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HANSARD

Thursday, October 27, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 Fall Sitting

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

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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
Thursday, October 27, 2022 — 1:00 p.m.**

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes made to the Notice Paper. Motion No. 505, notice of which was given by the Member for Lake Laberge on October 26, 2022, was not placed on today's Notice Paper as the motion is not in order.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Silver: This one is a bit strange in that I am asking people to recognize someone who is working here today — a sergeant retired from the Canadian Armed Forces, Joe Mewett, President of the Whitehorse Royal Canadian Legion Branch 254, and also the Deputy Sergeant-at-Arms at the Yukon Legislative Assembly. Thank you for your service, sir, and also thank you for being here today for our tribute to the annual poppy campaign.

Applause

Mr. Kent: I would like to ask members to join me in welcoming a constituent of mine — Mr. Lee Olynyk, who worked with George Gilbert, and is here for the tribute to George's Gilbert's rock donation to Yukon University. Thank you, Lee.

Applause

Hon. Mr. Pillai: I would also ask my colleagues in the House today to welcome Mark Wickham, who is the executive director of the Northern Community Land Trust, and Laird Herbert, who is also a director with that organization, and they are here for the tribute on land trust today.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Royal Canadian Legion's poppy campaign

Hon. Mr. Silver: I rise to pay tribute to the Royal Canadian Legion's annual national poppy campaign. Inspired by John McCrae's poem *In Flanders Fields*, we wear poppies each and every year, and we vow to never forget the courage and the service of our veterans.

Canadians have been donning poppies for over 100 years as part of the Royal Canadian Legion's annual poppy campaign. I would like to thank the Royal Canadian Legion for all of their work that they do to support our veterans every day of the year. The legion was founded in 1925 by veterans to advocate for their fellow retired soldiers. Every year, they distribute millions of poppies so that Canadians can show solidarity with our veterans and collect donations to help support and provide for them and for their families.

I invite all Yukoners to join me in wearing a poppy to show our support and our thanks for their sacrifices. I also hope that Yukoners will continue to donate to the Royal Canadian Legion to help support important local programs and services for our veterans.

I would also like to take a moment to remember the passing of Her Late Majesty Queen Elizabeth II. Queen Elizabeth II was a veteran of World War II and the first female member of the British royal family to join the military. She also showed support to the legion and its work. In 1960, Queen Elizabeth II gave her consent to the Canadian Legion of the British Empire of Service League to use the prefix "Royal" allowing it to become the "Royal Canadian Legion" that we know today.

Approximately 300 veterans call the Yukon their home, and many are still serving the community in various public safety roles. Starting tomorrow, following the presentation by the Whitehorse legion of the first poppy to Commissioner Angélique Bernard, Yukoners will be putting on poppies and reflecting on the sacrifices made in the lead-up to Remembrance Day.

In the weeks ahead, I will wear a poppy to thank all of the veterans for their service. I will wear a poppy to honour all of our veterans who are no longer with us, and thank them for their sacrifice. I will wear a poppy to remember all of those who have gone to war, lest we forget anything that they have done for us. I hope all Yukoners will join me in wearing a poppy and remember our veterans who gave so much in the service of their country.

Lest we forget.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to pay tribute to the national poppy campaign.

Tomorrow, October 28, the Royal Canadian Legion's 2022 campaign will begin. Each year, this important campaign is launched on the last Friday of October, and the first poppy was presented to Governor General Mary Simon on October 25.

The blood red poppy had long been associated with wartime. The flowers were often overgrown among the mass graves left by battles. During the First World War, enormous artillery bombardments completely disrupted the landscape, infusing the chalk soils with lime. The poppies thrived in the environment; their colours standing out against the blasted terrain. The presence of the poppies in the region at the time inspired poet and soldier, John McCrae, to pen *In Flanders Fields*, which has also come to symbolize remembrance.

I want to take a moment to thank those who volunteer their time throughout the poppy campaign, selling poppies throughout town and in the communities, and highlighting the importance of remembering our veterans and their sacrifices. The legion plays a very unique role in our country, and its structure is unlike any other non-profit organization. They sustain their operations through membership dues, publicly accessible grants, fee-for-service contracts, and other fundraising efforts, but their most important fundraiser is the national poppy campaign. Donations made to the legion poppy trust fund are never used for legion operations. These funds are placed in trust to be used to support veterans of the Canadian Armed Forces and the Royal Canadian Mounted Police and their families in a variety of ways.

The legion branches need our continued support of the poppy campaign in order to continue to support veterans, seniors, and all citizens in the country in the ways that they do.

This year, again, I would like to thank all those veterans, service soldiers, legion members — we have the president of the legion here today — and community members and organizations that promote the poppy campaign. Those who volunteer and organize the Yukon Remembrance Day campaign also need to be thanked for their work to highlight the importance of Remembrance Day. We owe a huge debt of gratitude to those service members, present and past, so please wear a poppy. Wear it over your heart. Wear it proud.

Lest we forget.

Applause

Ms. White: It is a great honour to rise on behalf of the Yukon NDP to acknowledge tomorrow as the first day of the legion's annual poppy campaign.

As Canadians, we live in a place of safety, security, and privilege, and if we don't look outside our borders, it's easy to forget that this isn't the reality for many. Right now, there are six major wars happening in our world. This means that there have been more than 10,000 direct conflict deaths in the last year linked to these events — events in Afghanistan, Yemen, Mexico, Myanmar, Ethiopia, and, since February of this year, Ukraine. For people in these countries, war isn't a thing of the past; it's a daily occurrence.

We can easily make the mistake of thinking that conflict doesn't affect us because it only happens in faraway places. We forget that, right now in Canada, armed conflict is affecting our friends, our neighbours, and our communities. Families have been separated, as men and women have been sent off to distant places, and today, right now, Canadians are living with the very real consequences of war.

I used to think that everyone understood the importance of the poppy. I used to think that people generally understood that the red flower, worn close to the heart, was a symbol of remembrance, and that they understood the poppy was a visual pledge to never forget those who made the ultimate sacrifice for what we have today. But some days, Mr. Speaker, I'm less confident that the symbolism of the poppy is remembered.

So, here are some things for us all to remember. First, poppies are not for sale. You don't need money to get a poppy,

so don't feel bad that you don't have cash when you pass a poppy stand. Donations are graciously accepted, but never expected. You just have to have the will to wear a poppy.

Secondly, poppies not only acknowledge the sacrifice of those who lost their lives, but they acknowledge the sacrifice of those who answered the call to duty and walk among us today.

Finally, you can disagree with war. You don't have to like it, or support it, or even want to talk about it. I get that. Ask a soldier, and I'll bet you that they don't like or support war, either. The poppy isn't a symbol that supports war. It doesn't symbolize the politicians who make the decision to engage in armed conflict. The poppy symbolizes the men and women who have borne the cost of those decisions. It lets the families of soldiers know that you care about the sacrifices that they have all had to make.

Poppies take up such a small amount of real estate over your heart, but they represent so much more. They honour the veterans of the past, they show respect for those serving in the present, and they foster hope for the future.

Lest we forget.

Applause

In recognition of George Gilbert's donation of rock and mineral samples to Yukon University

Mr. Kent: It is my pleasure to rise today and pay tribute on behalf of all members of the Legislature to the recent donation by George Gilbert's family of his rock collection to Yukon University.

In order to understand the significance of the donation, it is important to understand the significance of George's career. After a period of mining in the Cariboo region of British Columbia, George moved to the Yukon in 1967, as Newmont Mining's resident geologist. He later transferred to the government's geology program until retiring in 1989.

In a February 2008 *Yukon News* article after George's passing, Yukon's former Commissioner, the late Doug Bell, remarked about George that he was one of the most knowledgeable men that he knew in the placer mining industry.

He also shared a funny story in that same article. In the early 1980s, then-Governor General Ed Schreyer travelled to Dawson City, drawn by an interest in placer mining. "‘He needed someone to show him around,' said Bell. ‘George was the natural choice.'"

"Schreyer was a down-to-earth man, much like Gilbert, and the two hit it off.

"During the trip, he had even ‘twisted’ a cigarette or two for Schreyer, said Bell.

"His friends found this to be pretty funny and made Gilbert a plaque for his desk, of the type that usually display job titles.

"It read: Purveyor of Twistings for the Governor General."

George's adventures became the subject of a book published in 2000 under the title, *Kicked By a Dead Moose*, which includes many Yukon tales as well as some from his time in British Columbia. George's long-time work companion, Lee Olynyk, who has joined us here today, shared one of those stories with me that was recounted in George's book.

George and Lee were looking for samples in the north Yukon near the Arctic coast. Lee had climbed up a steep hill to gather rocks, and George yelled up at him that he was on a dip slope. Lee yelled back, “What the hell is a dip slope?” — just as the ground beneath him gave way and started toward the valley floor. As George said, Lee was able to save himself with a great display of gymnastics, and anyone wondering what a dip slope is can now ask Lee.

One of the samples gathered that day is part of the collection.

Before George’s retirement, he had a chance to mentor a young geologist who was new to government, but someone who many of us in this House know. Mike Burke told me George showed him around the goldfields, including the spots where the discoverers of gold in the Klondike had camped, but Mike isn’t sure if he was just fooling with him or not, but now has a number of requests for tours of those campsites from some of the placer miners in the area.

According to the news release from Yukon University, the Gilbert collection includes close to 500 rock and mineral samples collected from across Yukon and the western United States and is valued at over \$10,000. This collection will help students going forward learn about the geology of the Yukon and will give them some hands-on experience with the samples.

A big thank you to George’s children, Mark and Dolly, who I know are listening in online today, for this incredible gift and for sharing your dad’s legacy with aspiring students interested in earth sciences. Thank you.

Applause

In recognition of World Community Land Trust Day

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government on World Community Land Trust Day to pay tribute to the very innovative Yukoners with the Northern Community Land Trust Society working to create a new housing landscape.

Their mission is inspiring: to enable beautiful, sustainable housing, designed and built by and for northerners, community-led and affordable forever. Together with local governments, they are leading a non-profit approach to home ownership commonly known as a community land trust model. They are working to build the first community-owned, affordable housing project in the Yukon right here in our capital city.

The Northern Community Land Trust Society’s housing project will have a focus on sustainability and use what is called “life-cycle analysis”. This will ensure that the long-term energy efficiency and environmental impacts of the build are considered. A community land trust has the potential to make housing more accessible to more people and keep housing prices affordable long term.

The idea is this: People can purchase homes at cost on land that is held in trust to be used exclusively for affordable housing. The non-profit approach means that when the purchasers sell their units, they must sell them at a fixed rate to new homeowners, rather than the market value. The resale price would be determined by a formula in the land tenure. This takes into account factors such as inflation and improvements made

to the home. Under this model, would-be homeowners have access to affordable housing under the condition that they sell them at an affordable price. We know that creating a Yukon in which everyone has access to safe, affordable housing cannot be realized by a business-as-usual approach. This is why innovation like this is so important.

The theme for this day in 2022 is “community matters”. It is about highlighting how land trusts build and foster community. This is achieved through many aspects, but especially in the way they are designed for connected living. The Northern Community Land Trust Society will have its latest design available during a public event on Monday, November 14. I encourage my colleagues and Yukoners interested in this concept to attend. We are thrilled to champion affordable housing solutions. Our support of this homegrown initiative will help to ensure that it achieves its full potential.

To succeed, we need original solutions made right here in the Yukon by Yukoners for Yukoners, just as the good folks at the Northern Community Land Trust Society are doing. As communities succeed, so do Yukoners. May the example they set in innovation, hard work, and determination be an inspiration to us all.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP and on behalf of the Yukon Party to pay tribute to community land trusts. Land trusts are one of several models that focus on housing as a place for people to call home, rather than a financial investment.

We believe housing is a human right. Housing is safety. Housing is health care. Housing is dignity.

Land trusts share these beliefs and are working toward a world where everyone has access to affordable housing. We are very lucky to have our own community land trust organization here in the Yukon — the Northern Community Land Trust. I know that my colleague already shared their vision, but I would just like to say it again because it is so good. I quote: “Beautiful, sustainable housing — designed and built in the North, community-driven and affordable forever”.

What an incredible vision. We applaud their determination and perseverance in making that vision a reality. Thank you for your work and your commitment to housing in the Yukon. We can’t wait to see what you do.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Silver: Pursuant to section 8(2) of the *Financial Administration Act*, I have for tabling the Public Accounts for the 2021-22 fiscal year.

