



# Yukon Legislative Assembly

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35<sup>th</sup> Legislature

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## HANSARD

Thursday, March 10, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2022 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

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

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

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

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, March 10, 2022 — 1:00 p.m.**

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

*Prayers*

**Bills ordered dropped from Order Paper**

**Speaker:** Before we begin the Daily Routine, the Chair wishes to inform the House of changes made to the Order Paper. Bill No. 300, entitled *Act to Amend the Civil Emergency Measures Act*, standing in the name of the Member for Lake Laberge, has been removed from the Order Paper as it is similar to Bill No. 302, which was defeated at second reading yesterday.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Pillai:** I would ask the Legislative Assembly — we have many guests today. First, I would like to welcome the guests who are here for the 70<sup>th</sup> anniversary of the MacBride Museum — the staff attending from MacBride: the captain of the ship, Patricia Cuning, is here today; Rika Matsunami, as well from the staff; and Gabriel Hopkins and Corin Noble. As well, board members attending: well known to the Assembly, Mr. Rick Nielsen, thank for you coming; Kells Boland; always challenging me on the doorstep, Andy Williams, great to see you; Dave and Irene Brekke always challenge me on the doorstep as well, great to see you; Norm Randell and Priscilla Peever. As well, from the volunteer board, Jo-Ann Waugh, I believe, is with us today.

Individuals who didn't have the opportunity to be here today, I just would like to note as well: Frank Wilps, treasurer; Keith Byram and Doug Phillips, who also contribute greatly to the organization; and former board members, our own Nils Clarke and Scott Kent, who have also played a key role with the organization. Please welcome them to the Assembly today.

*Applause*

**Hon. Mr. Streicker:** We have a tribute today for Peter Risby to the Canadian Mining Hall of Fame. We have several guests and I would encourage us all to welcome them. We have Wayne Risby and Norma Risby. We have Grant Allan, the president of the Yukon Prospectors Association; we have Mike Burke from the Yukon Chamber of Mines; we also have, from Energy, Mines and Resources, Erin Dowd and Monica Nordling; and finally, we also have Mr. Jerry Asp, who is also an inductee to the Canadian Mining Hall of Fame — if we could welcome them all, please.

*Applause*

**Hon. Mr. Mostyn:** I would like to welcome to the House this afternoon Ben Asquith and Chad Thomas, who are here for the ministerial statement today about Yukon First Nations Wildfire.

*Applause*

**Speaker:** Are there any tributes?

**TRIBUTES**

**In recognition of MacBride Museum 70<sup>th</sup> anniversary**

**Hon. Mr. Pillai:** I rise on behalf of the Yukon Liberal government to pay tribute to the MacBride Museum of Yukon History in recognition of their 70<sup>th</sup> anniversary. MacBride's inception began with the collective efforts of a group of visionary Yukoners who created the Yukon Historical Society back in 1950.

Led by Fred Arnot and William MacBride, the group opened the MacBride Museum in 1952 in the Whitehorse telegraph office, still located on its original site. For seven decades, the museum has evolved, added to its collection, and has grown from its humble beginnings. When visiting MacBride Museum, you will move through, first, the Aurora Hall, where you can view the incredible northern lights icicle art installation, a partnership between MacBride and Lumel Studios; the First Nations Gallery, where you can gain an introduction to and explore the stories of Yukon's 14 First Nations; the Wild World gallery, where you can see the albino moose and 35 other creatures up close; the Gold Rush Gallery, where you can learn about the history of the Klondike Gold Rush; the Land and Light Gallery, where you can explore the artwork and functional creations of the people of the Yukon from ancient times until now; the Icons and Innovators Gallery, where you can discover the places, people, and events that define the Yukon; the Cold Chamber, where you can understand more about how Yukoners live in this climate and the clothing worn; and finally, Sam McGee's Cabin and the *Woodchuck*, the 37-foot tunnel stern workboat, and learn about the Yukon River and the boats that travelled on it.

MacBride Museum has established itself as one of the Yukon's must-see tourism attractions. During the busy summer tourist season, MacBride welcomes visitors, treating them to lectures, special events, and exhibits. During the winter months, the museum staff and volunteers focus on community engagement and provide local programming to residents.

Throughout the pandemic, MacBride has shown innovation and adaptability, offering access when possible, serving as a location for local crafts, music events, and meeting spaces. The energy, creativity, and determination of Bill MacBride and the museum's other founders is still alive today. It is reflected in the character of the staff, board members, and volunteers who work to make MacBride a favourite stop. We thank them all, past and present, for their continued commitment to the Yukon's museum community and for their vision to promote the territory's rich history, especially that of Whitehorse. Here's to 70 years of community service, historical preservation, and storytelling.

*Applause*

**Ms. Van Bibber:** I rise on behalf of the Yukon Party Official Opposition and the Third Party to pay tribute to the MacBride Museum, which is celebrating 70 years since it opened its doors in 1952.

Opened by the Yukon Historical Society, Yukon's first museum was later named for William David MacBride. With his knowledge of history and being known as a pack rat, he had an amazing collection that began his passion to showcase his treasures.

In 1950, the Yukon Historical Society was established, and eventually a log building was built in 1967, Canada's centennial year, and named for MacBride.

The museum society is a non-profit group and has a board of directors to oversee the facility. Today, 70 years later, changes and an evolution of displays and culture have made MacBride one of the must-sees for everyone — locals and visitors alike.

The expansion and remodelling that took place can now house so much more, from the welcoming front Aurora Hall where northern lights icicles dangle from the ceiling to the many exhibits indoors and outdoors, you will be impressed.

The museum houses over 40,000 artifacts, documents, photographs, and so much more. I could not even begin to list all of the exciting displays and visual treasures. MacBride displays: First Nation cultural artifacts, handicrafts, and shares the story of the transitions of the first peoples; mounted animals and one albino moose in the Wild World area; Sam McGee's Cabin; Gold Rush Gallery; and the Cold Chamber. You need hours to really do it justice. The Whitehorse Inn sign that so many long-time Yukoners recognize is a true bright spot.

As well as the museum, the Copperbelt Mining Museum on the Alaska Highway just north of town and the MacBride Roundhouse are other additions that showcase another portion of Whitehorse history. The venue is used for local events, meetings, and concerts. It's a perfect surrounding for people to gather and enjoy, especially those summer evenings when you can open the large doors into the inner streetscape. It's wonderful.

Check out the gift shop that has some unique treasures and local books.

The vision statement reads: "MacBride is a dynamic museum, dedicated to promoting the value, understanding and enjoyment of Yukon history."

Thank you to the executive director and curator, Patricia Cunning, and all her wonderful staff, the board of directors, and all who support this beautiful museum. If you haven't been there, please take my advice and visit. You will be enriched with knowledge and amazed at Yukon's history.

*Applause*

### **In recognition of Peter Risby, Canadian Mining Hall of Fame inductee**

**Hon. Mr. Streicker:** Mr. Speaker, I rise today to pay tribute to Peter Risby, who in August will become the first black man to be inducted into the Canadian Mining Hall of Fame. Peter, who passed away in 2011, is aptly described by

the hall of fame as "a tenacious entrepreneur who overcame adversity to become a successful prospector and miner in Northern Canada." He was born in Kansas in 1931 to a railway porter and a German nursing student. The family fled to Canada to avoid persecution by the Ku Klux Klan and settled in a Cree community in Alberta, where Peter learned bush navigation and survival skills.

Peter was forced to attend a residential school but escaped at age seven and never returned. As an adult, Peter took a job operating heavy equipment at the Cassiar Asbestos Mine in British Columbia. From there, he ventured further north to the Yukon in 1957 and began prospecting. He sold his first claims to Johns Manville Co., then the world's largest asbestos producer. He later went on to develop and operate the Indian River gold mine, which became a major contributor to the Yukon's economy.

Peter's upbringing among the Alberta Cree helped shape his views, as he became an advocate for inclusion in the mining industry. He spent several years teaching prospecting and mineral identification courses to indigenous students and was one of the first to hire women for exploration programs.

Peter was earlier inducted into the Yukon Prospectors' Hall of Fame and named Mr. Miner in 1996. He was recognized for his technical achievements, economic contributions, and as a trail-blazing advocate of diversity and indigenous inclusion in the mining industry. It's unfortunate that Peter couldn't be with us today to be recognized, but we're honoured to acknowledge his family, including his daughter Tara, who helped lead the charge for his nomination.

Peter's nomination also received support from the Yukon Chamber of Mines, from the Yukon Prospectors Association, the Council of Yukon First Nations, the Assembly of First Nations, Yukon region, and the Yukon government. Congratulations to Peter and the Risby family for a lifetime of making a difference.

*Applause*

**Mr. Hassard:** I, too, am pleased to rise in the House today on behalf of the Yukon Party Official Opposition as we pay tribute to the contributions of Peter Risby, as he is one of five to be inducted this year into the Canadian Mining Hall of Fame.

The Risby family has an incredible history, and it is rare to find such detailed accounts spanning generations. They were certainly stories from a very different time. Pete's family faced much racial discrimination from before he was born in 1931 through his young life. I understand that after Pete's family moved from Kansas to Alberta, their lives changed for the better. Pete, despite not having any formal schooling, learned to speak fluent Cree and sharpened his knowledge and skills through his life on the land.

He came to the Yukon in 1957 after serving in the Korean War and working at the Cassiar Asbestos mine. From there, he launched into mineral exploration and prospecting. In his decades working in mining, Pete worked throughout North America and South America, but the majority of his time was spent here in the Yukon. He was involved with over 80 projects

that would, at one point, be optioned to major companies. He is credited with being instrumental in the development of the Indian River mine, as the minister said, a leading gold producer and major contributor to the Yukon Territory's economy. This was noted by the Canadian Mining Hall of Fame.

Pete was inducted into the Prospectors' Hall of Fame in 1996, an honour reserved for prospectors who have contributed tremendously to Yukon mining. His incredible contributions earned Mr. Risby well-deserved recognition here in the territory, and it is certainly exciting that he is now being recognized on a national scale.

Congratulations to the Risby family on this incredible honour. I am sure that Pete would be thrilled, just as they must be.

*Applause*

**Ms. White:** It is an honour to stand on behalf of the NDP to pay tribute to a legendary Yukoner. Peter Risby's life is one that movies and novels are based on — a life full of hardship, perseverance, adventure, luck, hard work, success, and leadership. From his beginnings in Kansas where he and his family faced direct threats from the KKK to a wonderful childhood in northern Alberta living with the Cree to the Korean War and then finally finding his way up to the Yukon, Mr. Risby's life was a colourful one.

I thank my colleagues for highlighting his extraordinary life and career. The mining industry in the Yukon looks and behaves in a different way because of his dedication to fairness and inclusion. We are glad that he was able to accept his award when he was inducted into the Yukon Prospectors' Hall of Fame in 1996 for his technical achievements, economic contributions, and as a trail-blazing advocate for diversity and indigenous inclusion in Canada's mineral industry.

Today, we're honoured to celebrate his life's work with his family and friends and for that recognition to finally be recognized on a national stage at the Canadian Mining Hall of Fame.

*Applause*

## TABLING RETURNS AND DOCUMENTS

**Speaker:** Under tabling returns and documents, the Chair has for tabling a report entitled *Child Rights Impact Assessment — Bill No. 11, Act to Amend the Child and Family Services Act (2022)* and an associated letter addressed to the Minister of Health and Social Services.

Are there any further returns or documents for tabling?

**Hon. Mr. Mostyn:** I have for tabling a document proving the Yukon Party's support for carbon pricing, an important tool in the fight against climate change.

**Ms. McLeod:** I have for tabling a document from the Residential Landlord Association outlining the impact of the Liberals' rent control policy.

**Speaker:** Are there any reports of committees?  
Are there any petitions to be presented?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 14: Act to Amend the Legal Profession Act, 2017 (2022) — Introduction and First Reading

**Hon. Ms. McPhee:** I move that Bill No. 14, entitled *Act to Amend the Legal Profession Act, 2017 (2022)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 14, entitled *Act to Amend the Legal Profession Act, 2017 (2022)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 14 agreed to*

**Speaker:** Are there any further bills for introduction?

### Bill No. 15: Miscellaneous Statute Law Amendment Act, 2022— Introduction and First Reading

**Hon. Ms. McPhee:** Mr. Speaker, I move that Bill No. 15, entitled *Miscellaneous Statute Law Amendment Act, 2022*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 15, entitled *Miscellaneous Statute Law Amendment Act, 2022*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 15 agreed to*

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

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to conduct a review of the *Civil Emergency Measures Act* and the *Public Health and Safety Act*, beginning in 2022, to better equip the Yukon to address future emergencies.

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

THAT this House urges the Premier of Yukon to request that the Government of Canada defer the proposed increase to the federal carbon tax currently scheduled for April 1, 2022.

**Hon. Ms. McPhee:** I rise to give notice of the following motion:

THAT this House supports the declaration of a substance use health emergency.

**Ms. White:** I rise to give notice of the following motion:  
THAT this House urges the Government of Yukon to call a public inquiry into the use of the *Civil Emergency Measures Act* between March 2020 and March 2022.

**Ms. Blake:** I rise to give notice of the following motion:  
THAT this House urges the Government of Yukon to review the Department of Education's food policy by:

(1) assessing what food and beverages are currently provided to students in Yukon schools;

(2) ensuring that healthy food options are promoted in high-traffic areas of schools; and

(3) conducting an environmental scan of other jurisdictions' departments of education food policies.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with Yukon University through their Alice Frost Community Campus to provide training opportunities for Old Crow citizens to increase capacity for Old Crow water and septic services.

**Ms. Tredger:** I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to issue an order-in-council ordering the Yukon Utilities Board to hold a general rate application for ATCO Electric Yukon.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Wildland fire management agreement

**Hon. Mr. Mostyn:** I see that Wayne Risby has just joined his colleagues up there in Yukon First Nations Wildfire, and that's what we are talking about today.

I rise to speak about an important new agreement between Yukon's Wildland Fire Management branch and Yukon First Nations Wildfire. Over the years, the two organizations have been working closely together to ensure the Yukon has the resources it needs to prevent, prepare, and fight wildfires in the territory. Last month, I was happy to announce that the Government of Yukon's Wildland Fire Management branch and Yukon First Nations Wildfire have entered into a three-year agreement that reinforces their positive working relationship and sets a foundation for how we will work together over the next several years.

Under the new agreement, funds will be provided to employ 20 youth, each to assist with the Yukon's wildland fire response, conduct forest fuel reduction and wildfire mitigation activities in support of wildfire-resilient Yukon communities.

This agreement also marks the first time that all 14 Yukon First Nations will be participating in the management of wildfires here in the Yukon and will be working to keep their communities safe from wildfire across the territory.

Yukon Wildland Fire Management has been working with Yukon First Nations for more than 20 years, and this agreement is a milestone in our work and partnership to ensure we keep our communities safe from wildfires and that Yukon Wildland Fire Management can continue their very important work. Over the years, we have designed a unique model of fire management that sees Yukon First Nations at the centre of our initial attack program, and they have been called on to assist other non-wildfire emergencies in the territory, such as potential flooding. Last year, I was happy to see the crew travel to BC to assist in fighting wildfires in the summer and to help with their flood recovery in December.

Without this ongoing partnership with Yukon First Nations, our territory would not be able to respond to the increasing extreme weather events we are seeing in the Yukon and the northwest due to climate change. By reaching this new agreement, we are taking the necessary steps to ensure that Yukon First Nations Wildfire can continue to support this incredibly important work for Yukoners and Yukon communities.

