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HANSARD

Wednesday, April 20, 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

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Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier Minister of Health and Social Services; Justice
Hon. Nils Clarke	Riverdale North	Minister of Highways and Public Works; Environment
Hon. John Streicker	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
Hon. Ranj Pillai	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
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
Hon. Jeanie McLean	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

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

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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, April 20, 2022 — 1:00 p.m.**

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: I would like to extend a welcome here, along with my colleagues, to some individuals who are joining us today for a tribute to the Business Excellence Awards. With us today are Andrei Samson, Lars Hartling, and Trevor Mead-Robins, who are all here representing the Whitehorse Chamber of Commerce. They are producing an event tonight and tomorrow. I would like to welcome them to the Chamber and thank them for their work on this.

Applause

Ms. Tredger: I am delighted to introduce some students from the Porter Creek GSA. With us today, we have: Gabriel Hopkins, Harley Kloer, Kiersten O'Brien-Jackson, Emily Graham, Molly Hobbis, Nari Barker, Rune Spicer, Arianna Charles, Yeonseon Lee, Evey Moore, Val Thompson, Annie Li, Michael Broeren, Maddy Mills, and Azarioa Hogan.

Thank you so much for being here.

Applause

Ms. White: Today I have the pleasure of introducing two folks in the gallery. The reason why they are here, of course, is for the Education bill later this afternoon. But without leadership from within schools, we wouldn't see some of the changes that we do. So, today we have Jason Cook, who is the leader of the Porter Creek GSA, a teacher who, I believe, has fundamentally shifted the way that school acts as a whole.

Then, of course, we have Peter Giangrande, who is the principal of that school. Without that leadership from the very top down, we wouldn't see the changes that we can see — those shifts — so today I welcome them both to the gallery.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Earth Day

Hon. Mr. Clarke: I rise today to pay tribute to Earth Day, which is this Friday, April 22. This is an important annual event celebrated around the world. The theme of this year's Earth Day is: "Invest In Our Planet".

Now is the time for us for to invest in action on climate change. It will not be easy. It will take courage and character,

and it will take effort from all of us to preserve and protect our health, our families, and our livelihoods. This is our time to act. Investing in our planet can happen in many ways.

Climate change can damage economies, increase scarcity, and drain profits and resources. Innovation in sustainable business practices and environmental social governance standards is often the route to prosperity — economically and environmentally. Incentives for healthy cities and communities empower citizens to build a resilient future. Action from our youth, from our elders, from the big city, and from our smaller communities has an impact on the pace of corporate and government change.

As northerners, we are very familiar with the threats caused by climate change, and we are uniquely vulnerable to its impacts. As we know, the average temperature in the Yukon continues to rise at a pace that significantly exceeds that of the provinces in Canada. We see how warmer temperatures impact our infrastructure, traditional ways of living, and ecological systems. Thawing permafrost shifts the ground beneath us, challenging the integrity of our buildings and roads. Areas with distinct plant and animal species are changing.

Migration patterns are shifting, impacting the availability and access to traditional food sources and also increasing the risk of invasive species.

Last year's flooding was like no other, and yet we could see it again. The effects of climate change can suddenly and significantly alter our world.

Celebrating Earth Day and reflecting on the reality of climate change is important. Investing in our planet is investing in our clean future. To honour the Earth is to take action to heal the damage we have done and to prevent future catastrophes.

Thank you to the Earth for all that it has given us, and now is our opportunity to give back.

Let us celebrate Earth Day with action.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize April 22 as Earth Day, the largest environmental awareness event in the world.

Earth Day has been observed for over 50 years. Throughout the decades, we have seen many changes around the globe. With an ever-increasing global population and environmental changes stemming from climate change, we have seen lasting impacts on many environments.

Earth Day is about understanding the impact that our lives have on our surroundings. It's about recognizing that there are things we can do as individuals, households, and societies to help curb the negative impacts that we have on our environment.

It's not lost on many Yukoners that the majority of our food and goods are trucked very long distances to make it to our grocery store shelves. There are a number of local growers, farmers, and producers across the territory who have made it their life's work to ensure that locally grown and raised food is available to us year-round, and I encourage all Yukoners to support these farmers, producers, and gardens to ensure that

they grow their businesses and increase their food production to help slow our reliance on Outside foods.

The same goes for our natural resources. The more we are able to utilize our own sustainable resources, the less impact we have on the environment.

We have the means to produce energy. We have the means to support our own fuel-wood and biomass industries. We have the ability to tap into our own resources and to produce more locally based jobs and partnerships between Yukon organizations and all levels of government.

It is important to think about how we can become more self-reliant while lessening our impact on the environment. For now, think about how you and your families can participate in Earth Day. Kids get excited with they are actively engaged in events such as Earth Day. Talk to them about eating local and conserving energy. Take them out, pick up garbage, go for a family walk or a bike ride, and talk about the importance of active transportation.

Mr. Speaker, www.earthday.ca provides some wonderful ideas on how families can celebrate Earth Day at home, whether it is through food, energy conservation, waste reduction, active transportation, or doing something to directly benefit the natural environment. It is these small actions that help plant the ideas and the knowledge about respecting our Earth in our youngest generation.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to celebrate Earth Day. In the middle of a climate crisis, we have to remind ourselves, as leaders, to act like this is truly an emergency. Serious changes need to be made in our relationship with the land in how we use it and how we live on it. From wetlands to forests, the decisions that we make in this House will have impacts on land across the territory and will affect so many future generations.

Responding to the climate crisis doesn't stop with protecting our land. This year's theme for Earth Day is to "Invest In Our Planet". To me, that includes: investing in public services for people; investing in active transportation; investing in clean energy instead of continuing to rely on oil and gas; and investing in laws and regulations that protect communities and respect self-governance and calls for land back. Make no mistake: These missed kinds of changes can be made quickly if governments want to.

Another emergency — the pandemic — changed the way we think about political will. When we spent big dollars and moved fast, the sky didn't fall. We can do the same for climate change.

These investments help people to live healthier, happier lives with richer and wiser relationships with the environment. Right now, there are people on the ground fighting to make these changes. There are activists around the territory holding the government accountable to act now. They are building a positive future in the face of climate change. I especially want to thank them today for the work they are doing.

Applause

In recognition of Whitehorse Chamber of Commerce 2022 Business Excellence Awards

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government and the Yukon NDP to pay tribute to the Whitehorse Chamber of Commerce 2022 Business Excellence Awards. The awards will be celebrated at both a Premier dinner later today and an awards webinar tomorrow.

This is the first Business Excellence Awards event in several years as the event has not been held since 2019 — prior to the COVID-19 pandemic. The return of the Business Excellence Awards is a very positive development, bringing back what was a prestigious setting for great local entrepreneurs to be recognized for their efforts.

The awards exist to celebrate the many businesses that help to enrich the City of Whitehorse and the Yukon as a whole. The event also serves as a time for local entrepreneurs to celebrate each other's accomplishments and to share new ideas with one another.

This year, there are nine award categories. Finalists will be featured in an awards video tonight, along with the announcement of winners. Winners will be announced publicly tomorrow during a live webinar.

The Business of the Year Award has been split into two awards this year in order to recognize both larger companies with 11 or more employees and those businesses with under 11 employees. New awards have also been added to this year's festivities, including the Outstanding Workplace of the Year Award and the Sustainable Business Practice Award.

While all of the awards were measured differently, one constant is that all of the nominated businesses have demonstrated leadership and resilience during the COVID-19 pandemic. Yukon businesses have put in the work to keep Yukoners safe during the public health emergency, and these awards recognize their hard work and determination.

Because of the challenges faced in the last two years, it is especially important that we acknowledge those leaders in the business community who put in the work to adapt to the pandemic while representing the durability and determination that our local entrepreneurs are known for. Our local businesses were at the forefront of the pandemic response, and I thank them all for their commitment to public safety.

In closing, thank you to the Whitehorse Chamber of Commerce for putting on this event and congratulations to all of the award nominees.

Applause

Mr. Dixon: I rise on behalf of the Yukon Party Official Opposition to recognize Whitehorse businesses ahead of the Whitehorse Chamber of Commerce 2022 Business Excellence Awards and offer our congratulations to the winners who will be announced at this evening's awards dinner.

Our business community consists of dedicated, hard-working businesses and entrepreneurs, each of whom is driven by a will to succeed and a commitment to our community. This community was among the hardest hit by the COVID-19 pandemic. We saw business owners and staff having to make changes to their business models in order to adapt to ever-

changing restrictions and health recommendations. These businesses faced an unexpected hit to their bottom lines, their customer bases, and their ability to provide goods and services.

While the pandemic affected all businesses differently, most are doing a great job at getting back on track, due in large part to their creativity and forward thinking.

I would like to offer our thanks to all of these local businesses that worked and sacrificed to continue to offer goods and services through a very trying time. You helped Yukoners navigate the pandemic, supported our community, and supported one another.

Tonight, businesses will be recognized for their hard work and dedication in a number of areas. We will see awards presented to a business for its sustainable business practices, to an outstanding workplace for giving back to the community, for outstanding customer service, and for innovation and, of course, awards for business person of the year, new business entrepreneur, and business of the year, which will recognize a business with one to 10 employees and also a business with over 11 employees.

It is an honour to take part in this evening's events and awards. I look forward to seeing which of our incredible local businesses will receive well-deserved recognition tonight.

Once again, thank you to our business community, and congratulations ahead of tonight's awards.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Mostyn: I have for tabling a number of documents. The first is a *Yukon News* article from August 21, 2013 entitled "Government hid Peel numbers from public". The second is a *Yukon News* article from August 23, 2013 entitled "Another inconvenient truth". Third, I have a *Whitehorse Star* article from April 23, 2013 entitled "Peel plan called 'lightning rod for division'".

Ms. Clarke: I have for tabling the Yukon government request for expressions of interest document for housing development of the Macaulay Lodge site that includes a portion of greenbelt lot 309.

Ms. White: Today I have for tabling a media release from the Yukon Employees' Union dated today, April 20, entitled "Yukon Government must deliver a healthy Midwifery Strategy".

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

NOTICES OF MOTIONS

Mr. Cathers: I rise today to give notice of the following motion:

THAT this House urges the Yukon government to work with local health care professionals and stakeholders to develop a new health human resources strategy that includes:

(1) support for Yukoners seeking education in health care fields;

(2) improved measures to support recruitment and retention of health care professionals; and

(3) a focus on ensuring that Yukon patients have access to the health care they need in a timely manner from health care professionals who are able to provide them high-quality care appropriate to their needs.

I also give notice of the following motion:

THAT this House congratulates the Yukon government for listening to the request of the Official Opposition to provide the Yukon Hospital Corporation with multi-year funding for extending their ophthalmology program and reducing wait times for cataract surgery.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Green infrastructure program

Hon. Mr. Clarke: In 2019, our government declared a climate emergency, and we are taking steps to reduce our emissions, fight climate change, and better protect our territory for future generations. Through *Our Clean Future*, we have set an ambitious target of reducing the Yukon's greenhouse gas emissions by 45 percent by 2030. It is an ambitious goal, and we must prioritize sustainable practices in all areas of our work to accomplish this.

One key way that we are prioritizing sustainability is through the Department of Highways and Public Works' green infrastructure program. This program is a multi-year capital investment dedicated to implementing building retrofits, renewable energy systems, and sustainability projects on government-owned buildings. Building retrofits are one way we can upgrade our buildings to decrease greenhouse gas emissions and make our government more energy efficient.

I am pleased to report that we currently have 38 energy retrofit projects underway in Government of Yukon buildings across 11 communities. While all of these retrofit projects are important, one project that I would like to highlight today is the replacement of the Yukon Justice Centre atrium roof, which just began construction. If you have ever been in the Yukon Justice Centre — and I have been — or perhaps just driven by, you'll note that it is an extensive glass roof over the atrium. While it lets in a lot of light, important in our long winters, it also lets out a significant amount of heat.

With this project, we are upgrading to triple-pane skylights to improve heat retention and to reduce air leakage. This project will also reduce the building's greenhouse gas emissions by more than 16 tonnes annually. Similarly, we will also be starting work to replace the roof at Yukon University this year.

The new roof will be built with more insulation, it will be more thermally efficient, and it will help to reduce the building's emissions by over 136 tonnes per year. This project will also improve the life of the building and reduce maintenance costs.

The climate crisis demands action, and we are moving quickly to do our part. Retrofits play a significant role in emissions reductions, but considering that more than a significant percentage of our territory's heating comes from burning fossil fuels, we will need to explore alternative heat sources as well, which brings me to biomass.

Biomass is an alternative way to heat buildings through the use of wood. Using wood will reduce our need for traditional non-renewable heating fuels, like oil and propane, which contribute to our emissions and have to be trucked up the highway.

The Government of Yukon currently heats three buildings using biomass facilities: the Whitehorse correctional facility, the Dawson City water treatment plant, and the Dawson City waste-water treatment plant.

We are also working on expanding the Whitehorse Correctional Centre's biomass heating system to also heat the youth justice centre and Takhini Haven. This expansion is expected to reduce the building's total greenhouse gas emissions by 320 tonnes per year or over 1,400 round trips to Dawson from Whitehorse.

From retrofitting our existing infrastructure to investing in renewable energy projects, I am proud of the steps that we have taken toward fulfilling our commitments in *Our Clean Future*, and I look forward to sharing future progress on meeting our goals.

Mr. Hassard: Thank you for the opportunity today to talk about a subject that the Liberals have broken many promises and commitments on — building retrofits. Let us go back to the 2016 election. The Liberals at that time promised to invest \$30 million per year in building retrofits to improve energy efficiency and reduce greenhouse gas emissions — not over five years, not maybe someday, but \$30 million per year.

So, despite continually boasting about the size of their capital budgets, there was no such investment in 2017, nor any year after. Just this year, after six years of breaking another promise, the Liberals have finally put money in the budget for building retrofits. We are happy to see the projects that the minister highlighted. We support building energy-efficient government buildings. In fact, the Yukon Party started that trend with the energy retrofit on this very building that we are in today.

However, it is laughable that, after six years of breaking their key election promise, the minister is trying to pretend that the Liberals take climate change seriously. The minister mentioned expanding the current biomass system at the Whitehorse Correctional Centre. What he left out of these points is the massive shortage of firewood in the territory. Residents can't get firewood to heat their own homes due to a lack of fuel wood, sawmills are closing down, wood suppliers can't cut wood here in the territory, and Yukoners are crying out for any sign that this government understands how badly

they have destroyed the wood harvest here in the territory. But the minister says that they are investing in biomass for buildings.

Now, the Yukon Party supports biomass, but with the mess that the Liberals have created, can the minister tell us where he plans to get this product — BC maybe? Shipping wood up the highway to a territory that has a lot of trees doesn't seem very climate friendly. Again, this fuel-wood shortage is a result of Liberal inaction.

The Liberal record on biomass heating is poor as well. For example, the Teslin Tlingit Council has installed biomass throughout the community of Teslin and has even gone so far as to hook up the Teslin School, but the government continues to burn diesel fuel because they refuse to sign a heat purchase agreement with TTC.

Since the minister mentioned the law building, maybe we can remind him that there was a perfectly good biomass system in place in that building, but the Liberal government decided to replace it with propane. Given their track record, which new buildings do the Liberals claim are identified for biomass heating?

Now, let's go back to 2019. In the Fall Sitting, the Liberals touted that amendments were on the way to the *Assessment and Taxation Act* to allow for a municipal energy retrofit program; however, it wasn't until two years later that the Liberals scrambled to bring such changes forward. Unfortunately, they forgot to consult municipalities. It took letters from the Association of Yukon Communities, individual mayors, and even the former Mayor of Whitehorse, who ran as a Liberal candidate in the last election, to tell the Liberals that more work needed to be done on this program. Once again, it took until the program was on the verge of being defeated in this Legislature for the Liberals to finally listen and take action. Most rural Yukon communities indicate that their residents can't even take advantage of the program as created.