Hon. Mr. Streicker: I have a legislative return responding to Petition No. 14 regarding the Golden Horn zoning.

Hon. Mr. Clarke: I have for tabling a letter from the Association of Yukon Communities dated October 26, 2022.

Mr. Dixon: I have for tabling a letter that I referenced yesterday in Question Period.

I also have for tabling a subsequent document, which is the minutes of a council meeting on August 30, 2021. It is the administrative report.

Mr. Istchenko: I have a letter for tabling from the Association of Yukon Communities to the Minister of Environment dated October 26, and it is in reference to Bill No. 20, *Animal Protection and Control Act*.

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. Istchenko: I rise in the House today to give notice of the following motion:

THAT this House urges the Premier to request that the Government of Canada defer the proposed increase to the federal carbon tax that is currently scheduled to take effect on April 1, 2023.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Community tourism destination development fund

Hon. Mr. Pillai: I rise today about the recently announced community tourism destination development fund, which will make \$1 million available annually to support businesses, First Nation governments, First Nation development entities, municipalities, and not-for-profit organizations for investments that improve tourism-related services and infrastructure in communities across the Yukon.

Even before the COVID-19 pandemic, the Yukon tourism industry was experiencing capacity challenges, particularly in smaller communities. In many cases, we attract enough visitors here, but we don't have the capacity to make the most of the economic benefits that tourism offers due to a lack of tourism infrastructure that attracts and keeps visitors in our communities. The pandemic heightened the issue of capacity and is an issue facing the tourism industry, both nationally and globally.

Prioritizing destination development is now the recommended approach in tourism destinations around the world. Very few destination development funding programs exist in Canada at this time. With this new program, Yukon will be the leading edge of tourism innovation in Canada, which will give our communities a competitive advantage. At its core, this fund is about inspiring communities to connect and work together to identify a set of projects and programs that complement one another and each contribute to the greater

good of improving their community through tourism investment.

Mr. Speaker, this new fund builds on the efforts to support the tourism sectors recovery from the COVID-19 pandemic. It supports the three goals of the tourism development strategy — which I want to commend my colleague, the previous minister, and now the Minister of Education, for putting in place — which support a thriving tourism economy, foster a sustainable tourism development that ensures a balance between economic, social, and environmental values, and ensures resident support for tourism.

Ultimately, this new program will increase capacity in the Yukon to provide visitor experiences, the development of sustainable businesses in Yukon communities, as well as increase employment and community business revenue.

Tourism is vital to Yukon's economy, and sustainable tourism development requires an integrated understanding of the complex relationships, factors, and forces to support coordinated and thoughtful enhancement of what we offer and how we do it. The Yukon offers so many unique experiences and opportunities, and this fund will help to enhance and highlight all that we have to offer.

The department will deliver an information session on this new fund at the end of November and undertake outreach in communities to identify potential projects, engage community members and proponents, and encourage applications that will have a significant and immediate destination development impact. I look forward to launching the first intakes and seeing the successes enabled by this new fund.

Ms. Van Bibber: Thank you, Mr. Speaker, and thank you for the opportunity to respond to this ministerial statement involving the tourism sector.

As we know, the Yukon as a whole has a lot to offer in the way of tourism. We can all agree that there are supports needed for the tourism sector outside of Whitehorse to enhance the visitor experience, so the community tourism destination fund that was announced by the minister just this morning is welcome. The visibility of some major Yukon tourism players at the announcement this morning indicates that this program will be well-received; however, I have a few things to ask.

Can the minister tell us how the program's criteria were developed? Who guided the development of these criteria and, to clarify, is this program a result of section 2.2 of the tourism development strategy that outlines the development of visitor experiences in communities? Did the Tourism Industry Association of Yukon identify this as a need? I understand that there will be some industry outreach at the end of November. How does the government plan to ensure that all potential applicants receive information on the program?

I also note that this program was not in the 2022-23 budget, nor is it in the supplementary estimates that are before the Legislature now, so it appears that this is an extremely early pre-budget announcement as the news release indicates that the program will be in the 2023-24 budget. If the funding application deadline for tier 1 is February 15, how can the

minister announce a program that has yet to have official funding approval?

In closing, I am pleased to see a fund that tourism players in the communities can access, and I look forward to the minister's answers.

Ms. Blake: From Old Crow to Watson Lake and everywhere in between, the Yukon's tourism operators offer so much to our visitors. Year-round, they work hard to bring joy, curiosity, and exciting experiences to visitors. Thanks to them, tourists have been drawn not just to our natural environment, but also to the people, services, and sights within our communities. It's good to hear that these operators may be able to receive funding to further their work.

The last few years of the pandemic have been very difficult and tourism has been hit hard, and COVID isn't over. This funding could provide much-needed relief to some communities. However, there are still questions about the funding project. Many details are not defined in the government's press release. Instead, there is a promise to provide more information on November 30. Right now, this is an announcement about an upcoming announcement.

Can the minister share what makes an applicant eligible for tier 1 or tier 2 funding? I was glad to see in the press release that the government is planning to engage with the public through information sessions online. However, many communities and rural tourism operators do not have access to stable Internet. How is the minister planning to engage with them?

Many of the potential applicants, like First Nations and not-for-profit organizations, are already operating above capacity. What support will be offered to help them develop their project ideas and applications? What is the minister's plan to ensure that there is a balance between private, not-for-profit, and First Nation governments in the list of successful applicants?

After the February and March application deadlines, can the minister share a timeline for when the department will inform the successful applicants and how quickly those applicants will receive that funding?

Across the Yukon, the housing shortage and affordability are growing concerns. Will these issues, and potential impacts, be taken into consideration when reviewing the applications?

I look forward to the minister's answers to clarify information for the folks who hope to apply. Mahsi'.

Hon. Mr. Pillai: As folks listening or who are in the Assembly here today can understand, there is a tremendous amount of questions here. I will do my very best in answering questions from both members of the opposition.

First, I want to thank the Member for Porter Creek North — based on the fact that, yes, the validation for this program is extremely strong. TIAY, the tourism association, was there today, represented by Mr. Ben Ryan, but also Mr. Ryan sits on the national board for Destination Canada, and as you saw in our press release, Destination Canada also endorsed this work.

The Association franco-yukonnaise was represented, and also the Association of Yukon Communities.

A number of the groups, including the Association of Yukon Communities and their current president, saw the value in the program. I know that they asked today and texted me about making sure that we have an opportunity to have the Association of Yukon Communities get that information out to their members.

I think, between that and TIAY and other organizations, we really have a good opportunity to get this out to folks across the Yukon so they see the opportunity.

Again, this is something that we believe is something that, yes, the community has asked for. Throughout consultation, whether it be conversations in the Kluane region, multiple conversations in Dawson City and the Southern Lakes, we have identified that there have been gaps and there hasn't been a program such as this developed in the Yukon to meet the needs that are there.

Housing, as the Member for Vuntut Gwitchin touched on — yes, this is about even looking at supporting temporary housing so that we don't put those pressures on communities in the summer, and it provides the opportunity to bring in labour capacity.

Was the Yukon tourism strategy — that particular item — a catalyst for this? Yes, there was amazing work done by my colleague, and it was way overdue to get a strategy. At this point, we are trying to build on that good work, and we are looking at that entire strategy being a blueprint for how we go forward.

Absolutely, we are continuing to have that continuity based on that work. Again, for budgets — I think we are in a position where we have gone through the internal processes on this to get support. There are a number of things that are in the budget, but inevitably a budget has to pass in the spring in order to spend those dollars. Yes, I think a lot of things that we talk about are pending that decision. I think that everybody in this Assembly understands the mechanics of the Legislative Assembly — and how we move to allocate funds, how that is done, and what has to happen before that. That doesn't mean that you don't plan previously.

We want organizations to understand that we have heard you. We have come up with a solution. Some of the things that the opposition has been critical of, we can solve. I appreciate the fact that there are a series of challenges. We have gone back. We have listened, we've done the thinking, and we have now built a program that has been endorsed nationally and locally by leading experts to say, "This is how you should address that." That's how we are going to go forward.

I appreciate the comments of the member from Old Crow. We will do our best to get out. If there is any advice on getting out to folks there, please let me know and we will do that. I understand that we should probably get someone up to the communities.

In closing — I know that there are a few other questions — we are looking at turning this around, I think, in 45 days after we get an application, and if I have missed anything, I will do my best to answer it at a future time.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Housing support programs

Mr. Dixon: Yesterday, the Minister responsible for Yukon Housing revealed that a project that included much-needed supportive housing units that were meant to have residents moving in this September has been delayed. This led the minister to call into question the viability of the project to convert the former High Country Inn into supportive housing.

In August last year, this is what the Yukon Housing Corporation told then-Mayor Curtis and his administration: “YHC has also indicated that it will require that it be listed as the owner of the property should the society collapse or fail financially... This will allow it to assume responsibility for the ownership and operation of the facility, and ensure funding conditions are fulfilled.”

Can the minister confirm if this is still the case? If the renovations prove too costly for the society to handle financially, will Yukon Housing indeed become the owner and operator of this project?

Hon. Mr. Pillai: I’m glad the Leader of the Official Opposition has brought this to the floor. No, that’s not correct. The risk-taker primarily on this project was CMHC, which I was very clear about yesterday. They undertook a series of due diligence. On the mortgage, as it’s stated, if there is a challenge with this, CMHC will be first charge, and they will have to take on the responsibility of the asset.

Mr. Dixon: So, that is not what the Yukon Housing Corporation told the City of Whitehorse last year. What Yukon Housing Corporation indicated to the city in the document that I tabled earlier today is as follows: “YHC has also indicated that it will require it be listed as the owner of the property should the society collapse or fail financially... This will allow it to assume responsibility for the ownership and operation of the facility, and ensure funding conditions are fulfilled.”

So, if what the minister has just said is true, when did that change, and why did the Yukon Housing Corporation communicate inaccurate information to the City of Whitehorse?

Hon. Mr. Pillai: It should be a good week. So, yesterday, it was, “Let’s attack the NGOs that are taking the projects on.” Today, it’s, “Why did the public servants from Yukon Housing Corporation mislead the questions?”

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: I’m hearing some mumbling from the guy who doesn’t like to spend money on affordable housing from across the way. Well, hold on to your comments.

In this particular case, maybe what happened was that Yukon Housing Corporation is the second charge. So, they didn’t mislead, even though the Leader of the Official Opposition is voicing that — again disparaging people who are working passionately on housing. So, again, every time you try to make an attack on us, inevitably, all you are doing is disparaging the people who are trying to take these projects on. I assume that the land trust will be attacked soon, later on today.

Again, what is question number three?

Mr. Dixon: As the minister should know, we are asking about the expenditure of taxpayers’ dollars for important housing assets.

In that same city council meeting, the administrative report included a letter from the Minister responsible for Yukon Housing Corporation. Here is what it said: “Capital funding support from the YHC will also be contingent on Yukon government’s final approval of capital costs, operational plans, and long-term financial and program viability for this project.”

We know that formal approval did occur, as it was announced in January 2022 through a joint news release with the Yukon government. Can the minister tell us if Yukon Housing Corporation requested an assessment of the building prior to granting final approval of the capital costs and long-term financial viability of this project?

Hon. Mr. Pillai: There were two types of reviews that CMHC undertook and then informed the Yukon Housing Corporation. In the review of the application, CMHC worked diligently to minimize risks wherever possible. CMHC’s national housing co-investment fund applies a rigorous review of processes required from the Safe at Home Society, to answer the question. Both an accredited appraisal of the building as well as a recent building condition assessment were completed.

We understand that it was only after the Safe at Home Society began their preliminary work to prepare the building that they had come to understand that there were some additional issues. So, yes, to answer your question, there was an analysis done. As I stated yesterday, CMHC led that. Information was shared with us. To date, we put \$1.02 million toward this project. As of now, this week, we have spent just over \$380,000 on the project.

Question re: Fuel-wood supply

Mr. Kent: Yesterday, the Minister of Energy, Mines and Resources announced yet another firewood subsidy. This time, it is a \$10-per-cubic-metre subsidy for commercial fuel-wood harvesters. This is, of course, on top of the \$50-per-cord subsidy for some customers.