I look forward to many years of collaboration, and I want to thank our partners at the Yukon Wildland Fire Management branch and Yukon First Nations Wildfire for reaching this agreement.

**Ms. McLeod:** First off, I would like to congratulate Yukon First Nations Wildfire for the work that they have done since their inception. They have become a valuable resource and training ground for combatting wildfires in the territory and are quickly making a name for themselves across the country in wildland firefighting circles, as they have responded to fires in other jurisdictions and have done an admirable job. We saw this last year, when our neighbours in BC were inundated by fire. Yukon First Nations Wildfire saw the need, offered their services, quickly gathered their gear, and headed south. With this new three-year unit crew services agreement announced two weeks ago, it will help solidify First Nations Wildfire operations into the future.

I am pleased to see that this agreement will focus on training youth. According to the government's own joint press release with Yukon First Nations Wildfire, the agreement will employ 20 additional youth each year to assist with Yukon's wildland fire response operations. Not only will those youth be on the front lines, but according to the joint release, they will also conduct forest fuel reduction and prevention and mitigation activities that will create wildfire-resilient Yukon communities. The skills gained by young Yukoners who will be part of this unit crew will not only be useful dealing with wildfire, but will help them in the community for years to come.

I do need to point out that Yukon First Nations Wildfire isn't just responsive to wildfires. Some crews were part of the Yukon's flood response last year at Marsh Lake. However, we also understand that the full capacity of Yukon First Nations Wildfire wasn't utilized last year, either during the wildfire season or when flooding was taking place. I am wondering if the minister can tell us if they will call upon the full extent of Yukon First Nations Wildfire crews this year or if he will leave these valuable workers sidelined.

We know that with climate change, the Yukon will be more susceptible to both wildfires and flooding. This agreement will certainly take a step toward not only ensuring healthy forests with the crews' mitigation work, but in keeping our communities safe.

I do have some questions for the minister about presumptive cancer coverage for wildland firefighters. Last fall, there was a lot of discussion about covering wildland firefighters under new WCB legislation. In order to get the NDP to agree to support the legislation, the minister committed that he was going to conduct research on the impacts of covering these firefighters under this presumptive coverage.

The NDP reluctantly supported the legislation, but made it clear that they were — in their words — putting the government on notice. However, based on the response to questions yesterday, it seems that very little action, if any, has taken place on this commitment.

Other than saying that it would be expensive, has the minister actually undertaken a financial impact study on small business? Can the minister confirm if he has started work on this research so that wildland firefighters can be covered under presumptive cancer care? If he has, what's the status of that research?

**Ms. White:** We wish to congratulate First Nations Wildfire and Yukon's Wildland Fire Management branch on this exciting and forward-looking agreement. Knowing that every First Nation in the Yukon is now participating in the management of Yukon wildfires and keeping our community safe will light a spark of possibility in the imaginations of youth across the territory.

As an organization, Yukon First Nations Wildfire is about so much more than fighting fires. They work with youth to build them up into strong, resilient adults. From issues like financial literacy to mental health, the mentorship opportunities that are offered by this organization are not only creating highly trained, type 1 wildland firefighters, but they're creating the leaders of the future.

So, thank you to First Nations Wildfire and all wildland firefighters for everything you continue to do for this territory.

I appreciate that the minister has stood and said such nice things about such an important industry and the brave folks who do the work, but that stands in stark contrast with his words and actions last fall and even yesterday.

Last year, I spent considerable time talking to wildland firefighters, as well as the Whitehorse Fire Fighters Association and the BC General Employees' Union and many others. We all came to the same conclusion: Yukon wildland firefighters deserve the same presumptive protection as their urban colleagues.

While I was talking about presumptive coverage for wildland firefighters, the minister was out collecting letters from industry members who he had fed a fearful tale of increased WCB rates. He could have spent this time learning more about the wildland-urban interface of today's fires, or he could have reached out to listen to the stories of wildland firefighters who have been diagnosed with cancers that are covered for their urban counterparts and the advocacy they needed for themselves to have their illness recognized under WCB.

So, what are we supposed to think?

On the one side, the minister pats himself on the back over all the great work he is doing with wildland firefighters, yet in the same breath, he denies their request to be better supported by the government.

So, while I commend the work this government has done to build better relationships with Yukon First Nations Wildfire, I am however left wondering: Would that relationship not have been stronger if the minister had spent as much time fighting

for wildland firefighters as he did trying to prove that they don't deserve presumptive cancer coverage?

**Hon. Mr. Mostyn:** I appreciate the support for Yukon First Nations Wildfire that we heard this afternoon in the House. I know that the work of Yukon wildland fire is absolutely critical to the territory, and this government has supported and worked very hard to get this agreement in place. We do that because we believe in our wildland fire resources and certainly in our Yukon First Nations Wildfire teams. We are going to do our very best to deploy them as much as possible in this coming year, and this agreement provides a certainty in the rules under which they will be used.

This is a first for the territory. This shows the leadership of Yukon First Nations Wildfire, as well as the leadership of this government, to get this deal done. I really do think that the work that has been done, certainly down in the territory and the flood response in BC — I mean, that was the very first time that we had that type of support sent down to BC, and the work that they did was absolutely incredible.

So, yes, this government certainly does support Yukon First Nations Wildfire, as well as wildland fire in general. The fact is, though, that we're talking about two different streams here. Yes, if you are injured on the job, you will get compensation for that. The presumption merely says that the evidence suggests that X employee is exposed to X hazard — and quite frankly, the work is ongoing inside WCB — but that correlation between wildland fire in the Yukon and their exposure to carcinogens that you would see in an urban environment are not there. If we can provide the evidence we need, as I have said on the floor of the House last year and even this week, we will certainly review the regulations and give the presumption that's necessary.

However, there are severe cost implications, and I did talk about this with the members opposite last year. To actually bring in the presumption for wildland fire, all of them, would be somewhere between \$6 million and \$9 million, and that is to provide a presumption for which there is very little evidence to support such a thing, as well as the need to provide the PPE to actually mitigate or prevent the exposures that — really, we don't even know if they are exposed to that. So, you could have a need to be wearing full gear to fight a forest fire to prevent a cancer that you are never going to be exposed to.

So, there are real implications to the decisions we take in this Legislative Assembly. I know that, yes, we did hear from Air North, farmers and fishers, and surveying companies, prospectors, and adventure tourists saying, "Before you increase our rates from \$2.65 to \$3.11..." — which is what the actuarial analysis suggested — "... please do some more work."

We are doing that work and we will do it. This has nothing to do with our respect for Wildland Fire Management or for Yukon First Nations Wildfire, which we think are absolutely extraordinary and have proven themselves in their service to Yukoners.

I am happy to have this discussion further, but I really don't want to sully this moment because this is an incredible day for

Yukon First Nations Wildfire and I really do commend them for their work.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Land disposition process

**Mr. Dixon:** It has been well-established that the number of lots released annually is too small to keep up with the demand from our housing market. The result has been a housing shortage. Put simply, we need more lots to be released to builders so that they can build homes to address this shortage. However, when the government announced the most recent land lottery, a detail in the lottery package stood out to many in the homebuilding industry. The eligibility criteria for entering a lottery includes a provision that the lot must be purchased for the construction of a dwelling with the sole purpose of providing accommodation for oneself. In other words, builders who construct homes and sell them into the housing market that is so desperate for houses are ineligible to access any of these new lots.

Several builders have pointed out that this makes no sense. Why, when we're in a housing shortage, would the government make the very people who build houses ineligible to purchase lots?

**Hon. Mr. Streicker:** I think it was yesterday when I stood up in the Legislature and talked about the lottery that just opened up late last week. It does include lots on townhouse sites, which are for contractors to bid on. The regulations have always said that, for single-family lots, it is supposed to be for Yukoners to access. Those lots are supposed to be for individuals who would then apply. They almost invariably do hire contractors to build the homes on their lots.

I have heard the same concerns raised by the Leader of the Official Opposition, and I think that it is important to hear those concerns. I reached out as well to talk to the industry. I will have a few more conversations with them, and we will work to try to make sure that there is a balance. We want to get these lots into the hands of people who are looking for a place to live, and we are always looking to improve access to lots.

I can agree here on the floor that it is important that we strike a balance. I look forward to working with the industry to hear their concerns and make sure that the system we have in place is fair for all.

**Mr. Dixon:** As it stands, the eligibility requirements for this land lottery mean that individuals and businesses that build homes, of which there is a shortage, are placed in a very difficult position; they can either lie or they can find themselves out of work because of a lack of access to a lot to build on. Quite simply, this provision doesn't appear to make sense. It is not clear if this is a new provision or one that has been in place for some time, but it is clear that it needs to be fixed.

So, will the minister agree to fix this eligibility requirement before the land lottery closes on March 28?

**Hon. Mr. Streicker:** I certainly will work on the issue right away. I just said in my previous response — maybe it wasn't heard — that this has always been a provision. We

understand clearly that the way the system has worked is that contractors often get lots of people to put their names forward to try to get access to these lots. Again, there are townhouse lots that are available for contractors. Again, for those individuals who come out of a lottery, they invariably hire contractors to build their homes.

I just want to note that the point here is about making sure that we have a balance and that we are supporting access to lots for all Yukoners. Again, I make the commitment here today that I will work with the department, with those people who want to put their name in as homeowners, and with the industry to make sure that we strike a good balance to have the system working in going forward.

**Mr. Dixon:** For some homebuilders, whether or not they get a lot in this lottery coming up this spring will mean that they do or do not have work this year, so I implore the minister to speed up his response and ensure that this change is made before March 28.

Last fall, we raised a number of other concerns with the land lottery system. We noted that releasing a very large number all at once and then not releasing any further lots for over a year had the effect of driving up costs in the construction industry. Further, we asked about the impact of the two-year building requirement and called for an overall review of the land disposition process. While we maintain that an overall review of the land disposition process is needed, we do think that this particular issue related to the eligibility requirement in the land lottery needs to be addressed quickly.

Will the minister agree, today, to correct this flaw in the land lottery system before the close of this lottery on March 28?

**Hon. Mr. Streicker:** Actually, what the members opposite said last fall is as follows: "Some feel that the system can be manipulated, and is not well-suited to getting lots into the hands of everyday Yukoners who simply want to build their own home."

Now what they are saying is, "Hey, hey, hey. Forget those everyday Yukoners. Let's make sure that we get it into the hands of the contractors."

What I am saying is that we are working to make sure that we strike a balance, and at all times, we will work to get as much access as possible. There were concerns last fall that we release lots. There are concerns that we are releasing lots now. I think the point is that we should be releasing lots. It's getting ready for the building season. I am well aware that the situation has been raised and concerns have been raised. I am happy to work with the department, with contractors, and with homeowners or people who are putting their names into the lottery to be homeowners.

By the way, it's a lottery, so we never know who is going to be winning out of the lottery because it is a random draw. There's always a little bit of uncertainty around whose name is drawn for a lottery.

### Question re: Fuel prices

**Mr. Hassard:** So, the skyrocketing price of fuel is crushing Yukoners and pushing them further into debt. On February 23 of this year, diesel fuel was \$1.612 per litre here in



Whitehorse, and today, that price has jumped to \$1.99 a litre. That's an increase of 38.7 cents a litre on diesel in just two weeks. It's clear that this year's budget did not even contemplate this runaway inflation crisis. There is simply no plan to help Yukoners. If the government doesn't adapt soon, Yukoners are going to suffer.

Luckily, it's not too late. The government can still do the right thing. They can drop the fuel tax in the territory and help Yukoners to continue to afford the necessities. The great thing is that they can do it and still be in a surplus, so will the government do the right thing and agree to drop the fuel tax?

**Hon. Mr. Silver:** I disagree with the member opposite in that there is nothing in this budget that contemplates inflation. Unlike the Yukon Party, which has now just woken up to this, we have been paying attention to these increases for over a year now. This has been going on in our budgets for five years now — making sure we provide a budget that ensures Yukoners have the most affordable lives in Canada. We do, actually, a lot about that.

Now, the members opposite can snicker about that because they really have been checked out on this. As I heard, during the briefings, the Leader of the Official Opposition doesn't even ask any questions on the budget.

We are in a good place right now. We're having huge conversations. We just met with all of the premiers today, talking about inflation and talking about what every jurisdiction is doing. We, right now, have the fourth lowest cost of fuel at the pump compared to the average. We're in a good place right now. We are making endeavours in every department to make sure that lives are affordable for all Yukoners. We're going to continue to do that, whether it's universal childcare, which the opposition will scoff at and laugh at, or whether it's making sure that every dollar of a Yukon-made carbon-pricing mechanism is returned to Yukoners, which, again, the members opposite flip-flop back and forth on, and they don't even know if they actually have a pricing mechanism for carbon as we saw being debated here in the Legislative Assembly this week.

So, we're going to continue to take a look at other jurisdictions. We're going to continue to work with our partners across the nation, and we're going to continue to urge federal government action as well.

**Mr. Hassard:** Thank you, Mr. Speaker, and speaking of checked out, the Premier should look in the mirror. We are not in a good place when it comes to fuel prices. The skyrocketing price isn't just making life difficult for everyday Yukoners; it's going to harm the struggling tourism industry as well.

Tourism operators have already started planning and booking based upon a certain price for fuel. Not only that, but our tourism industry also relies heavily on highway traffic. But as we've seen, in just two weeks, the price of fuel has gone through the roof — an increase of 38.7 cents per litre for diesel in Whitehorse in just 14 days is completely unsustainable and it's going to send shockwaves through the economy.

What is the government doing to immediately address this, Mr. Speaker?

**Hon. Mr. Silver:** Let me correct the record again for the member opposite. He only listens and hears what he wants to hear.

As far as fuel prices, we are very concerned — absolutely. But for the member opposite to say that there is only one thing that we can possibly do to make lives more affordable for Yukoners, I completely disagree with that.

We are working extremely hard on this. We have for five budgets in a row. We have a balanced budget because of that. We've offered some of the best programs for businesses during the pandemic, and we'll continue to be there for businesses.

Regardless of what the opposition hears in the Legislative Assembly, we are concerned; we're absolutely concerned about the skyrocketing costs of inflation — absolutely. It's great that they finally caught up and are starting to ask questions about it. We didn't hear any questions in the fall about inflation, even though in August it was a real concern.

Now, we met just today — the Council of the Federation — to discuss the increasing gas and energy prices that are being experienced globally. We are discussing some strategies that are available to deal with the significant impacts of these prices that have been put on all Canadians, and we're going to continue to explore short-term, medium-term, and long-term solutions.

We discussed long-term energy security in Canada. The premiers are very interested in finding ways to reduce the financial burden on Canadians while reducing our dependence on other countries, and we will seek to have more conversations with the federal government about this extremely important issue.

**Mr. Hassard:** The only person not listening in here is the Premier. We're giving him options. Earlier this week, the Minister of Economic Development said that helping out Yukoners in the tourism industry who are struggling as a result of the skyrocketing fuel prices is just a boutique policy. Well, one local business owner reached out to me after that and said that the minister should pay his fuel bill for a week and tell him that it's just boutique.

The minister's answer doesn't cut it, and it's out of touch with Yukoners. People are in debt, people are struggling, and they are looking for the government to help.

If he needs another example, here it is: On February 23, diesel fuel was \$1.84 in Beaver Creek; this morning when we checked, it had skyrocketed to \$2.35.9 a litre in that community. That's 51 cents in two weeks.