We certainly agree that more needs to be done to address climate change. Unfortunately, the Liberals' poor track record on climate change speaks for itself. It is yet another broken, hollow promise that they have only now decided to address.

Ms. Tredger: As we collectively work toward lowering our greenhouse gas emissions, building retrofits make sense. The more energy efficient a building, the fewer resources it takes to heat. This makes sense both financially and environmentally.

In Canada, and especially in the north, we have seen building codes change, not only to take into account the climate that we live in, but to take into account the effect these buildings have on the climate. Retrofitting older, inefficient government buildings is an obvious and basic step, and it is high time that it happened.

But as we look beyond the Yukon government's own buildings, it is obvious that there are still many barriers to energy retrofits. For example, the better building program, which is meant to help homeowners do energy retrofits, doesn't lend people enough money to complete a full retrofit on a home.

For example, my colleague has pointed out that, if she were to apply, with the current proposal, she could borrow \$25,000. The problem is that, when she did her own energy retrofits, it cost over \$50,000 to do the work needed, and that was back in 2013. If she was counting on the loans today, she would not be able to get that job done.

Will the minister be working with his colleagues to advocate that this program be expanded to fully meet the needs of Yukoners wishing to retrofit their homes?

There is also rental housing. All the current programs for retrofits target homeowners, but for landlords whose tenants pay the heating bill, there is not a lot of incentive to put money into making their homes more efficient. What is this government doing to encourage landlords to retrofit their rental properties?

What support is there for buildings that go above and beyond the building code? We have heard stories of people who have invested huge amounts of their own money into innovative solutions for making their homes more energy efficient and have faced hurdles and barriers at every step, from lack of financial support to being charged commercial prices for their personal electricity use.

For example, there is a condo in my riding that has installed an innovative electrical system using solar panels on their own building. Unfortunately, because it is a collective investment of the residence, they are being charged commercial rates rather than individual rates for electricity and are being hit with massive overage charges. They're being penalized for coming together as a group of passionate and concerned citizens who are thinking outside of the box rather than being supported for their innovation and personal investment.

So, although I think energy retrofits are a great place to start, it is extremely important for our future that the government begin to look at the big picture instead of just ticking off the boxes on a checklist. If we are to have a hope of making it out of this climate crisis, we need to start looking at how we live and making sweeping changes that encourage participation from folks in all walks of life.

Hon. Mr. Clarke: Thank you, Mr. Speaker, and thank you for the comments from the members opposite. Although there certainly are differences of opinion as to how to get there, I think there is common ground that Yukoners need to reduce greenhouse gases, whether it's through transportation or through the heating of both commercial and non-commercial buildings.

Our government is working hard to meet our commitments in *Our Clean Future* by helping Yukon buildings switch to more renewable energy sources. We are, in turn, reducing our emissions and building a greener, cleaner territory. Mr. Speaker, in addition to our work at the Whitehorse Correctional Centre, our government is also installing a new biomass heating system at Elijah Smith Elementary School which will significantly reduce the school's carbon footprint.

We are also taking steps to help Yukoners make energy retrofits to their homes and businesses through the new better building program. The better building program will provide up

to \$50,000 to Yukoners to make energy retrofits to their homes and up to \$100,000 to make retrofits to their businesses at the lowest lending rate in the country. This innovative program will help Yukoners reduce their emissions, save money, and add value to their homes.

It is not just one project or program that will help us reach our goals in *Our Clean Future*; it is truly through a combination of initiatives that we will effectively protect our territory's environment through a meaningful reduction in greenhouse gas emissions.

Just last week, Minister Jonathan Wilkinson was in Whitehorse to announce the investment of \$32 million to support the Atlin hydro expansion project. Over the next three years, our government will invest an additional \$50 million toward the project that will add 8.5 megawatts of dependable renewable electricity to the Yukon's main grid. This project is expected to generate 31 gigawatt hours of renewable electricity each winter when the demand is greatest and will eliminate the need for four rental diesel generators, thus reducing greenhouse gas emissions by approximately 27,000 tonnes per year.

Another exciting project underway in the Yukon that will help us meet our energy goals is the grid-scale energy storage project, which is scheduled to be operational in the spring of 2023. Once complete, Mr. Speaker, this will be the largest grid-connected battery in the north and one of the largest in Canada. Yukoners will know that this work is beginning at the top of the south access and the Alaska Highway. Over the 20-year lifespan of the project, the new battery is expected to reduce carbon emissions in the territory by more than 20,000 tonnes.

Mr. Speaker, we are tackling climate change in the territory from all angles. From helping Yukon residents reduce their personal emissions to modernizing the energy systems in the territory, our government is making smart investments that make sense for both the pocketbooks of Yukoners and the sustainability of our territory's environment for future generations.

I want to end by thanking all of the hard-working staff in all the government departments involved in helping us reach our goals in *Our Clean Future*, and I look forward to continuing work in fighting climate change and building a healthy territory for all Yukoners.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Universal paid sick leave

Mr. Hassard: So, earlier this year, the Making Work Safe Panel, which was a creation of the Liberal-NDP coalition agreement, recommended making paid sick leave mandatory for Yukon-based private employers. It was not lost on the business community that the panel was co-chaired by the very minister who it will now fall on to make a decision about whether or not to proceed.

Last week, the minister told the Legislature — and I'll quote: "... now the government has taken those recommendations, and we are breathing life into those recommendations..."

The minister also said that they are engaging with local businesses. So, can the minister confirm that they are actually consulting with the business community before making any decisions?

Hon. Mr. Mostyn: On the paid sick leave program, we agree, because we know that the Yukon Party also endorsed the CASA agreement, so we know that they're also in favour of paid sick leave in the territory, and that's good. It's good for Yukon workers and everything else.

The question is: How do we actually make good on the recommendations that came out of that panel's work? That's exactly what the civil service is doing right now. They're looking at options so we can then take them to the business community and consult with them. So, yes, we are consulting further with the business community on this issue.

Mr. Hassard: The fact is that it was the Minister of Community Services who co-chaired the panel that made these recommendations, so obviously he has supported them enough to sign off on the report. Now it's this very same minister who is leading the work on responding to his own recommendation; however, the minister has confirmed that he has been speaking to several Yukon businesses about these recommendations and what the government's response will be.

We have been told that the government has given strong indications that they will actually reject the recommendations to establish mandatory paid sick leave, so will the government stop dragging its feet and finally announce that they are not going ahead with the proposal that will add a new burden to small businesses here in the Yukon?

Hon. Mr. Mostyn: The Making Work Safe Panel has delivered its recommendations on the development of paid sick leave in the territory, and our government is now going to engage with local businesses and stakeholders who have raised concerns about the panel's recommendations.

Following the recommendations being released, we have heard from businesses and some of the concerns. We are in direct conversations with businesses right now, and we're going to work with them to alleviate their concerns.

If the member opposite actually read the panel's recommendations — and I don't think he has, because one of the pillars of those recommendations is implementing a paid sick leave program without harm to small business, to business, to Yukon businesses. That's actually one of the principles under which this whole thing has been drafted.

So, if we decide to implement paid sick leave — and we are looking at that, because we know that research has shown that paid sick leave can have an enormous benefit for workers and businesses when it's implemented properly. So, we're going to do the work to say what we can deliver to Yukoners. We're going to do that and then present what we find to Yukon businesses. One of the principles under which we're working is to do no harm to business in the implementation of this panel, and that was the panel's recommendation. I encourage the member opposite to familiarize himself with the report before asking questions.

Mr. Hassard: Earlier this year, the Yukon Chamber of Commerce made it clear what this proposal would mean for

small businesses, and they said — and I'll quote again: "... the imposition of a statutory obligation to offer 10 days of sick leave would create an additional immediate burden of a 3.8 per cent increase in payroll expense, reduced efficiency and increased administrative costs."

They went on to say again clearly that the Yukon Chamber of Commerce is opposed to any proposal that generates a significant increase in the cost of doing business for SMEs.

So, Mr. Speaker, will the minister do the right thing and reject the recommendation that he signed off on earlier this year?

Hon. Mr. Mostyn: We know that there is value in supporting Yukoners so that they can stay healthy and safe in the workplace. We know that employers have concerns about how a program would be introduced and managed in the Yukon. The engagement showed us that there is support for a paid sick leave program in the Yukon, but it left unanswered how the program would be funded.

Since the start of the pandemic, we have spent \$1.7 million on the COVID-19 paid sick leave rebate program. That program will persist until September — the fall — of this year. There are substantial costs to consider. This government is doing the responsible thing by assessing those costs and assessing how we can actually implement a paid sick leave program that would benefit Yukoners and Yukon businesses as well. One of the principles is: Do no harm. That is in the report. That is what this government is going to do. We are going to look at the options and come forward with a program, if we decide to go that route, that actually makes sense for Yukoners and Yukon businesses.

We have heard from the business community. They don't have a monopoly on that. We are talking to businesses all the time. We understand their concerns. We have actually grown the economy exponentially in the territory. We are going to continue to do that because we work and we communicate with Yukoners of all stripes, including businesses.

Question re: Public sector growth

Mr. Dixon: While there is certainly no doubt that the economy has grown over the past several years — a quick look at the GDP confirms this. But as much as the Liberals try to paper it over, the real driver of the Liberal economy has been the unsustainable growth of the public sector. Since 2017, the public service and public spending has ballooned. Rather than help to drive the economy, this unsustainable public sector growth is choking out the private sector. The growth of government has driven housing prices up, has fuelled inflation, and is deterring the growth of small businesses.

When will the Liberal government get this rampant government growth in check and the stop the unsustainable growth of the public service?

Hon. Mr. Silver: In our 2022-23 main estimates, we have 5,421 full-time equivalents reporting to the Government of Yukon to support programs and services for Yukoners. This is an increase of 95.7 FTEs, or 1.8-percent growth, from 2021-22.

We have heard from the business community as far as growing government, and we have made tremendous efforts in every one of our budgets to ensure that we limit the amount of growth to our FTEs. We want to make sure that we have, in every single department, the potential to make sure that our programs and services are being supported for Yukoners.

Making lives more affordable for Yukoners is extremely important. I would ask the members opposite: Which of these public servants would they have us cut?

Mr. Dixon: I thank the Premier for confirming the fact that the public sector has grown and the private sector has not. Earlier this year, the Yukon chamber sounded the alarm bell about this. They said that government-led policies, actions, and proposals were increasing the cost of doing business and that they felt the Liberal government was kicking them while they were down.

One of the key points that they raised was the Liberal government's hiring spree. They said — and I quote: "This growth in the public sector is seeing employees leaving the private and self-employed sectors to join the public sector in increasing numbers, which has resulted in increased costs for SMEs to recruit and retain employees in a market that is struggling to attract and retain employees."

The Liberals like to tout their record of growing the economy, but the reality is that all that they have grown is the government.

When will the government put the brakes on the unsustainable growth of government?

Hon. Mr. Silver: When the member opposite was a minister, we were in a recession. Mining companies were leaving. We are having an active resurgence of the economy because of our principles and because of the economy and the environment being taken seriously together, which the opposition absolutely did not do.

The member opposite talks about growth of government. Here is how we grew the government — 31.1 FTEs for mental wellness and substance use. Is that what he is talking about? He wants us to not hire those folks? How about the almost 11 of the 95.7 FTEs that I am talking about for response to COVID that are not full time? They are time-limited. Are those the FTEs that he is asking us about — of the 95 new FTEs — that he wants us to cut from this government? The remaining FTEs are a response to *Putting People First*, emergency medical services, and midwifery.

So, again, the member opposite can't have it both ways. We are either going to move forward on these important initiatives or we are going to cut government. Which way would the Yukon Party go?

Mr. Dixon: It is clear that the Liberals have been very proud of how much they have grown government and the government spending that they have enacted.

But the fact is that this record spending and the record growth of government is throwing fuel on the flames of inflation that Yukoners are experiencing. The growth of government has driven up housing prices. It has driven up construction costs. It is fuelling the very inflation that the Liberals continue to ignore.

Now we're hearing that it is choking out the private sector and hurting small- and medium-sized businesses. We are now in a period when we should be thinking about economic recovery, and that recovery needs to be driven by the private sector.

When will the Liberals stop growing government, start getting out of the way of the private sector, and stop the unsustainable hiring spree?

Hon. Mr. Pillai: Let's just set the record straight on a couple of points. First of all, we have seen our economy grow. We have seen the same number of businesses as pre-COVID. The number has actually grown with more businesses.

Yes, there were some times over the past couple of years where we had to hire people because the previous government spent tens and tens of millions of dollars on the Whistle Bend facility, as an example, but had no HR strategy. So, yes, you know what? You need nurses. You need support people in some of these infrastructure projects and in some cases as well with education.

But I can tell you this: We have seen blistering growth. If the member wants to get up again and give us some examples of how he can prove to us that our GDP has not been driven by that 50 percent from the mining sector, not from the tourism sector, and not from innovation, I would like to hear it, because again, they have proven to be unreliable, and we have heard it again today.

Question re: Essential services staffing

Ms. Tredger: From education to health care, Yukoners are missing the services that we desperately need. There simply aren't enough critical workers. Thousands of Yukoners have no primary care provider. Schools are closing every other week, because there aren't enough teachers to keep up. Essential workers are burning out, and there is no backup. Staff shortages seem to be the legacy of this government because, so far, their solutions just aren't working.

The minister is stuck on repeat saying that shortages are happening everywhere in Canada, but it is this government's job to do something about it. Can this government tell us what the plans are to fill these vacancies, or are they planning to let Yukoners keep waiting for the services they need?

Hon. Mr. Streicker: I would like to begin by thanking the incredibly dedicated work of the public service this year and over the past couple of years. It is fascinating for me to hear, first, the Yukon Party stand and say that government is too big and then hear the NDP stand and say that government is not hiring enough folk.

We are working during a time when there is a labour shortage across Canada and across the world, and we are working very hard through the Public Service Commission to recruit, to retain, and to make the Yukon an attractive workplace. We know that the Yukon has been seeing growth, but we also know that there is pressure across all labour markets. I would be happy to talk more about the ways in which we are supporting our public service, but I would just like to say thank you to them for the incredible work that they have been doing.

Ms. Tredger: It seems like the minister is saying that nothing else can be done. We disagree. Here's just one idea: There may be a shortage of workers, but there is no shortage of Yukoners who want to study for these professions.

Let's look at medical schools. Across the country, there are Yukoners in medical schools who are working day in and day out to become doctors, but unless they got one of the coveted spots reserved for Yukon students, these students are left on their own and so they have no obligation to come back.

For Yukoners studying to become nurse practitioners, there are no funded spots in schools. They can try accessing the small scholarships in place, but these hardly cover rent. Again, none of that funding is an obligation to come back home.

Will the minister work to provide incentives for more Yukon medical and nursing students to come back home once they have graduated?

Hon. Ms. McPhee: I'm wondering if the member opposite is aware of the work being done by our government with the federal government to encourage health care professionals. A federal program was announced during the federal budget last week. Doctors and nurses are both eligible for funds should they choose to become professionals who choose to work in rural areas of Canada. There is \$60,000 available to each medical student and \$30,000 available to each nurse.

Our government is reaching out to the federal government and working closely to ensure that the medical professionals who come to work in the Yukon Territory after graduation can avail themselves of that funding. I look forward to working with them further and to further exploring these options.

Ms. Tredger: It's not just doctors and nurse practitioners; these shortages are being felt across every level of our most important services.

In universities across Canada, there are hundreds of Yukoners studying to become social workers, teachers, midwives, clinical counsellors, and more. Again, graduating Yukon students could address the working shortage if coming back was easier.