What the minister has missed in both of these announcements is that the real problem won’t be solved by a subsidy. The real problem is a lack of supply and the red tape that is holding back commercial harvesters, so why does the minister think that he can subsidize his way out of this supply crisis?

Hon. Mr. Streicker: I said previously that there was an issue with supply and that the forest resources branch has been working diligently on that supply. Yesterday, we did have an announcement — it is a good announcement — for our harvesters. I thank the member opposite for drawing attention to it. It is a \$10-per-cubic-meter incentive, or, I think, in the range of \$20 to \$25 per cord for our harvesters. That is good news for our harvesters, and we are working on many other ways in which we are supporting our harvesters.

I mentioned previously that we identified 100,000 cubic metres for our main harvester in southeast Yukon, and I spoke with him just a few nights ago. I relayed information to the

forestry branch. They are continuing to do lots of follow-up, and it is all about ensuring that we have supply for Yukoners to make sure that there is wood for people's homes.

Mr. Kent: I would encourage the minister to check with the harvesters themselves because the ones we have talked to are less complimentary about the subsidy that he announced.

The irony that the Yukon is facing a supply shortage of firewood when the territory is absolutely flush with harvestable timber is not lost on Yukoners. The fact that the only answer the minister can come up with is to throw money at the problem is a perfect example of how this Liberal government operates. The lack of supply of fuel wood has led to significant reliance on wood imported from British Columbia. However, the new subsidy that the minister announced was silent on this.

So, will the minister explain: If an otherwise eligible commercial harvesting business cuts their wood in BC, are they eligible for the new subsidy?

Hon. Mr. Streicker: I thought I said, in my first response, that I had been talking directly with one of our major harvesters just earlier this week, and it was a good conversation. He expressed worry about one of the areas that we had identified — working with him to pick — and we got that problem sorted out right away.

We have a whole bunch of programs that we are doing here — about supporting our industry. There is, for example, working on a fuel-break area around Quill Creek. There is, for example, working directly with First Nations to increase the amount of harvestable area. There is, for example, supporting those harvesters who do work in British Columbia by reaching out to the Government of British Columbia to support their applications for permits. We will continue to do that work, and I would like to thank the forest resources branch for the hard work that they have been doing in support of this industry and in support of Yukoners.

Mr. Kent: The question I asked the minister was if the subsidy applies to commercial harvesting in British Columbia, but I did not get an answer to that question from the minister.

The subsidies announced by the minister are clearly band-aid solutions and ignore the elephant in the room, which is the significant lack of commercially viable supply. The Whitehorse and Southern Lakes Forest Resources Management Plan was completed in 2020, and the first priority was to establish the implementation agreement and identify areas for timber harvesting and fuel abatement. This plan could help with fuel-wood and saw-log shortages close to Whitehorse and the major market.

Can the minister update us on whether the implementation agreement is in place and when we can expect harvesting opportunities to be identified? I would also appreciate an answer on whether or not that subsidy applies to wood harvested in British Columbia.

Hon. Mr. Streicker: I think that it was just last week when I responded to these questions. I am happy to do so again. We are working with the City of Whitehorse and Wildland Fire Management in identifying areas around fuel breaks at the south end of the City of Whitehorse. We did reach out, for example, to the Yukon First Nations Wildfire to inquire about

their interest in harvesting or supporting harvesters. We will continue with the work on the implementation plan, and we will continue to expand summer timber harvest opportunities and greenwood harvest opportunities near Whitehorse. So, we are working on all these.

Again, the direction that I have given to the branch is to do all that they can to support the supply of firewood, and I would like to thank them because they are working very hard for that supply.

Question re: Fuel-wood supply

Ms. White: It is a lucky day for the minister because I, too, have questions about firewood. One of the big problems for woodcutters this summer was the lack of access to the Quill Creek area. On paper, there was a good reason for this: the Quill Creek timber harvest plan calls for the creation of a firebreak between the harvest area and the Village of Haines Junction. Under the timber plan, until that firebreak is in place, no harvest will be allowed in the Quill Creek area during fire season. That season is defined under the *Forest Protection Act* and runs from April 1 to September 30. That's half a year, Mr. Speaker, where no wood can be cut in this government's only new harvesting area.

According to the government's contract registry, the design work for the firebreak was only tendered in June of this year. Can the minister tell us why this firebreak wasn't tendered until June of this year, knowing that we were going to run into this shortage?

Hon. Mr. Streicker: First of all, I need to correct the record. I think I announced in this House that, a couple of Fridays ago, we issued a brand new harvest area. I just spoke about it when I was responding to the Member for Copperbelt South. Quill Creek is not the only new harvest area that we have in the territory. The member opposite is correct that, for Quill Creek — and I would never call this red tape, as the Yukon Party has referred to it. It's YESAB. Under the *Yukon Environmental and Socio-economic Assessment Act* and their recommendations, Quill Creek is accessible at certain times of the year for safety reasons. So, we have been working to get a timber harvest plan fuel break near Quill Creek. That work is nearly complete.

When I spoke to the department about it late last week, they indicated that Champagne and Aishihik First Nations was working diligently and helpfully to advance that as quickly as possible. I would like to thank them for their work in helping us to get more wood accessible for Yukoners.

Ms. White: I stand corrected, but sadly the new areas that the minister mentioned weren't harvested in time to ease the fuel shortage that we have seen.

The contract for design for the Quill Creek fuel break only ended a few weeks ago, and I was unable to find a tender or a contract for construction of the Quill Creek firebreak. If the firebreak isn't completed this winter, we may face yet another summer of no available timber harvest in the government's flagship timber harvest area — that of Quill Creek — and this is a concern for Yukoners.

If there can be no timber harvest at Quill Creek next summer, it means another winter of high prices, low supply, and unnecessary stress for Yukoners who rely on wood for heat and cutting wood for income.

Yukoners want to know: Will the Quill Creek firebreak be completed this winter and on time for harvesting to continue beyond April 1, 2023?

Hon. Mr. Streicker: The last conversation that I had with the department was that, yes, the fuel-break area around Quill Creek will be ready to go, or it's anticipated —

My last note says "in the coming weeks", so I will be sure to investigate that further and continue to follow up on it. I also will note that the harvester whom I was speaking with earlier this week said that he was delivering wood to communities right now, out of the new area where we had opened a permit for him.

So, yes, our harvesters are working hard; I would like to thank them. Our forest resources branch is working hard to support those harvesters; I would like to thank them. I know that there is some serious strain on the supply side and all of these folks are working to try to make sure that Yukoners have wood for their homes this winter, and I would like to thank them for their hard work in getting that done.

Ms. White: So, I, too, want to congratulate those folks within the department, and actually, I have another pitch. Section 9 of the *Forest Protection Act* allows the Commissioner in Executive Council to extend, shorten, or designate additional periods of the fire season beyond the standard April 1 to September 30 season. The forest protection regulations also allow for forestry workers to establish a fire season. Permits for industrial activity, like logging, could be extended into the fire season with their permission. Things like snow cover, overnight temperatures, wind speed, and relative humidity are all used to predict fire risk during fire season.

So, what I am looking for here is for the minister to be proactive and allow the knowledgeable people in his department to determine when it is safe for logging to take place with respect to fire risk, rather than relying on fixed dates — that is April 1 to September 30.

Will the minister commit to allowing his department to provide a more flexible and more accurate timber harvest season with respect to fire risk?

Hon. Mr. Streicker: Again, I will say that this is exactly what I asked the department to do.

So, I asked them to use all abilities that they could, under the rules that are in front of us all, and I asked them to do whatever they could, and they did. They found a way to get a large harvest area by going out with a harvester, selecting that specific area, talking directly with the First Nation, and explaining to YESAB that we would use the tools that were in front of us to get there. I just gave that direction.

So, what I can say to the member opposite is that not only have I given that direction, but I will continue to follow up with the department to see what solutions they are able to come up with, because I actually trust them — that they are looking at all possibilities — and I will report on all that I hear.

Question re: Health care services

Mr. Cathers: Mr. Speaker, yesterday we urged the Minister of Health and Social Services to ensure that people on the wait-list for a family doctor are prioritized for the new Constellation Health Centre.

In response to questions, the minister indicated that people on the wait-list for a doctor who want to use the new clinic will have to apply to government again if they want to become a patient. She said: "Applications will be reviewed and prioritized by a team of professionals at the clinic."

Can the minister explain which Yukoners will be prioritized? For instance, will the team prioritize children with unique or rare diseases, or will they prioritize seniors or people who are currently accessing health care through the emergency room? What criteria will the government use to choose which people get to access this new clinic?

Hon. Ms. McPhee: I appreciate the opportunity to speak again about the importance of health care and the new opportunities that are being provided by this government for individuals, and the bigger picture, which is to speak about *Putting People First*, which, of course, is the road map ahead for transforming Yukon's health care system into one of the most responsive in the country.

We are committed to improving care for Yukoners, particularly in the case of the topic of this question. The issue is around the bilingual health centre, also called the Constellation Health Centre. It was named by the work going forward with respect to opening this primary health care service for Yukoners and focused on Yukon's francophone population.

The new bilingual health centre will open its doors to Yukoners on Monday, November 7. It is located at unit 102, 4149 4th Avenue here in downtown Whitehorse. It is known to some people as the Nuvo Building. We have spoken about this before, but that is a temporary location for the new health centre, which will open in about a week.

Mr. Cathers: Well, the minister did not answer the question. We have a situation where, following six years of Liberal inaction on the doctor shortage, we know that there are thousands of Yukoners on the government wait-list for a family doctor. The last number we heard from government was close to 2,500 people.

The minister has billed this new clinic as an access point for primary health care services in the Yukon. Can the minister tell us what the capacity of the new clinic will be? How many of the nearly 2,500 Yukoners on the family doctor list will be able to access the new clinic? Also, I would appreciate an answer to my first question.

Hon. Ms. McPhee: Thank you very much, Mr. Speaker, and thank you for the question. The Constellation Health Centre will be, and is designed to be, the first primary health care clinic of its kind in the Yukon. It will serve as a model of care to build upon in the future — taking that to the reference to *Putting People First* and the polyclinics that are recommended in that report, which was, of course, independent and looked at Yukon's health care system and how we can better improve it.

This addition to delivering high-quality health care and wellness services in both French and English at the centre will

provide an additional access point for primary health care services. The new, collaborative care clinic is one of the recommendations, as I have said, from *Putting People First*. It will allow access for more Yukoners who go to the clinic and who are applicants and chosen as patients there — if they go to the new clinic and they have primary care physicians elsewhere, then they will have the ability to have additional patients added to their list. There are a number of folks who provide wraparound services at the Constellation Health Centre.

Mr. Cathers: This is a very important issue to Yukoners. Over one-fifth of Yukoners don't have a family doctor and the minister dodged the question twice. Again, I will ask a third time to see if the minister can hit this question.

The minister indicated that the new clinic will be staffed by a number of health care professionals to provide services to clients. Can the minister tell us how many physicians are currently employed at the clinic?

Hon. Ms. McPhee: For this fiscal year, we have budgeted \$1.7 million for the development of the Constellation Health Centre. The centre will offer services, as I have said, in both French and English, as well as other languages, through virtual care options. It will be staffed by nine individuals and two contract physicians. Staff includes a clinic manager, nurse practitioners, a registered nurse, a licensed practical nurse, a social worker, and medical office assistants. At this time, no physicians have yet been contracted for that service, but nonetheless, the clinic is going to open and provide the services that are available by nurse practitioners and other nursing staff with respect to primary care.

Starting at the end of October, people will be able to apply, and I think that it is important to note that the applications are being reviewed and prioritized by a team of professionals at the clinic. Acceptance or wait-list status will be based on the current capacity of the clinic's primary care providers, alongside pre-established determinants to ensure an equitable and balanced client on-boarding.

I think it is critical to note that this is a new provision of service for Yukon primary care here in the territory. It is but one solution of many solutions that are being addressed by this government to provide better health care for Yukoners.

Question re: Housing support programs

Ms. Clarke: I have some further questions about the \$40 million that was allocated to the Yukon under the northern carve-out of the national housing co-investment fund. We have received the minister's confidential briefing note on this fund. That note states that the construction of the Watson Lake housing first project was "anticipated to begin in the summer of 2022."

Can the minister provide an update? Did that project begin construction this summer?