So, will the government stop being stubborn and just waive the fuel tax for a year to help people get by?

**Hon. Mr. Pillai:** Thank you, Mr. Speaker — and “fun with facts” at play here for the member opposite. Certainly, we are focused on making sure that we have a full tourism recovery. I want to thank the Yukon chamber today for hosting our cross-border session. We had members from the federal government, chambers, private sector — I think it's important to let Yukoners know that we're working very quickly and are focused on getting many people across our borders and into the Yukon this year.

I think that people across the world will be making decisions about how they use their vehicles and decisions based on the impacts of the crisis in Europe. It will be a true challenge, but as you've heard from the Premier, we're going to continue to watch and adapt as we go through this.

The point that I made earlier this week, saying that it was a boutique policy item — that was shared with me by a top and leading economist in the country, so I just share that with the House and I think that you will hear many people pass that on.

But again, we are going to continue to have the top programs in the country in place to support tourism. We're seeing great tourism numbers already in bookings. I just came from a meeting with the Yukon chamber, the Whitehorse chamber, and the First Nation chamber, and hotel owners are very excited about the bookings that they have that are going through for the summer.

So, I am looking forward to a good tourism season, and we'll continue to monitor and adapt.

#### **Question re: Whitehorse Emergency Shelter staffing**

**Ms. White:** It has been four years since the government reluctantly took over the Whitehorse Emergency Shelter, and I say “reluctantly” because, even after four years, the government still has no clear plan for what will happen next at the shelter. The staff at the Whitehorse Emergency Shelter have some of the toughest jobs in the territory. Every day they act as therapists, custodians, social workers, health care workers, first responders, and more, and every day they show up to work to help people, and yet all of them have temporary or on-call positions.

Can the minister tell workers at the Whitehorse Emergency Shelter what her plans are for their future?

**Hon. Ms. McPhee:** I am pleased today to rise to speak about the Whitehorse Emergency Shelter. The member opposite and I agree that the work that is done there is absolutely stellar. The Whitehorse Emergency Shelter brings a number of services to homeless, or street-involved, individuals. They operate the shelter — it's important for Yukoners to know that it operates as a low-barrier, 24/7 shelter and supportive living program. There are 25 beds available for emergency shelter, with an availability to support up to 30 additional overnight guests in overflow beds, if needed.

There are 20 units, as well, of permanent supportive housing — 19 of which currently have permanent residents in them — and a range of drop-in services for homeless and street-involved adults, including food services and other programming activities. There is currently one of those units set aside for self-isolation, but that is being reviewed all the time. The shelter has recently returned to its regular operations following the measures that were put in for COVID-19. I look forward to continuing to talk about the shelter.

**Ms. White:** In all those words, we didn't hear about the future of those staff. So, Yukoners who spend time at the shelter have formed deep bonds with workers. The relationships are grounded in trust and compassion, and it goes both ways. These relationships are that much more important, because we are

facing a drug-poisoning emergency. When one of their own dies by overdose, it is incredibly traumatic, not just for the people who use the shelter, but also for staff. As temporary and on-call workers, they are left completely vulnerable — paying out of pocket for clinical counselling, medication, and sick days. They are expected to go back to work the next day like nothing happened. This government has left workers at the shelter overwhelmed and under-supported for far too long.

Why is the minister refusing to fully support the workers at the frontline of the drug-poisoning crisis?

**Hon. Ms. McPhee:** Unfortunately, I think that, despite the fact that the question raises an extremely important issue about workers, relationships, the individuals who get services at the shelter, the operation of the shelter, and the improvements that we must continue to make there, it does not have all the facts correct.

What I can indicate is that the substance use health emergency is absolutely a critical move. It is a call to action for this government, for all governments in the Yukon Territory, and for all Yukoners. Far too many Yukoners are dying from overdoses and toxic drugs in our territory. We need to face this challenge with resolve and compassion. We must end the stigma of substance use so that people can get the support that they need. Some of that support must happen at the Whitehorse Emergency Shelter and, in fact, does.

The relationships noted by part of this question are of paramountcy to the Department of Health and Social Services. I can indicate that we sent counsellors and support people to the shelter in January when, unfortunately, there were deaths that occurred at the shelter. Fortunately, my friend across the way does not have the market cornered on compassion.

**Ms. White:** Again, I am concerned, because I am talking about the shelter staff, because they have temporary or on-call positions, yet this minister hasn't once acknowledged it.

Another example that comes to mind is the home care support aide worker at the shelter. It is a temporary position set to end this month. This is a critical position to make sure that people don't fall through the cracks. It helps connect folks to health care, housing, and so much more. This is only one example among many. In front-line work across the territory, from the sexualized assault response team to continuing care homes, it seems that this government would prefer to keep our most important caregivers and first responders trapped in forever-temporary positions. Because of this, turnover is high, and any relationships and skills that are created are lost every time someone leaves that position.

Why is the minister allowing so many of her department's critical workers to remain stuck in auxiliary-on-call and temporary positions?

**Hon. Ms. McPhee:** I think what is incredibly important to do is to acknowledge the work of the individuals who have the specialties and the expertise to do the kind of work that is required at the Whitehorse Emergency Shelter. As the member opposite may know, we have been working extensively with the staff who is at the Whitehorse Emergency Shelter. We have been clear with them that negotiations and discussions have

been underway to bring in other expertise with respect to how the shelter might be run and how the programs can expand.

We've been restricted, of course, by that through the COVID-19 pandemic and through the restrictions that have been required as a result of the services that could be provided there.

We have many discussions ongoing with the Council of Yukon First Nations, and with other experts in the field, about providing the services going long term. As a result, some of the individuals who work there have employment situations that I'm not prepared to speak about here, that may not be ideal or long term, but we have been very clear that their expertise is not only required, it's absolutely respected and that the work that they do every day is certainly not the work that others in our community can do. Our most vulnerable are served by their expertise.

### Question re: Rent control

**Mr. Cathers:** We asked the Minister of Community Services if he would take action to prevent further evictions by repealing the poorly thought-out rent control policy. During his response, he said: "The rental index is one the other initiatives being taken with the focus on housing in the territory, including working with our partners across governments to increase housing options for Yukoners. We are trying to make Yukon affordable for Yukoners."

But he later contradicted his assertion that this policy helped affordability, saying: "We have shared our concerns about this policy with the NDP. If people are being evicted as a result of this policy, it is clearly not making affordable housing more accessible."

So, does the minister think his poorly thought-out rent control scheme is increasing housing options, or will he now admit that it has, in fact, led to more evictions?

**Hon. Mr. Mostyn:** We've heard from Yukoners about the need to work together in this House. That was the outcome of the last election. So, we formed a — we set a confidence and supply agreement with the Yukon New Democratic Party, and we're meeting the terms of that agreement, as per the signatures on the agreement we have set.

The rental index aims to offer stability in rent for Yukoners over the term of the confidence and supply agreement. Given the rate of inflation, we know that landlords may choose to increase rents as of May 15 by 3.3 percent, which is the rate of inflationary change measured by the consumer price index year over year.

I know there was some confusion in the opposition benches last week, but the actual rate of inflation over the term of the contract is 3.3 percent. That is the accurate number, and we know that you can't really rely on a lot of the things the Official Opposition says, but that is really what the rate of inflation is.

This means an additional \$33 per month where rent is currently \$1,000. We, of course, have heard from the landlord and tenants association about some of the issues with the rent index, and I will address that in further answers.

**Mr. Cathers:** In December 2020, the Leader of the NDP brought forward a motion about rent control. The Liberal MLA

for Porter Creek South, then-Deputy Premier, strongly denounced the idea of a rent control policy as irresponsible. He was later demoted, but when we warned the Community Services minister about the rent control policy last spring, he said they wanted the rent capped so that the NDP would prop up the Liberals. It sounds like the minister is more interested in keeping his job than in Yukoners keeping their homes.

Since then, many Yukoners have been evicted as a direct result. Dozens of rental units have been sold and permanently taken off the market. Given the harm this policy is causing, will the minister put Yukoners' interests ahead of partisan self-interest and agree to repeal the rent control policy?

**Hon. Mr. Mostyn:** I am bit surprised by the assertions of the Member for Lake Laberge. I don't recall he and I having a conversation about the rent index. I know that I have spoken to landlords. I spoke to many landlords last spring, in the runup to putting in the rent index. We worked with our New Democrat partners on this. We knew going into it that there could be some challenges with the program. We decided together to go ahead with it anyway, under the terms of the agreement, and we are living with some of the consequences of that, yes, but we are also seeing some of the positive benefits as well. Rents haven't gone up, and now, this year, landlords can increase their rents 3.3 percent, which is a lagging indicator, of course, but here is where we are.

We are actually addressing the housing issue in the territory, which is actually a national issue, and somewhat driven by our remarkable economic growth in the territory, by building more lots and putting more housing on the market. My colleague, the minister responsible for housing, is doing an exceptional job getting more housing units lined up for Yukoners. That should help the supply in the territory and start to bring down prices for houses and also rental accommodation. That's the approach we took in the last election. That was in our platform document. That's where we are going with it. Our colleagues across the way wanted a rent index. They put that in the agreement; we are honouring the agreement.

**Speaker:** Order.

**Mr. Cathers:** The minister and some of his colleagues have made it clear that they know that the rent control policy is bad policy. The minister also must know that the policy is hurting Yukon families that have been evicted as a direct result of it. Their confidence and supply agreement with the NDP says that rent will be capped at inflation, but this year, the Liberals capped the rental increase at 3.3 percent when their own website of economic indicators shows that inflation from January last year to January this year was 3.7 percent. Not only did the minister bring in bad policy without consulting, he isn't following the terms and conditions of the agreement. The government has not followed the terms of their CASA in several ways, including missing multiple timelines and doing things differently than in the agreement.

It is not too late for the minister to repeal rent control and prevent more Yukoners from being evicted as a result of it. Will the minister agree to stop causing the eviction of Yukon families and get rid of rent control?

**Hon. Mr. Mostyn:** Again, I find the statement from the Member for Lake Laberge remarkable because, just last fall, the Leader of the Yukon Party endorsed the rent index. He actually stood on the floor of the House and agreed to implement it himself for exactly the same reasons. The Yukon Party endorsed the confidence and supply agreement last fall, absolutely and in its entirety — absolutely in its entirety, including the rent index.

I find it a little hypocritical to be standing here listening to the hectoring words from the Member for Lake Laberge when he and his colleagues all endorsed the rent index last fall.

**Question re: Mandatory paid sick leave**

**Mr. Dixon:** On February 1 this year, CBC covered the release of the Making Work Safe Panel recommendations. The first sentence of that article summed up the recommendations quite well. To quote from it: “A panel composed of Liberal and NDP MLAs, and members of the public, recommends making paid sick leave mandatory for Yukon-based private employers.” The panel was, of course, co-chaired by the Minister of Community Services, who is responsible for employment legislation. This recommendation has been deeply concerning to Yukon businesses. Many small businesses are struggling to emerge from the pandemic, and this announcement could not have come at a worse time.

Will the Premier agree to change course and set aside these recommendations from his employment minister to impose this massive new cost on small businesses?

**Hon. Mr. Mostyn:** The member opposite is absolutely correct. Through the confidence and supply agreement, we struck a panel to look at making some permanent sick leave provisions for Yukoners throughout the board.

We heard from hundreds of Yukoners through the engagement that we put together. There was a lot of input into the whole plan. We have tabled recommendations to the government, as per our agreement in the confidence and supply agreement, and government is now considering what to do with those recommendations.

I know that there is a lot of concern in the business community. We have heard those concerns. We are actually working with the business community to assuage their fears. We have the recommendations before us. We are considering what to do. The recommended approach was to look at options to go forward on how to actually implement the report. We haven't made those decisions yet, and we will work with business to actually make sure that the recommendations are fair and reasonable, because one of the key pillars of that report was to not cause small business any harm. That was a key part of this whole plan. I know that the members opposite didn't refer to that, and I am happy to talk about this more in future answers.

**Mr. Dixon:** I would remind the minister that it was him who made the recommendations. I will quote further from the CBC article about the panel's recommendations — and I quote: “In a later press release, the Yukon government explained that the panel's recommendation will work towards a permanent territory-wide program.

“If the recommendations are adopted, the panel hopes the government can make the necessary changes to the Employment Standards Act by September.”

Mr. Speaker, this cannot come at a worse time for Yukon small businesses or our tourism industry. To quote the Yukon Chamber of Commerce in a letter to the Premier last month — and I quote: “... feel like their government is ‘kicking them while they are down.’”

So, we know that the employment minister is 100 percent in favour of this. He has made that clear today. In fact, he chaired the committee that made the recommendations themselves, but will the Premier push back against his minister and stop this massive new cost to small businesses from coming forward?

**Hon. Mr. Pillai:** I think that it is important to share with the House the work that was done. There was good work done on this by private sector leaders as well as individuals who are part of the Legislative Assembly — that was step one. My colleague has said to me, because of the role of being chair, that now those conversations and consultations that should happen with the business community really should be led by a different department and minister, and I appreciate that and I believe that is true. The work that we are going to have to do is go out and ensure that we hear from everyday Yukoners as well as business leaders. We have heard comments from the Yukon chamber on this particular note, but also, I have had business leaders reach out to me to say that opposition members had said that this was a foregone conclusion, which is not correct, and I think that this has really caused some challenges and consternation in our community.

So, we're going to continue to listen to business. We are going to go through a thorough conversation. I think it's important to say that the sick leave provisions — I will report to the House — are very important. We are seeing significant uptake at this particular time in our current programs, but we also feel that we have to take a good look at how this program is run and make sure that it's done in an appropriate and credible way.

**Mr. Dixon:** I think that small businesses can be forgiven for wondering about this when the employment minister himself makes the recommendation to change the employment legislation.

I know that the government likes to remind small businesses that all is well in the economy and that they are doing fine, but we constantly hear from the business community that they are struggling.

In the words of the Yukon Chamber of Commerce, they are facing many “... government-led policies, actions, proposals and consequences that are increasing the cost of doing business at a time when many businesses are hanging on by a thread...”

Coming out of the pandemic, the government should be looking for ways to make the lives of our small businesses easier, not finding new ways to impose red tape and increase costs.

Having chaired the committee that made and endorsed these recommendations, we know where the employment

minister stands on this issue — he's full steam ahead. But we are hoping that others in the government will put a stop to this attack on small business.

Will the government agree not to proceed with changes to the *Employment Standards Act* this fall?

**Hon. Mr. Silver:** We do have an excellent rapport with the chambers — plural — whether it be mining or businesses. We'll continue to work with the chambers, and we'll continue to offer, whether it be through COVID spending or other relief, some of the best programs in Canada. We'll continue with those great partnerships.

I'm just finding it really interesting to hear the member opposite — again, another part of the confidence and supply agreement that the member opposite wholeheartedly endorsed and now he's saying not to do it.

We heard the same with successor legislation. They campaigned on it, and then they criticized it being in the confidence and supply agreement. We're hearing also criticisms today that we need to get rid of more own-source revenue but, at the same time, be less needy toward the TFF.

They can't have it both ways, Mr. Speaker. They can't say one thing and then do another, but it seems that they just keep on doing this. They would say anything to gain power. Going back and forth is completely ridiculous.

The carbon pricing was a great example. Successor legislation is a great example. Now, as they nitpick through all of the confidence and supply agreement provisions that they endorsed and now obviously they — that was, I guess, a tacit endorsement at best.