While the Yukon grant covers some costs, there is no support after that money runs out. If any of these students want to go on to post-grad, they're out of luck. With the rise in the cost of living in the territory not to mention the housing crisis, coming home can sometimes feel impossible.

The minister has talked about how funding is not an issue when it comes to dealing with staffing shortages. Let's use that money to support Yukon students.

Will the minister incentivize Yukon students to come home by fully covering their tuition with the requirement of practising in the territory after graduation?

Hon. Ms. McPhee: I'm happy to rise to speak about this really important issue. It folds into the Yukon's economy. It folds into the budget that we are currently debating.

I can indicate that, this year, \$255,000 from this budget will support health and social services training in Yukon communities. An additional \$250,000 is included to support careers in health and social services, including adding an additional cohort to the licensed practical nursing program at

our very own Yukon University. This program provides opportunities for up to 18 new students each year to pursue health care careers, and we have jobs waiting for each and every one of them upon graduation. \$397,000 in this budget will allow us to hire additional nurse practitioners and a chief nursing officer to enhance community nursing in the territory. By investing in the territory's health care system, our government is increasing access to medical services while reducing the wait times and the need for out-of-territory medical travel. A total of \$88 million will support the Yukon Hospital Corporation to continue to provide Yukoners the important services that they need.

We are not blind to the concept of shortages of health care professionals and other professionals across government. We are working extremely hard to provide these services for Yukoners and benefits for Yukon workers.

Question re: Whistle Bend pond maintenance

Ms. Clarke: The Whistle Bend pond was designed by the Government of Yukon as a key part of the storm water infrastructure for the new neighbourhood. Its operation and maintenance were later transferred to the City of Whitehorse. However, in 2019, media reported how algae growth overwhelmed the pond. The Yukon government produced an operational plan with the city to use as a long-term solution to address excessive algae growth and pond performance. However, last summer showed that this plan is not working. The pond was again overwhelmed by algae, and the city had to commit additional resources to remove it.

Given that the pond was created by the Yukon government, what additional support, if any, can the minister provide to the city to maintain the Whistle Bend pond?

Hon. Mr. Mostyn: We work with the city all the time on this issue and on many others, and I will continue to work with the city council, the mayor, and city administration through Community Services. I meet with the mayor every couple of weeks to discuss areas of mutual concern. I have not yet had this issue brought to my table by the Mayor of Whitehorse, but if it is brought to my table, I will certainly work with the city administration and come up with another stab at trying to fix the algae problem in Whistle Bend.

I know that this is in the member opposite's constituency, I know that it's a big issue for her, and I look forward to further questions on the algae in Whistle Bend.

Question re: Flood preparedness

Mr. Cathers: Mr. Speaker, with the high snow levels, many Yukoners who own property affected by flooding last year are thinking about what needs to be done this year. Many want to get to work on their properties to prepare for the possibility of another flood this summer. For some, that means reconstructing slopes with stone or rip-rap, building up breakwaters, or constructing concrete or rock walls. But what many are being told is that they need to get permits from government before doing any of this work. In many cases, this means they need to go through YESAB, which some have been told could take months.

What is the government doing to ensure bureaucratic red tape is not getting in the way of Yukoners trying to protect their property from the potential of flood damage this summer?

Hon. Mr. Streicker: So, the lead on the flood response is the Emergency Measures Organization, which is part of Community Services. It's also working closely with the Water Resources branch from the Department of Environment, and the lands branch from Energy, Mines and Resources is working with residents. So, there are a few ways in which we're working to try to expedite permitting. The first one is that we put a call out to contractors to get them pre-approved, and there was a YESAB application that we were able to use from — I believe it was — 2016, which had already done the environmental assessment along many of the waterfronts. So, those are in place.

We then talked at a couple of community flood meetings to discuss with residents what they could do with the department — with the lands branch. We got a licence of occupation, which is normally required — we got that waived — the branch did. I thank them for that work, and they did that in consultation with First Nations. They're working with all other applicants. If they can work off of their property, they're able to do the work, but if they have to work — I have to give more response afterward, Mr. Speaker, but there are several ways in which the branch is working to try to facilitate and support residents.

Mr. Cathers: Mr. Speaker, Yukoners who have been reaching out to government about this have been told that the government identified two specific contractors who are able to do this kind of work and do not need to go through YESAB — but that is only in certain areas, not everywhere. This also means property owners who have the ability to do the work themselves are not allowed to and instead will face a several-month wait time to go through assessment and permitting. This doesn't make sense to Yukoners who are looking to take action to protect their property at their own cost and through their own initiative.

Will the government consider undertaking a blanket YESAB assessment to allow Yukon property owners to undertake reasonable flood mitigation measures on and around their properties this summer?

Hon. Mr. Streicker: So, the question that was just posed to me was virtually the answer I just gave. The work that is being done was to try to facilitate for residents to be able to do the work as quickly as possible, while also being environmentally responsible.

There is longer term work that is going on. I know Yukon Housing Corporation is doing work around repairs to homes. I know that the Emergency Measures office is doing work to look at various flood mitigation options through engineering plans that have been underway over the fall and up to now. That work — once there has been conversation with communities about which options they prefer, we will then go back and look to see how we can help facilitate the YESAB work.

But we are working now to help homeowners work as quickly as they can. There are still requirements.

I just encourage everybody, if they have not been at those several flood meetings that have happened, to reach out to the lands branch. We have folks there who are navigating residents through that process to advise them of the best approach right now.

Question re: Teacher remuneration

Mr. Kent: So, I have a question for the Minister of Education about an issue of back pay owed to educators throughout the territory. This issue dates back almost three years and occurred when permanent school-based employees were moved to the same bi-weekly, year-round pay system as other Yukon government employees. We have heard that, in most cases, individual educators are still owed thousands of dollars due to errors in calculations when this move was made.

Can the minister tell us when the government will pay our educators what they are owed?

Hon. Ms. McLean: Thank you for the question. I will start by saying that — thanking all of our educators. Some of them are in the House today. I certainly hold up all the work that they have done, especially through really trying times over the last couple of years dealing with COVID-19.

In terms of the specific question that the member is asking, I will bring that back in a legislative return.

Mr. Kent: So, as the minister mentioned, Yukon educators have been on the front line of the pandemic for two years now. They have had to adapt to changing circumstances and have done so admirably, yet the government continues to deny them money that is clearly owed to them since the pay system was changed over three years ago.

So, when can our educators expect to get the money that is owed to them by the government?

Hon. Ms. McLean: Again, I agree with some of the preamble of the question in terms of the importance of our educators. I have said that we certainly hold up the work that they have done. We have just completed a new collective agreement and there are increased benefits and pay for our teachers.

I will bring back information to the Legislature on the specifics that the member is asking about, but I really want to emphasize that we absolutely hold our educators up and the work that they have done. They have been on the front line during probably one of the most difficult times. We have maintained in-person learning. We have worked hard to keep children at the centre of our focus and continue to do so each and every day. For that, I think that every single Yukoner is grateful for the work that our educators have done, and I, as a minister, every single chance I get, I say that to our educators.

Mr. Kent: So, during the election campaign last year, this came up at several doors in all of our ridings, and I am sure that the Liberals heard about it, too — evidently not, perhaps not the Minister of Education. There was optimism after the election that this would be dealt with swiftly by whichever party formed government, but here we are, over a year after the election and three years since this first became an issue, with no end in sight.

We have heard from educators across the territory that they are owed thousands of dollars. We have also heard that the government has money budgeted to pay them out, but they are insisting on dragging educators through an extended process that has taken years, instead of just paying them what they're owed.

So, since the Minister of Education is unfamiliar with this, perhaps I will try the Minister responsible for the Public Service Commission. When will the government stop dragging their feet and simply pay Yukon educators what they are owed?

Hon. Mr. Streicker: I know that there was a grievance from December 2019 that was heard by the Public Service Commissioner, and in January of last year, 2020, there was a decision that was given in favour of the government stating that the change in transition to recurring bi-weekly pays did not result in permanent employees being shorted and that the government did not fail to comply with consultation.

I know that the Yukon Association of Education Professionals has referred the grievance to the Yukon Teachers Labour Relations Board for adjudication. I understand that this matter was heard a few weeks ago. I will come back to this Legislature with that response. The Minister of Education also offered to do the same thing.

I think that the information coming from the members opposite is not accurate. I am happy to get the response once I have heard it from the adjudicator.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 304: *Act to Amend the Education Act* — Third Reading

Clerk: Third reading, Bill No. 304, standing in the name of Ms. Tredger.

Ms. Tredger: I move that Bill No. 304, entitled *Act to Amend the Education Act*, be now read a third time and do pass.

Speaker: It has been moved by the Member for Whitehorse Centre that Bill No. 304, entitled *Act to Amend the Education Act*, be now read a third time and do pass.

Ms. Tredger: I think that it speaks to how excited I am to get to this bill that I forgot to read my script and jumped right into what I want to say about this bill.

I want to start by acknowledging the students we have with us today in the gallery, because this is happening because of them. We are debating this today because of them. The first time we debated this bill, I asked everyone in this Legislature to keep the students at the centre of this conversation and at the centre of the debate we had. I don't need to remind people of that today, because there is no way they are going to let us forget. They have so much power in their voices. They are here, they are vocal, and they make me so excited for the future, so I want to start by thanking them so much for being here.

This bill started with conversation. It started with a conversation with students. When I talked to students from the LGBTQ2S+ community, they talked about how much they needed support. That support meant a lot of things to them. For some of them, it was a desire for community and connection. For some of them, it was desperation about their mental health and how they were going to cope.

It's tough. It's tough being a teenager. It's tough being a child, and it's especially tough being part of the LGBTQ2S+ community at the same time. There's the challenge of accessing mental health care and medical care that's safe. That's a reality. You can't count on going to a medical health professional and knowing that you are going to be safe there when you are part of the LGBTQ2S+ community.

I could tell you stories about myself sitting through appointments and trying to decide: Do I challenge what has just been said, because it was not okay? Or do I keep my mouth shut and try to get this appointment so I can get the health care I need?

Some of the students have support in their homes; some of them don't. Some of them struggle at school. Some of them face bullying from their peers. Some of them may not even have support from their teachers. I know we all want to think that schools are safe places, but students are telling us that's not a guarantee for them. There is also the global context to consider. We are seeing the rights of the LGBTQ2S+ community around the world being eroded, systematically and steadily.

In Texas, a law was passed that makes providing gender-affirming medical treatments to trans-gender youth child abuse. It is stipulated that doctors, nurses, and teachers are legally required to report parents who help their children access that kind of care. Florida passed laws saying that no classroom instruction can involve sexual orientation or gender orientation in kindergarten through grade 3 or in a manner that is not age appropriate or developmentally appropriate for students in accordance with state standards. That means that not only can teachers not teach about these subjects, they can't support with these subjects.

We are seeing trans athletes across the world being banned from participating in sports, even at the student level — even at the school level. We saw a referendum in Hungary about education and the LGBTQ2S+ community with frankly offensive questions designed to stoke fear and hatred.

The rights of our students are under attack across the world. It is up to us to stand up and protect them.

When I was having these conversations with students, I asked: What would help? What would make things a bit easier? They said they needed support at school. They talked to me about the Rainbow Room at Porter Creek. They told me that their school has gotten safer. It's more friendly; it's more welcoming. It's warmer, because the Rainbow Room exists.

What they are saying is backed up by mountains of evidence. There are studies showing that students who participate in GSAs report a greater sense of belonging in their schools, higher self-esteem, and lower rates of depression.

So, how would a GSA actually help these students? What would it do? It can be a lot of things. It might be a safe place

for them to go — a place where they know that they aren't going to get bullied and they can just be themselves and not worry about the school for a little while. It is a place where they can receive validation and support, as they figure out who they are and how they want to be in the world. It can be a place to connect with peers. It can be a place to connect with teachers and access the support they need. They might be able to tell stories there that they can't tell anywhere else, and teachers might see that and give them the help they need. GSAs can be advocates for their peers, and in fact, the research shows that when GSAs do that, that helps the whole school to become safer.

I want to tell one story about a GSA. I have told it before, but I think that it bears repeating, and that is my story, going to school without one. So, I wasn't out when I was in high school, but I knew that there were classrooms that were safe places, and I knew that there were classrooms that were not. I was very lucky that I had teachers who created safe spaces in their classrooms, and I loved that. I couldn't have told you why I loved being in their classes, why I came over at lunch time, stayed late, and came early, but I knew that I felt safe to be myself, safe to express my thoughts, and safe to learn.

But, of course, that wasn't all of my teachers. I remember a particular class in particular where a student was told that he better change what he wore when he came to class, because he was making the teacher uncomfortable. I remember all the students knowing that if they wanted that teacher's approval, all they had to do was bring in the latest gay joke they had heard and then share it and the teacher would pass it on to the class.

I wish I could say that, at the time, I had done something about it, that I had done something to stop that being such a homophobic and transphobic environment, but it is pretty hard when you're a student. It is pretty hard when you are just one person. When you don't have explicit support from the school and from your peers, how do you push back? So, for me, I just stopped going to class. I wasn't someone who missed a lot of class. It was unusual for me, but when I went, I sat very quietly at the back. I made sure that no one ever paid attention to me, and mostly, I just didn't go.

Now, would that have been different if I had a GSA? Maybe. Maybe I would have told my friends what was happening, and maybe we would have found strength in numbers to challenge what was going on. Maybe a teacher would have heard me tell that story and could have taken action to make sure that the class wasn't like that.

I was lucky that I did have classes where I felt safe, but a GSA would have guaranteed that I had a safe space, even if there weren't supportive teachers around. I say "lucky" to have that safe space, but it shouldn't be dependent on luck — whether students feel safe in their schools. I felt lucky, but it really should just be a given that students feel safe in their schools. It should be a basic expectation that no matter what school a student goes to, they feel safe in their classes.

We risk a lot when students don't have safe spaces. We risk losing them from their classes; we risk losing them from our schools; we risk losing them altogether.

Unfortunately, there are many Yukon schools that don't have spaces like that. That's where this bill comes in — making sure that no matter which teachers are in a school, no matter which administration is in power, no matter which students are in a school, there is a safe space for them.

In developing this bill, we talked to a lot of people. We talked to students who told us how important it was. We talked to parents who wanted to make sure their kids could access spaces like this, even before they came out or before they officially made that request. We talked to teachers who were trying to make these things happen but without resources or support.

I want to really thank everyone who took the time to talk to me. In particular, I would like to thank the organizations that took time to write letters supporting this bill — in particular, Queer Yukon, All Genders Yukon Society, and the Yukon Association of Education Professionals. It's not an easy thing to take a stand publicly, and I really appreciate that they have done that.

This is going to change things, if it passes. Right now, students are supposed to be allowed to have access to GSAs but only if they ask for them. That's a huge barrier. I would never — never in high school — have been the one to stand up and say, "I would like a GSA for me, please."

In fact, even later on when I was in university, when there was a club and I started making excuses to end up in that area of the university and I just kind of casually walked by when they were meeting — I wasn't going in; I just wanted to check it out and sort of see. Gradually, over time, I was able to work up the courage to walk through those doors and find an incredible group of people.

The same thing is true in school. There are many students who would like to find these supports, but these supports need to exist for students to access them.

This bill was also designed — we discussed this in Committee of the Whole and second reading, but this bill was also designed to have a lot of flexibility in it, because we know that there are a lot of kinds of schools in the Yukon — there are big schools, there are small schools, there are rural schools, and there are urban schools. A GSA is the right solution for some of those schools, but probably not all of them. So, this bill allows for activities.

I am so excited to see what schools come up with, because I think there will be as many ideas as there are students and teachers, and I think they're going to be wonderful.

