Ms. McPhee: No, neither of those pieces of legislation specifically state the terminology used by the member opposite in this question. What they do is state that determining parentage — whether a child was conceived with or without assisted reproduction — and accounting for advances in human reproduction technologies and collecting the data about vital events and vital statistics information that forms the basis for identity documents is important modernization and harmonization of the legislation. The goals would be to record that information for individuals.

MLA Tredger: That's helpful. I'm really trying to zone in on just that piece about parents being required — not just given the option but required — to share the information about whether they provided the reproductive material for their children. So, from my understanding, BC could require that but does not currently require that. Ontario could require that. Does Ontario currently require that when parents go to register the birth of their children? Do they have to indicate whether they provided the reproductive material for the conception of that child?

Hon. Ms. McPhee: No, neither of those jurisdictions do require that information to be recorded when an individual is registering as a parent. But both of those jurisdictions still have gender-specific language and assumptions with respect to parentage in their legislation.

So, we are the first jurisdiction, through this bill, to remove that entirely and to move to non-gender-specific language and, as a result, have included in this bill section 51, which requires an individual who is signing on to a registration of a birth as a parent to indicate for that child whether or not any of their gamete materials were involved in the creation of that child or children.

MLA Tredger: That is not completely accurate because, in BC, the section about registering the birth of children conceived through sexual intercourse does indeed use gendered language, but the section on assisted reproduction does not, and that section still does not require parents to indicate their genetic relationship to their children when registering the birth.

It is a concern to me that we are in uncharted territory here. We are doing something that no other jurisdiction in Canada does. The minister has said that it is because we are using the new gender-neutral language of parents that is done in other jurisdictions — not in all situations but in some situations — so this does seem to be a bit of a departure for me and that is a concern.

I am wondering: Given this pretty significant departure, was this part of the act — the part of the act that says that

parents will have to disclose their genetic relationship with their children to register them — consulted on with anybody with lived experience, and can the minister describe that consultation?

Hon. Ms. McPhee: Thank you for the question.

I want to say a few things about this bill. It does go further than other jurisdictions in the country with respect to removing gender-specific language, which is why this part and all parts were included. It also primarily shifts the recognition of parents and parentage, protecting the individual rights to become parents, recognizing the specialty of families and the inclusion in general of modern and different kinds of families than we are traditionally used to — and the old laws have been written to protect. This is the one provision in this bill that moves to protect the rights of the child and the future knowledge for that child or those children.

We had an engagement process that took place between February and April 2024 and included an online survey and targeted in-person discussions with focus groups, with Yukoners who have lived experience with naming and parentage laws; 154 Yukoners participated in the engagement, with approximately 70 percent self-identifying as persons with lived experience. Over 60 percent of respondents supported expanding the legal definition of “parent” to include individuals who are not biologically related to the child, such as those who use surrogacy or assisted reproduction.

The report generated informed potential legislative changes to the *Children’s Law Act*, the *Vital Statistics Act*, and the *Change of Name Act* to ensure inclusivity in the Yukon, which, of course, is before us today.

We also made a note of the Truth and Reconciliation Commission’s call to action 17 and included those provisions here in this bill as well.

I hope that answers the question of the member opposite.

MLA Tredger: It doesn’t actually, so I will just repeat it a little more clearly.

I understand that there was consultation done before the bill was written that informed the decisions that were made in the bill. I am wondering if, once it was decided that the government was considering including the provision that parents would have to indicate this information, the government went to anyone with lived experience and said: We are considering making this specific change. What do you think? How would it affect you?

I know that wasn’t included in the conversations with the people with lived experience who informed the “what we heard” document, because I’ve talked to many of them and they have told me that was not part of the conversations that they had.

So, I’m specifically wondering: Once the government was considering this specific change, did they go to anyone with lived experience and ask for their input on this specific provision?

Hon. Ms. McPhee: No, that’s not the process with respect to determining policy and moving forward with legislative changes. What I can say is that officials of Health and Social Services did meet with the Child and Youth

Advocate and speak specifically about the language in section 51 — in general, received support from the Child and Youth Advocate — that there was support for this being a reflection of the protection of the rights of a child.