What we need is real leadership and real confidence, and that's what you're getting here from the Yukon Liberal Party. We'll continue to work with the business community and we'll continue to put budgets forth that make sure that lives are affordable for 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. 205: *Interim Supply Appropriation Act 2022-23* — Second Reading**

**Clerk:** Second reading, Bill No. 205, standing in the name of the Hon. Mr. Silver.

**Hon. Mr. Silver:** I move that Bill No. 205, entitled *Interim Supply Appropriation Act 2022-23*, be now read a second time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 205, entitled *Interim Supply Appropriation Act 2022-23*, be now read a second time.

**Hon. Mr. Silver:** Today, I rise in support of Bill No. 205, otherwise known as *Interim Supply Appropriation Act 2022-23*. If passed, this bill will provide spending authority for the first two months of the fiscal year. As with the previous

years, this funding will ensure that the government has the necessary appropriations to the funds, programs, and services that Yukoners expect and that they rely on as well, as members debate the main estimates in the Assembly.

The 2022-23 interim supply bill will grant spending authority to departments for the months of April and May while this process of debating the mains is underway. The total value of the interim supply appropriation for 2022-23 is approximately \$410.7 million. This includes \$321.1 million in operation and maintenance spending, and there is also \$89.6 million in capital spending as well.

The main estimates for 2022-23 show continued investment in key infrastructure and our ability to leverage every available dollar through our positive relationships to deliver on key commitments made throughout the mandate.

It also shows significant progress on key priorities for this government, including advancing work on commitments outlined in *Putting People First* and also in *Our Clean Future*.

Our strategic investments in housing, wellness, education, and infrastructure will combine to meet the needs of our rapidly growing territory and will allow us to continue to invest in our territory's future as well.

This interim supply bill supports government as we begin on this work and provides critical operation funding in order to allow departments to meet their financial obligations at the start of each fiscal year. The bill ensures that government services continue and that employees, Yukon businesses, and government contracts continue to get paid until the 2022-23 main estimates become law.

The majority of the funds include one-sixth of the forecasted budget, as well as large payments due early in the fiscal year for items such as the comprehensive municipal grants, the Yukon Hospital Corporation contribution agreement, the Yukon University contribution agreement, social assistance payments, and funding to manage COVID-19-related expenses.

Yukon's comprehensive municipal grants are paid out on April 1 of each year. This bill will ensure that organizations, corporations, and other levels of government will have the money that they need to fund their operations. It also includes necessary funding for universal childcare and the first instalment necessary for the operation of Yukon schools.

While the numbers reflect more than one-sixth of the government budget, I will explain in further detail how these figures are determined during Committee of the Whole. We expect the *First Appropriation Act 2022-23* to receive assent by the end of the session, which will provide spending authority for the rest of the year.

Thank you for your time, Mr. Speaker, and I will cede the floor to the opposition.

**Mr. Cathers:** Of course, we recognize that it is common practice for governments to bring forward an interim supply bill to ensure that there is continued spending authority if the budget has not passed by the end of the fiscal year.

I am not going to spend long in talking to this. We will delve into most of the areas regarding spending once we get

into the budget itself. I have also found that, based on past experience when attempting to ask the Premier questions about interim supply, he is ill-prepared or unwilling to answer them, and we have had to raise them again later, once officials are with him in the Assembly.

I will ask about a few areas that touch on matters raised by two of my colleagues earlier during Question Period that we did not really get responses to but which have a significant impact on Yukoners, and that is with regard to the government's vaccine mandate policy that the Premier made a vague announcement about, when indicating that they would be moving away from that on April 4, but that it might still apply in some areas.

When pressed to explain which ones, we haven't gotten a straight answer from the Premier or ministers. As my colleague, the Member for Pelly-Nisutlin — I believe was the one who asked about the inclusion in contracts being issued by government, of the requirement that contractors' staff be fully vaccinated, one question that we have is with contracts that are being enabled by interim supply. If those contracts are being issued either prior to April 4 or in the month of April, will there continue to be a requirement for vaccination of contractors' staff in those contracts?

We are also waiting to hear details on whether all government employees will be able to come back. The Minister responsible for the Public Service Commission had indicated that it might not apply to some employees, such as those in long-term care, I believe he specifically mentioned. We also know — and my colleagues and I have heard from Yukoners who are affected by this policy in areas including people who previously were EMS and fire volunteers who, due to the government's decision to apply the policy to them, we have actually seen some rural communities lose EMS coverage as a result of the vaccine mandate policy. Among the people who have contacted us, I recently heard from a long-time EMS volunteer, who is not continuing to serve at the moment because of a personal decision around vaccination, who is wanting to know if they are going to be able to get back into serving their communities, which he and others want to do. The government still has not provided that clarity, and the gaps in coverage are putting communities at risk so that when someone needs an ambulance, the response may be greatly delayed.

We have also heard from staff in NGOs, as well, who are affected by this. Just as with the initial vaccination mandate, how this applies to allied health sectors is not clear, and as colleagues of mine have raised, we have heard from people who run businesses in those areas who are wanting to understand what the rules will be for them. Again, their attempts to get answers from government are very frustrating. As I mentioned earlier during debate, in one case, I had someone in an allied health sector trying to get answers for weeks. I also raised his concerns that he had raised directly with government in a letter and received a non-answer from government. Of course, we know that it was literally — it was less than a day before the rules came in, late that night before the morning that it took effect, that government actually figured out who it applied to and issued the order-in-council.

So, it's interesting that the Premier is kibitzing off-mic. I know he doesn't like the questions, but there are hundreds of Yukoners who are affected by this policy, and it's really unfortunate that he doesn't seem to think that their concerns are worth talking about. One of the things I'm asking for is just clarity for these families who are affected by it.

I would also note as well, when looking across the country, that one of the questions we get from Yukoners is about how the Yukon is handling things different from other jurisdictions. We see a number of jurisdictions that had vaccination mandates in place for some government employees and have repealed them, such as Ontario, for example, and a number of other provinces that have taken steps down that road.

As well, while British Columbia has kept policies in place, it was interesting, I noted just yesterday, that there was an article in *The Globe and Mail* regarding a letter written by the chief medical health officer of Vancouver Coastal Health regarding that.

I just note for the reference of Hansard, this is on *The Globe and Mail* website. It notes that: "Vancouver Coastal Health's top doctor advised in mid-February that vaccine mandates, passports and segregated lockdowns may cause more harm than good..." and indicated that in correspondence to the president of the University of British Columbia.

It goes on to note: "The position by Chief Medical Health Officer Patricia Daly contrasts with provincial public-health policies that have kept many mask and vaccine requirements in place for the Omicron wave of the pandemic."

The article further goes on to note — it was a letter to the president of UBC from the chief medical officer of Vancouver Coastal Health urging the university to drop its plans to deregister students who refused to declare their COVID-19 vaccination status and that — and I quote: "In her letter to UBC's president, Dr. Daly argued that vaccines are not effective at preventing infection or transmission of the Omicron variant of COVID-19..." and said — and again, I quote from *The Globe and Mail* article quoting the doctor: "Therefore there is now no material difference in likelihood that a UBC student or staff member who is vaccinated or unvaccinated may be infected and potentially infectious to others," she wrote."

It further goes on to note that the letter was signed by the health authorities' four medical health officers.

Now, I would be remiss if I didn't note that, in that, this chief medical officer of health cited a study that has not been formally peer-reviewed at this point in time, but I would note that when the chief medical officer of Vancouver Coastal Health expresses a view like that, it is something that is just one example of chief medical officers of health who are acting in a way or giving advice in a way that is different from what we see here in the Yukon. It does raise questions about that, and those questions deserve answers from government about that.

So, again, I want to note that the study that was cited by the chief medical officer of Vancouver Coastal Health has apparently not been peer-reviewed, but the fact that all four health officers at that health authority co-signed the letter obviously indicates that they believe there is validity to the

concerns in there that the vaccination mandates are creating more harm than good.

I would just ask the Premier, when he rises, to actually clarify who the vaccination mandate is going to continue to apply to after April 4. Or, in light of the moves made by a number of provinces and advice, as I cited in that letter, cited by *The Globe and Mail* from the chief medical officer of health of Vancouver Coastal Health, is the government, in fact, going to consider not having a vaccine mandate in place at all after April 4?

I know that the minister has effectively responded to this earlier, indicating that they will get around to giving an answer, but as we noted earlier, this is something that is affecting the lives of hundreds of Yukoners. It includes employees of the Yukon government; it includes EMS and fire volunteers; it includes people who work for companies that take government contracts; it includes employees of NGOs; and it potentially includes people who work for allied health areas. We again are asking the Premier, for those hundreds of Yukoners and their families, to just provide clarity. Tell us who it will apply to on April 4 or if the government is simply going to follow the lead of a number of provinces and advice, such as that I cited from Dr. Daly, that suggests that the harm of these policies may be outweighing their benefit.

**Ms. White:** I think it's important to note that the interim supply bill is to make sure that the business of government runs when we do our work here.

During the briefing, I was told that it's 21 percent of the budget. Whatever isn't used in that time will, of course, carry through to the next time. It's important to note that this is the way that the biggest employer in the territory can still continue to employ people and programs can still run.

I look forward to passing this and getting through to the more relevant business of the day.

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

Does any other member wish to be heard?

**Hon. Mr. Silver:** Thanks to my colleagues in opposition for their comments. Well, thanks to the Leader of the Third Party for her comments about the interim supply bill, as opposed to standing on any points of order as the Member for Lake Laberge goes on about everything else other than the interim supply bill — saying things like I'm not prepared to answer questions and then gives a question that has absolutely nothing to do — or a comment about an article that he read by a doctor who finally confirmed his bias. That's great, but we have doctors in Yukon who are part of the CMOH and whom we will rely on. I will even say — another gold standard that we have really great access to is Dr. Theresa Tam and also Dr. Bonnie Henry. It is extremely important to make sure that we do what we need to do to follow the recommendations from locals in these professions.

But I guess the member opposite has found somebody and took one part of an article — one line — and said it about three different times today to confirm his biases — duly noted.

As far as the question about a mandatory vaccination, we have been very clear that this policy was extremely effective back in those days of Delta — extremely effective.

As we said that — and we were very clear on the numbers of the increases in the first shots, second shots, and boosters — the Leader of the Yukon Party dismissed it. I guess the numbers still don't matter for that leader. He underestimated the number of vaccinations that occurred — widely underestimated it — and never corrected the record. Our records are factual. Theirs — it sounds pretty political, if you ask me. The same with the statement from the Member for Lake Laberge. Again, we are providing the strong leadership that is needed throughout this pandemic to keep the economy going and to keep Yukoners safe.

We know that the Yukon Party has consistently undermined public health advice here in the Yukon from Yukoners. They have made it clear that they do not support the recommendations of our chief medical officer of health —

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

#### Point of order

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

**Mr. Cathers:** I think that the Premier is contravening two parts of our Standing Orders — Standing Order 19(i), the use of insulting language, and 19(g), imputing false or unavowed motives to another member. He knows very well that, in fact, we are simply asking questions, not undermining anyone except perhaps the Premier for refusing to answer questions from Yukoners.

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

**Hon. Mr. Streicker:** What I heard was the Premier responding to questions that the Member for Lake Laberge had posed. It was the subject that the member had raised. It was about some health advice from someone in British Columbia. The Premier is responding, talking about the professional health advice that we are given as a government. I think that this is what is being discussed.

#### Speaker's ruling

**Speaker:** There is no point of order.

Hon. Premier, please continue.

**Hon. Mr. Silver:** Thank you, Mr. Speaker. I guess they can dish it out, but they can't take it. If they didn't pen these letters in the papers, I wouldn't be standing here saying that they are undermining our health care and our professionals here, but they did — they did.

They can't hear it either; every time I talk, they talk off-mic because they don't want to hear this. They want to dish it out, but they don't want to take it. They clearly don't want to take it, and it's a laughing matter to them, too. The man who just asked these questions is over there laughing with his colleagues because they are not taking any of this seriously.

They are not taking the interim supply bill seriously. They don't take the budget seriously or the Public Accounts Committee.

The Leader of the Official Opposition of the Yukon Party sets the date for Public Accounts. They are talking about budgets and finance. They are talking about fiscal responsibility. He sets the dates and then doesn't even go because he is on holiday. This is ridiculous — ridiculous. As they sit here and laugh in the Legislative Assembly, we are taking not only our budget seriously but the inflation that is going on very seriously, the mental health symposium, and the crisis that we're seeing when it comes to addictions. We take this job very seriously, and they are just scoffing off-mic and giving each other pats on the back for one-liners that are funny to them. We are going to continue to do what we are doing over here while they laugh off-mic.

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

### Point of order

**Speaker:** Government House Leader, on a point of order.

**Hon. Mr. Streicker:** I do my best to try to listen to whoever you give floor to, and there are times when I hear comments coming across that interfere with that ability to hear the person who you have given the floor to.

**Speaker:** Member for Lake Laberge, on the point of order.

**Mr. Cathers:** Mr. Speaker, I don't believe that there is a point of order. The Premier was kibitzing off-mic while I was talking earlier; another member spoke while the Premier was talking in response to some of the rhetoric that the Premier was using, and it has happened on both sides of the floor. I don't believe that it is actually a point of order, despite the fact that the Premier likes to heckle but doesn't like it when the favour is returned.

**Speaker:** Government House Leader, on a point of order.

**Hon. Mr. Streicker:** Mr. Speaker, what I heard the member opposite say, off-mic, was to tell the Premier to "grow up". I find that insulting. I think that the Premier probably finds that insulting, so I actually think that this is an example of Standing Order 19(i), and what I really wish is that what we could do is that, when you give the floor to anyone in this House — it doesn't matter which side of the House — that person has the floor and we listen respectfully to that speaker.

### Speaker's ruling

**Speaker:** Can all members from here on out please be respectful when a member has the floor? Let's please stick to the topic, and let's move forward.

**Hon. Mr. Silver:** Let me return to answering the member opposite's question that has nothing to do with the interim supply bill.

The vaccine requirements, again, aligned with the steps that we are taking in other jurisdictions right across the country to increase vaccination rates and to combat not only Omicron, but also the Delta variants. As of March 2, about 95 percent of

our public servants had attested to being fully vaccinated, and I want to say thank you for helping to keep our workplaces safe for our employees as well as for those who are accessing our programs and services.

We said this in the past as well. This was a successful, temporary solution to an extremely dangerous international crisis — a pandemic. In doing a mandate, the vaccination requirement that was announced on October 15, 2021 — between October 15, 2021 and February 28, 2022, 3,637 Yukoners received their first dose — an 8.3-percent increase. The second dose — 3,091 Yukoners received their second dose. That is approximately a 7.1-percent increase in the totals that we had before the vaccine requirement. There was a 43.5-percent increase for the booster — 18,989 Yukoners. We said at the time that this is a temporary policy. We also said — the last time that we got together with a press conference with the chief medical officer of health — that it's time; it's time to take a look at the mandate. It's time to take a look at those who are in health care, allied health professionals, volunteers who work inside of our most sacred institutions of health that deal with the most marginalized individuals as Yukoners. We are going to take a look at where a requirement would be important, but we are also taking a look at those who are not necessarily in those fields and saying that it's time — it's time to release this mandate. So, we will give more information on that.