I also want to talk about the implementation of this bill, because Queer Yukon, in particular, raised questions about this in their support letter. How do we make sure that the intent of this bill, which is to have safe spaces, becomes a reality? How do we make sure that it's not just a box that gets checked with no real action on the ground? How do we make sure that educators responsible for these spaces have the skills, whether that's lived experience or training, to make these school spaces actually safe and welcoming for everyone?

This is, I guess, where I throw the gauntlet over to the government, if this passes. To breathe life into this bill is going to take work, and I am so excited for that to happen. I would be

happy to help at any stage of the process. I really hope that the work is done to make sure that teachers do have the support to make these spaces a reality and that students do have the support to ask for the spaces they need.

I want to talk a little bit about some of the reactions I have heard to this bill being introduced, because I have heard a lot of them. I have never gotten as much feedback about anything, I don't think, as I have about this bill. I've heard from parents who are so excited that their kids will have these safe spaces in schools. I've heard from teachers who are fighting to try to make this happen but struggling with a lack of resources, struggling with moving from school to school without ever being able to create something permanent for students.

I've heard from adults who had GSAs, and they told me their GSAs changed their lives. I heard from adults who didn't have GSAs and how much different their experiences could have been had they had that support. My favourite story was from a friend who was leading an activity with a group of 11-year-olds and telling them about this bill. One of the 11-year-olds said, "This could happen at my school?" — and burst into tears.

So, as I wind up today, I have a number of thank-yous, because nothing gets to this stage without the work of an incredible number of people. I would like to start by thanking my colleagues in the other parties for their support getting here. In particular, I want to thank the Official Opposition, which allowed us to put this right after Question Period today so it could be debated — and both sides for their thoughtful questions and their help getting us to this stage.

I want to thank the organizations that wrote letters of support. Again, it's not an easy thing to take a public stand for your organization, and I appreciated that they've done that — to everyone who has taken the time to tell stories, to risk to be vulnerable, and talk about the changes that are needed, to everyone in the community who has just given this outpouring of support. I want to thank the Education staff all over the Yukon who have already been doing this work, for the administrators and teachers who are making this happen, for the teachers who are making this happen despite their administrators — you have made the world safer for a lot of kids, and I appreciate that.

Most of all, I want to thank the students. I want them to know they are so powerful. They're creating the world they deserve, and it starts with school, but it's going to be so much more than that. Because of them, the world is becoming a safer, warmer, more welcoming place, and it's not going to stop with the schools. It's not going to end there.

Thank you. Thank you so much to the students.

Hon. Ms. McLean: I too would like to welcome the students here today from the GSAs. I recognize all of you and the teachers who have come today to be here for this third reading. I am pleased to rise today to this private member's bill, Bill No. 304, brought forward by the NDP Member for Whitehorse Centre.

As Minister of Education, my focus is on ensuring the safety and well-being of all children in our care. Our

government has done a tremendous amount of work to make Yukon laws more inclusive and to make the territory a safe and supportive home of LGBTQ2S+ communities.

Students in the LGBTQ2S+ community are a marginalized group in schools. I recognize that and see the need to continue making changes that will continue to improve the lives of students. All youth and staff deserve a safe and supportive school. I take this very seriously. I am absolutely committed to putting policies and programs in place so that students and staff feel safe, welcome, and included. This is valuable work and means a lot to the students in our schools.

I was very happy to meet with the GSAs and students from other schools on April 13 where we discussed, at length, the bill before us today and the challenges that these students have and continue to face. I spoke to the youth and adults in attendance about the normal steps taken to create an amendment in contrast to the bill that we have before us today.

During this conversation, we spoke about the importance of consulting with all partners and stakeholders when considering changes to our Yukon laws. We talked about, as legislators, the responsibility of hearing all opinions, regardless of what they are, and taking the time to consider them.

From the information gathered in Committee of the Whole, we know that there has not been a very broad engagement on this bill. The member opposite has said that youth need this support now, and I don't disagree. I do have concerns though.

I have concerns that, in their haste to make a statement, it is possible that the bill could be on a course to further divide our community. Now, had we worked through this concept — a concept that we do not disagree with, and I really want to add that and emphasize that. Had we actually had the opportunity to work through this concept thoroughly, I believe that this division could be avoided and should be avoided.

I was somewhat taken aback by the Member for Whitehorse Centre's comments when this was last debated. I really have to say this because I think that it is important. I am referring to her refusal to discuss this with the Yukon Catholic Education Association. I appreciate that a conversation about GSAs, or supported activities in schools, could be a difficult conversation, but let's be honest here. Difficult conversations are part of our job. You can't simply change laws to avoid difficult conversations. If we start refusing to speak to people who don't agree with us, where does that end, and what does that say about our democratic system? I have had many conversations with people who don't agree with me at all. I do it because I was elected to represent the people of Yukon, not only the Yukoners who like me, act like me, or pray like me. No — I stand here as a voice for all Yukoners. I take my role and my responsibility to represent all Yukoners very seriously.

Building long-standing, trusting, and respectful relationships with all partners and organizations is paramount in all that I do. This is why consultation and engagement are so important. If not for the good work that our government did during the engagement process with Yukoners for the LGBTQ2S+ action plan over the last several years, I would not be confident moving forward with this bill. To help ensure that government is meeting the needs and priorities of Yukoners, I

think that it is essential to speak about this in third reading due to the areas of debate that have occurred regarding the perceived lack of consultation. It is important that we put this on record. We initiated a territory-wide public engagement process in the fall of 2018 to identify ways to strengthen our legislation, policies, programs, services, and practices to ensure that our Yukon Territory is working toward inclusivity.

We hired Qmunity, a Vancouver non-profit focused on improving the lives of LGBTQ2S+ individuals, to facilitate the engagement. Qmunity initiated a pre-engagement process. They met with LGBTQ2S+ community members and equality-seeking organizations to determine the appropriate method, scope, duration, and design of the public engagement.

In January 2019, Qmunity hosted 12 focus groups, which I named in second reading of this bill. We also hosted three large community dialogues. The themes of these dialogues were: health, mental health, and wellness; safety, justice, and employment; and LGBTQ2S+ culture and community building. We published a “what we heard” document in 2019. Some of the feedback we heard was for: education and training in LGBTQ2S+ culture and competency across departments and sectors; a culture shift toward more acceptance that would require systemic and institutional leadership from Government of Yukon and associated professionals; person-centred services in rural and remote communities outside of Whitehorse, including mobile and active outreach to communities; gender-neutral washrooms; and low-barrier access to facilities like schools, hospitals, and other government buildings. Additionally, specific feedback was received regarding health care, education, employment, business, and LGBTQ2S+ culture and community.

We found through the engagement that stakeholders were generally supportive of taking steps to positively impact diversity and inclusion. Stakeholders also expressed a strong desire for clear, timely, and coordinated action on the priorities of LGBTQ2S+ Yukoners and organizations. We initiated a second phase of this engagement with the purpose of prioritizing what we heard during and after the engagement.

From the LGBTQ2S+ prioritization survey, we heard that — and this is directly related to this bill today, Bill No. 304 — 74 percent of respondents said that it was extremely or very important to ensure that sexual orientation and gender identity policies are implemented and that gender sexuality alliances, GSAs, or similar clubs are supported by school leadership and educators; 77 percent said that it is extremely or very important to provide education and training for teachers and school administrators in LGBTQ2S+ cultural competency; 81 percent of respondents said that improving anti-bullying initiatives in Yukon schools, especially for LGBTQ2S+ youth, is extremely or very important; and 70 percent said that providing extracurricular programming that is more inclusive of queer relationships and diverse gender identities is extremely or very important.

There are three documents on yukon.ca that go into detail on what we heard, with one of them being the report from community itself. In addition, you can find the final action plan there.

This was the first time that extensive consultation has been done in the Yukon on the needs and, in my opinion, it supports the amendments contemplated today in Bill No. 304. All of our work resulted in the first inclusion action plan in Yukon history. I was so proud to release this on behalf of Government of Yukon and with our partners in July 2021. It includes over 100 actions under eight themes, including: health care; education and youth; community and culture; and inclusive governance.

Regarding education and youth specifically, the plan identifies four areas of focus. I'll speak about them just briefly: implementing the sexual orientation and gender identity policies and encouraging schools to support gender and sexual alliances or similar clubs.

I want to just emphasize the fact that we do have a SOGI policy in place. I have made that commitment to review that and to work with our LGBTQ2S+ community, including our GSAs. A hard part for me with the bill is — “Nothing about us without us” is a principle that we adopted and what we were told and understood when we started this work. So, not having that direct conversation with folks has been difficult for me — to have this amendment before us. I will talk a little bit more about that as we go forward here today.

Providing education and training for teachers and school administrators in LGBTQ2S+ cultural competency, improving anti-bullying initiatives in schools, encouraging extracurricular programming that is more inclusive of queer relationships and diverse gender identities — I am very proud of — and I spoke extensively, I think, in the second reading about this — the accomplishments that we have made, as a government, from legislation to health policy and to new funding, including funding for the first Pride Centre in Yukon history.

So now — because overall we are supportive of moving forward — let me tell you what work will be required to make sure that we can take the next steps in this journey together — not to have a divided territory. It will involve reassigning people working within the Department of Education to focus on the implementation of this legislative change. Those people are currently working on implementing an inclusive and special education policy. That is intended to reach many of the same goals as this change. These staff will now need to refocus so their work can integrate implementation of this new amendment. There will be meetings with members of the community — those who support this and those who do not. We will speak with educators, school staff, community leaders, school councils, and many others. We will, as a government and in partnership with the school communities, determine how this will be implemented. This is work that I will do with the Department of Education because it is what is appropriate. Our Liberal team will take this concept and make it work for students while also working to bring community along with us on this journey.

Our territory does not need division. We know that we are strongest when we work together. Given the deficiencies in the approach to the engagement and the consultation when this bill was introduced by the NDP Member for Whitehorse Centre, I feel confident that our government can make up the difference through implementation. The strong relationships that we have

built over the last few years will enable us to work collaboratively with Yukoners to ensure that this policy is implemented fairly, respectfully, and inclusively. I support this bill and look forward to continuing the work of our government that we are doing to ensure that our schools are safe, caring, and inclusive.

Again, thank you to the members of the school community who are here today. For all of those who have participated in the debate of this bill, I appreciate the discussions that we've had.

Mr. Dixon: I'm pleased to rise today to speak to Bill No. 304 at third reading. Over the course of second reading in Committee of the Whole, I have raised a number of questions and concerns about this bill. At second reading, I noted a few important things. First of all, I went through and explored the content of the bill. From my perspective, the intent of the bill, as expressed by the sponsor, is to ensure that all students feel safe at school and, in particular, that students who are LGBTQ2S+ feel safe and welcomed in their school. That is certainly something that I can support.

The bill itself changes the explicit role of principals under the *Education Act* to ensure that spaces and activities that make LGBTQ2S+ students feel safe are made available. It does not explicitly outline what those activities must be, but leaves this open to the discretion of the government through implementation. In absence of direction from government, it leaves it open to the discretion of the principals themselves.

I should also note that the bill has changed over the past several weeks. First, we saw the Member for Whitehorse Centre table Bill No. 303 and then Bill No. 304. We then saw an amendment to Bill No. 304, and then finally a clause was negated in Committee of the Whole, which essentially removed it. While it's still not perfect, I do think that the legislative process improved this bill from what we saw first tabled a few weeks ago.

The amendment from the minister responsible for the Public Service Commission was somewhat reassuring to me, because my initial concern related the potential implications that this bill could have from a collective agreement perspective. The minister, at that time, indicated that the amendment would address this, so I think that allays one of my concerns.

Finally, in second reading, I also pointed out that, at the briefing with the NDP, the coming-into-force clause was a bit unusual because it contemplated an order-in-council which, at the time, I was led to believe was not forthcoming. So, negating that clause also improved the bill, in my view.

The next point that I wanted to touch on was the importance of the ability of private members to introduce bills that propose to change existing legislation. This is something that is important to me. It's also, I think, a very important aspect of our role as legislators. I think that it is something we will see more of, especially in the context of a minority legislature as we find ourselves in currently.

Finally, an extremely important point is the real need for public consultation on laws and regulations. There are times

when changes can be made to legislation that are of a certain nature where broad and public consultation is not needed.

I do not believe that this amendment to the *Education Act* is one of those times. The Member for Whitehorse Centre has been clear that there was no formal consultation on this bill, and in fact the member implied that some groups were not consulted because the member would not like what they had to say. I don't think that this is good practice. I believe that, as legislators, it is incumbent on us to hear from Yukoners regardless of whether or not we agree with them.

In the case of this bill, we have also heard directly from groups like the Association of Yukon School Councils, Boards and Committees that not only were not consulted, but they specifically asked to be consulted and were not. I think that it is unfortunate that those groups were not consulted and that it was a misstep. I think that this bill could have benefited from input from the school community. Yes, I acknowledge that some of the feedback may have not been exactly what the member wanted to hear, but that doesn't mean that it should be ignored. Nonetheless, it is clear that consultation should have occurred and did not. So, recognizing this, I proposed what I thought was a reasonable course of action at second reading, which was to send the bill to committee so that MLAs could seek the views of Yukoners about this. I thought then, and still think, that it was a good idea and not something that should have been so quickly dismissed by the Liberal caucus and the NDP caucus.

All-party committees offer an excellent tool to bridge the gap between the important role of MLAs to propose legislative changes and the need for consultation on those changes. It is not something that we have proposed just for this bill. In fact, earlier this Sitting, it is even something that we proposed for a private member's bill from our own caucus. Unfortunately, the Liberals and NDP did not agree with this proposal and voted against sending Bill No. 304 to a standing committee to allow for that consultation to be done.

So, to conclude, we are faced with a bill that will change the legislative role of principals. There was inadequate consultation done with the principals themselves, with the union that represents them, and with school councils or boards which are established in the very legislation that this bill seeks to amend. Not only was there no consultation done, but the sponsor of the bill explicitly stated that they were not interested in consulting Yukoners with whom they may not agree.

I don't believe that this is the way that legislation should be amended. However, ultimately, my view is that this bill is ensuring that there are safe spaces in our schools for LGBTQ2S+ students. Whatever flaws there were in the process, that seems to be the driving intent of this bill and I support that intention. So, I will support this bill and will vote in favour of it at third reading. I do hope that the government takes the requirement for consultation seriously and seeks input from the school community about how to implement this change.

I know that the minister, in her third reading speech, outlined a number of steps that the government will take, and I

hope that consultation with the school community on the implementation is something that they consider as well.

I do want to thank the Member for Whitehorse Centre for bringing this forward and offer my commendation for addressing an issue of importance to all Yukoners and to our community. While it's unusual that private members' bills successfully pass through the Legislature, I do hope that this is a trend that changes as well.

So, in conclusion, Mr. Speaker, notwithstanding the flaws with the process for developing this bill and the inadequate consultation, I will be supporting the bill and voting in favour at third reading.

Hon. Ms. McPhee: Thank you for the opportunity to speak to this bill at third reading. I want to thank the students and the principal and teacher who are here today — who have joined us for witnessing this important debate and the important opportunity that it affords us all.

I will take the opportunity to review briefly our government's commitment and dedication to equity and inclusion. I think it's evident from the moment we arrived in government — and I think it's important, particularly with the young audience here today and with Yukoners who are listening — to review just a few of the steps that our government has taken.

My colleague noted, of course, the importance of creating the LGBTQ2S+ action plan in July 2021. Of course, it was based on engagement with Yukon's LGBTQ2S+ community and focuses on improving inclusivity as an employer, as a government, and as a service provider. Here in the Yukon, we are challenging the erosion of the rights that are mentioned by the member opposite in her third reading address — the erosion of those rights around the world — and we are doing that every day and that work will continue.