In addition, we made the commitment to engage with the Child and Youth Advocate in relation to the development of regulations. I think that one of the suggestions that came out of that conversation was, in fact, that this information could and perhaps should be included on a separate document rather than the birth registration document and that this would be appended or connected to that document and the registrar would include that information perhaps on a separate form rather than on the main registration form. That’s certainly agreeable to us as a best practice as we forge ahead.

Yes, some party — some province or territory — has to lead. The Yukon often does that because we are committed to inclusivity and equity and equality and to moving forward with the agenda of our community, which is to be inclusive and to make sure that non-specific-gender language be used, that we expand the concept of modern families, and that we make sure that children’s rights are protected in that forging forward.

MLA Tredger: So, we’ve established that no one with lived experience was consulted on the inclusion of this specific provision.

The minister mentioned the Child and Youth Advocate. I also spoke with the Child and Youth Advocate specifically about her advice on this matter.

She was very clear with me that she did not give direction to the department and she was not giving direction to me about what should be in this act. Those were her words. That is what she said to me: “I did not give direction to the department. I have not done a full analysis. I am not giving direction to you.”

I appreciate her input. I found it a fascinating conversation that gave me a lot to think about, but it was not an instruction that this should be included.

This provision is going to disproportionately affect queer and trans families. I know that there are many families in heteronormative relationships who also use donors, but the majority of queer and trans families will require a donor in some way or another.

Since the minister hasn’t consulted on this provision with anyone with lived experience, has she consulted on this provision — and I specifically mean on this provision, not on the act in general — with any representatives of the queer or trans community, any organizations that might represent them, or experts in that field?

Hon. Ms. McPhee: Let’s be clear here. I did not say that the Child and Youth Advocate gave us direction on anything. What I said clearly was that we went to speak to her specifically about section 51 and the impacts and our intention that it be included for the purposes of protecting the rights of the child. She did not give us direction to do anything, and I did not say that she did.

With respect to the process of developing policy that later becomes draft legislation, it is not the process by which engagement would include taking a specific section and either speaking to individuals with lived experience or particular

communities about the wording of a particular section. Our job is to create a bill and bring it here for debate, which is exactly what is occurring today. I am happy to continue to talk about this section and the implications of section 51 and the defence of why it has been included. But, no, the process does not include us going to speak to individuals with lived experience or the queer or trans community or, in other examples, mothers or fathers or other broader specifics of individuals who will be ultimately impacted by this legislation.

MLA Tredger: I appreciate that clarity from the minister.

I have been talking to various people about this provision. I would like to read some of the letters that they have written to me now. Some of these have also gone to the minister. I am going to share these letters by reading them into the record rather than tabling them in order to preserve the anonymity of the people who are talking about very personal things for them and their families.

The first letter I want to share is this: “Dear Minister McPhee, I am writing to express my alarm at some aspects of the proposed Inclusive Families Act, which would require parents to disclose whether they used donor gametes in order to acquire a birth certificate for their children.

“We are very fortunate to be the parents of two young children who were conceived using donor sperm, as my spouse, their loving papa, is trans. We wanted to use a known donor and were so grateful when one of our friends was willing to donate sperm to us for two pregnancies (and subsequently, two beautiful baby girls!)

“Their papa is on their birth certificate as the gender neutral “Parent”, which is equal billing to my own name, as that is how the province of their birth, Alberta, issues birth certificates. Neither of us is called “Mother” or “Father” — we are simply parents. We were so, so relieved to find out that we didn’t have to worry about overcoming some of the hurdles that queer parents did in the past in Canada, or indeed, still do in many places in the world, including several states. My spouse did not have to legally adopt our children and at no point had to declare that they did not contribute genetic material to our children. It never came up as it is not relevant.