There are a lot of conversations. The members opposite are saying that we haven't been clear, but yes, we have. There are conversations happening right now — conversations with the chief medical officer of health, the Public Service Commission, and Justice. We continue to have conversations with stakeholders right through the Yukon. This is important work. It is really important to understand how to make sure that, as we move forward, we have a health and social services system that continues to provide quality services, but we also have to make sure that the people who work there are safe — vaccinated or not vaccinated. We have to make sure that people are safe in our hospitals, and that's what we are going to continue to do.

The members opposite know that there's a press conference coming. We are going to give more information. We are working diligently to get that information out to Yukoners. We've been very clear on this.

We also know that, in British Columbia, termination happened for those who didn't attest — termination. So, the member opposite can pick and choose different jurisdictions and, if they were in power, what they would be doing as far as certain mandates.

I know that, all along the way, for two years, their opinions on what we should be doing and shouldn't be doing varied widely from medical health professionals across the country. I shudder to think where we would be right now if we didn't follow the science and we didn't follow the advice and make the policies based upon advice of chief medical officers, including Dr. Tam, including Dr. Henry, including our current acting medical health officer, Catherine Elliott, and her dedicated team and Dr. Brendan Hanley before her. That team is very sophisticated and professional.



I guess the Member for Lake Laberge is looking for a doctor outside of Yukon to take advice from to confirm his confirmation bias.

I will leave it at that, Mr. Speaker. Thank you very much for allowing this conversation to continue and for getting us back on track.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Disagree.

**Ms. Clarke:** Disagree.

**Mr. Cathers:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. Van Bibber:** Disagree.

**Mr. Hassard:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 10 yeas, seven nays.

**Speaker:** The yeas have it.

I declare the motion carried.

*Motion for second reading of Bill No. 205 agreed to*

### Bill No. 204: *First Appropriation Act 2022-23* — Second Reading — adjourned debate

**Clerk:** Second reading, Bill No. 204, standing in the name of the Hon. Mr. Silver; adjourned debate, Mr. Hassard.

**Mr. Hassard:** It is a pleasure to rise again today to continue my response to the budget that was tabled by the Premier last Thursday.

Today, I thought it would be important to reflect on what has been seen by many as a growing attack on small businesses in the territory by this government. Of course, it was discussed somewhat during Question Period today as well.

Over the last few years, we have seen this Liberal government, under the guidance of the recently demoted former Deputy Premier, really bring in more red tape and simply make it more difficult to run a business here in the territory.

We have seen businesses permanently close under their watch. We have seen costs rise. We have seen the government go on a hiring spree and actually start poaching employees from

the private sector. We have seen this hiring spree cause the housing market to skyrocket, and we have seen more and more regulations with little regard for the impact on the private sector.

Like Nero fiddling while Rome burns, the Liberals have sat back and rested on their laurels while hanging their hat on the macro GDP numbers, forgetting that the reason that the macro numbers are good is because they have massively grown the size of government over the last few years. The private sector now has been raising alarm bells about the Liberal government's attack on small businesses.

If I could, Mr. Speaker, I'll quote from a February 3 letter from the Yukon Chamber of Commerce to the Premier — and I quote: "We are writing you to lodge concern with the 'perfect storm' that is being experienced by small and medium enterprises (SMEs) in the Yukon with a focus on the actions, policies, and proposals by the Government of Yukon (YG) that are crippling business..."

Mr. Speaker, that's the Yukon Chamber of Commerce making it clear that this Liberal government has created a perfect storm that is actually crippling businesses. The letter goes on to list a number of examples of government policies this Liberal government brought in that are hurting those small businesses.

In fact, they indicate that — and I quote: "... many businesses are hanging on by a thread and feel that their government is 'kicking them while they are down.'"

These policies are, of course: the paid sick leave provisions that the Minister of Community Services has endorsed; the growth of government, which we have addressed; the lack of a serious plan to address housing prices; the fact that they have ignored proposals by the chamber regarding more private sector involvement in liquor sales; their decisions to rent dirty diesel generators and jack up electrical rates to pay for it; and the list goes on, Mr. Speaker.

You don't need to go very far to find a small business willing to tell you that the Liberal government is making their life more and more difficult.

Now, the problem is that this government is either not listening or they just flat out don't care, perhaps even both, Mr. Speaker.

Why would they? They didn't miss a paycheque at all during the pandemic. They didn't have to shut down their bars or restaurants, putting their livelihood on hold for two years. They never had to worry, so why would they listen? That's why this budget was so disappointing to small businesses here in the territory. It was a massive missed opportunity to address issues of importance, such as inflation or support for businesses.

We talked today about the skyrocketing fuel prices. This budget does nothing to address this. Housing prices as well are skyrocketing, and this budget does nothing to address that as well. Food prices are skyrocketing, but there is nothing in this budget. We are shocked to see the budget so silent on these issues. It's not that they just ignore them; it's like the Liberal government didn't even consider them. It isn't hard to see this budget as anything other than being completely out of date before it was even tabled.

Where is the small business relief in this budget? I would like to quote from the Canadian Federation of Independent Business in a March 3 press release about this budget that the Premier tabled — and I quote: “The Yukon budget provides little for small businesses hoping to see measures to reduce costs and help with recovery...” This is not really the rave reviews that one would hope for during a time of world economic crisis after businesses have struggled for two years.

Unfortunately, this is because the Liberals and this Premier in particular are so out of touch with Yukoners. That is why I will not be voting in favour of this large but very lacklustre budget.

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

Does any other member wish to be heard?

**Hon. Mr. Silver:** Thank you, Mr. Speaker, for the opportunity to once again rise to speak to the 2022-23 budget and the bright future that we are building in the territory.

I want to thank everyone who was involved in the hard work of bringing a budget together this year. Our folks at the Department of Finance, for example, are extremely impressive individuals. They are very professional individuals, deeply caring about the territory. At this time of year, from the variance reports right through to the budget, I don't even know if they sleep. We are very grateful for the work that they've done to bring our vision forward and this plan to fruition. Thank you to everybody in my Department of Finance.

I want to take a moment again before getting into the budget to address the atrocities that we continue to see taking place in Ukraine. This is a more recent portion of Russia's illegal invasion — which, we must remember, started back in 2014 with the annexation of Crimea — now entering into its third week. It was definitely a big part of our conversation today with the premiers. Yukon stands squarely behind those who are affected by the events that are taking place in Ukraine, and we condemn Russia's premeditated, unprovoked, and unjustifiable attack on Ukraine.

The Government of Yukon continues to support Ukraine and Ukrainians by providing financial assistance, working closely with Immigration, Refugees and Citizenship Canada to bring refugees to the Yukon and to use our position as a northern leader to hold Russia accountable in the circumpolar region. Such egregious violations of international law require firm action, and the Yukon, Canada, and much of the globe have definitely stepped up to the plate to support Ukrainians. May we continue to do so.

Mr. Speaker, in 2011, I was elected to represent the riding of Klondike, and since then, I have been very grateful to advocate for Dawson City and the territory at large in this Chamber and throughout the Yukon — and much more often, now that I have become the Premier, throughout Canada as well. We truly do call home the best place in the world, and I know that, despite the differences that we show in the Legislative Assembly, we all do have a deep love for our

territory. We all have a deep love for the communities that we call home.

Over 10 years later, I am still as committed to my community as I was when I first started knocking on doors. So, to my neighbours in the Klondike, I am so very much looking forward to joining you once again in larger numbers out and about in our gorgeous community as we see public health measures being relaxed. To my colleagues here in the Chamber, if it has been a while since you visited the former capital of the territory, I invite you all to schedule a trip to the Klondike — into the summer travels perhaps. Think about that as you look toward your summer plans. If you want a recommendation, I can tell you where to go to get a good meal or even really good, locally provided gifts or even life-changing experiences while you are up there with the folks who do an incredible job in the tourism industry. Please let me know; I would be very pleased to brag about Dawson and our business folks up there, just as I have full confidence that you will be so very pleased if you do the same and come up and see the riding and the amazing folks up there in the private sector.

As I stated last Thursday, budgets are about choices. Our Liberal government has chosen to focus government spending on responding to the needs of the present while also creating strong conditions for prosperity into the future. We are doing that by investing in education; we are investing in health care, and we are investing in social services, housing, green energy, and resilient infrastructure. We are investing in these priorities, and we are doing so to set up Yukon for even stronger, brighter, and more sustainable days, years, and decades ahead — all while producing a balanced budget that reflects the prudent fiscal management that Yukoners have asked and expected of their government.

Unfortunately, some members of the opposition do not seem to be inspired by the news that the territory is thriving and that our fellow Canadians in other territories and in the south would love to be in the position that we are in. The Yukon Party does not seem to be interested in the success of our industries, the resilience of our tourism sector, the vigour of our small businesses, and the resolve of our booming economy — all of which have been demonstrated remarkably through the pandemic and will continue in the next five years. This success is quite literally laid out in paper in this budget. It's too bad that the Yukon Party opposition can't see that.

I spoke extensively last week about how this budget will positively impact Yukoners in the short, medium, and long term. Despite my remarks, there are still many excellent investments in this budget that I was not able to address in a 66-minute speech in the Budget Address. Such is the nature of a 373-page budget that tries its best to express in graphs, projections, and sums — that ink on that page — that the brightest days for Yukon are ahead of us, that the economy is strong and it's the envy of the rest of the country and that our territory is growing and welcoming talented people, creative people, and imaginative Yukoners-to-be and newcomers, in contrast to some other jurisdictions that are fighting to prevent brain drain.

Make no mistake, Mr. Speaker, we absolutely have work to do in the years ahead to ensure that the territory can reach its potential and that our government can fully meet the expectations that Yukoners elected us to achieve. With a record amount of capital expenditures that are identified and with our economy having exceeded expectations throughout the pandemic, the strongest GDP growth in the country in 2020, and the lowest unemployment rate in the country, I think it is exciting. This document is an exciting document and a road map for Yukoners for the years ahead.

Our colleagues across the way have described it as unremarkable, unexceptional, and lacking vision or innovation. They are making comments about the GDP now that they certainly didn't make when they were looking at their forecasts when they were in government. Again, if it's unremarkable and unexceptional — if that is true — then I think that the rest of the country would be thrilled to accomplish and obtain that kind of unremarkable or unexceptional growth, economic outlook, and the budgets that we have been able to present. A little bit of context to the rest of Canada is important as we take a look at our budget.

Yukoners remember what recessions look like and what a time of negative economic outlook looks like. We saw that under the Yukon Party in 2015. In contrast, the Yukon is now — under our Liberal government and the investments that we have made and strong relationships that we have fostered with First Nation governments, industry, and stakeholders — leading the nation in unprecedented growth of not just our territory's population and economy, but also vision and innovation. There is no lack of either on this side of the House.

The Leader of the Official Opposition has spoken about the need to address the impact of inflation and to take steps to ensure that inflation — which often occurs for reasons far outside of any small jurisdiction's control — does not make life unaffordable for Yukoners. I agree with my colleague across the way on that point, but I was disappointed that he did not see how our 2022-23 budget is, in fact, addressing affordability and economic vitality for all Yukoners. This is a budget that invests in affordable housing projects so that Yukoners, regardless of whether they live in Whitehorse or the communities, can access stable, affordable housing.

This budget invests in universal childcare and a territory-wide dental plan for uninsured Yukoners. This budget will help Yukoners mitigate the financial impacts of fighting climate change. People in the north and the south are learning that, thanks to fires, floods, and droughts, the climate emergency is not just a threat to the health and well-being of humanity, but a threat to the pocketbooks of individuals, businesses, and governments in the decades to come unless we mitigate and address climate change. Again, members opposite don't see that in this budget.

There is investment after investment in this budget that work to make lives more affordable for Yukoners, so on the contrary, I would say that this is front of mind for our government and for our departments.

With inflation, supply chain management, and cost of living becoming ever more common phrases around the kitchen

tables over the last few days and weeks, it is really important that every department in the Government of Yukon think very hard about how we can ensure that the actions being taken are making lives more affordable. We have been saying that since day one.

I know, as Premier and as the Minister of Finance, that this is happening. It is not just happening in the Department of Finance; it is happening across the government. I am encouraged by this dedication of all the departments which, together with the strong economic outlook that the territory has, we are being led in a very, very positive direction.

I know that the point that the Leader of the Yukon Party referenced in his speech was a letter penned by the Yukon Chamber of Commerce. He shared in this Chamber some of their reactions and observations to the budget, and I welcome that. I thank the member for giving the chamber further time and focus here in this space.

Our friends at the chamber are helping to keep our economy moving forward, and our government has been very proud to support our local businesses with more supports for local businesses, for tourism, and for investments than many other territories or provinces. We have provided more than 500 businesses and organizations with over \$85 million in economic support throughout the pandemic. To me, that is not unimpressive.

I know that, on the website of the Yukon Chamber of Commerce, they talked about the core message of this budget being the immediate actions that were taken by myself, the Minister of Economic Development, and the whole team. They go on to say that it's not only appreciated, but it provided a critical lifeline for many Yukon businesses and their employees. They go on to talk about, yes, we are not fully recovered from the unprecedented global crisis and that many Yukon businesses are experiencing a lot of issues because of that.

But they do go on to recognize the positive relationship that we have forged with the business community, with the Yukon Chamber of Commerce, with the other chambers. I'll quote: "The Yukon Government has demonstrated time and again over the past year that they want to work together with business to build a more sustainable and competitive private sector."

I don't think the Yukon Party likes to hear that, because they sure didn't mention those quotes.

The Yukon Chamber of Commerce has an extremely important role to play in advocating for the needs of businesses in Whitehorse, just as much as businesses in Watson Lake or Dawson. We are encouraged to read that the chamber is pleased by the budget that we tabled. Our government looks forward to continuing to work with the chamber to ensure that our local businesses enjoy very, very bright days ahead.

Mr. Speaker, almost every Member of the Legislative Assembly has spoken to this budget in the past week, and I thank them for their comments. Most of those in opposition even had some good things to say about the budget. In a time where political rhetoric is steeped in division for division's

sake, I'm glad to hear that our colleagues across the way recognize the good, strong investments that we are making.

The Leader of the Third Party has been clear that the New Democratic Party will support the budget, and I thank their caucus for that support.

Even some Yukon Party members have made some positive comments about this budget. If they look further into the budget, past the speech, I think that they will find some more initiatives and investments that are worth supporting. There are investments identified in this budget for each of the communities that they represent in the House.

Given that the Yukon Party endorsed the confidence and supply agreement last fall and endorsed many of our platform commitments in the last election, I think Yukoners will find that the approach that our government has taken — a moderate yet progressive and financially responsible approach to government — has been prioritized. We prioritize growth. They're going to see that the majority of households and neighbours here in the territory feel that this is where we need to be.

Unlike the Yukon Party, we have been transparent, communicative, and open about important topics that Yukoners do care about, like climate change and the need for a carbon-pricing mechanism that fits a northern reality. The Yukon Party is still fighting among themselves on whether they believe in a price on pollution. It was not too long ago that the Yukon Party denied that human-made climate change was actually even real.

Earlier this week, the Member for Pelly Nisutlin was insisting that the Yukon Party is not supportive of a carbon-pricing mechanism, yet their platform included a carbon-pricing system. It doesn't seem like they can settle on a position.

They have proven to be unreliable on a wide range of issues, and their actions have not given Yukoners the confidence that their approach has changed.

Thankfully, Mr. Speaker, as I sum up, our modern, progressive, and financially responsible government has presented a surplus budget to Yukoners this year, and because of the Yukon Liberal government that they chose, Yukoners are getting sustainability, they are getting growth, strong leadership, and our territory is experiencing historic economic and population growth, as we work together for brighter days.