We have taken a number of steps in improving the health experiences of LGBTQ2S+ Yukoners and we have improved timely access to supportive mental health and wellness services for LGBTQ2S+ Yukon citizens.

We have worked to develop policies that promote equity and create more inclusion. We have worked to develop programming and services, and it is important to our government to have done that and to continue to do that.

Recently, we introduced a number of changes to the Yukon health care insurance plan, which not everyone may be aware of, to expand gender-affirming care coverage for Yukoners. With these changes, Yukon has become a national leader in providing supports to transgender and gender-diverse individuals. While gender-affirming surgeries were already covered under the Yukon health care insurance plan, these changes broaden the scope of coverage, based on the feedback of transgender health care experts and gender-diverse Yukoners. These changes have expanded the coverage to include a more comprehensive list of surgeries and procedures that support gender-affirming care and enhance access to hormone therapy.

Yukoners have medical care coverage for surgeries and procedures that include: laser or electrolysis; facial

feminization surgery; voice therapy; voice surgery; and enhanced access to hormone therapy. We have committed to conducting a review of any policy change within 60 days of any updates to the World Professional Association for Transgender Health Standards of Care to ensure that Yukon stays aligned with these standards. Within 60 days, we will review any of those changes.

Back in 2017, changes were made by our government to the *Vital Statistics Act* removing the requirement for sex-reassignment surgery prior to an individual changing their sex on their Yukon birth registry. Birth certificates now have an option to include a gender-neutral marker. Those were two incredibly important changes for the community.

In 2019, Yukon was the second Canadian jurisdiction to offer World Professional Association for Transgender Health training to health care providers and the first to offer it at no cost to attendees. This training has provided health and social care providers with resources to deliver compassionate and culturally sensitive care.

These new policies are aligned with the World Professional Association for Transgender Health's standards and were reviewed by health care professionals specializing in the health and wellness of gender-diverse populations. They were reviewed by the president of the Canadian Professional Association for Transgender Health and the former president of the World Professional Association for Transgender Health.

In addition to our regular funding, Health and Social Services has provided funding to All Genders Yukon to increase mental health supports for the LGBTQ2S+ community during the pandemic and beyond. Our government will continue to innovate and to adapt to ensure that the needs of Yukoners who identify as LGBTQ2S+ are being met.

I think that members of this Legislative Assembly have heard before that one of the first meetings taken by the then-Minister of Health and Social Services, me, and the then-Minister of Tourism and Culture was with an amazing group of individuals who came to us about their concerns and their wishes to improve the policies, the laws, and the community here in Whitehorse — here in the territory. It had a lasting impression on us all, and we have worked diligently since that time and before, I might add — but certainly since that time — to make sure that our government is a leader in directing the community of the Yukon to inclusivity and equity.

Mental Wellness and Substance Use Services staff, who are World Professional Association for Transgender Health-trained, deliver presentations and provide access to counselling. We increased safety for LGBTQ2S+ Yukoners by passing the *Sexual Orientation and Gender Identity Protection Act*, which bans conversion therapy in the Yukon Territory. We also amended the *Family Property and Support Act*. We are also protecting Yukoners' health by covering preventative medications, such as pre-exposure prophylaxis for the prevention of HIV, and expanding coverage for the HPV vaccine for anyone to the age of 26.

While *Putting People First* may not have highlighted specific issues of people who identify as LGBTQ2S+, the transformation and cultural change that we have committed to

through this report to the Yukon's health care system will be attentive to the needs of all Yukoners.

Lastly, I would like to thank the Department of Justice and particularly the legislative counsel office, which worked extremely quickly and very hard to provide drafting advice and some redrafting assistance to the Third Party, as noted. The bill that is now before the Legislative Assembly, Bill No. 304, is an incredibly important step forward in a long list of dedicated actions taken by this government to serve the LGBTQ2S+ community.

Mr. Cathers: To begin with, it's important to note that the actions Bill No. 304 envisions can already be done through policy or through direction from government. With or without Bill No. 304, those activities and actions can take place in schools.

As you know, we proposed referring Bill No. 304 to the Standing Committee on Statutory Instruments. At second reading, I noted that we felt it was important for consultation to take place. I urged all members to support referring Bill No. 304 to this all-party committee and tasking them to hear from Yukoners and report back. Having an all-party committee conduct public consultation would have allowed questions to be answered and allowed all reasonable input to be considered. Hearing from people with different perspectives on an issue helps create better legislation. It could have happened before today's debate; however, the government and the Third Party voted against public consultation.

Through the life of this bill, we have already seen how the lack of consultation leads to legislation that could be improved. This bill was tabled in one form, then re-tabled by the MLA for Whitehorse Centre to fix earlier issues. The government proposed an amendment, which passed, and that amendment did improve the bill.

Then the MLA who tabled it urged MLAs to vote against one of the clauses in the bill they tabled, and that clause was removed. Considering comments made by both the Liberals and the NDP during debate on a private member's bill I tabled, it's clear there's a double standard when it comes to private members' bills, depending on who proposes them.

Mr. Speaker, I support the concept of promoting equality and non-discrimination in schools. All students should feel safe and welcome going to school, and it's important for parents and teachers to encourage students to treat each other with respect. The details of how that is done, however, is a topic more Yukoners than were involved in the development of this bill have thoughts about. When it comes to public consultation, it is important not to presuppose what people might say during that consultation but instead to listen to them and consider reasonable suggestions.

To summarize, here are four problems with the approach taken by the Liberals and the NDP.

Number one, they voted against public consultation on this proposed legislation, choosing to assume that no reasonable questions, concerns, or suggestions would come forward.

Secondly, even after receiving requests from Yukoners for public consultation, they chose not to listen.

Thirdly, following events including the Hidden Valley school scandal and the investigations at Jack Hulland, a lot of people have had their trust in the education system shaken. On any matter relating to their children, parents who have lost trust in government want to know what government plans to do and how, because they just don't trust the system to take care of their kids.

Fourth, when I proposed amendments to the *Civil Emergency Measures Act* that would have provided increased democratic oversight and specifically provided for public consultation on regulations and ministerial orders, the NDP voted against even talking about it further. For purely partisan reasons, they chose not to see past me to the thousands of Yukoners who have been upset by lack of public consultation on rules that were impacting their lives during the pandemic. Instead of proposing changes — which we made clear we were open to — they chose to vote against this bill, because they argued there had been no consultation.

Much like OH&S regulations or highways legislation, that rules may be needed to deal with a public health situation does not mean rules should be developed by government acting unilaterally. In a democracy, public consultation matters. While the NDP are certainly entitled to vote against anything I propose, they should expect that after they cited a lack of public consultation as a reason to vote against changes I proposed to the *Civil Emergency Measures Act*, I might remind them of their own words just last month about the importance of public consultation on private members' bills.

I support the concept of promoting equality and non-discrimination in schools and creating an environment where all students feel safe and welcome. I don't support the Liberal and NDP decision to dismiss requests for public consultation on this legislation.

At second reading, I voted in favour of continuing debate. Due to the decision by the Liberals and NDP not to allow for public consultation, I will not support the bill at third reading. I will be abstaining from the vote.

Ms. White: Thank you, Mr. Speaker. I am just trying to process, to be honest — just trying to process.

I think that it is quite a day when we compare amendments to the *Civil Emergency Measures Act* to a clause being added in the *Education Act*. I think that is a day.

I appreciate that the Member for Lake Laberge is going to abstain from voting today, but that hasn't stopped him in the past. That hasn't stopped him in the past — voting against changes being in the human rights legislation for gender identity to be included, among other things. But it is there. It is there.

And so today I know where are at least one member will be, and that's okay. That's okay, because I will remind myself why I am standing here and why we are speaking about this — why we are here today.

I appreciate the comments; I do. I have heard the comments about consultation. In the NDP office, we are mighty near eight now, which is the most people who have worked in that office in a long time. There are 1,185 people who work for the

Department of Education. There are 110 people who work for the Executive Council Office. There is a budget within the Government of Yukon for consultation. We don't have access to that, unfortunately, as the smallest party in the Legislative Assembly, so we took to speaking to students. My colleague is more than able to defend herself, but when we talk about consultation and hearing from opposing views, I don't disagree. I don't. But when we say that those opinions need to be weighted in the same way, I do disagree. I do.

The Catholic school board — they have opinions, and that is okay. Churches had opinions when the Yukon government brought forward legislation to ban conversion therapy, and it was hugely important. That was hugely important. It was also driven by students, and that was important, but we also didn't weigh one person's right to be themselves against a religious organization's feeling that they should be able to change that. So, when we talk about consultation, I don't disagree.

I am glad that the Minister of Education is talking about the resources that will be put forward because I think that it is really important. I think that is really important.

I do, however, call into question pitting LGBTQ2S+ students against inclusive education, saying that it is one or the other, because I don't think that it is, and that's how it sounded. If that wasn't how it was meant, I guess it's no different from the comments from my colleague being misunderstood as well.

So, when we stand here today, I think about Shara Layne and the article that I read from 2013 about her locker being vandalized at Vanier and how, for longer than a week, it said "faggot". That's not acceptable. We know that it is unacceptable. It was unacceptable then and it's unacceptable now. I would say with relief that things are changing. Hearing about prep coverage — that was super important. That was an e-mail that I got from a member of the queer community saying that this is covered in British Columbia and we should cover it here and this will save lives.

Talking about identification on drivers' licences — Shaun LaDue led that charge. Chase Blodgett was leading things for All Genders Yukon. I think about Steve and Rob Dunbar-Edge, the first couple to be married in Canada. All of these things start by people, unfortunately, in at times disadvantaged places saying: "We deserve human rights, and we deserve the same access."

So, I think about the discussions that I've had with not just my colleague but my friend from Whitehorse Centre and how important it is that we look at that. I think about the conversations that I've had with my friend in the gallery today. I think about the conversations and the lessons that I've learned from the students. That's what brought us here. It's what brought us here.

I think about how seeing a pride flag hanging from a principal's office in elementary school — what that means to kids, even if they don't know what it means. I know that when I was in F.H. Collins last week and saw the YEU pride moose sticker in windows or the flags in windows — what that would mean to kids. I know that I have had lots of opportunity over the years to go to Porter Creek Secondary School. I can say with confidence that, when that GSA started, things changed at that

school. It was always a great school — don't get me wrong. Every school is a great school. But this is a school now where — whatever hallway you're in, no matter what floor you're in, no matter what wing you're in — it just radiates straight-up love.

When we talk about activities and we talk about how it doesn't have to be a place and it doesn't have to be a student-led organization — it could just be activities — hanging that one flag in one classroom in a visible spot can change everything for kids.

I think about my high school experience. I'm actually wearing a pin right now; it's an ally pin. It was gifted to me by one of the students. I think about it. When we have this conversation, it's important to say that these rooms — these spaces and this inclusivity — isn't based on one kind of kid and one kind of identity and one kind of sexual orientation. This is literally all kids. This is literally anyone in that student body.

I think about my own experience in school where I was the one who asked all the questions because the friends who needed the help couldn't ask the questions. That's that role. The Premier told us about his role and his support of friends. So, being an ally, each of us in here has the opportunity to be an ally. We have the opportunity to be an ally with teachers and with school administration. I wanted to make sure that I recognized the principal of the Porter Creek Secondary School because it really is that role and that person who sets the tone of the school, and his tone has been fierce and has been protective. It has empowered that GSA.

So, each of us has an opportunity here. We can be an ally. We can choose to abstain. We can speak against and choose to abstain a vote, but we do have an option here; we do have an opportunity.

I'm glad to know that the Minister of Education is going to redirect some resources. I think that's really important. Maybe Yukon government can gift each principal with a pride flag, and that's an easy first entry into having an activity — just having that hang somewhere. It's a first start; I think that it's an incredible first start.

You might not be able to see them right now, but I actually had no idea that there were as many flags in the gender identity world as there are. I have learned so many things because of the students at Porter Creek Secondary School, and they can walk you through each of those flags and what they mean. But it's about representation.

So, today, we have this opportunity to be allies. Despite the differences — and it's true. Despite the differences in how we got here, we have the opportunity to be allies. So today, I, with pride, say that I am going to vote in favour of this legislation, that I'm going to stand shoulder to shoulder with kids from now and into the future, and that I will continue to support educators and administrators and community as they need it, because I think that's a real opportunity that we have. So, I encourage people today, when we get to that point of that vote, to vote in allyship, in support.

I do thank the Yukon Party for letting this become the first vote after the Question Period, and I do thank the Liberal government for the work that has been done up to this date. I

think that the more barriers we can remove and the fewer battles we can put on individuals' shoulders to get the rights they need, the stronger we will be. Let's take those lessons that we have learned from the people who have borne this responsibility, and let's stop making individuals have to stand up for themselves. Let's stand up for them together. Let's take away that individual burden of responsibility from one or from a minority population, and let's spread that out, because, as allies, that's the opportunity and the ability that we have.

I thank the students. It has been great. There have been so many good lessons. I thank the administration, because today is a big day. Again, this has been lightning fast, but it has been lightening fast because we were told by students that this is what they needed — and not just for themselves. This is the important part. The students in the gallery today, they are okay because they have incredible leadership in their school that is taking care of them, but we need to make sure that this is replicated and that we here, the Department of Education and governments, make sure that it is existing in schools. That's our opportunity as allies today. I look forward to that vote.

Hon. Mr. Streicker: I am just going to say a few words. I am not gay, but I wish to be an ally to people who have a different orientation than I have. I think it makes a stronger world, one that is more inclusive. I am a lot greyer in my hair than some of the young folks in the gallery today. I have had almost every form of privilege come my way, and I think that it's important that we use our responsibility as elected officials to make sure that our world is more welcoming, more safe, more inclusive broadly, so I am happy to get up and vote today.

I want to say just a few words. I wasn't going to get up, and then I listened to the speech from the Member for Lake Laberge and I thought that there are a couple of things I'm going to say. First of all, the Standing Committee on Statutory Instruments, as I pointed out two weeks ago, last met in 1987. That's 35 years ago, and the member suggested that there were two weeks — we could have got that committee up and running and got this sorted out in two weeks. I disagree.

I don't think that committee has been active at all, so I don't think that it is a strong argument. I agree with the Leader of the Third Party that, when we talk about the difference between the *Civil Emergency Measures Act* and this bill that is in front of us today, they are very different.

We have done engagement — not on the specifics of this bill but broadly on an inclusion strategy for LGBTQ2S+ folk. That was done by the Minister responsible for the Women and Gender Equity Directorate. Well, that department did that work and did it by talking to Yukoners. I just looked it up and I was sure it was there. Sure enough, there is a page devoted to education and what we can do. That engagement work has happened. I think that when we spoke of this during Committee of the Whole, I made similar comments that engagement is incredibly important. We also have to, as legislators and as government, not just talk to the people who agree with us. It's tough leading a territory. There are always different opinions, and I think that we should embrace — isn't that the principle that we are trying to stand up for in this act that is brought to us

from the Member for Whitehorse Centre? It is that we shouldn't try to force everyone to be the same. We should support people to be able to be different so that they can be safe, so that they can have an opportunity like I had or maybe others of us here have had.

I just wanted to say that I believe in engagement. I don't believe that everybody needs to agree. I believe in this amendment because it will move from being a policy to being a law. I had a whole conversation recently with my colleague, the Minister of Justice, about how important that is — what kind of stature that gives to something like this, how it says to the Yukon that this is important and that we insist that this happen because we want a more just and inclusive society.

Just my last comment will be that I had the privilege to also be a councillor here for the City of Whitehorse, and in the *Municipal Act* it says: no abstaining. It says that, no, you have a job. You are elected; you have got to vote.

I appreciate that those are not the rules that we have here, but I think that it is important that, as elected folks, we stand up and express our vote. We were elected to do so.