“Frankly, I think demanding that parents do such a thing would be regressive and dangerous. I feel like our children are safer now and in the future without being on a registry within Vital Statistics that declares them as children of parents who used donor gametes. Although all kinds of families use donor sperm, donor eggs and/or surrogacy to conceive children, we feel that it would be particularly dangerous to have flagged families like ours within Alberta’s Vital Statistics and I feel equally apprehensive about such a thing being mandatory in the Yukon.

“We will never hide the generous gift given to our family by our kind friend from our children. Our daughters will always have access to their genetic history for medical and other reasons. I firmly believe that for one, parents as loving and dedicated as my spouse do not deserve to be put into this position when registering for a birth certificate. I also firmly believe that my children deserve the chance to choose how and

when to disclose that they were conceived by donor sperm, and not to have it follow them through bureaucratic process from literally the moment of their birth.

“While the shifting winds in the United States still feel far away from the Yukon in many ways, I am also afraid that children and families like ours could be targeted in the future if we are forced to disclose this information to Vital Statistics, as it can easily be used to identify queer families and their children.

“Thank you for your consideration of the safety of families like ours in the Yukon. I would welcome any response.”

That ends the letter, and I would ask the minister if she would like to respond to that letter.

Hon. Ms. McPhee: I appreciate the letter that I have received and the openness of that individual to write about their situation and their opinion with respect to this and the importance of it.

The responsibility here is to protect the child’s personal health information for the child and for the future adult who may or may not want to access it. Madam Chair, becoming a parent and parentage comes with a great deal of responsibility in many, many ways, and one way will be to protect the child or children’s personal health information for them in future, and that includes the protection of information for that child and, in this case, the personal health information for that child or children.

In the example given — and I have not yet had an opportunity to respond to that letter, but in the example given, those parents are clearly very open, very protective of knowledge that should be passed on to their children, but that is not always the case. My responsibility here in presenting this bill and all sections of this bill is, in fact, to embed that protection for the personal information of the child into this legislation so that parents who are not so progressive and open, not so intended to provide that information for their children in future through their own family operations — that there is a place in which that is protected if that information is known for those children.

Lastly, what I’ll say is that all of this information — first of all, let me just back up for a second to say that I share in horror what is happening in the United States of America with respect to the rights of individuals of non-gender-conforming, of trans rights, of non-binary rights of individuals in that government and in the fallout from directions from that government. I am truly horrified by that activity. I don’t think for a second that it can’t come to our country if we are not extremely careful.

As a matter of fact, the introduction of Bill No. 50 is in defiance of that kind of attitude, because it does need to progress. Modern families need to be protected, and the children’s rights in those modern families need to be protected.

There is all kinds of information that could become concerning for individuals should it be somehow more publicly available or not fully protected by governments. I think it is government’s responsibility to fully protect that information, whatever it might be, that would identify an individual’s personal information or personal health information or both.

That information in our government, in the Canadian government, and in territorial and provincial governments is protected by professionals. It is physically protected and legally protected and will continue to be so, in my view, as long as this government operates — and by that, I mean all levels of provincial and territorial governments and the Canadian government — in a way that continues to protect that information for every single Canadian and every single Yukoner.

While I appreciate the concerns very much that were brought forward by the individual who wrote the letter read into the record and the concerns that person has, I think it behooves all Canadians and all Yukoners to want their personal information to be protected for many, many reasons, not the least of which has been described here in this letter, not the least of which is how it could be used against an individual if it were to be available.

It is not intended to be available. It is intended to be protected — to be recorded and ultimately protected as an individual person's personal health information.

MLA Tredger: I would like to share another letter. This person writes: "I am writing to express my concern about an aspect of the proposed Inclusive Families Act, which would require parents to disclose their genetic relationship to their child. I feel that this requirement is unnecessary and potentially harmful to 2SLGBTQIA+ families, who will be disproportionately impacted by this law.

"Last year, my partner and I welcomed our first child, who was conceived using sperm from an anonymous donor and my partner's egg. We are both listed as parents on our child's birth certificate. As our child grows up, we will be open and honest about their conception story. Our child's genetic history will never be kept secret from them.