Hon. Mr. Pillai: I think it's good to share with Yukoners. We get briefing notes from our departments, and these briefing notes are available to the opposition. There is always a big bluster and drama in the start that it's a confidential briefing note, but it's all the same information that

everybody has access to here. I just wanted to put that on the record.

Yeah, we are in the midst of doing some great work in Watson Lake. Many Yukoners will remember — some may not — that there was an investment of about \$36.5 million a number of years ago that was allocated by the Yukon Party. I can't remember, but it was about \$16 million to buy a couple of hotels in Watson Lake. One burned down before there was ever affordable housing, and the other one was never used for affordable housing.

So, there has been a long-term gap, really, in what has happened in Watson Lake. We are trying to look at affordable options. We have gone down; we've worked with the First Nation directly; we've worked with folks in the community. The Member for Watson Lake and I attended the last session we had there. At this particular point, my direction has been, based on what we saw as some of the tenders came in, to hold the tendering of this project until the first quarter of 2023 to ensure that we can get better pricing.

Ms. Clarke: The next project under this funding allocation is a duplex in Dawson. The duplex was intended to be built at 925 Seventh Avenue in Dawson. Can the minister tell us if construction began this summer on this affordable housing project in Dawson?

Hon. Mr. Pillai: My understanding — I can go back to the department — is it has been tendered. I'm not sure of the current status. I think there are contracts in place, and I believe that work is done. What we've tried to do, because we're building duplexes right now from some of that money — we have projects going on in Mayo, Carmacks, Dawson City, and we have another one that's about to be built in Faro, and, of course, there's the bigger — besides Dawson — we have another 30-unit that we're building in Dawson City, and there's the tenplex in Watson. So, what we've really tried to do on all of these is to keep an eye on what's happening with pricing and ensuring that we can get the best value for taxpayers' dollars, while still ensuring that we use the funds made available to us through our bilateral.

Again, I want to thank the previous Minister of Housing, who did a great job of ensuring that this money came to Yukon in the previous role as co-chair for housing in Canada.

Ms. Clarke: Finally, the note we have obtained discusses a sixplex that is planned for Teslin. The note says that Yukon Housing Corporation will be working with the Village of Teslin on subdividing and rezoning this property to enable construction to begin next year.

Can the minister tell us if that process has happened yet? And has there been any community consultation about using this particular lot for a sixplex? If so, when did that consultation occur?

Hon. Mr. Pillai: I don't have the exact date at my fingertips on the dialogue that has happened. I know that what we've tried to do at Yukon Housing Corporation is to ensure that there has been dialogue with a number of stakeholders in Teslin. Beyond this project, I believe we also had an application from some of the community leaders in Teslin for the project, or innovation — our housing initiatives fund, or HIF. So, I

know there is that happening, and I know there has been work on this other piece. I've had some discussion, as well, with the Member for Pelly-Nisutlin on the project, just ensuring that we had a good understanding of what the community needs are. Again, I can come back on the specifics of when consultation with the community happened. I apologize to the House that I don't have that exactly at my fingertips.

But what you can see is an enormous, record-breaking investment in housing. I think we've hit almost every community. Just touching on all of the work that's being done — again, when you go back and look at what previously happened, there was a real lack of investment — I think about two big tranches of money — the one I talked about earlier, which I think went to the hotels in Watson Lake and to Canada Games housing, and, of course, there is the Member for Lake Laberge's big debacle when he didn't spend that other money after he backed down to pressure from some of his constituents.

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

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 491

Clerk: Motion No. 491, standing in the name of the Hon. Mr. Streicker.

Speaker: It has been moved by the Government House Leader:

THAT Standing Order 45(3.2)(a)c. of the Standing Orders of the Yukon Legislative Assembly be amended by deleting the phrase "Yukon Workers' Compensation Health and Safety Board" and substituting in its place the phrase "Workers' Safety and Compensation Board".

Hon. Mr. Streicker: This is really just a housekeeping motion to get in place ahead of the Standing Committee on Appointments to Major Government Boards and Committees, updating the name of the Workers' Safety and Compensation Board, and I am hopeful that we will see a quick passage of this motion.

Ms. White: I thank the minister for bringing this forward. I'm all about expediency and making sure that things match within the Standing Orders and what needs to happen, so the NDP are in support.

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

Does any other member wish to be heard?
Motion No. 491 agreed to

Speaker: Government bills.

GOVERNMENT BILLS

Bill No. 16: *Second Act to amend the Legal Profession Act, 2017 (2022)* — Second Reading

Clerk: Second Reading, Bill No. 16, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, be now read a second time.

Hon. Ms. McPhee: I am pleased to bring forward the *Second Act to amend the Legal Profession Act, 2017 (2022)*, for second reading today.

Our government is committed to modernizing Yukon's legislation, so that it works for all Yukoners, and keeping it up to date. This update to the *Legal Profession Act, 2017* honours that commitment. The *Legal Profession Act, 2017* was brought into force by the Government of Yukon, our government, on February 6, 2020.

Mr. Speaker, it is important to always take the opportunities to improve and adjust the laws of the Yukon, as needed, to keep them effective and up to date. This past spring, the Legislative Assembly passed an amendment to the *Legal Profession Act, 2017*. That amendment addressed narrow language in the act that hindered the society's ability to permit corporations incorporated in other Canadian jurisdictions to provide legal services here in the Yukon.

You will note that the legal profession has modernized its licensing across Canada with mobility agreements and the northern mobility agreement as well. The members opposite have been asking for that to be considered with respect to the medical professions, and I can assure the members that work is actively being done. It is an issue across the country, and certainly one top-of-mind for ministers of the governments across Canada. I note that, because it is exactly the item that we addressed in the spring to allow corporations that are incorporated elsewhere to practise here in the Yukon if they have the proper licensing and arrangements to do so.

The amendments before us today will accomplish two objectives. The first amendment will provide the option for investigators to dismiss a complaint, and the amendment will provide immunity from legal actions for those who act in good faith on behalf of the society. Firstly, currently, the investigators who investigate complaints against members of the law society here in the territory do not have the option of dismissing complaints for justifiable reasons following an investigation, in cases where the complaints have no reasonable prospect of success. The amendments will allow investigators the discretion to dismiss a complaint after investigation for a justifiable reason. It is critical to note that complainants will continue to have a right to appeal the decision to dismiss their complaint, if that option is available to an investigator and if they take such action.

The second proposed amendment before us today will provide statutory immunity from legal actions for those who act

in good faith on behalf of the society. This amendment will ensure that Yukon's legislation is in line with similar provisions found in all other Canadian jurisdictions, not only in *Legal Profession Act* types of legislation, but in many, many pieces of legislation where individuals act in good faith on behalf of a society.

All efforts to update, correct, or modernize Yukon legislation are important and a critical part of the work that we do here in the Legislative Assembly. In fact, it is the only place that this kind of work can be done. Modernizing legislation and keeping it up to date is a critical part of the work. I have brought these amendments forward — and our government is pleased to bring forward these important legislative amendments — for consideration by this Legislative Assembly.

Mr. Cathers: Regarding this legislation, I would note that we do have a number of questions about it, including who asked for this legislation change and whether there are any active matters to which it would apply. I would note that we will, with some reluctance, support it at second reading so that it can go to Committee and we can ask questions at that stage.

As the House will likely be aware — as I have tabled a copy of my letter to the Deputy Premier, who is the Minister of Justice, as well as to the other member of Cabinet who has indicated that he is a member of the legal profession — I asked them about whether, pursuant to their mandate letters from the Premier, they followed this instruction — and I quote: “You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.”

Mr. Speaker, for the record in this Assembly here, I will read in the text of my letter, which is rather short and is also on the record. I, of course, will omit the name of the minister, as per the requirement of the Standing Orders, but I wrote to the Minister of Justice, with a similar letter to the Member for Riverdale North, who is also, as per his public statements, a member of the legal profession. Writing to the minister, I said this: “On October 12, 2022, you tabled Bill No. 16, *Second Act to Amend the Legal Profession Act 2017 (2022)*. This was notable because, according to your previous statements in the Yukon Legislative Assembly, you are a member of the legal profession.

“I also note your mandate letter includes the following instruction from the Premier: ‘You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.’

“Since the Premier has required that you actively seek guidance from the Conflict of Interest Commissioner, and since there is a potential appearance of a real or perceived conflict of interest in this situation, we believe the public deserves accountability from you. Can you please advise whether you sought advice from the Conflict Commissioner prior to being involved in Cabinet discussions pertaining to *Bill 16, Second Act to amend the Legal Profession Act 2017 (2022)*?”

“Thank you for your prompt reply.

“Sincerely...” — me.

So, in preparing for the speech this afternoon, up until this morning I thought that I would be indicating that the minister did not reply to my letter. I would note that one of the ministers has replied. The timing of that, of course, as the minister knows — she deliberately timed the reply for when we were actually in this House during Question Period, so I would like to thank staff for sending in the letter that the minister tried to slip in at the last minute so she could claim that she had answered the question.

I will, of course, for the record of the House, table a copy of this letter from the Minister of Justice, who signed her letter, Attorney General and Minister of Justice.

Unfortunately, the minister didn't actually answer the question. The key question, as I noted in my letter, was that the mandate letter for each and every minister requires them to “... respect the letter and the spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.” There is that pretense by the Liberal government of proactively seeking advice from the conflicts commissioner but, as we know and have discussed earlier in this session, unfortunately, we have a record by this Liberal government of doing one thing, and then actually failing to follow the ethical standards that they claim to have set for themselves.

The letter from the Minister of Justice, addressed to me, said — and I will quote from it as well as table it, although I trust the Speaker will allow me to do that after I have quoted from it, since I just have the one copy with me at the moment.

The letter said: “Thank you for your letter of October 17, 2022. I note that you have raised this issue in the past, when we were debating the *Legal Profession Act 2017*.” And here is the kicker from the letter: “In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential.

“Suffice to say, as with the passing of the *Legal Profession Act 2017*, I am abiding by my mandate letter and am satisfied that no conflict of interest exists for me to table and debate Bill No. 16, *Second Act to Amend the Legal Profession Act 2017 (2022)*.”

Well, Mr. Speaker, accountability requires disclosure by ministers. I would note, as you heard in my letter — and possibly read earlier when I tabled it — I didn't accuse the minister of being in a conflict of interest. I asked her whether she sought the advice of the conflicts commissioner before tabling legislation that amends the act that governs the profession of which, according to her own public statements, she is a member.

According to the mandate letter from the Premier, one would naturally assume that ministers would do as they are expected to do, and before participating in Cabinet discussions related to legislation affecting a profession of which they are a member, one would assume that they would recognize the need to seek the advice of the conflicts commissioner. What the minister hasn't said and just refused to tell the public is whether she followed her mandate letter and whether she sought that advice.

If the minister sought the advice of the Conflict of Interest Commissioner and if her colleague, the Minister of Environment, did, and if the Conflict of Interest Commissioner said it was fine, then they should have nothing to be ashamed of here. They should have no reluctance to tell us exactly what the Conflict of Interest Commissioner said. They should be comfortable tabling that advice, but the minister did what in the United States would be referred to as “pleading the fifth” and she said — and I quote: “In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential.” So, she refused to answer the question of whether she even asked. It would be shocking to see this type of ethical standard for any government other than this current Liberal government.

Again, Mr. Speaker, I have to remind —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: Mr. Speaker, under 19(g), it says “imputes false or unavowed motives to another member” — and then, in the annotated Standing Orders, it talks about not suggesting that people are acting — any member of this House is acting — unethically. So, I ask that you consider that this is what the member opposite has just done.

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

Mr. Cathers: On the point of order, Mr. Speaker, as we covered on the previous day when the Government House Leader attempted to shut down debate, the Annotated Standing Orders are not the Standing Orders, and, in fact, I was simply referencing the minister’s mandate letter and pointing out that she refused to answer whether she had complied with it.

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

Hon. Mr. Streicker: Thank you, Mr. Speaker. Through points of order, you have stated that we should not be using them to try to then continue to do things — for example, to suggest that what I’m trying to do is shut down debate — no, that’s not correct. What I’m trying to do is to make sure that we are abiding by the rules of order that we all have to govern us.

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

Mr. Cathers: The Government House Leader seems to be beginning a practice of endlessly debating the points of order. He introduced no new information in that last bit. He simply doesn’t like the statements that I made during second reading.