With that, I want to thank you, Mr. Speaker.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

## Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Disagree.

**Ms. Clarke:** Disagree.

**Mr. Cathers:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. Van Bibber:** Disagree.

**Mr. Hassard:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 10 yea, seven nay.

**Speaker:** The yeas have it.

I declare the motion carried.

*Motion for second reading of Bill No. 204 agreed to*

## Bill No. 13: Act to Amend the Safer Communities and Neighbourhoods Act (2022) — Second Reading

**Clerk:** Second Reading, Bill No. 13, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** I move that Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, be now read a second time.

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. This government is pleased to bring forward the *Act to Amend the Safer Communities and Neighbourhoods Act (2022)* for second reading.

The *Safer Communities and Neighbourhoods Act*, often known by the acronym “SCAN”, or “SCAN act”, enables members of the public to file a complaint with the SCAN unit when there is a suspicion that illegal or dangerous activities are occurring habitually on a local property and negatively affecting the neighbourhood or the community. I think that it is important to repeat that just for a second, because all of the elements of this sentence must be dealt with in order for there to be an appropriate investigation and ultimate action under the SCAN act or the *Safer Communities and Neighbourhoods Act*. So, a complaint is necessary based on a suspicion that illegal or dangerous activity that is outlined in the legislation — and known as “uses” — is occurring habitually on a property and that it is negatively affecting the neighbourhood or community. Those are elements of the offence.

The use of civil remedies increases the public's access to justice by providing a confidential and timely means of seeking help for their neighbourhood. The SCAN unit supports community safety by responding to the concerns of Yukoners and investigating and, if appropriate, disrupting activities that are harmful to communities and to neighbourhoods. It is important to note that all SCAN unit activities are initiated by a complaint from an individual, after which the SCAN unit will

assess if the complaint can be substantiated. A SCAN unit will only take action if there is evidence of one or more specified-use activities occurring on the property.

As we discussed during the last Fall Sitting when some additional specified uses were added to the SCAN act, the SCAN act has been in force in the Yukon since 2006 and has never undergone a review. As this legislation empowers the SCAN unit's investigation activities, it is imperative that it reflect the changing needs of Yukon and our communities. During the 2021 Fall Sitting of the Yukon Legislative Assembly, our government committed to completing a review of the act that would result in a report being tabled here in this Legislative Assembly. This proposed amendment — the one that I am introducing here today in second reading — to the SCAN act would commit the Department of Justice to a review of the act. It will embed that commitment into the legislation.

The review would begin in 2023, allowing the department time to prepare and fit such a review into the work plans of all those who must participate and who might want to participate. I truly look forward to the review of this legislation and to making any improvements that will better serve Yukoners. I believe that Yukoners deserve to live in safe, healthy communities with legislation in place that does, in fact, support this. As such, I am very pleased to bring forward this bill to the Legislative Assembly. I appreciate having the time to introduce it on second reading.

**Mr. Cathers:** So, in reviewing this legislation, what I would note is that, last fall, there was significant criticism of government levied by us as well as the Third Party for the fact that the *Safer Communities and Neighbourhoods Act* had been so long without a review. In an attempt to satisfy the Third Party, the minister made a commitment to a review of the SCAN act. Now we see a proposed change to the legislation that really is all about show and optics. The only thing that the proposed change does is to include a requirement, as stated in the bill: "Within five years after the day this section comes into force, the Minister must complete a comprehensive review of this Act and table a report respecting the review in the Legislative Assembly."

That's what the bill says. So, if this legislation passes and comes into force this spring, the government would not be required to table a report following a review of the *Safer Communities and Neighbourhoods Act* until 2027. To summarize, the minister has committed that a review will start in 2023, which — because of it being after the end of the agreement with the Third Party to support this minority Liberal government — will probably see a new Minister of Justice at that point in time and has tabled legislation that goes five years into the future, at which point there may very well be yet another election. We may have two election cycles before this bill would take effect, so the minister is attempting to bind the actions of not just her successor, but very likely her successor's successor as Minister of Justice, all of which could easily be changed by any government elected — in what will probably be two elections — by a simple amendment to this bill. This is, in effect, really not doing anything except making a show of

promising to review the act and table a review sometime on or before 2027.

By that point, the legislation would have continued to be used for another five years. The concerns that we discussed in the fall regarding its application — both in the previous form and with the troubling provisions included by the minister that would allow the government to confiscate the very same firearms covered by the Trudeau government's infamous order-in-council that were, in most cases, purchased as unrestricted weapons but then reclassified by government as prohibited weapons — any of the provisions of the legislation would not have the comprehensive review on them completed until about 21 years after it came into force, because these commitments to begin a review of the legislation and the contents of this bill itself are really proposals that the minister is trying to make commitments on, on behalf of future ministers of Justice, but are literally doing nothing that actually commences a review here now. So, we do have concerns with it.

I note that we don't disagree with a comprehensive review of the act. I do want to acknowledge and thank officials for the briefing and specifically note that they were acting under specific instructions from the minister. So, I'm not diminishing their work in any way by criticizing the policy direction of the minister and the government, which really is — I am wrestling to find words that would be parliament-appropriate, Mr. Speaker. But really, this is about making a show of commencing a future review well beyond the life of this government. It is really unfortunate that we have seen the government commence with this instead of bringing forward substantive changes or actually beginning the review of SCAN.

**Ms. White:** I don't think any of my colleagues will be surprised that I disagree with my colleague from Lake Laberge. I do appreciate that this is being brought forward because this is more than a commitment on the floor to say that this legislation will be amended. Again, it was passed and the world has changed significantly since that happened.

I think that, by the time this act gets reviewed and we see what works and what doesn't, it will allow for the next assemblies into the future to decide when that needs to happen again. I do think that this is critical, which is why it was a point for me last fall that the legislation needs to be reviewed. What this is, is that it strengthens that commitment, and unlike my colleague for Lake Laberge, I understand that it can take time. Of course, I am hopeful that it will be faster, but without that discussion, without that negotiation last year, we wouldn't be here now and we wouldn't be talking about a review. So, for that, I am pleased to speak in support, and we look forward to seeing what that review brings forward.

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

Does any other member wish to be heard?

**Hon. Ms. McPhee:** Thank you for the comments from the other Members of the Legislative Assembly. I appreciate the indicated support from the Leader of the Third Party and

her comments not only today but our discussions previously with respect to this matter.

The accusation from the member of the Yukon Party is interesting. I am unclear as to whether or not the Yukon Party will be supporting this amendment, which will require a review of the *Safer Communities and Neighbourhoods Act*. I have been accused of show and optics — actually, this isn't show and optics at all. What this does is create a law that will be requiring that the *Safer Communities and Neighbourhoods Act* is reviewed. We are not doing things here in the Legislative Assembly for no reason. We are bringing in the amendment to this piece of legislation that will require that a review is done.

I guess I want to take just a second to also address one of the other issues about future ministers of Justice — not sure what is meant by that, but all laws bind future governments. They are about activities that are required or prohibited or permitted. All laws do that. That is what we are doing here. We are trying to change the *Safer Communities and Neighbourhoods Act* so that there will be a requirement in that said act for there to be a review.

Also, the member of the Yukon Party's argument assumes that it will take five years to do a review. I think that is a faulty assumption, as noted by the Leader of the Third Party. These kinds of reviews — such work should be comprehensive, it should be precise, and it should be timely.

I have brought forward an amendment to the *Safer Communities and Neighbourhoods Act* to embed in that piece of legislation the requirement to do this. I look forward to the support from the members of this Legislative Assembly so that this small change can show and embed the commitment of this government to do this work and make it necessary for future governments as well.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

## Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yeas, nil nays.

**Speaker:** The yeas have it.

I declare the motion carried.

*Motion for second reading of Bill No. 13 agreed to*

## Bill No. 12: *Income Tax Amendments Act, (2022)* — Second Reading

**Clerk:** Second reading, Bill No. 12, standing in the name of the Hon. Mr. Silver.

**Hon. Mr. Silver:** I move that Bill No. 12, entitled *Income Tax Amendments Act, (2022)*, be now read a second time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 12, entitled *Income Tax Amendments Act, (2022)*, be now read a second time.

**Hon. Mr. Silver:** I'm pleased to introduce Bill No. 12, entitled *Income Tax Amendments Act, (2022)*, for consideration in the Legislative Assembly.

The *Income Tax Act*, as most folks should know, is the most frequently amended piece of legislation in the Yukon's statute book. This bill represents the tenth amendment in just under a decade. Five of those amendments had been done under our government.

We are proud of those amendments because they have accomplished and delivered on many of our commitments to Yukoners. We lowered corporate tax and reduced the small business corporate tax to zero. We introduced tax changes to facilitate the delivery of carbon rebates to Yukon individuals and businesses. Additionally, we modernized the business investment tax credit. In addition to those substantive changes, each change in the last decade to the *Income Tax Act* usually had a host of technical and administrative changes.

These changes are often necessitated by even more frequent changes to the federal *Income Tax Act*. The governments of Canada and the Yukon have a tax collection agreement — I know that this is riveting stuff — that enables the Canada Revenue Agency to collect, administer, and enforce the Yukon *Income Tax Act* on behalf of Yukon. In return, the Yukon is committed to amending the Yukon *Income Tax Act*, where required and when required by Canada, to maintain harmonization with the federal act with respect to provisions of administration, enforcement, and collection.

Our *Income Tax Act*, which is a relatively short act, references the federal act 260 times. Since 2020, the federal act has changed in several areas through both the federal budget and as a result of COVID-19-specific measures. The continual harmonization of administrative and enforcement provisions is obviously important to the Canada Revenue Agency, as they are tasked with administering and enforcing the act as well. However, it is equally important to Yukon tax filers. If we do not continuously harmonize with the federal *Income Tax Act*, then we create two sets of potentially contradictory tax rules. This could put Yukon taxpayers at risk of being non-compliant with income tax provisions.

Many of the changes being proposed today are housekeeping in nature. I will speak to the specifics of the amendments in Committee of the Whole. At the same time, however, Bill No. 12 does afford us the opportunity to proactively address two other tax-related matters, which I will discuss in turn here.

First, I would like to go back to the *Budget Measures Implementation Act, 2020*, tabled as Bill No. 8 on March 11, 2020. Coincidentally, this was the day that the World Health Organization declared COVID-19 as a global pandemic. In that bill, we fulfilled a commitment to expand the business investment tax credit to ensure that Yukon citizens can invest in local enterprise. Our goal was to expand and modernize the credit to increase participation to the full amount of the program. To accomplish this, we changed the annual company application limit of \$800,000 to a rolling limit where any company can apply for up to \$4 million in any four-year period.

This approach recognized the fact that a company's need for capital is rarely an annual event. Prior to the pandemic, we expected that there may be some pent-up demand for our improved program; therefore, we deferred the four-year period limit to not take effect until 2023.

Obviously, the pandemic is ongoing and has been very disruptive to businesses of all kinds. Today, in order to support local businesses, we are proposing to defer that January 1, 2023 initiation of the rolling four-year period condition to January 1, 2027. We remain committed to expanding participation in this program for the benefit of all Yukoners and Yukon businesses.

Finally, Bill No. 12 proposes to amend section 12 of the *Income Tax Act* to clarify and make explicit that refundable tax credits should not impact tax-sharing agreements with Yukon First Nations. Refundable tax credits are essentially program expenditures paid through the tax system. The Yukon First Nation governments that have entered into tax-sharing agreements effectively receive 95 percent of personal income taxes assessed for individuals residing on their settlement lands, which is fantastic. This proposed amendment to section 12 of the *Income Tax Act* is, again, a housekeeping amendment to provide clarity to the Canada Revenue Agency.

I would like to conclude my remarks by stating for the record that these changes, while important, have no fiscal impact for the government and consequently no financial impact on taxpayers either. I look forward to providing additional details on the miscellaneous changes during Committee of the Whole and to a fruitful discussion with members in the House.

**Mr. Cathers:** The Premier has indicated, as well as the briefing from officials indicated, that most of the amendments are housekeeping in nature. At this point in time, the others that make minor changes don't seem to be having a significant impact, so I look forward to hearing additional bits about this during Committee of the Whole debate. I don't have any additional questions at this point in time.

**Ms. White:** Today, in speaking in support of Bill No. 12, I thank the Premier for laying out the land as it stands, but we did receive excellent briefings from the Finance department officials. They walked us through how each of these things will work out. They explained that it was in four broad categories and that none of them represented any changes to tax policy or anything that would really affect individuals here, so we look forward to further debate in Committee of the Whole.

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

Does any other member wish to be heard?

**Hon. Mr. Silver:** Thank you, Mr. Speaker, and thank you to my colleagues opposite for their comments. I really do appreciate that they are going to save some of the questions for Committee of the Whole because it would really break Clarke LaPrairie's heart if he didn't have an opportunity to come into the Legislative Assembly and present on the *Income Tax Amendments Act, (2022)*. With that being said, thank you, Mr. Speaker.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yeas, nil nays.

**Speaker:** The yeas have it.

I declare the motion carried.

*Motion for second reading of Bill No. 12 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. Blake):** The matter before the Committee is general debate on Bill No. 13, *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### **Bill No. 13: Act to Amend the Safer Communities and Neighbourhoods Act (2022)**

**Chair:** The matter before the Committee is general debate on Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*.

Is there any general debate?

**Hon. Ms. McPhee:** I would like to first take the opportunity to welcome here with me today Jeff Simons, the assistant Deputy Minister of Community Justice and Public Safety with the Department of Justice. Thank you for being here. With us here today is Andrea Bailey, who is with the legislative counsel office. She is a legislative drafter with the Department of Justice. Thank you for being here as well.

I want to take the opportunity to say a few words. My remarks earlier, upon second reading — during that period of time, I reviewed the legislative change that we are bringing to the House today with Bill No. 13. The proposed amendment would require that a review of the *Safer Communities and Neighbourhoods Act* be undertaken by the Department of Justice. My current remarks won't be lengthy, but I do want to address the bill in a bit more detail, as well as the context for this amendment.

To begin, I wanted to note the *Safer Communities and Neighbourhoods Act* or the reference to the SCAN act and how it allows for the safer communities and neighbourhoods unit, which is authorized to operate under that act. The legislation was enacted back in May 2006 and is administered and enforced by a team of investigators known as the "SCAN unit". The unit responds to complaints from citizens about activities that are having adverse effects on their communities or their neighbourhoods. The act enables the SCAN unit to investigate complaints that are received from the public and to take any action when illegal or dangerous activities are occurring on the property and that those activities negatively affect the neighbourhood or the community, so there are a number of elements to that offence there.

It is important for me to note that the entire process is complaint-driven. It works through civil remedies rather than through any criminal sanctions. I think this is important to note because there were a number of comments when this matter was before the Legislative Assembly last fall, bringing forward questions — I want to be clear — about the criminal aspect of potential activities. This is not what we are dealing with here with this legislation.

The SCAN unit can resolve a complaint by doing a number of things. They can address the problem informally with a tenant or a property owner. They can send a formal warning letter or agreement to cease illegal activities. They can serve an eviction notice if it is issued by the landlord, or they can apply to the Yukon Supreme Court to close the property for up to 90 days through an order sought in that court, known as a "community safety order".