"As a non-genetic parent, I feel singled out by this aspect of the proposed Inclusive Families Act. Queer and trans families already face a lot of uncertainty throughout the birth registration process, and the requirement to disclose a parent's genetic relationship to their child adds to this feeling of being 'other' or 'different.' Furthermore, some parents carry a child through pregnancy but do not contribute genetic material in the conception of their child, as is the case for families who use reciprocal IVF. Having to declare their genetic relationship (or lack thereof), may make these parents feel invalidated after experiencing the physical toll of pregnancy and childbirth.

"My partner and I are in contact with other families who have conceived children from the same sperm donor. Most of them live in the United States, where it is often still a requirement for nonbiological parents to adopt their own children. They have expressed genuine concern about their parental status being revoked in light of the recent regressions to 2SLGBTQIA+ rights imposed by the Trump administration. While we are confident that the current government would not use the information collected by Vital Statistics in ways that are harmful or discriminatory, this cannot be guaranteed for future governments. We want to ensure that children and families like ours will not be targeted by discriminatory legislation in the future.

"We are happy about most of the changes being introduced in the Inclusive Families Act. We hope that you will amend the Act so that families are not required to disclose their child's genetic relationship to their parents, so that all Yukon families will feel safe and represented."

That's the end of that letter.

"Thanks for allowing me to provide feedback. I do not agree with having to provide any information regarding the donor or if you biologically contributed. That is not information that the government should be collecting nor is it needed for any part of the birth certificate. No parents, regardless of family make up, should have to tell the government how their child was conceived." Later in the letter, she goes on to say: "In my view, the government is overstepping and collecting data that is not essential. Would hetero couples be subjected to the same scrutiny? Would they have to provide blood tests to prove their paternity or maternity of that child? Because that is the same as providing a donor number."

One more letter I would like to read: "I am writing to urge the Legislature to change the proposed Inclusive Families Act so that it does not require families to disclose their genetic relationships to their children ... To explain why this is so important, I would like to share the story of my family.

"I am the non-biological parent of my child, who was conceived with the help of a close friend who we asked to be our donor. We had many thoughtful conversations with him about the role he would play in our child's life. We all agreed on the importance of him being able to answer questions our child might have about his medical, personal, and cultural background. This was in fact one of the primary reasons we chose to use a known donor, instead of going through a sperm bank where our child would have no contact or information about the donor until they turned 18. After many conversations he generously agreed, but that was not the end of the process. Next, we worked with a lawyer to draft a preconception agreement, giving us even more potential scenarios and options to consider and discuss. Finally, we were able to move forward with conception and then the birth of our much-wanted child.

"The days after my child was born were a joyful, overwhelming, whirlwind. But through them ran a thread of anxiety. In the hospital, people repeatedly made the assumption that I was an aunt or friend, and I often had to reassert myself as a parent to be involved in my child's care. I worried that these assumptions would continue into the birth registration process. Even though we were in a jurisdiction where I knew the law would allow me to be registered as a parent, and even though we had a legally-binding agreement, I still worried. I had heard so many stories of people having to go through legal battles to be registered properly even when the law should have been on their side. I had heard the horror stories of people having to adopt their own children after falling through a loophole. I worried — what if vital statistics demanded to see our preconception agreement? What if it fell short in some way? What if we had to go to court? How long would that take? How much would that cost, and could we afford it? I worried over these questions every day until my child's birth certificate arrived in the mail.

“Luckily, everything went according to plan, and we did not encounter any roadblocks. But I can only imagine how much more stressful, alienating, and intimidating the process would have been under the new proposed Inclusive Families Act. At a time where I felt so protective of my new role and relationship as a parent, it would have felt offensive and terrifying to have to disclose that I was not genetically related to my child.

And my fear would not have ended with the successful registration of my child. I trust that the current government would not use that information to harm me or my family. But they absolutely cannot guarantee that of future governments. We live in a time where a larger and more powerful neighbouring country is in the hands of an explicitly and actively transphobic government who has openly declared their intent to annex us. It is a real possibility that in the near future, it could be actively dangerous to me and my family for the government to have information that identifies us as likely queer or trans. I don’t know if this will come to pass, but I can tell you that when I am awake in the early morning, making plans about how to protect my family into the future, the fear is very real.