Speaker’s ruling

Speaker: On the point of order, the member appears to have violated 19(g) of the Standing Orders by imputing false or unavowed motives to the member. I ask that the member not use the word “unethical”.

Member for Lake Laberge, please continue.

Mr. Cathers: I, of course, will respect your ruling, but I will return to the heart of the matter — that it is not for individual members of the Assembly to set themselves up as the final judge of the *Conflict of Interest (Members and Ministers) Act*. That is what we have a conflicts commissioner for. This Liberal government purports to set a standard of behaviour for ministers that requires them to proactively seek, and abide by, guidance from the Conflict of Interest Commissioner.

As I asked, on behalf of the public, when I wrote to the minister — I noted that, according to her own statements in the Legislative Assembly, she is a member of the legal profession, as is the Minister of Environment. Again, I wrote a similar letter to him. I also reminded both ministers that their mandate letters include the following instruction from the Premier and again — I will quote: “You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.”

Subsequently, I went on to ask them whether — since there is a potential appearance of a real or perceived conflict of interest in this situation — the minister had written to the conflicts commissioner and sought advice prior to being involved in Cabinet discussions pertaining to Bill No. 16, *Second Act to amend the Legal Profession Act, 2017 (2022)*.

Mr. Speaker, what I asked was whether both ministers follow their mandate letter. The ministers should have both followed their mandate letter and agreed that, whether or not there was an actual conflict of interest, the perception of a conflict of interest itself is problematic for government, and government — any government — should want to clear any cloud of question about whether its members were abiding by the conflict of interest act. The minister wouldn’t even tell me if she had spoken to the Conflict of Interest Commissioner or written to him — wouldn’t even tell me — and that is not the standard for public accountability that should be accepted in this territory. Ministers should have no problem disclosing to the public if they have followed their mandate letters. Ministers should have no problem telling the public whether or not they have sought the advice of the conflicts commissioner.

Again, as with the matter involving the former Minister of Health and Social Services, Pauline Frost, if the Conflict of Interest Commissioner has determined that there is no problem, we are happy to accept the finding of the Conflict of Interest Commissioner. But in this case, what is incredibly troubling is that I asked two simple questions of the minister. Did she follow her mandate letter and proactively seek guidance from the conflicts commissioner? And I asked whether the Conflict of Interest Commissioner had indicated that it was fine? I am paraphrasing my letter slightly, but those are two central elements of the letter. Did you ask the conflicts commissioner for guidance as your mandate letter requires, and, if so, did they say it was fine?

The minister’s letter — again, I will table it as I wrap up my remarks here today — refused to answer the question of whether she had sought the guidance of the Conflict of Interest Commissioner. Again, the quote that really struck me as

startling in the minister's letter was this — and I quote: "In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential."

For a minister to not even be willing to disclose to the public whether she sought advice of the Conflict of Interest Commissioner is not acceptable.

I also would remind the Member for Riverdale North, the Minister of Environment — lest he thinks that I have forgotten about him — that, unless he has just sent me a reply while I am up here speaking, he has not replied to the question about that. Again, it is recognized in the conflict of interest act and it has been recognized by the Conflict of Interest Commissioner many times that it is not just enough for government to be satisfied with not contravening the *Conflict of Interest (Members and Ministers) Act*; it's also important to avoid the perception that may have occurred. A perceived conflict of interest can be just as problematic for government as a real one. In government, any minister in a situation like this should be the first to want to be able to demonstrate that they proactively sought guidance from the Conflict of Interest Commissioner and that the Conflict of Interest Commissioner provided them guidance and that they are acting in accordance with that advice.

As I noted, the Minister of Justice, the Deputy Premier, will not even tell the public whether she sought the advice of the Conflict of Interest Commissioner, let alone whether he said it was okay to participate in amending legislation that governs a profession of which, by her own statements, she is a member.

It is also legislation, I should note, that, in terms of her colleague, the Minister of Environment — the amendments to this directly relate to his former employer, and we do not know, at this point in time, whether there is anything to be concerned with regarding the minister's participation in Cabinet discussions, nor are we saying there is. What we are asking is for public disclosure. Did you seek the advice of the conflicts commissioner as your mandate letter requires, and, if so, did the Conflict of Interest Commissioner say that it was okay for you to participate in those discussions as well as the vote in the Legislative Assembly? It's a simple question, Mr. Speaker.

Ms. Blake: I am pleased to speak in support of the amendment to the *Legal Profession Act*. It is my understanding that these amendments, which were requested by the Yukon Law Society, will allow the society to operate more efficiently. They will allow the society to dismiss complaints made to them that are not substantive, and allow them to focus on investigating more significant complaints.

Thank you to the public servants who answered my questions during the briefing, and thank you again for being here.

Hon. Mr. Clarke: I wasn't going to speak on this, but I will just speak briefly on two comments made by the Member for Lake Laberge. The most recent one is — I'm very puzzled by his assertion about my former employer. My former employer was the Yukon Legal Services Society, also known

as legal aid. I don't think that it has anything to do with this legislation, but anyway, maybe it does, and I stand to be corrected, if that is, in fact, the case.

The second is that I received correspondence some time ago that referred to a minister who tabled Bill No. 16. I thought I had received it in error. I guess now I'm hearing that it was just sloppy on behalf of the Member for Lake Laberge and that I was the actual intended recipient of that letter, but perhaps the Member for Lake Laberge could send me another. If it is still his intention to have me receive a letter with an accurate appellation and accurate indicator as to whom he is addressing the correspondence, and he wishes me to consider it, then I will receive that letter and I will take it under advisement and consider it.

I was not the minister who tabled this bill, so I thought that it was sent to me in error, but I have heard the Member for Lake Laberge's comments today and I will review the letter and consider my options.

Also, I will just confirm that I am mystified by his concern about my former employer. I don't know where that comes from and what he is referring to. I don't think that I actually had any other employers in — well, that is not true. I had one for a few years, but it was a law firm. But I think that he is mistaken when he is asserting some sort of conflict that I might have in relation to my former employer — the Yukon Legal Services Society, also known colloquially as "Yukon Legal Aid", where I worked for 22 years.

So, if it is the member's intention still to seek some information from me, I look forward to confirming that he is addressing that request to me and not to the Minister of Justice, and I will receive that request, take it under advisement, and act accordingly once I have had an opportunity to consider my options. Thank you, Mr. Speaker.

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

Does any other member wish to be heard?

Hon. Ms. McPhee: I appreciate the comments from the member for Old Crow with respect —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Third Party House Leader, on a point of order.

Ms. Tredger: This has happened several times today that the Member for Vuntut Gwitchin has been called the "Member for Old Crow". I don't think that any disrespect was meant, but I would ask that members use her correct title.

Speaker's ruling

Speaker: Can I advise all members to please use members' titles when referring to another member in the Legislative Assembly. Thank you.
Minister of Justice.

Hon. Ms. McPhee: Thank you for that reminder and my apologies to the Member for Vuntut Gwitchin with respect to

my misstatement. I appreciate the comments that were made by that member in relation to this piece of legislation — to this bill — because, in addition to other comments, she reminded the Legislative Assembly that this bill was drafted in response to a request from the law society for their legislation to be as accurate and efficient as possible, and for that legislation to serve Yukoners in that way.

I wasn't going to address the comments by the Member for Lake Laberge, but I will do so very briefly. This issue is the same issue that was dealt with extensively back in 2017 when I introduced the then-bill for the changes to the *Legal Profession Act*. It is absolutely my responsibility to comply with my mandate letter. While I appreciate the reminder by the Official Opposition, I certainly understand that responsibility. I was asked if I am complying with my mandate letter, and in correspondence, I replied that, in fact, I was.

I can also note that I did reply to the member opposite, and he has read part of my letter. I should also indicate that, if there are any questions remaining about this issue, I am not in a conflict of interest with relation to this bill before the House. There is no conflict whatsoever between my public duties and my private interests. I would respectfully request that, if the member opposite believe otherwise, that he take the insinuations, his concerns, or innuendoes, about my behaviour outside of this House and complain to the Conflict of Interest Commissioner. In fact, that is the part of my letter to the Member for Lake Laberge that he did not mention today. I appreciate that he says that he is going to table this letter. I am happy to do the same.

We can have one copy, but the second-last paragraph of my letter says, "If you continue to be concerned about this matter, you have an option to take it up with the Conflict of Interest Commissioner." The last paragraph of my letter says, "Thank you for your question regarding this matter."

I think enough has been said with respect to this particular issue. I am very pleased to present this bill for consideration for the reasons I have explained and how it will update, modernize, correct, and provide better law here in the territory with respect to the work and responsibilities of the *Legal Profession Act*. I hope there is support for Bill No. 16.

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.

Ms. McLean: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Agree.

Mr. Kent: Agree.

Ms. Clarke: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: D'accord.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 18 yea, nil nay.

Speaker: I think the yeas have it. I declare the motion carried.

Motion for second reading of Bill No. 16 agreed to

Bill No. 17: *Clean Energy Act* — Third Reading

Clerk: Third reading, Bill No. 17, standing in the name of the Hon. Mr. Streicker.

Hon. Mr. Streicker: I move that Bill No. 17, entitled *Clean Energy Act*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 17, entitled *Clean Energy Act*, be now read a third time and do pass.

Hon. Mr. Streicker: At second reading, this was supported by all members of the Legislature. During Committee of the Whole, we heard from members of the Yukon Party that they did not support the target of 45-percent reduction. I'm going to try to speak here at third reading to petition all members of this Assembly to consider supporting this act.

The *Clean Energy Act* is about providing a legislative framework that sets greenhouse gas emissions and reduction targets into law. The purpose is to ensure that there is transparency and accountability in meeting the targets and allows regulatory authority for additional greenhouse gas reduction targets.

The new act will direct the Government of Yukon to take action to achieve the targets and ensure a continuance of climate action, accountability, and transparency over the long term. Without this new act, the Government of Yukon would not fulfill one of its key climate actions under *Our Clean Future*, and it would also make it difficult to achieve many of the other commitments.

The members of the opposition pointed out that they felt that it would be harder to get to the 45 percent, and I agree with them that it would be harder.

However, it's important, and I think that, in this moment, all of us are effectively taking a position about what we should strive to do or not. Creation of the *Clean Energy Act* holds the Government of Yukon and future governments accountable for implementing, reporting, and achieving climate actions set out under *Our Clean Future*, and it ensures long-term government accountability and sets a benchmark for developing measures to reach the legislated targets. This is about legislating our

greenhouse gas emissions reduction objectives, and it will inform future decision-making to achieve targets under the act.

In my experience working on the issue of climate change, you need to set targets. Second of all, you need those targets to be significant, and you need to show the actions you're going to take to achieve those targets, because without those things, you will not achieve it. It has been a challenging issue.

My recollection of this issue is that it first hit the floor of this Legislative Assembly, I would suggest, less than 20 years ago. I remember when I first started hearing Members of this Legislative Assembly talk about climate change; I remember reaching out to the Department of Environment at the time and suggesting that I could provide a briefing for the minister to talk about the seriousness of this issue.

Back then, we talked about the importance of setting targets, the importance of taking action, and the importance that, if we did not do that, that it would just ratchet up. So, it isn't that if you just say, "Okay, we don't need to do that," that the problem goes away; in fact, the problem increases. In particular, across the north, whether we're talking about permafrost underneath our communities, or whether we're talking about forest fires and the risk increasing, or whether we're talking about flooding and the frequency and severity of that flooding increasing, these are all significant, significant risks, and those risks will go up.

I think this act will bring the Yukon in line with the most progressive greenhouse gas emissions reduction targets legislated in North America. I encourage all Members of this Legislative Assembly to consider that this is an important thing for the Yukon, for the future for the world, and to please support this act. I think it will strengthen it going forward, should everyone support it.

Ms. Tredger: As I respond to this bill at third reading, I want to start by just talking a little bit about the situation we are in, and I know my colleague across the way has done that.

I referred to a report yesterday, in a different debate, from the Yukon University that came out this year. This predicted that, over the next 50 years — so, 50 years — the report states that temperatures in the territory could jump between 0.7 to 3.7 degrees in the next 50 years — enough to drastically alter ways of life. If I'm lucky, that's within my lifetime. We're not talking about a distant future at all. We are talking about a crisis that is here now.