Hon. Mr. Silver: I want to thank all of my colleagues in the House for their comments today and in Committee of the Whole as well, during second reading. I want to thank the Member for Whitehorse Centre for bringing forward this bill. I am trying to rack my brain to try to think if there has ever been an opposition bill that has ever passed the floor of the Legislative Assembly before. I can't think of one.

Some Hon. Member: (Inaudible)

Hon. Mr. Silver: Yes, the *Act to Amend the Ombudsman Act*. There we go. Thank you very much, Leader of the Third Party. It is very rare — unicorn rare.

Again, it is an extremely important topic. We, as the Liberal government, have had an awful lot of conversations about supporting the bill — not the concept, but the bill — because it is a different way of going about what we can accomplish. That wasn't a long conversation because the support is more important than the process, in our minds. I think that the importance of consultation has been well-documented throughout the passing of this through the processes of the Legislative Assembly.

I will take a little bit of a different slant on it, I guess.

We have all been accused of not consulting very well — every single political party. In Question Period today, there was a great example. In Question Period today, the Yukon Party stood up and said: "Your recommendations on paid sick leave — we don't care; we want you to just go ahead and say no to that because the business community wants to not have that" — at least the people they spoke to. That is one opinion and one group and, again, maybe a lack of consultation. We were accused of a lack of consultation as well when we were in the majority government. I think that anyone in majority government — it's good fodder for opposition — I have been there in opposition — to say "consultation".

It is an important topic, though. I think that is what is really important in the debate today. I have said this before: My biggest fear in democracy and the western culture is that our

society becomes limited in opposing views. It is ironic that today we are talking about an extremely marginalized group and talking about how we have to make sure that — what the group wants and what the LGBTQ2S+ want — you need to consult with people who may have been consulted internationally since the days of the Crusades — sure. It's an ironic juxtaposition to say the least, but it doesn't limit the importance in the end.

My experience, 52 years on the planet, as an ally with my friends in the LGBTQ2S+ community — they understand what it means to be non-binary. They understand gender fluidity. They also understand that this applies to politics as well. It applies to faith as well.

There are members of this community — surprisingly? no — who are everything from libertarian to socialist and all pieces in between. There are members of this community who are religious or agnostic, from Catholic to Jewish faith and everything in between as well. This is why it's so important that we consult, even if we're not consulting with people who necessarily, in our opinion, have like-minded views on a particular topic because we might surprise ourselves sometimes.

Even if we don't surprise ourselves, that is the tough job of leadership. Once you analyze, once you listen to, once you debate, you have to make a decision.

I don't think the Minister of Education was talking about one or the other as far as the inclusivity compared to this bill. I think what she was trying to say — and I would never put words in her mouth, but she's hopefully nodding behind me — is that it's about: We were prioritizing something. This is important; we will prioritize this. It's going to be at a cost; everything has a cost. It's worth it. It absolutely is.

My point today is please — the young folks who are in the gallery today and people who are hopefully listening — it's really important that, in these days of social media and cancel culture — and I said this before — we need to engage with people who we may not think agree with us 100 percent, and we will be better as a society if we extend ourselves into those uncomfortable conversations.

One thing I have learned in this job is that, when I was 16, I did think that I knew everything. Now that I'm 52, I know that I don't know a lot, and I learn more every single day. But I'm just one person from one perspective. I have lived a life of privilege, as well, as a cisgender white male growing up in a town where the religion was what I was. It was easy for me, in those limited backgrounds, to think that I knew everything.

But what a wonderful experience of my life to surround myself with people who made sure that I was always a lifelong learner and that I was open to experiences from other folks from all different backgrounds. It has made me a better person along the way. It has humbled me and made me question some of the old motives that I would have had as a young person, which I definitely question today.

It's extremely important that we do consult. I know that the NDP knows that. I know that the Member for Whitehorse Centre knows that as well, and I recognize the extremely limited resources of being in a third party. I want to thank the

Leader of the Third Party for the conversations that we have had about sharing resources and what we can do to make the confidence and supply agreement better as we go down uncharted territory together. We don't agree all the time, but our relationship is strong because of the respect that we give each other. It's hard being in two different political parties when, at the end of the day, when it comes election time, it's no holds barred, but in those days in between, the Yukon is better off when people with opposing views have those tough conversations and come to resolve differences and move together for the greater good. That's what we are doing here today. It's not a surprise that everybody in the Yukon Liberal Party will be supporting this, and that is not a whipped vote; that is under principle.

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

Does any other member wish to be heard?

Ms. Tredger: It is really an honour to close this debate and close the debate on a piece of legislation that I am so proud of and so excited to bring forward.

Before I speak about that, I do want to just add a little bit to some of the conversation that has been had during this reading. There were a couple of things that I was surprised to hear, and I do want to respond. The first was that the Minister of Education suggested that, in order to implement this, they are going to pull staff from inclusive education so that less work will be done on inclusive education. That is pitting communities against each other, and it is shameful. Saying that our education system can only support the LGBTQ2S+ community by taking away from inclusive education — that is a tactic intended to divide and distract, and we will not fall for it. I will not let my community be used as an excuse to renege on commitments about inclusive education.

I absolutely expect that this government will support both safe spaces for LGBTQ2S+ students and inclusive education, and that is what I will hold them to account on.

We have also heard a lot of concerns about consultation — a lot of concerns about what I said about the Catholic school board, and I said: "No, I did not consult with the people who do not think that I should be allowed to get married or have children. I did not consult with the people who do not think the identities of the people in my community are valid."

You know, there is a big difference between talking with someone who disagrees with you — between having hard conversations — and going to people who have said that they don't think you deserve rights, between going to those people and asking: "How should we support our students?" I am happy to sit down with the Catholic school board. I will take that one for the team. I will have that conversation, but I am not going to delay this bill to do it. I am not going to delay making sure that our students have safe spaces in their schools in order to have those conversations.

In doing so, I have been accused of dividing our society. Apparently, bringing forward this bill, taking a stand to make sure that students have safe spaces in their schools is dividing

our society. If standing up for queer and trans rights is dividing society, that is what I will do and I will continue to do every single day that I am in this Legislature. And of all the days to be in this Legislature, this is a good day. I am so proud to be here. I am so proud to have — we still have some of the students with us. We still have some of our educators with us, and they are going to see change in this territory, because they brought forward — because of the work that they have done, because of the voices of people in the Yukon, we are going to have change in this territory. We are going to have safe spaces for our students, for our queer and trans, for our LGBTQ2S+ students in schools — no matter what school they go to, no matter who teaches there, we know that those students will have a place they can go for support.

I am so proud of the work that everyone has done to get us here, and I am so proud of this change, and I truly think that it is going to make for a warmer, safer, more welcoming Yukon.

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.

Mr. Kent: Agree.

Ms. Clarke: Agree.

Ms. McLeod: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 15 yeas, nil nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 304 agreed to

Speaker: I declare that Bill No. 304 has passed this House.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter now before the Committee is general debate on Vote 8, Department of Justice, in Bill No. 204, entitled *First Appropriation Act 2022-23*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 204: *First Appropriation Act 2022-23* — continued

Deputy Chair: The matter before the Committee is general debate in Vote 8, Department of Justice, in Bill No. 204, entitled *First Appropriation Act 2022-23*.

Is there any general debate?

Department of Justice

Hon. Ms. McPhee: I would like to begin this afternoon by thanking Deputy Minister John Phelps, who is joining me here today, as well as Luda Ayzenberg, who is our director of Finance, Systems, Administration and Records for the Department of Justice. I appreciate the two of them being here today to support this debate.

I am happy to speak about the Department of Justice main operation and maintenance and capital budget for 2022-23. There are a number of budget items that support various Justice initiatives. They also support department commitments under *Our Clean Future*. Worth mentioning, of course, at the beginning of this debate is the community safety program. I can also indicate the improvement in the creation of Justice programs and services that provide supports for those in contact with the justice system. I am very proud as well of the work that we have done with respect to quality and responsive policing services and the infrastructure and IT investments.

I can note that the estimates outlined in the 2022-23 budget consist of capital investments of just under \$4.1 million and operation and maintenance expenditures of \$86.4 million. It is a significant budget for the department's priorities. I am very pleased — and I hope I have the opportunity — to speak about our new community safety planning program; about strengthening safety, access, and justice for Yukon victims of crime; about support for the Selkirk First Nation community safety officer program; about a new program offering supervised community housing justice services for justice-involved women; and about continued support for the family mediation service and Family Law Information Centre.

There are also, in the budget, updates to the *Public Utilities Act* and, for the *Our Clean Future* project, increased resources for the Department of Justice and support for the gun and gang violence action fund. There are updates to the RCMP First Nation policing agreement, to the RCMP unionizing and wage increases, and compensation increases for the judiciary. There are a number of upgrades to surveillance equipment at the Whitehorse Correctional Centre and the construction of a new morgue and coroner's office and maintenance and renovation replacement of RCMP detachments, just to name a few.

I will stop there, and I look forward to being able to respond to questions from the members opposite about these important aspects of the Department of Justice main estimates for 2022-23.

Mr. Cathers: I would like to begin by asking the minister how many employees the Department of Justice has now and particularly how many positions are being added this fiscal year.

Hon. Ms. McPhee: The Department of Justice currently, at the end of this budget, will have 295.1 FTEs, and the new FTEs contained in 2022-23 total 12.

Mr. Cathers: Would the minister please indicate the total cost to date related to the *Civil Emergency Measures Act* and regulations and ministerial orders under it? I'm looking for both the legal drafting costs as well as the costs of implementation.

Hon. Ms. McPhee: The COVID response costs for — this is, again, not 2022-23, which is the budget before the Legislative Assembly, but I think the question relates to the 2021-22 budget. The forecast from the estimate for the 2021-22 expenditures for COVID-19 response was \$766,000. The actuals for 2020-21 were \$628,000 for COVID response from the Department of Justice.

Mr. Cathers: I think the minister misunderstood the question. I was not looking for the cost from last year; I was asking for total costs to date since the start of the pandemic.

Hon. Ms. McPhee: I don't have the figure that the member opposite is asking for, which I understand to be the cost the Department of Justice has allocated for their work on the COVID-19 response since the beginning of the pandemic and up to and including current dates, I think. I don't have that number. I have given the numbers for 2020-21. We are still in the process, of course, of closing out that fiscal year, so there could be some adjustments to that, but as I have said, it is \$628,000 at the moment, with the dates that I have.

Back in — it looks like February of 2022 — I don't have the total cost. If the member is seeking total COVID response costs all together from government, I think that I can certainly answer those questions — by department — but it is also probably an answer better given by the Department of Finance globally, but that is the fact-checked figure that I have with respect to COVID response for the Department of Justice.

Mr. Cathers: Would the minister please indicate what the costs of enforcement related to CEMA orders has been to date, as well as any litigations and court cases relating to it?

Hon. Ms. McPhee: I can indicate that the budget from 2021-22 is still being completed — the final assessments of actual expenditures.

So, the best estimate I can give today with respect to what will have been spent last year on the enforcement of CEMA orders by the compliance and investigations unit — which is created in Justice and reports to Justice through the various supervisors there and to the deputy minister — is approximately \$400,000. So, that's the compliance and investigation unit in 2021-22. I can see if we have a figure with respect to an estimate for 2022-23, which is the budget that we are debating.

I can also indicate, with respect to litigation, that litigation is generally supported by the Department of Justice's internal lawyers and staff who are employed by the Department of Justice through their salaries, so we do not track individual cases, but I can say that the Government of Yukon has entered into two contracts with outside counsel for the provision of litigation services for the Mercer et al. versus the Government of Yukon lawsuit — what is maybe commonly known as the Mercer case. The first contract is with the law firm known as Arvay Finlay and is for \$250,000. The second contract is with McCarthy Tétrault LLP for \$850,000. It is important to note that the total of the \$250,000 contract with Arvay Finlay LLP — a little more than \$139,000 was spent in 2021 with respect to that contract, and a little over \$49,000 has been invoiced in 2021-22. The total available for that contract has not been expended at this point. The total amount spent to date on the McCarthy Tétrault LLP contract is a little over \$785,000 — \$785,363.28. That contract commenced in 2021-22. The commitment sum of both of these contracts is \$1.1 million.

Mr. Cathers: Could the minister please clarify the total cost? I believe it was the Premier or one of her colleagues who made reference earlier in this Sitting to a total cost related to the Mercer et al. case — also known as the "group of seven" — I believe the figure cited was a total cost of \$3 million.

Could the minister please confirm: Is that correct? What are the other elements of that total based on?

Hon. Ms. McPhee: I'm not sure what the reference is by the member opposite, but the figures that I have given are the most up-to-date figures we have with respect to the government's expenditures on the outside litigation service firms — so Arvay Finlay and McCarthy Tétrault — for the purposes of dealing with the Mercer case.

Mr. Cathers: It just does not seem that those numbers are aligned with what the minister's colleagues indicated earlier. I would note, as well, that the minister herself, on March 30 during debate on the supplementary budget, said that, related to that court case, there was almost \$1 million in costs related to document production alone.

So, I'm just asking what the total cost is of that spent by government related to that litigation.

Hon. Ms. McPhee: I'm happy to repeat these figures if necessary.

The contract with Arvay Finlay is for legal services for \$250,000, some spent in 2020-21 and some spent in 2021-22. The amount for the services for McCarthy Tétrault is for

document production. The contract with them was \$850,000. A little over \$785,000 of that has been expended in 2021-22.

Total contracts currently in place — now, we're nowhere near the completion of this litigation, and the complete sum that has been directed in the Department of Justice budget for the purposes of dealing with this case to date is \$1.1 million.

Mr. Cathers: As the minister knows, part of the court application by the group of Yukon citizens was based not on what government did, but how they did it and the lack of consultation that they felt was undemocratic. Has the government made any attempt to settle the case out of court instead of spending millions of dollars fighting with Yukoners in court?

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

The matter is clearly ongoing. The Yukon government is the respondent in relation to a court case brought, by my recollection, in the early summer of 2020, but I stand corrected. I don't have it in front of me, so I am not going to make reference to the date other than to say that, early in the pandemic, this matter was filed with the Supreme Court of the Yukon Territory. The Yukon government is a respondent, and it is not appropriate to speak about what is happening with relation to the government's position, or legal counsel's position, in relation to this matter. I don't think that I will provide any other information other than to say that the matter is ongoing. I am very hopeful that the parties can resolve it in a way that is to the benefit of Yukon taxpayers.

Mr. Cathers: I hadn't intended to ask another question on this, but the minister's last comment illustrates my point. The minister said "to the benefit of Yukon taxpayers". At this point, it certainly has not been to the benefit of Yukon taxpayers when millions of dollars are being spent by government on this legal case where government is fighting Yukon business owners in court. I wasn't attempting to delve into the specifics of the case. I was simply asking the question of the Minister of Justice, who happens also to be Attorney General: Has the government made any attempt to settle this case out of court instead of spending millions of dollars of taxpayers' money on litigation, fighting these Yukoners in court?

Hon. Ms. McPhee: I think that it is important to note, and for Yukoners to know, that the Yukon government is defending this case. We are not fighting anyone in court.

We are providing an appropriate defence to allegations that have been made through a Supreme Court of the Yukon Territory application. As a result, unfortunately, Yukon taxpayers' funds must be spent to defend a case that has been brought against the government. I will leave any other comments about how that case is being managed to the experts that we have hired at Arvay Finlay as legal counsel and have great confidence in their abilities to manage this case.

Mr. Cathers: It is unfortunate that the minister is refusing to answer that question, but I do have a number of questions, so I will move on to the next ones on my list.