“Overall, the Inclusive Families Act is a powerful and important piece of legislation that promotes and upholds the rights of families like my own. I am grateful to see it come forward. But the requirement to disclose genetic relationships is discriminatory and dangerous for the queer and trans families who will be disproportionately affected. Please make sure that this is changed before the legislation passes, so it can truly be a law that makes all Yukoners safer and more included.”

I am going to end my reading in of these letters here and ask the minister to respond.

Hon. Ms. McPhee: Thank you very much to the member opposite for reading in those heartfelt letters. I know that a few letters have come to my office and we’re working to respond to them. I’m not sure if all of those letters were addressed to me — maybe not. We’re certainly sympathetic and thankful for the individuals who did express their concerns and the reasons why they are concerned about this bill.

I want to say that I don’t agree that this bill is discriminatory. I do believe that this balances the rights of the child as we go forward, and it does so in the face of making very serious changes to the language that we use and the ability for individuals to be registered as parents, and that comes with great responsibility. I also note that all of the letters provided — and any of the concerns and conversations that we’ve had with respect to this bill — parents indicate that they will share this information with their children.

But that’s not what this section is about. It’s to protect that information for the individuals or the parents who may not choose to share this information. In those cases, that would leave these children unable to get this information, whatever it is.

I also note that, with respect to an example of surrogacy where an individual — a surrogate parent, mother — under the current act would be “mother”, the surrogate who has no genetic material in the creation of that child would at this point,

under our current laws, be called the “mother” of that child, and there is no provision for that person to not be called the “mother” and they may literally, but for having birthed that child, have not contributed any genetic material to that individual and to the creation of that child.

Lastly, I think it’s important to note situations where families may have a tragic event before they can share that information with the child. This section is for the protection of children. It’s not for the protection of the parents, although literally most — all — of the other sections of this act are for the protection of parents, are for the modernization of families, are for the change of language to make sure that parents’ rights are protected and that parents can register to be the parents of their children and can be the parents of their children in a modern way for the Yukon. That section is not discriminatory to parents; it is for the protection of the child.

MLA Tredger: I don’t actually think it is really useful to kind of pit it as the rights of the parents versus the rights of the child, because I think most of this act is about the rights of the child. It’s the rights for the child to be parented by their parents — the people who are the reason for their existence and are the ones who want and love and support and care for them. I do actually think that this whole act is about the rights of the child.

The concerns raised in the letters that I shared are not just about rights for the parents. It is true that one of their concerns was about the experience it will cause for parents, but they are also talking about the safety of their children and the rights of their children to be parented by their parents in a potential future where that’s not what the government wants for them.

To me, this isn’t about parents versus children. I know that all legislation involves choices. It involves choices of balancing one thing over another. That’s what I have been trying to understand and bring forward today: to understand the rights that this provision is trying to uphold and also to bring forward the concerns that this provision will cause, the potential harms that this provision will cause.

On one side, we have the ability for children to discover — in the cases where their parents do not want them to have that information or are not able to give them that information — that their parents are not their genetic parents. It does not give them the information — unless the parents have chosen to include it — about who they are genetically related to. They would have to find that through some other means, which may or may not be accessible to them. It only gives them the information that they maybe could look somewhere else for that information. That’s the potential benefit of this provision.

The potential harms of this provision are the impact on the parents as they navigate the birth registration process and the potential safety risk to both the parents and the children for the government to have this information which identifies them as likely queer or trans in a time when that is not a safe thing.

So, that’s the balance. Those are the things that are being weighed in deciding whether this is a good provision or not. I am concerned that the minister has not brought any support for this provision forward in terms of support from people with lived experience, support from organizations who represent

queer or trans people, or experts who study the effects of legislation on queer or trans people or any similar people. I have brought forward information from people with lived experience, people who have been or would be affected by this legislation who are not in support of this provision.