I mentioned that this legislation has been in force since 2006, and since that time, it has not been reviewed. We spoke about that earlier today. In the Fall Sitting of 2021, our government committed to a review of the SCAN act and this amendment would require the Department of Justice to complete that review. It would embed that commitment into the legislation. The SCAN act is an integral piece of legislation that has enabled the SCAN unit to improve and support community safety for 16 years. However, the Yukon has undergone significant changes in the past 16 years, and it is our responsibility as a government to ensure that our legislation represents the modern needs of Yukoners.

Our government has committed to working to make all Yukon communities safer and this is why we have committed to a review of this act. As I said earlier today, I look forward to the opportunity for this act to be reviewed and for improvements to be made, if so recommended on behalf of Yukoners and safe communities here in the territory.

**Mr. Cathers:** I would just begin by asking, first of all: When does the minister anticipate that this comprehensive review would start?

**Hon. Ms. McPhee:** The review is intended, as I noted earlier, to be comprehensive and to be as timely as possible. I think I noted earlier in my remarks that it would begin at some point in 2023 so that it could be properly worked into the work plans of not only the department doing that work, but of participants who might want to take part in the review.

**Mr. Cathers:** The minister indicated that, although the legislation says five years, it doesn't mean that it will take that long for the comprehensive review to be done. How long does the minister anticipate that it will take to do the comprehensive review?

**Hon. Ms. McPhee:** The commitment is that the review will be comprehensive, precise, and timely, but also, by definition, a comprehensive opportunity will be given for all those who might want to participate, bring forward comments or views about that, so I'm not going to guess how long that would take. I can tell you that we've had pieces of legislation, in my experience — and the member opposite might have different experiences — that have taken upward of a few years to do. For instance, the *Occupational Health and Safety Act*



revisions have taken an extensive period of time. There were a lot of people who needed to be collaborated with and partners that needed to work on the matter. I expect that there will be somewhat fewer people to do that, but we will be open to all participants who want to have something to say and contribute to the review of SCAN, so I'm not going to guess how long that might take, but I certainly don't expect it to take five years.

**Mr. Cathers:** I was hoping for more of an answer from the minister, but I guess that's as much as she's willing to provide at this point.

I will just note that, even for a comprehensive review, five years is an exceptionally long time for it to take to review a piece of legislation. Certainly, most legislative reviews are completed in a far shorter period of time, even with comprehensive legislation. Again, I do question the provision of that, but I guess the minister isn't going to provide a timeline of how long they actually expect the review to require.

**Hon. Ms. McPhee:** I apologize. I don't know if there was a question at the end.

I don't disagree at all that five years would be an extraordinarily long period of time. It's not anticipated that that would take place. The difficulty in committing at the moment is that there is a legislative agenda set.

Conversations and the commitments have been made to start in 2023 based on the current legislative agenda and the workloads of not only the legislative drafters but, in this case, the employees, staff, and experts at the Department of Justice. Of course, there will be outside organizations participating in this as well. Committing them to a timeline would be difficult, but I anticipate, as we have done in the past with other reviews of legislation, that when it begins, it will begin in earnest and we will do our very best to get it before this Legislative Assembly, as required by this amendment, as soon as it is complete.

**Ms. White:** Just to follow up, when the minister talked about making sure that folks who wanted to participate would, is there an anticipation of what, for example, the communication — I realize that we are talking about something in the future and that we are trying to debate something here with a date that goes into the future, but maybe the minister could elaborate on how people will be reached out to. Last fall, we brought forward concerns of the Anti-Poverty Coalition, Safe at Home, the women's coalition, and others because the populations that they represent are often disproportionately affected by SCAN — if the minister could just let me know how we will make sure that all those organizations will be able to fully engage with the review.

**Hon. Ms. McPhee:** Thank you for the question. Let me just start by saying that there is an engagement process that our government uses when activities like this are undertaken — reviews of legislation or new legislation or other opportunities where topics are appropriate for engagement with the Yukon public and others. I can indicate that this process would be used, of course. I can also indicate that we would anticipate direct invitations to many, if not all, of the kinds of NGOs that have been noted in the question, such as community members. I can anticipate the RCMP, for instance, and community

organizations that might have views about SCAN and certainly NGOs as were mentioned in the question. I can also anticipate direct invitations to all of them and to Yukon First Nation governments. I happen to know that many, if not all, First Nation governments are very interested in SCAN and the operation of SCAN.

In particular, some have used SCAN and cooperated with the SCAN unit in dealing with some of their properties, so obviously words, advice, and guidance from them would be incredibly important to say how they had that experience and whether it needs to be different.

We would also anticipate a callout to public — for opportunities for the public or others who might not have received a direct invitation to be involved. I can also commit that if, through that first set of engagement, there are organizations or individuals who come to light who we have not managed to speak with, then we would follow up through a second round of engagement to make sure that there is as much inclusivity as possible. Nobody wants to go down the road of doing a comprehensive review like this and miss anything or miss the opportunity for individuals and organizations to participate, so that we end up with the best possible legislation at the end.

**Chair:** Is there any further general debate on Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*?

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

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

**Mr. Cathers:** Madam Chair, as noted, five years is an exceptionally long time for a review for legislation, and the minister had indicated that they are not even going to begin the comprehensive review until next year. Again, I do appreciate that there are other priorities that the department might be working on, but if this is an important issue — and some of the concerns raised last year regarding the potential unintended consequences of this and the harms that it could have on other people in the household are issues that could continue to occur, there is, I would argue, some reason to actually make this a priority, rather than something that the comprehensive review would not start until after this government is likely no longer still in office, because of it being past the end of their confidence and supply agreement with the NDP.

Certainly, for legislation, I am familiar with timelines that are typical for legislative reviews, and there are many pieces of legislation that go out for public consultation in a matter of weeks or a matter of months. To have a period of years involved really suggests that it is not a priority, and it is certainly possible for legislation to have a review and then have another review, if additional work is necessary. We don't believe that it is appropriate for legislation that can result in serious issues — such as people, based on the civil standard, being prevented from using their homes or property or having things confiscated from them — that it should wait until 21 years after the legislation for a review to occur.

As we have indicated earlier, we do believe that the legislation itself has value and has been valuable, but there is also, as all parties in this House have acknowledged, the potential for unintended consequences from it and unintended harms; therefore, we believe that a review should actually be made a priority, not put on the backburner until 2023, and that it certainly should not have a situation — as envisioned in this legislation, if it comes into force as written — where it would not require a comprehensive review to be completed and reported back to this Assembly until 2027. That report would not require the legislative changes to come forward, too, so that could take even longer. We could easily get into well beyond 20 years after the legislation was changed before those changes occur.

With that in mind, I am pleased to rise to propose an amendment to improve the bill and make this a priority.

*Amendment proposed*

**Mr. Cathers:** I move:

THAT Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, be amended in clause 2 at page 1 by deleting the word “five” and inserting in its place the word “two”.

I have the requisite copies of this, as well.

**Chair:** The amendment is in order.

It has been moved by Mr. Cathers, the Member for Lake Laberge:

THAT Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, be amended in clause 2 at page 1 by deleting the word “five” and inserting in its place the word “two”.

Is there any debate on the amendment to clause 2?

**Mr. Cathers:** Madam Chair, I believe that the amendment speaks for itself. It provides a reasonable timeline for review. I would also just note that, in anticipation of what the minister might say in response, if exceptional circumstances were to develop that delayed a review, just as with the reporting deadline of committees established by this Legislative Assembly, it is possible for the minister to come back and request an extension here.

We believe that two years is a reasonable timeline for the review of legislation if indeed reviewing it is a priority, as we believe it should be.

**Hon. Ms. McPhee:** Madam Chair, I think that I will ask for a five- to 10-minute recess so that I can review the idea brought forward by the member opposite and have a conversation with my caucus.

**Chair:** Do members wish to take a brief recess?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

**Hon. Ms. McPhee:** I wasn't aware that the member opposite would be bringing this amendment. He didn't mention it at second reading and hasn't mentioned it to me before. It might be an interesting idea, but I want to be realistic about the

amendments that are being brought to the *Safer Communities and Neighbourhoods Act*.

I also want to note that the attitude is interesting to me. They don't want to give me five minutes to talk to my caucus, but the Yukon Party government had 14 years in which at no time did they even talk about whether or not SCAN should be reviewed and whether or not they would do it, yet all of a sudden, it is an urgent matter.

I don't disagree that it's an urgent matter. That's why I brought this amendment to the Legislative Assembly, to the floor of the House. I have made conversation and commitments here that I don't anticipate it taking five years, but I want to be realistic about the legislative agenda.

It might be that the member opposite suggests that we would do a quick or a sloppy job in respect to this review, and I think not. I think that a piece of legislation like this — the age of this legislation, but more importantly the effect that it can and does have on communities — should be properly and thoroughly reviewed. As a result, I do not expect that this amendment brought forward by the member opposite is agreeable to my caucus.

**Ms. White:** As there are three parties that are involved in this decision, I'm requesting an opportunity to discuss it with my caucus. I'm asking for a 10-minute break.

**Chair:** Do members wish to take a 10-minute recess?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

**Chair:** Is there any further debate on the amendment to clause 2?

**Hon. Mr. Streicker:** I appreciate that this act is an important act. I can say that, when I have met with my own communities, we have talked about the concern, specifically — lately, it's around opioids, but there is a lot of conversation about the importance of this act.

We have talked about some of the challenges that the act has faced in terms of acceptance. One of the things that I think it is important to do is, for all pieces of legislation, to take the time to look at the act and make sure that it is achieving what it needs to do as best as possible. In this situation that we have in front of us, with the act as it reads, there is the intention to begin that review right away and, in order to do that review, we are trying to give it enough time in case it takes that time. I think that I heard the minister, when she spoke even at second reading, talk about the importance of trying to do it as diligently as possible, but what this amendment would do is that it would bind in a way that may not make for success in that review. The challenge that I have, as we bring forward an amendment like this, is that, even with the intention that I hear in the amendment as it is proposed, it is trying to get to an outcome sooner. However, if that outcome is not as well done, then the challenge will be that the act remains without that diligence.

In my experience with the public service, they work very hard at trying to do these reviews. There are challenges around them, and I think that we should have more trust in the public service to do its work, to work with the public, and to allow there to be a focused review on all of the issues that exist under the *Safer Communities and Neighbourhoods Act*.

What this amendment that is in front of us could have as an unintended consequence is that the review would be not as deep and not as able to make significant recommendations for the improvement of the act.

I just suggest that we should allow for the act as it stands and not support the amendment but, of course, take the feedback that the members opposite have that, if it is possible, to do that review in a shorter period of time and still do it well, but not to bind the public service and the public with that feedback.

**Hon. Mr. Mostyn:** This is a very important bill. We all know that. It has also been a contentious bill and we totally understand the need for a five-year review.

Again, this is an amendment on the fly. It's a hostile amendment brought forward by the members opposite to prove a point. I know that they are smarting from what happened yesterday. I get it that they are flexing their muscles, but we have to think about what is really at stake here, which is an adequate, measured, and thoughtful approach to this piece of legislation to make sure that it is properly reviewed.

Right now, we are in the midst of a number of different crises, and I think that it is reasonable to say that we have five years to perform this review. I know that we have been in conversations with the Third Party on this matter. We don't even have the ability to contemplate the implications of this amendment that was made fast and loose, on the fly, as is normal by the members opposite. The Member for Lake Laberge is a legal enthusiast but has proved his inability to draft legislation properly.

I really have some real problems with the amendment as proposed. I think that, for the sake of the community at large on such an important piece of legislation, we really should do our best to give the review time enough to get it done properly. I know that the members opposite don't think these things through this way. They just like to react or do things without any thought of the implications to the civil service, to the piece of legislation ahead of us, or to society as a whole. There is little consultation. They don't consult with First Nations, they don't consult with communities, and they certainly haven't consulted with us or the Third Party in making this amendment today. They are just deciding on the fly that this is something that they want, so they are flexing their muscle.

I can understand that, but I don't think it makes for good policy. I don't think it does this House any service when they do this and put a real stress on the civil service, which has been working so very, very hard through this pandemic to deal with so many different crises, and yet here the Yukon Party is again showing utter contempt for the people who are keeping this territory moving. They are serving the public in so many ways, yet they just can't —

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

### Point of order

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

**Mr. Cathers:** The Member for Whitehorse West has been on one of his more notable tirades in contravention of

Standing Order 19(i), using abusive or insulting language. He is also contravening Standing Order 19(g), imputing unavowed motives to another member in suggesting that any member of our caucus is insulting the civil servants who are working on this.

Madam Chair, I would urge you to have him rein in his comments and perhaps actually talk about the matter that is in front of us, which, by the way, would be Standing Order 19(b).

**Chair:** Mr. Streicker, on the point of order.

**Hon. Mr. Streicker:** Standing Order 19(i) says that we should not use insulting language, including sexist or violent language. So, talking about other members having contempt is saying that they are not being respectful of the public service.

### Chair's ruling

**Chair:** In raising a point of order, I ask that members not characterize another member's debate as a tirade.

I believe this is a dispute between members. I will review Hansard and return if necessary.

Is there any further debate on the amendment?

**Hon. Mr. Mostyn:** I appreciate your thoughtfulness on this matter, Madam Chair.

As I was saying, the Yukon Party opposition, with this motion this afternoon, is showing contempt for the civil service, which has been working so very hard through this pandemic to keep Yukoners safe. They actually deal with so many different legal matters.

To then force them to go from — you know, we're not even out of the pandemic yet, as a matter of fact — and then to force them to go in and do a full review of the *Safer Communities and Neighbourhoods Act* within two years is just, well, frankly, cruel and unusual punishment.

We have said that we are in support of a five-year review of this piece of legislation. I think that's fair. We are certainly agreeing to put in a review. I know though for a fact that what we're talking about is a review of legislation. In that spirit, I will say that I know for a fact that the Yukon Party failed to do legislative reviews of their legislation when they were in office. So, it's sort of laughable that they would be trying to force a two-year review on us on the fly with no consultation, when they themselves flouted the law on reviews with such gusto.

So, I really think that this is, again, a bit of sour grapes. They're smarting from their debacle that happened yesterday, and so this is their way to try to make sure that we put through a very quick, without any consultation again, amendment to the *Safer Communities and Neighbourhoods Act* — again, a piece of legislation that is supported by Yukon First Nations. They probably would not know that, because they don't tend to talk to First Nations about how important these pieces of legislation are, but we do, and we know how important it is. We know that they want this piece of legislation. In fact, they — so, this is part of the whole package we're seeing here.

I really think it behooves us to do the right thing and to do a much more measured and reasonable approach to this piece of legislation, which would be a five-year review.

That's where we are today. I think I look forward to anybody else who might have thoughts on this matter.

**Ms. McLeod:** Well, obviously, I want to thank the minister for sharing his thoughts on the opposition parties, but I think — I think the government has forgotten the intent of this piece of legislation. It serves the people. It has nothing to do with the civil servants or the government members or the opposition members. We are here to serve the people. It wasn't that long ago when it was the talk of Whitehorse that this bill was being misused to eject people from their homes.

So, I know that my community has some problems with this bill and its application. So, to say to them that they should relax and trust us, that we will get it done in five years or sooner, if we can manage it — it just isn't good enough — I'm sorry.

So, I think that you all need to step back and remember who is affected by this bill and give that just a little more thought. This isn't about: Did we notify you about the amendment? Perhaps the government should have thought a little more closely about how long five years is to people. It is a long time to have a problem with a bill.

So, I am going to end my comments there. I just want to remind the government who they serve.