I would like to ask the minister about funding for the RCMP, particularly related to drug enforcement. We have seen, in looking at the handout provided by the Department of Justice at the briefing, that it looks like there is funding for an

additional two RCMP officers, but the vast majority of the increases in funding for the RCMP to which the minister has referred actually relate to collective agreement increases for the RCMP amounting, according to page 2 of the handout provided by the department, to a total of \$3,738,000 for RCMP collective agreement increases while, in comparison, what appears to be new funding for officers appears to be \$297,000 to fund two additional RCMP officers for the crime reduction unit. Can the minister please elaborate on that? Is that correct?

Hon. Ms. McPhee: I am happy to speak about work that the Department of Justice does with the RCMP and the excellent work performed by the RCMP here in the territory. The Department of Justice works to ensure the provision of a professional, accountable, and appropriately funded territorial policing service that is responsive to the priorities of Yukon citizens and worthy of the public's trust. Our government funds significant ongoing investments in police resources through a *Territorial Police Service Agreement* with the RCMP, and the Yukon has one of the highest police per capita ratios in Canada, averaging approximately one RCMP officer per 337 residents.

The RCMP forecasts its anticipated human resource operational funding and capital investment needs to the Government of Yukon through an annual financial planning process, which has been very agreeable and the opportunity for us to have up-to-date and in-depth conversations with the RCMP about their funding and capital investment needs, as well as their human resource and operational funding. Over the past five years, the Government of Yukon has increased the operational budget of the M Division — which is, of course, the division here in the Yukon Territory — by \$3,800,000, approximately 15 percent, which included funding for eight new RCMP positions over that period, but I can also break down the funding for the RCMP, which is the basis of this question. In the 2022-23 budget, the Department of Justice has proposed a number of items to support policing and to improve community safety and well-being.

This year — and this is for the first time — the wages for RCMP regular members will be adjusted, according to the provisions of a new collective bargaining agreement. Yukon's portion of these wage increases includes \$3.4 million for officers deployed under the *Territorial Police Service Agreement*. I think that it is incredibly important to understand that this negotiation has been going on for a number of years. The RCMP collective agreement has been put in place Canada-wide, and our portion to properly pay police officers is in this year's budget at \$3.4 million. With these increases in place, the RCMP will return to being a top-10 employer of police officers with respect to wages. They have fallen short of that goal.

The support from the federal and territorial governments for these pay raises and market adjustments will assist the RCMP to recruit and retain future members within the police service.

In addition to these strategic wage increases, this year's budget will provide the RCMP with an additional \$297,000 to support four years of additional staffing within the crime reduction unit, and the increase augments targeted policing

efforts in response to the ongoing substance use health emergency. This funding has been arranged.

In addition to that item, there is \$420,000, which is now a permanent increase to fund members who are working with the historical case unit and the crime reduction unit, which equals five permanent positions. This year's funding requests in this budget also include an increased budget to assist the RCMP to address a number of costs that are linked to increasing commodity costs and escalating service costs, such as the cost of maintenance contracts, shared services, fuel, and utilities. We have allocated an additional \$1.1 million to offset increasing operation and maintenance costs.

Further, our government continues to strengthen relationships in the world of — and goal of — reconciliation with Yukon First Nations and First Nation governments through a continuation and expansion of the First Nations and Inuit Policing Program. The First Nations and Inuit Policing Program enhances community policing services that support culturally responsive policing in Yukon First Nation communities. As such, the 2022-23 budget provides an increase of \$425,000 to cover the Government of Yukon's contributions for police services under the current framework agreement. The amount supports the existing framework of 17 RCMP members already deployed under the First Nations and Inuit Policing Program.

In addition to this funding, and as Minister of Justice and receiving recommendations from the Yukon Police Council, I have provided the 2022-23 policing priorities to the commanding officer of the RCMP, and I am happy to speak about those in more depth if the member opposite is interested.

Those are the allocations and the line items in the 2022-23 budget that will support the Yukon RCMP.

Mr. Cathers: The minister made reference to the letter of policing priorities. Has that letter been released publicly? At this point, I don't believe I have seen the one for this current year. Has the minister actually released that and made it public? If not, will she agree to table it here today?

The second issue that I would ask about is with regard to the guns and gangs funding. Could the minister please confirm that the limitation is still in place that it can't be used for the RCMP but has to be used for other purposes?

Hon. Ms. McPhee: Thank you for the question about the policing priorities of this year.

I signed the letter to Chief Superintendent Scott Sheppard with respect to this year's policing priorities. I believe that it was signed near the end of March. I will table a copy of that letter here in the Legislative Assembly — or if I can send it directly to the member opposite, I have no issue with that. I understand that if it hasn't yet been made public, it will be in the very near future.

I certainly wanted the opportunity, prior to that, for the chief superintendent to receive the letter and to be able to read it and digest the policing priorities for this year.

I can indicate, with respect to the guns and gangs funding, which is, since March 2019 — I believe it was \$2.25 million at that time to Yukon government over a period of time. Government has invested this — the member opposite is

correct: There are certain parameters with respect to how those funds can be used. I can indicate that we have continued to discuss this with the federal government, and I recently had some conversations with federal ministers regarding this as well.

But in the parameters given to us by the Government of Canada, the Government of Yukon has invested this federal funding in enhancing the knowledge base in the Yukon related to the prevalence of organized crime and about specific issues, including drug trafficking and illegal firearms trafficking.

We have invested in community-level programming that will help to deter or divert youth from criminal activity and gang involvement — this has included funding — and a funding agreement with the Boys and Girls Club of Yukon.

We have worked on developing strategic partnerships with the Whitehorse Correctional Centre and other government agencies, not-for-profit organizations, and First Nation governments to ensure that inmates, offenders, and individuals being supervised in the community on judicial interim release, also sometimes known as “bail”, can access a continuum of services to support rehabilitation, community reintegration, and maintaining a violence-free lifestyle post-community supervision.

Some of the funding has worked to develop intelligence-sharing partnerships to enhance intelligence gathering, data capture, and analytical capacity. Some of the funds have been used to support investigative capacity of the safer communities and neighbourhoods unit with two additional investigator positions and operational resources.

Mr. Cathers: Now, the minister made mention of illegal firearms. That brings me naturally to the topic of the — as the minister is aware, in May 2020, the Trudeau government passed an order-in-council that reclassified thousands of firearms that had been lawfully purchased, most of them as unrestricted weapons, and chose to ban those weapons and classify them as prohibited, along with going away from what had long been the standard in Canadian firearms legislation where, if a firearm was classified as prohibited previously, the owner was allowed to keep that firearm but not allowed to sell it. The new step under the order-in-council imposed the so-called “buyback program” that is, in our view, simply confiscation by a friendlier-sounding name.

My question regarding that is — the minister is aware that this regulation is very unpopular with many Yukoners. Has the minister raised concerns about that with the federal counterpart? Has she suggested that they repeal it or change it in any way?

Hon. Ms. McPhee: To be clear about what I'm referencing, the member opposite is correct. In June 2019, *An Act to amend certain Acts and Regulations in relation to firearms*, which is known as Bill C-21, received royal assent, and this resulted in changes to the background checks and the documentation relating to firearm sales, forfeiture of firearms, and transferring and transporting certain firearms. This began in June 2019.

In a letter to the federal Minister of Public Safety and Emergency Preparedness at the time, the minister at the time —

I wrote noting — the letter that I sent was in March 2020. I noted for the minister in that correspondence that firearms are a very important part of a subsistence lifestyle here in the territory, that Yukon citizens, Yukon First Nation governments, and Yukon municipalities would like an opportunity to comment on changes to federal legislation. I noted for the minister in that correspondence that considerations of law-abiding firearms owners must be taken into account when decisions about personal and public safety are made.

I think that answers the member opposite. We have spoken about this issue, as well, on federal-provincial-territorial agendas with ministers of Justice across the country and I am assuming, as well, although I will not assume I can clarify whether or not it has also been a topic on deputy ministers' agendas throughout the last two and a bit years or since this initially — Bill C-21 — came into being in June of 2019. I can also indicate that those conversations continue with respect to how it will ultimately be implemented.

Mr. Cathers: I appreciate the minister talking about the federal bill that was passed, but I was actually asking her about the order-in-council that was passed by the federal Cabinet on May 1, 2020, which, of course, is a related matter but a separate matter than the minister was asked about. So, I had asked her — first of all — if she would agree to table the letter that she just referenced and, secondly, if she could indicate, with regard to the regulation that — as the minister is aware — many Yukoners have joined people across the country in disagreeing with the change that was made in that May 2020 order-in-council. I have spoken previously in opposition to that regulation. I have been clear about my views on the topic. We haven't really heard clarity from the government on their views and what I am asking regarding that: Has the minister raised this issue regarding that regulation with her federal counterpart, and if so, what position did she take or what representation did she make about it?

Hon. Ms. McPhee: I can indicate that respect to May 1, 2020, the Government of Canada announced prohibitions and the regulation being spoken of by the member opposite on more than 1,500 models of assault-style firearms and certain components of those. A *Criminal Code* amnesty period was in effect from that date until April 30, 2022. I can indicate that the Government of Canada committed, at that time, to a buyback program that would allow owners of newly prohibited firearms to return firearms for fair compensation. Businesses would also be able to either turn in the firearms to the Government of Canada or return it to the manufacturer, also for compensation.

We understand that the federal government has invited up to 15 private consulting firms to design and run the buyback program, but the program has yet to begin. Exceptions have been made under the amnesty for indigenous peoples who are exercising aboriginal or treaty rights to hunt and for those who hunt or trap to sustain themselves or their families. That was done under section 35 of the *Constitution Act, 1982*, and these exceptions allow for the continued use of previously non-restricted firearms in limited circumstances — and that's

important for Yukoners to know — until a suitable replacement can be found.

However, by the end of the amnesty period, the intention is that firearms owners must comply with the ban, but I can indicate that recently Public Safety Canada announced that the amnesty period would be deferred until December 2023. The deferred regulations are designed to enable law enforcement to trace guns used for criminal purposes and to function alongside the ban on assault-style firearms as part of Canada's firearms strategy.

The amnesty is not ending this month, although initially it was to do so. I know it has been extended. The date I have is December 2023, but I will confirm that. We will check that date, because it is for some reason not jiving with my memory of the extension of the amnesty, so I just want to confirm that date, and then I will indicate it later in debate or by way of an appropriate document filed here in the Legislative Assembly.

Mr. Cathers: The minister didn't indicate that she had raised it with the federal minister, which leaves the impression that she has not raised it with her federal counterpart or she would have said so. She certainly left the impression with her comments that she supports the federal actions. I would just remind the minister regarding this topic that, on this issue, it is not only profoundly upsetting to many firearms owners, but in fact, the National Police Federation union that represents RCMP members, in its very first position statement that they issued regarding firearms, noted their disagreement with the approach by the federal government and that it was diverting resources from where they were more needed.

I would just quote briefly, before moving on to other matters, that position that the National Police Federation said, in part — and I quote: “Costly and current legislation, such as the Order in Council prohibiting various firearms and the proposed ‘buy-back’ program by the federal government targeted at legal firearm owners, does not address these current and emerging themes or urgent threats to public safety. It also does not address: criminal activity, illegal firearms proliferation, gang crime, illegal guns crossing the border or the criminal use of firearms.”

“In fact, it diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.”

Just for the reference of Hansard, I think that I have tabled this in the past. It is the position statement issued by the National Police Federation in November 2020.

I want to move on to another related matter as it comes down to public safety and that is the area of the community safety officers. We are pleased, of course, that the program that was implemented by Kwanlin Dün — we were pleased to partner with them in funding — has been successful and that the government is considering the potential of doing this in other communities and is doing it with the Selkirk First Nation.

But my question relates to the total cost of this and what the funding is for. There is a line item that is identified in the handout provided by Department of Justice for a community safety officer position for the Selkirk First Nation that is a total

amount of \$400,000 for that position. It is 52-percent recoverable from the federal government.

There is also another \$300,000 that is described in the handout as a time-limited increase of \$300,000 to implement a community safety planning funding program available to First Nation governments.

Could the minister explain what that means? What other First Nations is the government currently in discussions with about potentially implementing a community safety officer program? What is transpiring in that area?

Hon. Ms. McPhee: Thank you for the question. I just want to go back for a second. I have to correct myself with respect to the extension of the amnesty period by the federal government regarding the firearms changes to legislation and the program that will involve a buyback run by the federal government. The date that I made reference to was December 2023, and it is actually October 2023. The amnesty period has been extended to that.

The other thing I should be clear about is that I would appreciate it if there weren't assumptions about what I may or may not mean. I am happy to answer questions. What I verbally relayed with respect to these circumstances of our government's position regarding the firearms changes by the federal government were facts only. I am happy to repeat — in my letter to the federal government and it has been our position all along — that firearms are an important part of the subsistence lifestyle here in the territory; Yukon citizens, Yukon First Nation governments, and Yukon municipalities would like the opportunity to comment on the changes to the federal legislation and to be involved; and the considerations of law-abiding firearms owners should be taken into account when decisions about personal and public safety are made. It has always been the position that I have discussed with the federal ministers in relation to this particular important issue.

I am happy to move on to the additional questions about community safety planning. The reference to \$400,000 is in relation to community safety officer programs, and I will come back to that if the member opposite wishes, but the reference to \$300,000 in the 2022-23 budget is, in fact, in relation to the community safety planning program that is an initiative of Community Justice and Public Safety of the Department of Justice of the Yukon government. These increases are the first planned allotments to the Department of Justice operation and maintenance budget. So, in the 2022-23 fiscal year, it will be \$300,000.

The forecast is that, in 2023-24, it will be \$700,000, and in 2024-25, the plan is for it to be \$800,000 in the budget and, thereafter, \$200,000 until the fiscal year of 2029-30 allotments.

The planned inclusion of those budgets is for funds to implement a community safety planning funding program available to First Nation governments here in the territory. All 14 Yukon First Nation governments will be eligible to apply for up to \$200,000 maximum, within a total funding package of \$2,800,000, which will be available between 2022 and 2030. Eligibility criteria for the funding is being established, and future applicants will be asked to provide a business case detailing the scope of the request, expected outcomes, and an

associated timeline for their project. Individual First Nation governments will be able to apply on more than one occasion but up to a maximum of \$200,000. The anticipated benefits of the program will be to support implementing community-designed and community-led safety initiatives that are delivered by First Nation governments to meet the needs of local communities.

The intention is that the focus of the program will be to remove artificial barriers to eligibility that have been created by the federal program, which, in the past, has allowed First Nation governments to apply for funding to do community safety planning, but there have been difficulties with respect to the barriers that are set up by that program, and they limit the innovation and the federal program does not meet the needs of the community. With our program, we expect to provide stable, consistent, inclusive, and transparent funding for First Nation-led community safety plan initiatives. Progress on the commitment is also in progress on the commitment to the Yukon's MMIWG2S+ strategy.

I can say that we are excited about this program. I had an opportunity to briefly discuss it at the last Yukon Forum to indicate that the commitment by our government is \$2.8 million over the next eight years for the purposes of providing money to First Nation governments and communities for the purpose of addressing planning for their safety and overall community safety planning. It's an exciting opportunity.

It is not anticipated that community safety officer programs, should they be part of the ultimate planning for these communities, would or could be funded out of this funding opportunity.

Mr. Cathers: I do just want to go back to where the minister started at the beginning of this. Also, just for Hansard and for anyone wishing to reference it if they are listening to or reading debate later, the position statement to which I made reference from the National Police Federation, which is the union representing RCMP members, was entitled *Gun Violence and Public Safety in Canada*. The press release that they issued with it was dated November 23, 2020.

I would also note that the minister again made reference to a letter that she sent to the federal minister regarding a previous piece of legislation. That, of course, was prior to the issuance of the order-in-council to which I am referring. The minister suggested that I had not asked her for her position on it. In fact, I did ask her what the government's position was on that order-in-council and whether she made any representations to the federal government about it.