I am also keenly aware that this hasn't been done before anywhere else. I don't think that is a reason not to do it, but I do think that it is a reason to be very, very cautious, and I am very concerned about the idea of moving forward with a change that has never been done in any other part of the country without consulting on this change with the people who will be affected by it.

Would the minister be willing to consider striking this provision or tabling this provision until such a time as she has been able to consult with people who will be affected by this provision on whether it should be included?

Hon. Ms. McPhee: I appreciate the advocacy from the member opposite. I don't think it has been characterized exactly correctly as not having spoken to anyone about any parts of this legislation. This bill has been intensely researched — intense policy development. There have been experts in other provinces, experts in this area at universities, and other experts who have been consulted. I appreciate the references to the United States, and I have mentioned that I too share those concerns, but we are writing laws here under Canadian and Yukon values.

I think that it is also important to recognize that this section 51 and the provisions under section 51 do not single out parents from the 2SLGBTQIA+ community. We may well have heterosexual males and females who are parents who do not have any genetic material related to that individual child or children. As a result, this section protects the rights of those children as well. The inclusion of that material in the child's personal health information history is critical for them if it is known to the parents at the time.

I appreciate the position being taken by the member opposite. My concern would be that this Legislative Assembly Sitting is 11 more days and that the risk of a suggestion that consultation or engagement with individuals — I don't know who those would be — but individuals who would be specific to the member opposite's concerns about section 51 specifically could risk that we would lose the entire bill and the benefits that it brings forward for parents of all kinds, and as a result, I think the best way forward is for us to continue to debate. If we're not able to agree, then members will vote as they see fit about the importance of us passing this bill into law.

MLA Tredger: I agree that this is a really important piece of legislation that needs to move forward, and what I was asking is not to hold up the entire piece of legislation but simply to strike this provision until such a time as the minister can show me that any person with lived experience supports it — be that someone in a heterosexual relationship who used a donor to conceive their children, someone in a queer/trans relationship who used a donor to conceive their children, a child perhaps who has needed that information and have not been able to get it or have been able to go through a similar process

in a different jurisdiction to get it — literally any person with lived experience who supports this specific provision.

At this point, I've seen nothing.

I think I've made my point on section 51(a). So, I just want to fit in one more question before the end of the day, and that will be the end of my questions for general debate.

So, under 51(e), it says "any other prescribed persons." And we briefly discussed this earlier in the debate.

What I'm wondering — one of my concerns about this section is that the minister has been clear that her intention is not to require information about donors unless the parents and the donors wish to provide it, but it looks to me as if subsection (e) could be required by a different government to, in regulation, require information about donors to be included even if the parents and/or donors do not wish that.

Can the minister tell me if that interpretation of (e) is correct?

Hon. Ms. McPhee: With respect to that provision, I think, as we have noted earlier, (e) "any other prescribed persons," section 51, is applying to the parents and information that they are aware of or the donor that volunteers that information and agrees to sign the birth registration. Prescribed — (e) is an enabling provision with no intention to do that at any time unless there was change for future provisions.

What I can also indicate is that in section 53, as I noted in my opening remarks today, there will be a suggested change to section 53 which will allow the registrar to retain any information on behalf of the child that is provided to them that they find to be accurate. If a person passed away, for instance, and then biological information was given to the registrar and they had the opportunity to verify that information, they could record that information for a child — or if it was volunteered by a gamete donor or someone like that. That is in section 53. That is not what this provision is about; this is about information that is available to parents upon registration of birth.

Unfortunately or fortunately, I note the time, Madam Chair, and I move that you report progress.

Chair: It has been moved by the Member for Riverdale South that the Chair report progress.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: 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. 48, entitled *Early Learning and Child Care Act*, and directed me to report the bill with amendment.

Committee of the Whole has also considered Bill No. 50, entitled *Inclusive Yukon Families Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:28 p.m.

The following sessional paper was tabled April 14, 2025:

35-1-198

Nineteenth Report of the Standing Committee on Appointments to Major Government Boards and Committees (April 14, 2025) (Clarke, N.)

The following document was filed April 14, 2025:

35-1-325

Summary of Connective program reviews (dated April 10, 2025) (McPhee)