During Committee of the Whole, we discussed a little bit the relative merits of 45-percent reductions versus 30-percent reductions. Something I forgot to mention at the time — there has been a lot of conversation about 45-percent reduction being realistic, that we don't have a plan. We do have a plan. It's called *Climate Shot 2030*. The Yukon Climate Leadership Council has worked incredibly hard to tell us how this can be done.

I just want to walk us through a little bit of how that happened. I guess it's about a year and a half ago now that the confidence and supply agreement was signed. The Yukon NDP knew we had to get to that 45 percent. We knew it wasn't negotiable. We also knew we needed a plan to get there, so part

of that agreement included creating the Yukon Climate Leadership Council, which pulled together 12 Yukoners with a huge range of expertise, lived experience, and all kinds of knowledge, and we asked, "Can you make us a plan?" They said that was a pretty big task, but okay. And they did it. They actually gave us a plan that has more than 45-percent reductions. We get to choose how we want to meet it. There are options. So, absolutely, it can be done, because they have told us it can be done, and they have told us how.

I just want to express such gratitude to them for that work, because they worked just about a year on that report. They got incredible things done in that time.

I actually asked about that report quite a bit during Committee of the Whole, because I wanted to know if there was going to be a formal response to that report. I was told that there was, and it would be public, and I appreciate that, but I was told that we can expect to see that response in August of next year. The report came out in September, so that's nearly a year to formally respond to the report. That's almost as long as it took to write the report. I would respectfully urge my colleagues that we can do better, that they need to respond sooner, and we need to get going on that sooner.

I know that my colleague has said that he is going to start those actions as soon as possible. I would really ask that we communicate that outward, that we let those people know — we let Yukoners know — that we have taken that report seriously, that we are acting now, that we are looking at it now, that we're going to respond to it soon and not wait until August for that to happen.

The other big piece of this legislation that I need to address is the decision, of course, to exclude mining emissions from the 45-percent target. I said this before, and I will say it again: You know, I get the argument about how the level of mining fluctuates in the territory. I really do hear it, but at the end of the day, we can argue until we are blue in the face about that. It doesn't change the impact of those emissions. I just have these visions of, as the world is collapsing around us — it's on fire; there is flooding and landslides — and we're saying, "Our emissions were so efficient, and it doesn't matter." What matters is how much carbon we are putting into the atmosphere, and that is what we have to get down. So, I am disappointed that was the choice that was made for this bill.

I want to end on a positive note, because I am really excited that we are committing to this. I am terribly, terribly proud on behalf of the Yukon NDP of that 45-percent reduction. I am happy to be seeing this move forward. We will, of course, be supporting this legislation.

Hon. Mr. Clarke: I am pleased to be here today with my colleague from the Department of Energy, Mines and Resources on Bill No. 17, *Clean Energy Act*, for third reading.

As I have stated previously, it is inspiring to see what we can accomplish as a government, and as a society, when we collectively work toward building a common vision for the future together. The climate is changing at unprecedented rates, and Yukoners have made it abundantly clear that we need to act

now. Doing so requires us to lower our emissions, starting with the way we consume energy in our daily lives.

Yukon's climate is changing, impacting the water, land, and the places we call "home". We know that elders lived through winter temperatures that our children may never experience. Wildlife and plant species are claiming habitat in places that they have not before. Every stage of the water cycle is being affected, including precipitation, surface water flows, and groundwater recharge. In some locations, water systems are taking new paths as glacial sources retreat. Flooding may be more severe and frequent in other areas. Species like the pine beetle, which can kill pine trees, are making their way to Yukon forests, while outbreaks of spruce bark beetles already kill spruce trees in the territory. More dead, flammable trees in our forests could contribute to wildfires becoming more frequent and intense.

We know that, as our population continues to grow, we will require more energy. At the same time, we need to reduce our carbon footprint and ensure economic stability and energy security. We take the threat of climate change seriously. We have joined First Nations and municipalities in the Yukon to declare a climate emergency in the territory.

Our Clean Future is the Government of Yukon's answer to the climate emergency. We are working in partnership with Yukon First Nations, transboundary indigenous groups, and Yukon communities to implement the strategy, which has four key goals: reducing the Yukon's greenhouse gas emissions; ensuring that Yukoners have access to reliable, affordable, and renewable energy; adapting to the impacts of climate change; and building a greener economy.

We know that the Yukon is warming at, at least twice the rate as the rest of the world. We need to mitigate and reduce the impact of climate change by reducing our greenhouse gas emissions. We have committed to an ambitious target of reducing our emissions by 45 percent below 2010 levels.

As part of our commitment, we are tracking and reporting the territory's greenhouse gas emissions. In the Yukon, transportation and heating buildings are the biggest sources of emissions. While the Yukon's emissions are a small percentage of Canada's total emissions, our per-capita emissions are the sixth-highest in Canada. We will reach our reduction targets by tracking and monitoring our emissions. We will implement the actions in *Our Clean Future*, work collaboratively with partners to update our actions, as needed, and adopt new emission technology reductions as they become available. Climate action also means adapting to climate change impacts that are already affecting our territory.

Yukoners need to be aware of climate risks and the role they play as we build a clean future together.

We recently released the first climate risk and resilience assessment for the Yukon. The assessment helps us to better understand where climate impacts pose the greatest risks and the actions that we need to take to protect values that Yukoners hold close. To build our climate resilience, we must protect our transportation infrastructure, prepare for fires and floods, and respond to permafrost thaw. Building resilience supports our territory's food and energy security, our health and well-being,

and supports reconciliation with Yukon First Nations by protecting a culture and heritage that is inextricably linked to accessing the land and a healthy environment.

As a government, we have a responsibility to lead climate action in our territory. We are an active participant in climate actions for our region, our nation, and the world. We support Canada's commitment to the United Nations 2015 *Paris Agreement*; we have put forward Yukon's perspective to shape the *Pan-Canadian Framework on Clean Growth and Climate Change*; and we work regularly with Canada, the Northwest Territories, and Nunavut on projects specific to climate change in the north.

To achieve our climate goals, all Yukoners need to play a part. Families, businesses, organizations, and individuals can all be part of the solution. I am encouraged by the actions that I have already seen in our communities. Yukoners are modifying the way we build, finding new ways to travel, and exploring more sustainable energy sources.

The challenge of climate change can feel daunting and overwhelming. Anxiety related to climate change is real and it affects all of us. One key finding of our climate risk and resilience assessment stands out to me. Yukoners are, in fact, resilient. It is our northern way of life that will continue to support us in our fight against climate change. We will continue to do our part to address climate change by following through on our commitments in *Our Clean Future*. I ask each and every Yukoner to consider how you can play a part in addressing climate change and building your resilience.

Thank you to the Yukon First Nations and transboundary indigenous governments and groups, municipalities, climate advocates in the territory, and every Yukoner who is making a real effort to make change and support climate action in their everyday lives.

Together, we are adapting to the impacts of climate change, reducing our emissions, and establishing a future of a changing Yukon. We live in a world that is rapidly changing. Climate change is threatening ecosystems, subsistence harvesting, infrastructure, leisure activities, and many other aspects of our lives.

The Yukon's population is growing, along with our need for reliable, affordable, and renewable energy to continue to power our lives, our work, and our economy.

New economic opportunities are emerging in the sustainable green economy.

Our Clean Future is our answer to the climate emergency. The Government of Yukon developed *Our Clean Future* in partnership with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities over the course of three years. During this time, the partner group gathered four times to establish a vision and values for *Our Clean Future* and to prioritize the areas that we should focus on over the next 10 years to respond to the climate emergency.

Mr. Speaker, as a result of this collaborative process, the strategy reflects multiple perspectives, world views, and ideas. Climate change is, in fact, one of the biggest challenges of our generation. *Our Clean Future — A Yukon Strategy for climate change, energy and a green economy* is one of the many

initiatives in the Yukon that contributes to our collective response to the climate emergency.

Addressing climate change is a collaborative effort. Thank you for the ongoing work of Yukon First Nations, transboundary indigenous groups, non-government organizations, youth researchers and academic institutions, consultants and industry, and other governments, including First Nation governments, the Government of Nunavut, the Government of Canada, Government of Northwest Territories, Government of British Columbia, and a number of committed and passionate individuals.

To track our progress, we have recently released our first annual report. The purpose of this annual report is to clearly communicate what we have achieved and where we may need to adjust our approach to successfully reach our 2030 goals.

In addition to reporting on existing actions, five new and 13 revised actions have been introduced, bringing the Government of Yukon's total actions under *Our Clean Future* from 131 to 136. We expect to continue adding new actions and modifying some as we learn from our past efforts and work toward our long-term goals. The new and revised actions outlined in the 2021 annual report build off existing, completed actions. They add specificity or further direction to existing actions, or represent a change in course after further analysis and research. These new and amended actions will be tracked and reported. We started this in 2022. We will continue to introduce new actions and build on *Our Clean Future* as we learn more about climate change.

As new actions are introduced, they will be reflected in future annual reports. By the end of this year, comprehensive information on the implementation of *Our Clean Future* will be available through an *Our Clean Future* website to prioritize areas that we are focusing on, and will continue to focus on over the next 10 years, to respond to the climate emergency. In order to address the climate crisis, all Yukoners — including individuals, municipalities, communities, First Nation and Inuvialuit governments, territorial and federal governments, academics, non-governmental organizations, and the private sector — can take part in reducing emissions and building communities that are resilient to change.

Non-renewable energy from transportation, heating, and buildings all release greenhouse emissions into the atmosphere. These emissions cause a cascade of impacts from rising temperatures to changing precipitation patterns, leading to local and global climate change impacts.

Mr. Speaker, I will be supporting the *Clean Energy Act* as the energy we consume is directly related to our carbon footprint. It is essential that we transition to a clean energy future by reducing our reliance on fossil fuels to mitigate our greenhouse gas emissions over the coming decades. Although we are a smaller jurisdiction, we have a responsibility to Yukoners, Canadians, and the global community to do our part to reduce our emissions.

The Intergovernmental Panel on Climate Change — or the IPCC, as I will refer to it from here on — has stated that, in order to stay near a 1.5-degree Celsius increase in average global temperatures, global CO₂ emissions need to decline by

about 45 percent by 2030 and reach net zero by 2050. By aligning our territory's greenhouse gas emission targets with the IPCC guidance, we demonstrate our commitment to creating a cleaner future for all.

Voting today to pass Bill No. 17 will be a historic moment for our territory and for all Yukoners. As the Yukon's first climate change legislation, the *Clean Energy Act* will pave the way forward for present and future generations. It will also be instrumental in guiding future decision-making to achieve a renewable energy transition and to build a green economy. In addition to reducing our emissions by 45 percent below 2010 levels, the legislation enshrines our commitment to be net zero across all sectors by 2050.

The *Clean Energy Act* will ensure that we are on a pathway to meet our climate goals. The act fulfills commitments made under *Our Clean Future* and the 2021 confidence and supply agreement to legislate greenhouse gas emission reduction targets. Furthermore, it will support long-term climate change accountability in the Yukon through public reporting on our greenhouse gas emission reduction targets.

In September 2022, the *Our Clean Future* annual report for 2021 was released. Our current reporting tracks progress on four *Our Clean Future* goals and provides updates on 136 actions and their associated indicators. Our most recent data from 2020 shows that our emissions remain three percent above 2010 levels; however, it is encouraging to note that our emissions were down by 12 percent from 2019 levels.

While we have made progress on many of our commitments in *Our Clean Future* so far, there is, admittedly, still significant work to do in order to meet our 45-percent reduction target by 2030. By 2030, territorial emissions need to be 343 kilotonnes or less to reach our 45-percent emission reduction target.

Based on our 2010 baseline emission levels, that means we will need to reduce our emissions by 282 kilotonnes over the next eight years. While the actions in *Our Clean Future* are ambitious, we know that new and revised mitigation actions will be necessary to achieve our greenhouse gas reduction goals.

In order to understand how the 136 strategy actions are performing, we need to measure and evaluate progress. We expect to be adding new actions and modifying others as we learn from our past efforts and work toward meeting our long-term climate commitments. In addition to the 136 actions currently listed under *Our Clean Future*, there are several other initiatives that have been completed and provide a source of potential new actions.