**Hon. Mr. Pillai:** I think that what we have done is we have gone through a process in the fall really around this legislation, and it was focused on the fact of what we have heard from our community members, really about making sure that we have safe communities, as well as from a number of First Nation leaders — conversations that came up over and over again in multiple Yukon Forums — and it was focused on the fact that this was a strong piece of legislation. Earlier today, we talked about the fact — and I think that the Leader of the Third Party spoke eloquently to the fact that the mechanism, although within a five-year period, could be triggered previous to that.

So, when we look back at the historical nature of legislation, previous to the last mandate, what we have seen is a tremendous amount of work that we have had to do to ensure that the legislation that was passed under the previous government then had the right tools in place. In most cases, that meant that we had to have the regulations that accompany those pieces of legislation put in the toolbox, so to speak.

I think that our people within the Department of Justice have done an incredible job. We have not only asked for them to play catch-up on years and years of legislation — a great example would be the *Condominium Act, 2015* — which we have asked them to essentially go back and look at that original piece of legislation and come back to make sure that it could be put in place in a way that could work for a modernized real estate market and to ensure that it was something that could work for Yukoners.

Over and above that, we just went through two years of a pandemic where, as it pertains to CEMA orders, we were also in a position where every time that we worked on a particular order, the department would then have to go back, confer with multiple departments and, under amazing stress and pressure, bring that to light. We have asked for so much from these individuals.

Now, luckily, we are in the midst of coming out of the pandemic. We are going back to the work that we had to do and trying to play catch-up on regulations. Again, we are now asking that, in 24 months' time, we will have to come back to do this work. We are talking about the people, and the Member for Lake Laberge always likes to — we didn't get a Magna Carta reference today, but certainly we usually do. I think that, in this particular case, what we are talking about is making sure that we do legislation for the right reasons. When you go back and you are quoting something from 1210 or 1250, and the beginning of this — maybe we could go back to Hammurabi's Code too. But what we are talking about is building good legislation and good regulations.

I think that it is pretty obvious to see today that we are here today because of yesterday. I think that what we watched yesterday was a flawed attempt to bring forward a piece of legislation. I think that the Leader of the Official Opposition did a good job and, under a difficult position, with grace, brought in an amendment —

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

#### Point of order

**Chair:** Point of order, Member for Lake Laberge.

**Mr. Cathers:** Under Standing Order 19(b), the minister is certainly not speaking to the question under discussion. He has gone off the road and hit a ditch again. I would urge you to remind him to actually talk about the topic, which is not just the SCAN legislation, but a proposed amendment to clause 2 of the SCAN legislation.

#### Chair's ruling

**Chair:** I ask that members please stay focused on the topic.

**Hon. Mr. Pillai:** Thank you, Madam Chair. I am simply just trying to speak to the policy and what the catalyst was for this policy decision for the work on the amendment today. Again, I think that it was a policy tow truck that was trying to get yesterday's legislation back out of the ditch. That's fair. We can move on.

Again, we can have discussions before we come in here during the day. We can talk about why we need to make certain changes. In this particular case — you heard from the Minister of Justice — we have the opportunity to go back and to do a review before that five-year mark. Really, the five-year mark is quite standard.

In successor legislation that was written under the previous government, such as the forestry act — that was a standard piece that was put in place. If we go back and we think about — even things like the work that we have to do with First Nation governments — say, the chapter 22 — it was a five-year review. This is a standard clause.

Today, I don't think that it's appropriate for us, without even getting into the reasons — I think that they are very obvious to everybody in this room and they are very obvious to all the public servants who are listening today — why we are

where we are. I don't think that it's a good use of time for the public and the public dime.

With that, I'll end, but I really hope that we can just continue to move on and make sure that we get the work done that we set out to do today.

**Chair:** Is there any further debate on the amendment to clause 2 of Bill No. 13?

Shall the amendment carry?

**Some Hon. Members:** Count.

### Count

**Chair:** A count has been called.

*Bells*

**Chair:** All those in favour please rise.

*Members rise*

**Chair:** All those opposed please rise.

*Members rise*

**Chair:** The results are seven yea, nine nay.

*Amendment to Bill No. 13 negatived*

**Chair:** Is there any further debate on Clause 2?

*Clause 2 agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. McPhee:** I move that Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, be reported without amendment.

**Chair:** It has been moved by the Member for Riverdale South that the Chair report Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Bill No. 12, entitled *Income Tax Amendments Act, (2022)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 12: *Income Tax Amendments Act, (2022)*

**Chair:** The matter before the Committee is general debate on Bill No. 12, entitled *Income Tax Amendments Act, (2022)*.

Is there any general debate?

**Hon. Mr. Silver:** It's my pleasure to be here speaking to Bill No. 12, otherwise known as the *Income Tax Amendments*

*Act, (2022)*. I'm very honoured to be joined here today with Clarke LaPrairie from the Finance team. Thank you very much for being here today, Clarke.

As I indicated in the second reading, the *Income Tax Act* is a living document. Unlike most statutes in the Yukon statutes book, the *Income Tax Act* is updated on a nearly annual basis. Our *Income Tax Act* and its federal equivalent do essentially the same thing.

For individuals, corporations, and trusts, they define what is income, what deductions are allowed before calculating taxes, and what credits can be applied against the resulting taxes. Both acts also deal with matters of administration, enforcement, and compliance.

Now, despite doing almost the same thing, our act is 77 pages long, and the federal equivalent is 3,304 pages long. That's almost 43 times longer, Madam Chair. Just because you asked me to make this interesting, I'm giving you some good stats.

How do you explain the legislative alchemy? Well, our act, like most provinces and territories, is heavily dependent on the federal act to define many aspects of tax legislation and focuses itself on eligibility and then the application of Yukon-specific rates. In an attempt to avoid the duplication, our act refers to the federal act, as I mentioned earlier today, almost 260 times.

If you consider, for example, the medical expenses credit, that credit would exist in both acts.

Our credit takes up to two paragraphs of the act, one of which is a single sentence long. To simplify, it says that if you qualify for the federal credit, you would get an equivalent Yukon credit, to which Yukon rates would apply.

The federal medical credit section of the federal act runs 19 pages, as Canada has to define all of the complexities of what qualifies as a valid medical expense, so you can just imagine. Given the length and comprehensive nature of the federal act, as well as the dependence of our act in remaining harmonized with the federal counterpart, one can see that frequent federal changes often necessitate corresponding Yukon changes.

The Government of Canada and the Yukon have a tax collection agreement that enables the Canada Revenue Agency to collect, administer, and enforce the Yukon *Income Tax Act* on behalf of the Yukon. In return, the Yukon is committed to amending the Yukon *Income Tax Act* when required by Canada to maintain that harmonization with the federal act.

For our part, the agreement with Canada requires Yukon to make amendments to the *Income Tax Act* from time to time on a best-efforts basis. What are best efforts? Well, as the phrase implies, it is a very high legal standard for this kind of agreement. It's a more onerous standard than other standards such as reasonable efforts used in other bilateral agreements. In practice, that brings us to today's bill, which satisfies these requirements of a very high legal standard for types of agreements such as this.

I will shortly go through in detail the specifics of the federal changes, where the catalyst is for this bill. First, however, I do want to point out that we are taking the opportunity, while presenting this bill in the Legislature, to also

make several housekeeping changes to our act, in addition to those that are being required by Canada. Additionally, we are taking this opportunity to provide yet another form of indirect COVID-19 supports in the Yukon.

So, this bill is divided into two parts. I will start with part 2. In the *Budget Measures Implementation Act, 2020*, we fulfilled a commitment to modernize the business investment tax credit. One of the improvements included sets a new limit for how much a company can raise under that credit. Under this new limit, a business could raise up to \$4 million in capital through the program in any four-year period. Prior to that act, there was an \$800,000 annual limit, and this approach would recognize that raising capital, as we said earlier, is not an annual event, and it was time to take a look at that again, based upon the sophistication, as well, of some of our homegrown businesses here in the Yukon. Prior to the pandemic, we expected that there would be some pent-up demand for the enhanced credit, and we wanted to also increase awareness of the program.

This is why we temporarily deferred the introduction of the rolling four-year-period criteria, and that was to allow for a greater amount of capital to be raised each year. The *Budget Measures Implementation Act, 2020* deferred the four-year-period criteria to 2023. That allowed businesses to raise \$4 million each year until that coming into force date. Madam Chair, those plans were tabled in the shortened session, as you remember, just before a global pandemic was declared.

As we all know, a lot happened in the last two years since the pandemic began. Different businesses have been impacted by COVID-19 in different ways and to differing degrees. Some of them might have had opportunities or plans to expand previous to March 2020. They might have had to take some of that preparedness into a different direction, due to the devastating impacts of the pandemic.

So, that is why, in order to support local businesses whose plans to raise capital were disturbed by the pandemic, we are proposing to defer the affected date for the modernized rolling limit out to January 1, 2027.

The second part of Bill No. 12 accomplishes this by amending the coming into force provision of the *Budget Measures Implementation Act, 2020*.

I will now discuss part 1 of Bill No. 12, the *Income Tax Amendments Act, (2022)*, which amends the Yukon's *Income Tax Act*. Before I begin there, I want to point out that these administrative amendments, while important, are not fiscal in nature, meaning that they don't impact any of the revenue the government will receive, nor do they have any impact on the amount of taxes that have to be paid by taxpayers.

I will go through and explain part 1 in the order that it presents itself in the bill as we read along.

The first section of the *Income Tax Act* to be amended is appropriately section 1. This is the section that deals with interpretations. More precisely, we are amending a portion of paragraph 1(7)(j). Paragraph 1(7)(j) is a substitution table to be used whenever our act directs the reader to read a federal section as if it were part of the Yukon's act.

One would read the relevant federal section keeping in mind the substitutions in this table. This paragraph is being

revised, and it will allow another provision in our act, or regulations, to override the paragraph and therefore the use of a substitution table.

This consequential amendment is needed to support revisions to the amendment of subsection 6(49) of the act, which I will discuss shortly.

The effective date of this change will be January 1, 2022. Again, this is the same date proposed in the amendments to subsection 6(49). I will discuss the rationale for that date when it gets to that section of the bill.

Next, section 3 of the bill amends section 4 of the act. This is an ordering provision for personal income tax credits. These provisions specify the order in which various provisions of the *Income Tax Act*, such as deductions and credits, are to be applied when calculating an individual's tax liability for the year. Effectively, these ordering provisions are mainly relevant to the minority of taxpayers who do not need to use all of their credits in a particular year to bring their taxes payable to zero.

We are also proposing the removal of the reference to section 14 of the act, as that section has been repealed.

In addition, we're proposing to add a reference to section 12, which deals with the First Nation income tax credit. The intention of this amendment is to better articulate what has been more of an administrative practice for the last 30 years, which is to ensure that the First Nation income tax credit is included in the proper order when calculating an individual's tax payable.

We're now moving along to section 4 of the bill. This section proposes to amend many of the administrative aspects of section 6 of the *Income Tax Act*. Moving to section 6 of the bill, we are proposing to amend subsection 6(49) of the act. Subsection 6(49) incorporates federal section 120.4 in our act. So, federal section 120.4 deals with tax on split income. So, tax on split income is a concept that you're all probably very familiar with — or maybe not. It might not be familiar to everyone, so bear with me. I will attempt to explain what tax on split income is prior to explaining why and how the related section of the Yukon *Income Tax Act* is changing.

So, split income involves allocating the incomes of a business, often a small business, to various members of a family. The types of income that can be split take various forms. The two most common forms are salaries and dividends. The tax on split income rules are complicated and are meant to avoid aggressive tax avoidance strategies by the tax filer.

Basically, if any split income is deemed by the rules to be beyond what is reasonable for one's involvement in the business, then the top marginal tax rate will apply for the portion of the income subject to the tax on split income. Some of the rules have been in existence for a long time to deal with splitting strategies, such as paying large dividends to minors, for example; however, in 2017, as you recall, Canada significantly tightened the various rules to subject more distributed business income to that tax on split income.

Subsequent to those changes, the Canada Revenue Agency reviewed the related sections in every province's and territory's income tax acts. With the possible exception of British Columbia, they noted a problematic, but not common, area in

most income tax acts. In the scenario where the business owners live in the Yukon and the family member receiving split income lives somewhere else in Canada, there should be a provision in our act to attribute that tax back to the territory. The amendments in subsection 6(49) in paragraph 1(7)(j) are modelled on British Columbia's *Income Tax Act*, which directs the split income back to the source jurisdiction — in this case, the Yukon.

I will now move on to an amendment to clause 6(54)(b)(ii)(C), which proposes to correct outdated references to the federal subsection 110(1). This change is related to foreign tax deductions that are attributed to Yukon taxpayers for foreign stock options by referencing the correct and updated sections. They are of a housekeeping nature.

We are committed to strong and positive government-to-government relations with Yukon First Nations, so let's turn our attention to section 4 of the bill, which amends the First Nation tax credit to ensure that we are living up to our tax revenue sharing commitments with Yukon First Nation governments. The Yukon territorial government effectively shares, as I said earlier today, 95 percent of the personal income tax collected on settlement lands with 11 of 14 Yukon First Nation governments. In the 2020 tax year, the value of the sharing is estimated to be approximately \$3.4 million and is based on residency of Yukon First Nation settlement lands.

Before explaining the amendment to section 4, it will help if I explain how these tax-sharing agreements with Yukon First Nations are administered in practice.

So, every year at tax time, individuals who are residing on settlement lands calculate their First Nation's tax credit, which is equal to 95 percent of the tax that they would otherwise pay to the Government of Yukon, and this credit serves two purposes. First, the amount of the credit becomes the amount of tax that they must pay to the Yukon First Nation governments. Second, the credit reduces the amount of tax that they must pay to the territorial government by the same amount that is paid to the First Nations. As you can see, the credit effectively transfers 95 percent of an individual's tax to the Yukon territorial government to the Yukon First Nation governments. Now, importantly, the value of the credit determines the amount of tax that is shared with Yukon First Nation governments.

A review by the Canada Revenue Agency in 2019 indicated that section 12, which determines the First Nation's tax credit, was ambiguously written. So, we attempted to clarify section 12 through the *Budget Measures Implementation Act, 2020* by creating a new subsection, so that is subsection 12(1).

The intention was to clarify that the amount of tax to be shared with Yukon First Nation governments should not be impacted by refundable tax credits. Refundable tax credits are Yukon government expenditure programs paid through the tax system for administrative efficiencies, so it wouldn't be appropriate to deduct this amount of credits from the amount of tax shared with Yukon First Nation governments.

I will stop there, seeing as I am running out of time, Madam Chair. Seeing the time, I would also move that you report progress.

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

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

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

### Chair's report

**Ms. Blake:** Mr. Speaker, Committee of the Whole has considered Bill No. 13, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2022)*, and directed me to report the bill without amendment.

In addition, Committee of the Whole has considered Bill No. 12, entitled *Income Tax Amendments Act, (2022)*, 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. Monday.

*The House adjourned at 5:28 p.m.*

### The following sessional papers were tabled March 10, 2022:

35-1-40

*Child Rights Impact Assessment – Bill No. 11, Act to Amend the Child and Family Services Act (2022) – Child and Youth Advocate Office and Child Rights Impact Assessment of Bill No. 11, Act to Amend the Child and Family Services Act (2022)*, letter re (dated March 10, 2022) from Annette King, Child and Youth Advocate, to Hon. Tracy-Anne McPhee, Minister of Health and Social Services (Speaker Harper)