I want to touch on a few other areas here. The administration of justice negotiations are also referenced in the budget. That, of course, is the administration of justice with First Nations. Could the minister indicate what the costs to date of those administration of justice negotiations have been, as well as the amount in this year's budget? Could she please outline what the scope of those negotiations are and what their status is?

Hon. Ms. McPhee: Thank you for the questions about the administration of justice agreements. Of course, these are available to Yukon First Nations pursuant to the original

negotiations of self-government agreements. An increase of \$532,000 in the 2020-21 actuals includes an increase of \$665,000 for negotiations and an additional cost for negotiating some collaborations in the partnerships unit, which was created at an increase of \$1,000 for the collective agreement increase. These increases were partially offset by an overexpenditure in the fiscal year 2020-21 for personnel adjustments, but again, this has yet to be reconciled.

The best estimate that I have for the 2020-21 budget includes the figure of \$676,000, which we expect to be close. I don't have a figure for cost to date. Administration of justice negotiations have been available to Yukon First Nations for many years. I can indicate that our government has implemented a new approach to the justice-related negotiations with Yukon First Nation governments, and it is based on recognizing and respecting Yukon First Nations' jurisdiction, governance, and their legal principles, providing new opportunities for collaborations and partnerships, and promoting incremental and capacity-building initiatives.

The Government of Yukon is committed to working with Yukon First Nation governments and the Government of Canada to negotiate and implement administration of justice agreements. These negotiations are a priority for some Yukon First Nation governments — in particular, Teslin Tlingit Council and the Kwanlin Dün First Nation. Our government is committed to strengthening government-to-government relationships with Yukon First Nation governments, fostering reconciliation, and implementing the final and self-government agreements.

The Government of Yukon is committed to enabling Yukon First Nation governments to exercise their authority and their jurisdiction over the administration of justice. This is in response to the questions about the scope of the work that is anticipated, or being done, by the Negotiations, Collaborations and Partnerships unit in the Department of Justice.

Our government's new approach to administration of justice agreements negotiations with Yukon First Nation governments offers opportunities to consider new tools and partnerships regarding justice-related matters with First Nation governments and the Government of Canada. We hope that this approach encourages the First Nation governments who are not already ready to do so to consider entering administration of justice agreement negotiations. Of course, they are tripartite between Canada, Government of Yukon, and First Nation governments.

The Government of Yukon is prepared to enter into administration of justice agreement negotiations with the Government of Canada and those First Nation governments who have an interest in doing so.

I am happy to note that, at this time, we are having active discussions with the Teslin Tlingit Council. Kwanlin Dün First Nation has taken a brief break, based on some staffing issues they have, but conversations with them have been ongoing for several years, I am happy to say.

I should note that, in August of 2020, the department established a new Negotiations, Collaborations and Partnerships unit within Legal Services, and this branch has a

corporate responsibility to negotiate administration of justice matters with First Nations, including AJAs, and to develop corporate strategies for justice-related matters with Yukon First Nations, which is a great move going forward and an opportunity to be available and ready to do the work with Yukon First Nations in the area of administration of justice agreements.

Mr. Cathers: I would like to ask the minister questions related to the vaccine mandate and impact on Justice employees. We know that certain areas, such as WCC and Justice, had a significant number of people on leave without pay. Can the minister indicate how many employees in the Department of Justice were placed on leave without pay due to the vaccination mandate, and how many of those have returned, and which areas still have employees on leave without pay?

Secondly, I would ask the minister to indicate how many active human rights cases there are right now related to the pandemic and government regulations, mandates, et cetera, related to the pandemic.

Hon. Ms. McPhee: I have some of the information that might be of assistance to the member opposite. Department-wide, we had — and that's the Department of Justice — less than 20 employees who were on leave without pay during the vaccine mandate. I can indicate that all have returned to work, with the exception of 10 of them. I will go there in just a moment. I think there was also one person who was accommodated for religious reasons in that group, ultimately, and the other 10 still remain on leave without pay, because they are employees at the Whitehorse Correctional Centre, and the Whitehorse Correctional Centre is designated as a location where individuals must be vaccinated because there is a congregate living situation and for health and safety reasons in relation to the congregate living situation that is there at the Correctional Centre.

I'm not aware of any active human rights cases that are before the tribunal or that have been brought to the Yukon Human Rights Commission here in Whitehorse involving Justice employees, if that's the question. Then if it's a broader question of how many cases have been brought to the Yukon Human Rights Commission in relation to COVID restrictions or public health measures, I don't have a number with respect to that, but we can look into it to determine if, in fact, there are any cases and if they remain before the commission.

Of course, I am saying that because we would have to contact the commission and determine if they would provide that kind of generic information about any cases. The commission is independent of the Department of Justice, of course, and their work is governed by the *Human Rights Act*.

Mr. Cathers: I would appreciate the minister getting back to me with that information. I know that previously, as Minister of Justice, I have seen information — not the granular detail of human rights cases, of course, but information related to them. My understanding is that this could also be made public, so I would appreciate if the minister would provide it.

I just want to ask a question about the implementation we have seen across a number of departments — funding related to the implementation of the government's climate change and

energy policy or strategy, also known as “OCF”. Could the minister please indicate how much funding in O&M is in the Department of Justice budget this year related to the implementation of that strategy and how much capital is associated with it?

Hon. Ms. McPhee: The Government of Yukon has directed a time-limited increase. This again is related to the Corporate Services branch of the Department of Justice. It directed a time-limited increase of \$125,000 for *Our Clean Future* projects in order to update the *Public Utilities Act* by 2025.

Our Clean Future prioritizes work in a number of areas, including a review of the *Public Utilities Act*. A review of the act will focus on how to ensure an effective and efficient process for regulating electricity in the Yukon. That act comes under the jurisdiction of the Department of Justice, and the Government of Yukon has developed *Our Clean Future*, of course, in partnership with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities. The increase in funding for the Justice budget this year will provide policy support and resourcing for the completion of this work with a target date of 2025.

Mr. Cathers: I will wrap up my questions here and hand the floor over to the Third Party in the interest of expediting budget debate as well as providing them with the opportunity to ask questions today. I would just like to thank the officials here, as well as those in the background, for their assistance in providing information to the minister which was provided to me in response.

Ms. White: I thank my colleague for sharing the floor today. I am excited to see the officials here this time — again in the Justice debate but this time on the mains.

I wanted to start by asking some questions about some of the problems that existed in Corrections back when I worked there in 2009, so it was a couple of days ago.

One of the challenges was — often, for example, folks would be brought in by the RCMP from rural communities. Back in the day at the time, the Greyhound bus was still running so people could get south. For example, if they were released from Corrections, they could get to Teslin and Watson Lake. Of course, we know that the Greyhound bus closed down, and then there was the Husky Bus, and the Husky Bus could take you north. So, it could take you, for example, through the points toward Dawson City. Now, knowing that Greyhound bus is not in existence any longer and the Husky Bus is not doing scheduled services, what happens when someone from a rural community is released from the correctional facility?

Hon. Ms. McPhee: Thank you for the question from the member opposite. I certainly agree that there were days when that was not done — release from custody or from having served a sentence — in a way that we think is supportive of inmates and transitioning from that kind of sentence back to their communities.

I thought initially that the question might be more about bail hearings or about judicial interim release, and I can indicate that we’re trying — one of the lessons from COVID — to do more and more of those virtually so that individuals are not

brought into Whitehorse and then ultimately released on some terms or conditions.

So, work is ongoing with respect to not only providing the infrastructure that is required and available but having the practice changed.

With respect to the question regarding releases from the Whitehorse Correctional Centre, every inmate at the Whitehorse Correctional Centre has a case manager. Case managers are required to do reintegration planning for inmates into their communities when leaving custody. They often work in partnership, primarily with friends and family, to make sure that somebody is able to be transported if transportation is the issue.

But I think for me — and I know for the team at Justice — the real focus here is determining how we can better transition inmates from being at the Whitehorse Correctional Centre back into their communities with skills and opportunities to meet the challenges that they will face, even if they have only been there for a relatively short period of time. I can also indicate that we’re working with our Yukon First Nation partners to see how we can do that better in partnership and ultimately, hopefully, provide a transition phase if that’s a possibility — almost like aftercare or the ability to transition from the environment that is available to an inmate to a return to their community or to another living situation if that is their choice.

Ms. White: I thank the minister for that. I do appreciate knowing that we’ve learned lessons due to COVID and are making things easier — for example, not making people come into town for bail hearings. I do appreciate that. I think that it is probably very helpful for folks.

The minister did just mention friends and family when talking about getting folks back to rural communities. One of the things that we hear on a regular basis is that having a vehicle, having a licence, having the ability to put gas in — all of those are barriers. So, for example, what happens if someone lives in a remote community — let’s say Beaver Creek, as it’s the farthest one I can think about right now on the road — and they are released from Corrections? Ideally, they would go home. They don’t have a way to get home. So, what is the Government of Yukon’s responsibility to that person? You have a person from a rural community. There isn’t someone who can come in or maybe there was a plan that someone can come in — things happen. But what happens? What is the government’s responsibility to that person upon release?

Hon. Ms. McPhee: Thank you for the question. I certainly appreciate that there can be cases where an individual is really facing some barriers. The reintegration planning is not short. It takes place over a period of time so that those arrangements could be made. It is incredibly important that we increase and maintain our trust and partnerships with communities, community organizations, NGOs, and First Nation governments that might be able to help in that kind of a situation. I can say that we have some ability to pay, obviously, for taxis or for some assistance with transportation nearby — or more nearby — so you’re not necessarily taking a taxi to Dawson. I take the member opposite’s point, but it truly is a collaborative approach to recognize that it is not like a movie

scene where the gates open and somebody wanders out and doesn't have any support. We recognize that this is an important element.

There is no program or policy, if I can say it that way, in relation to those specific responsibilities at this point, other than — and I want to emphasize this — the responsibility of case managers, the concept of reintegration planning, and the concept of our partnerships. In a world where those are working properly, we are not sending somebody out with no support at all. It is possible that there are situations where that might have happened. It is not something that we want to see happen going forward.

Ms. White: I thank the minister for that.

Am I right in understanding that the arrest processing unit will have daily visits, for example, as a sobering centre?

Hon. Ms. McPhee: I am just going to ask the member to repeat the question as we may have heard it incorrectly. You are asking about the arrest processing unit, the APU, which is a unit physically at the Whitehorse Correctional Centre for the purposes of dealing with those individuals who have been arrested, usually related to alcohol. I think that there is a question about — I don't want to guess, so if she could repeat it.

Ms. White: I thank the minister for that. What I was asking or trying to ask: Are individuals — for example, picked up by the RCMP who may be acutely intoxicated — taken to the arrest processing unit and then not, for example, processed into the correctional facility — are they just there for, let's say, eight, 10, or 12 hours?

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

The arrest processing unit is physically located at the Whitehorse Correctional Centre. It is used as a place of last resort by the RCMP — it is RCMP policy to do so. They work in collaboration, should they come upon a person who is intoxicated. For instance, they work in collaboration with Emergency Medical Services, with NGOs like the Whitehorse Emergency Shelter, or the Sarah Steele Building, or perhaps in collaboration in the near future with a government like the Kwanlin Dün First Nation, where they will have services for individuals who are struggling with addictions. That is what I am talking about in this case but, as a last resort, if there is no appropriate location or if the individual cannot be returned home or to a safe place where they can sober up, then they may be taken to the arrest processing unit.

That's primarily for the purposes of being safe and not consuming any further alcohol and sobering up. They would be available to stay at that location until that was a possibility and would be released from there.

Ms. White: I thank the minister for that. What happens upon the release of those folks? So, the minister said that it's not like a movie where the gates open and a person walks out. If someone has been taken in for the purpose of sobering, what happens when those folks are released?

Hon. Ms. McPhee: Thank you for the question. I just want to be clear. I think I said, "I hope it's not like the movies", and this is the case, because we want to make sure we are

helping people who are leaving custody at the Whitehorse Correctional Centre.

I am going to address the situation where somebody was taken to the arrest processing unit as a last resort. They remain in the custody of the RCMP and under the jurisdiction of the RCMP while they are there. They sober up and will be released by the RCMP if it's safe to do so. Always, one of the criteria is that the person is not a danger to themselves or to anyone else in that situation and they have regained their faculties around that.

If a taxi is called — which it could be — it would be the responsibility of the RCMP. We are always wanting to make sure that individuals are supported in that way. Friends and family are often called to drive them or pick them up. I can indicate that the individuals who work at the arrest processing unit, or with the RCMP, in the situation of releasing individuals are keenly aware of the humanity that's required to do this work and of the support that may be needed for an individual to get safely to where they need to be going.

Ms. White: I thank the minister for the clarification. I think it's just a visual image in mind now and I just imagine it's like the movie and the gates open — although, I worked there, and it's not quite like that. There is a glass door. It's quite nice.

How many folks have stayed at the arrest processing unit since April of last year? Obviously, I don't need to know anything about them. What I'm looking for is the number of unique stays at the arrest processing unit since April of last year.

Hon. Ms. McPhee: Thank you for the opportunity to quickly look. I do have some statistics from the Department of Justice here, but it's not included there. I was not sure. I just had a chance to check that.

We would receive those statistics from the RCMP, so, as I have said, the arrest processing unit is physically at the Whitehorse Correctional Centre but is the jurisdiction of the RCMP, although we, of course, work with them to provide staff there as well.

We can ask the RCMP for that figure. I want to be clear that the question is: How many individuals will have been processed at the arrest processing unit since April 2021? Is that correct?

Ms. White: I do thank the minister for that. I am hoping that it will be in a legislative return, an e-mail, or a tabled document. The reason I ask is that we did actually file an ATIPP because I was curious about it. If we go back to the Beaton and Allen report, which I know that the minister would be familiar with from a previous life — the Beaton and Allen report was really adamant that there needed to be a safe sobering place downtown. It shouldn't have been the arrest processing unit. Full disclosure: This government inherited a facility that was built by a previous government. It depends on what you think justice-involved folk should — you know, there is a whole slew of things there. But it was inherited; I recognize that. Also inherited was an arrest processing unit instead of a sobering space downtown, but the minister, in a multitude of portfolios since declaring the substance use emergency — one of the things to look at is how we deal with this. Do we believe that

acute intoxication is a justice issue or is it a health issue? Do we take people up to the arrest processing unit at the Whitehorse Correctional Centre or elsewhere?

Anyway, it was recommended in the Beaton and Allen report that there be a sobering space in downtown Whitehorse, so we did ask for an ATIPP. From January 2020 to January 2022 — so two years — there were 1,952 stays at the arrest processing unit. If we look into that — and it was hard to get a breakdown because it is ATIPP and you have to ask very specific questions. When I'm looking for those numbers — the reason why I'm asking is that, if it was a matter of individuals needing that sobering space, then with having declared a substance use emergency, my hope is that we can do it in a different way.

I do appreciate that the minister will get back with that number. I am hopeful that we will be up again because this is, I think, an important conversation. I do actually have more of an interest in having a conversation about programs, policies, or things like that — what is happening on an ongoing basis — because I really do appreciate that the amount of money toward Justice in the budget is important, but I just want to know how things are done. I am hopeful that we will be back.

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

Deputy Chair: It has been moved by the Member for Takhini-Kopper King that the Chair report progress.

Motion agreed to

Hon. Ms. McPhee: I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Member for Riverdale South that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. Tredger: Mr. Speaker, Committee of the Whole has considered Bill No. 204, entitled *First Appropriation Act 2022-23*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:26 p.m.

The following written question was tabled April 20, 2022:

Written Question No. 19

Re: auxiliary-on-call and casual staff (White)