External groups, such as the Yukon Youth Panel on Climate Change and the Yukon Climate Leadership Council have provided full and thoughtful advice to support the government in addressing this complex challenge. We would like to once again express our gratitude to the youth panel and to the council for providing their expertise and recommendations. I can also say that I have certainly heard the comments from the Member for Whitehorse Centre about her enthusiasm for some of the recommendations from the Climate Leadership Council, and we certainly do look forward to

modelling those recommendations and integrating them, as possible.

As indicated, we are currently working with multiple departments to understand how these recommendations align with current work being undertaken and how they can be implemented by government as part of our work to measure the performance of our current actions and to assess what new actions need to be added to *Our Clean Future* to meet our targets.

This will be an essential part of our work, as we prioritize our collective efforts to increase our ambitions and to accelerate our commitments to meet the targets we are putting forward in legislation today. The *Clean Energy Act* is a significant step forward in the Yukon's efforts to tackle the climate crisis. Meeting and reporting on the targets enshrined in this act will require hard work, dedication, and commitment — not just on behalf of the Department of Environment and the Department of Energy, Mines and Resources, but all Government of Yukon departments. It will also create future opportunities for industry to lead innovation and change through the ability to establish sector-specific targets.

Mr. Speaker, we are committed to doing the hard work together and I am incredibly proud of what this legislation represents and what it means for Yukoners. I would like to take this time to once again thank the Members of the Yukon Legislative Assembly for their support and consideration in the passing of this bill, and for sharing a common vision for building a sustainable, clean energy future together.

Mr. Kent: I am pleased to rise on behalf of the Official Opposition to respond to Bill No. 17, entitled *Clean Energy Act*, at third reading here today.

As noted by the Minister of Energy, Mines and Resources in his opening comments, we did support the bill at second reading. Of course, we had a number of questions that we were hoping to get answers to in Committee, and unfortunately, the minister was unable to provide the answers to many of the questions that we had with respect to the plan of how we are going to meet — in particular — the goals that are set out for 2030 of a 45-percent reduction.

Off the top, in Committee of the Whole, the minister told us that in 2020, our greenhouse gas emissions were actually higher than they were in 2010, so there is a lot of work and a lot of ambitious — and hard work that is required between now and 2030 to get us to the 30-percent targets, let alone the 45-percent targets contemplated in this bill.

In the 2020 report, prepared by Navius Research, which helped inform the development of *Our Clean Future* and the 30-percent target, it states — and I quote: “*Our Clean Future* closes 77% of the gap to Yukon's 2030 greenhouse gas target...”. So, even with *Our Clean Future*, we fall short of the 30-percent reduction by 2030, and that is with a plan and modelling in place. The NDP-Liberal agreement came up with a new target of 45 percent. We, of course, proposed in Committee to stick with the *Our Clean Future* target of 30 percent that had been modelled and supported with research. This target, of course, was also campaigned on in the 2021

election by the Yukon Liberal Party, as well as the Yukon Party. In that election, the Yukon Party received approximately 39 percent of the popular vote, while the Liberals received approximately 32 percent of that popular vote.

Our Clean Future was backed up by modelling and targets to get there. Perhaps that is why it was endorsed by so many Yukoners during that 2021 election.

The NDP plan, which was adopted by the Liberals, of 45-percent reductions has no modelling currently, no cost estimates, and no cost projections for the consumer. The only science that supports it, unfortunately, is political science. The NDP Member for Whitehorse Centre spoke in her remarks about recommendations that were made by the Yukon Climate Leadership Council to get to the 45-percent target, but during Committee debate, the minister has already dismissed two of those recommendations related to how the carbon tax revenue is spent and rebated. As the Member for Whitehorse Centre mentioned, we are not sure what the response is to all of the other recommendations.

As we went through Committee debate, the minister demonstrated that there is a substantial amount of work left to hit the targets that are set out. The target of 4,800 electric vehicles on Yukon roads by 2030 is lagging. The minister told us that there are currently 161 registered electric vehicles on the road. So, Mr. Speaker, starting January 1, 2023, Yukoners have to buy approximately 11 EVs each week for eight years to hit that target. The YG is one of the largest — if not the largest — emitters in the Yukon, and the Minister of Highways and Public Works is hedging his bets on the Government of Yukon's targets for zero-emission vehicles as well. When asked about it, he told the House — and I'll quote: “Well, on page 35 of *Our Clean Future* action, what it indicates is: ‘Ensure at least 50 percent of all new light-duty cars purchased by the Government of Yukon are zero emission vehicles each year from 2020 to 2030.’”

“In retrospect — and I guess not anticipating a 102-year global pandemic — although, to be candid, setting this out in 2019 or whenever, this may have been ambitious. I'm not sure if there would have ever been that supply —”

The minister is asking Yukoners to do their part, but he is already backing away from commitments that the government is supposed to honour. When it comes to meeting the targets, we know that we will need renewable energy to help heat our homes and charge those electric vehicles, among other things. Again, the minister was unable to explain to this House how we will get there. The biomass industry is in a mess, as we have heard in debate and in Question Period earlier today — a Liberal-created supply issue is crippling that industry.

Atlin hydro is at least a year late, according to the minister, and \$60 million short of the \$315-million estimate. I understand that funding gap has been closed a little bit with a recent British Columbia government announcement of \$20 million, but of course, still needs additional funds, and we don't know where those funds are going to come from at this point. The minister indicated that this will mean that we will still have to rent four diesels until that project comes online, if, in fact, it does.

Moon Lake is another crucial piece to the needed energy supply, but the minister was unable to answer questions of cost and timing with that project. It is scheduled in the Yukon Energy Corporation's renewable energy plan to come online in 2028, but it is still in the conceptual stage. The minister couldn't even give us a cost estimate at this point, and we have years of permitting, licensing, and construction ahead of us.

There are unanswered questions about costs to the Yukon government. We know that climate change will have a cost to us, whether it is increased frequency of forest fires, floods, or repairs to our highways, but there are also costs to implementing this plan. How much will all of these projects cost us? Under current funding, we could spend up to \$24 million on electric vehicle subsidies alone. The minister has admitted that the \$500 million needed by the Energy Corporation for the renewable plan is already well past that threshold, without a cost for Moon Lake even factored in at this point.

One of the projects that I was pleased to learn isn't completely off the table, according to the minister, is tying into the BC grid. This would help us in a number of ways by getting Watson Lake off diesel-generated electricity, providing clean power to existing and proposed mines, and helping to offset increased demand for power as we move forward, but again, this is a huge cost that Yukoners cannot bear alone.

We have also heard talks of austerity coming from Ottawa, with the Finance minister in Ottawa signalling that cuts need to be made. We all know that budgeting is about choices, and we need to prioritize energy and climate change expenditures against schools, highways, and health care expenditures in a time where belts are being tightened. Those budgeting decisions also have to be made at the kitchen table by Yukoners and their families. Inflation is crushing Yukoners. The cost of heating your home with oil, propane, or firewood is becoming almost unattainable. Carbon tax and GST increases continue to drive costs up, and now we hear economists and the Bank of Canada talking about a coming recession.

Mr. Speaker, interest rate increases are adding to the challenges that Yukoners face. Many people my age will remember well the challenges faced by our parents in the 1980s under the unbelievably high interest rates at that time. Unfortunately, we may be heading that way again. The minister couldn't tell us what the cost of his Yukon clean fuel standard will be. The federal plan is projected to add 13 cents per litre to diesel. Again, all of this will drive up the cost of living for Yukoners, whether they are at the pumps or in the grocery stores.

These are a few highlights of what we talked about when it comes to meeting our greenhouse gas emissions. The bottom line for us, Mr. Speaker, is that we know we need to act on our emissions. We believe that the Liberal election plan of 30-percent reductions in *Our Clean Future* is attainable, and we campaigned on it. If that was the target in this bill for 2030, as we proposed in Committee, it would have passed this House with our support. We do not believe that reaching 45 percent is a realistic target at this time, given the lack of modelling, evidence, and costing presented so far by the Liberal

government. Therefore, we cannot support this new target, and we cannot support this bill as is.

Hon. Mr. Mostyn: Today, we are capping debate on Bill No. 17, entitled *Clean Energy Act*. It legislates set targets for Yukon's greenhouse gas emissions toward our stated goal of net zero in 2050. To that end, it makes us and successive governments accountable in meeting those targets.

Going forward, the Yukon government will have to track and publicly report progress. Let me repeat that: the Yukon government will have to track and publicly report progress. There is accountability, and this legislation will make the Yukon a leader in greenhouse gas reduction legislation in North America, and this is fantastic. As my colleague, the Member for beautiful Mount Lorne-Southern Lakes noted earlier, it is a strong, clear law that fosters a green economy and ensures that Yukon governments of any stripe must live up to the goal of reducing emissions. Great. We can live with accountability. I believe that the Yukon NDP can live with accountability too. The conservative Yukon Party — apparently not so much.

In fact, there is much here before the House this afternoon that makes the conservative Yukon Party squeamish. Yukoners I speak with —

Speaker's statement

Speaker: Order, please.

I mentioned earlier that members need to refer to members by their titles or by their party names. Please refrain from using "Yukon conservatives".

Minister of Community Services, please continue.

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

In fact, there is much here before the House this afternoon that makes the Yukon Party squeamish. Yukoners I speak with want action on climate change. They see historic flooding on their doorstep. They see terrible wildfires close to their towns. They see landslides and bridge washouts depriving their stores of groceries and needed supplies. They see melting permafrost destroying buildings and other infrastructure, highways, and much more. They live the implications. They see the terrible cost in property loss and government expenditure. They want action on climate change. That is what this bill delivers, Mr. Speaker.

Will the Yukon Party support actions — targets designed to get us to zero emissions in 2050? We heard just a minute ago, probably not. Will they support accountability in the Yukon government's actions and progress? Well, the great reveal will happen in the coming vote. Let me define the results. I fully expect the Yukon Party MLAs to vote against this progressive legislation. I fully expect all Yukon Party MLAs will vote against accountability. I fully expect all Yukon Party MLAs to vote against emission targets. I fully expect all Yukon Party MLAs to line up with the oil and gas industry. I predict that, based on the erratic record of the leader of the Official Opposition on the issue of climate change, on the erratic record of the Leader of the Official Opposition on accountability, on the erratic record of the Leader of the Official Opposition on

carbon pricing, on the erratic record of the Leader of the Official Opposition on his support of the confidence and supply agreement, and on the erratic record of the Leader of the Official Opposition on emissions targets. I have said it before, Mr. Speaker — it resembles a weather vane in the grips of the whims of public opinion.

It pivots left, right, and then pirouettes hard right or hard left, back and forth, forth and back, depending on the prevailing wind of public opinion.

Let's explore this a little further. On climate change, the Leader of the Official Opposition positions his party as a supporter of green infrastructure but supports continuing the use of oil and gas in the Yukon. I will note, as my colleague for Mount Lorne-Southern Lakes has done many times, that a central piece of the Yukon Party election platform less than two years ago was to commit the Yukon to a piece of fossil fuel infrastructure for the next 20 years — the LNG plant promised in the Yukon Party platform. Just yesterday, the Member for Pelly-Nisutlin was talking about the merits of oil and gas development in Yukon, furthering our dependence on oil and gas.

On carbon pricing, in his platform in 2021, the Yukon Party leader pledged support to carbon pricing. Recently in this House, the Member for Pelly-Nisutlin denied that ever happened. Throughout this session, the Yukon Party mounted a backdoor attack on carbon pricing by demanding a cut to our six-cent-per-litre gas tax — the lowest in the country. So, which is it? Do you support carbon pricing, or do you not support carbon pricing? It's unclear. Pivoting this way and that. A greener future, or fighting to continue the rampant consumption of cheap fuel — which is it?

When it comes to climate change, the Yukon Party is often silent on the effects that it is having here in our territory. They are quick to talk about the floods and the costs of fires and landslides, but never about the elephant in the room that is causing a drastic uptick in this phenomenon, which is, of course, climate change. I don't often hear an acknowledgement or a responsibility when it comes to climate change — instead choosing to pretend that they are all natural events and that we should only focus on mitigation.

On accountability, when the Leader of the Official Opposition was Environment minister in 2012, he was criticized for weak language on climate change action. In response to that, he said that private sector targets would not even be regulated and the government didn't want to enforce cooperation — again, no accountability.

On emission targets — again, from his time as Minister of Environment way back in 2012, the opposition leader stated: We don't think setting a territory-wide emissions target is the right thing to do at this point. Now, again, from yesterday's statement from the Member for Pelly-Nisutlin, we expect the Yukon Party to vote against this legislation. In fact, as stated just a few minutes ago, this legislation has emission targets. So, again, apparently, this is not the right thing for the territory to drop at this point, either — 10 years later.

Now, the Member for Copperbelt South, who, no doubt owing to his background in this party, is always a voice of

reason on the opposition benches. He has espoused support for a 30-percent target, not 45 percent. The 45-percent figure is a target too far — too far, Mr. Speaker — intimating that it came out of the confidence and supply agreement.

He just spoke about political science, my good colleague across the way — and that's clever. It's a clever line — nice rhetoric. I give him full marks. But there's a problem. He might have had a point. My good colleague across the way might have had a point, except his leader fully endorsed the confidence and supply agreement, including the 45-percent target, just a few months ago, here in this House. For a full afternoon, it was spoken about. That, Mr. Speaker, was political science — epic political science — and I know that now because they are balking. What was good enough just a few short months ago is now a bridge too far. But they were willing to do it in a bid to take power — today, no dice. Political science indeed.

But it leaves one wondering where the Yukon Party stands. Where does the leader stand? A weathervane caught in the latest breeze — impossible to predict. Mr. Speaker, everywhere you look, the Yukon Party is taking a position opposing action on climate change and environmental protections in general. Better Buildings program — voted against it. Modernization of waste management in the territory — oppose it, preferring the sight of abandoned refrigerators and broken televisions in unmanned, unsupervised sites to a plan that protects the environment and helps cut society's rampant garbage production.

It seems that no matter the climate change issue, the Yukon Party either doesn't agree with it or simply opposes the obvious benefits and progress — doesn't give it credence. This isn't leadership. It's not governance. It's really playing party politics with a crisis.

In response to yesterday's NDP bill that would give non-signatory First Nations the right to refuse oil and gas extraction on their land, they declined support again. Of course, the conservative Yukon Party unilaterally took the clause out of the legislation in the first place. The Member for Pelly-Nisutlin even told us that the laws that stood where government would merely need to consider their input — meaning First Nations — was perfectly adequate. That follows a pattern with the Yukon Party. Why have meaningful —

Speaker's statement

Speaker: Order, please.

You just used the word again, "Yukon conservative party". I need to remind members that they need to use the party's name by their official name.

Minister of Community Services, please continue.

Hon. Mr. Mostyn: Mr. Speaker, I am terribly sorry. I have redone my notes, but I must have missed that one. I apologize.

The Member for Pelly-Nisutlin even told us that the laws that stood where government would need to merely consider First Nation input was perfectly adequate. It follows a pattern with the Yukon Party. Why have meaningful consultation with First Nations when it comes to this type of work on traditional

territories when you can sit down at the table with them, say nice things, and then do what you want anyway.

The opposition is always happy to find new ways to sidestep burdensome endeavours such as considering input. After all, even when that was a bridge too far for them to handle in 2014 — when many of the faces I see across the aisle thought that Bill S-6 was the pathway forward for the Yukon.

I could go on. There is a lot here for Yukoners to consider, but this legislation is important. It is as good as any in North America. We support action on climate change. We support the 45-percent target and targets in general, and accountability in reaching them. We are taking action on this world-altering issue. This is our latest action in a long string. I encourage members to support a cleaner future, and I encourage members to support this bill brought forward by my good colleague, the Minister of Energy, Mines and Resources.

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

Does any other member wish to be heard?

Hon. Mr. Streicker: You know, I have been around this issue of climate change for a while now. It has been a real roller coaster, and I will speak a little bit about some of that change over time. I was excited in 2009, when the Yukon came out with its first action plan on climate change. I was very encouraged by that. It was disappointing — three years later — when the first update to that plan came out. The now Leader of the Official Opposition, the now Leader of the Yukon Party, was then the Minister of Environment, and he took away the targets. That was a backward move, in my opinion, and not going to help us to reach our goals around climate change.

I was encouraged, during the last election, when all of the parties endorsed *Our Clean Future*. I thought that was really good, and that is still good. I was especially encouraged, one year ago, when the Yukon Party stood up and said that they would support the confidence and supply agreement. One of the reasons for that was that meant that we were then aligned, and all of us would agree that we needed to get to a 45-percent reduction by 2030, but that wasn't the case.

As I am hearing now, the Member for Copperbelt South has indicated that the Yukon Party will vote against, but there are still a few things — and I think that it is worth noting — but first, let me talk about his comments about there was no science, other than political science, talking about climate change. I'm sorry; that is not correct. It is not even close to correct.

The issue of climate change — this need to transition our energy economy — which we have always known would be a challenge, has had the most science in the world of any subject I have ever seen.

If I were to try to talk about those Intergovernmental Panel on Climate Change reports — we're now up to the sixth report — but usually when they sit on the shelves, it's thicker than my desk, meaning the books would stack up past the desk, because there is so much science that is synthesized in them. It is reviewed by scientists from all over the globe, and they are

clearly saying to us that we need to do all we can to reduce our emissions by 45 percent by 2030 in order to have a shot at keeping global warming to 1.5 degrees.

We have scientists here in the Yukon who study this issue and look at it. There is a great group up at the Yukon University. The Member for Whitehorse Centre talked about the Yukon University report. I tabled that report here a couple of weeks ago. By the way, that is the second version of that report, which is the Yukon key findings and indicators climate change report. I happen to be the author of the first report back in 2015. The second one tabled was done by a very smart group of folks, talking about the challenges that we face. That is now, meaning more change is coming, because as we work toward 2030 to get our emissions down, there still will be significant emissions, which will continue to exacerbate the situation. Climate is slow to warm; it's even slower to try to turn back.

There is a lot of science out there. I disagree with the member opposite that there is no science. Man, I have been around this argument for so long, I have spoken many, many, many times, including a very memorable time up at the Yukon University to the Leader of the Official Opposition, when he was in the role of Minister of Environment. I felt that it was a very good meeting and presentation. I remember commending him for his insights. I just say to all of us today that this is such an important issue.

The high point for me is that this is a good bill. This is a really good thing to do, to make it a responsibility — not just for us today. It's not just the commitment that one party made, or another. It's the commitment that this Legislature will make and enact — it is my hope — when we get to the vote here in a moment. That will truly be an important moment.

I would just like to give acknowledgement to the many folks in the background from the departments who worked to bring this act forward. In particular, I will note Rebecca Veinott from the Department of Justice, Nicole Luck from the Department of Environment, and David Dugas from Energy, Mines and Resources. I know that team has worked really hard on this, and I want to say thank you to them. It's a very good thing today.

It is my hope that this legislation will be passed by this Assembly. I heard the members opposite, from the Yukon Party, that they don't support this. When I looked at their platform, they say, "Hey, let's get to net zero by 2050," but I looked for how they wished to do that. They are critical of the actions to date under *Our Clean Future*, including developing the Climate Leadership Council and taking in that work. They suggest that is not well enough thought out, that isn't certain — but it goes the other way, in my mind. If we were not to pass this legislation, then I feel it would be a fait accompli that we don't achieve targets. We have to do the things that are hard. This is that moment when we stand to vote on this bill.

I respect that there are different perspectives here — the perspective that the Yukon Party seems to be saying is that it's not too hard, or it's not important enough — okay, but what I am going to celebrate is that this act will make it the responsibility of this government and future governments, in order to achieve the necessary reductions in greenhouse gas

emissions, in order to try to keep us with a climate that is not going to lead to disastrous outcomes for our kids, and even our families of today.

So, this is a super important piece of legislation. I feel an incredible privilege to be part of the group of legislators who are here today, who will vote on this, and I look forward to that vote — and in my hope, the passage of this act. Again, thank you to all those who have been involved.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Mr. Pillai: Agree.

Hon. Mr. Clarke: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Disagree.

Mr. Kent: Disagree.

Ms. Clarke: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Ms. Van Bibber: Disagree.

Mr. Hassard: Disagree.

Mr. Istchenko: Disagree.

Ms. White: Agree.

Ms. Blake: Agree.

Ms. Tredger: Agree.

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

Speaker: The yeas have it.

Motion for third reading of Bill No. 17 agreed to

Speaker: I declare that Bill No. 17 has passed this House.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

Prior to proceeding today, the Chair will deliver a brief ruling.

Chair's ruling

Chair: On Tuesday, October 25, 2022, during debate in Committee of the Whole on Bill No. 19, entitled *Technical Amendments Act (2022)*, a point of order was raised by the Government House Leader after the Member for Lake Laberge stated, “This is unfortunately, as I noted, not the first time we have seen a case of this government — this Cabinet — failing to comply with the law.”

Chairs in the past have ruled on this matter. During the 33rd Legislative Assembly, the Chair of Committee of the Whole delivered a fulsome statement regarding the use of such language. In this April 24, 2012 statement, the Chair said — and I quote: “Compliance with acts passed by this Legislature is an important issue for this House. Members must have the opportunity to pursue that line of questioning, if they believe compliance is absent or incomplete. At the same time, members have to keep in mind that the Assembly is not a court of law and that the House does not have the authority, or the appropriate processes, to determine whether an individual has broken the law.

“Reminding a member that he or she has a duty to uphold the law is in order. Citing instances where a law is not being complied with, in the opinion of a member, is also in order. However, it is not in order to inject into debate a direct accusation that a member has broken the law.

“If a member wishes to make a charge against another member, he or she must do so by way of a substantive motion for which notice is required.”

In light of this, and given the matter that was before Committee at the time that the Member for Lake Laberge made the comment, I find that the line of questioning and the expression used was in order. However, I will caution all members to ensure that any remarks that they make in debate, alleging non-compliance with the law, conform to the principles laid out in the Chair’s April 24, 2012, statement.

The matter now before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 20: *Animal Control and Protection Act* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 20, entitled *Animal Control and Protection Act*.

Is there any further general debate?

Hon. Mr. Clarke: Thank you, Madam Chair. I would just like to welcome the officials back, chief veterinarian Dr. Mary Vanderkop to my left, and Kirk Price, who is to my right.

I do have some preliminary comments to make here and then we can get into some more questions. We know that the following stakeholders, among others, are interested in the next phase of engagement, and we look forward to and are committed to working with them. We have communicated with all of the following groups: the Wilderness Tourism Association of the Yukon, Yukon Agricultural Industry Advisory Committee, the Yukon Agricultural Association, the Growers of Organic Food Yukon, the Yukon Outfitters Association — perhaps belatedly, in light of questions from a few days ago — the Yukon Dog Musers Association, rescues, humane societies, pet stores, business, vets, and boarding facilities.

There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotics, and any other questions or concerns that they may have. For example, we will want to hear from stakeholders on standards of care, making sure that they are reflective of our Yukon values, traditions, and to the animal — whether it is a pet, a working animal, or livestock.

This is in addition to discussions on the proposed permitting process to ensure that they are the “right fit” for pet stores, boarding facilities, and animal rescues.

Our next step prior to finalizing the regulations is to reach out to each of the key stakeholders mentioned earlier, seeking their input. The public input, as I have outlined today, demonstrates substantial support to improve animal welfare standards and to set control requirements across the territory. Boarding facilities, pet stores, and animal rescues are in support of regulations demonstrating that their operations merit the trust that their clients place in them.

We know that there are existing populations of feral horses in the Yukon. In the past, there have been feral cats or dogs in some communities.

This act provides a suite of tools that had not been authorized in the past. Although there is no immediate plan to intervene with any feral population, these tools will allow for management of a feral population through surgical or chemical sterilization to control the number of animals without methods such as capture and destruction. It also enables the ability to adopt new methods that might become available in the future.

The new legislation prohibits a number of methods of killing, including slaughter without prior or simultaneous loss of consciousness. As I indicated previously, we have been in direct contact with religious communities in the Yukon, including the Jewish Cultural Society of Yukon and the Yukon Muslims Society. They are aware and support that we will be prescribing nationally accepted guidelines that will allow this method to be used for the purpose of ritual slaughter to produce halal or kosher meat.

Yukon’s penalties and fines concerning animal welfare and control were sorely lacking. This new legislation brings Yukon

penalties and fines up to par with other jurisdictions across Canada.

We are looking to address critical safety concerns for both Yukoners and Yukon animals. Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory and will fail to mitigate risks that uncontrolled animals pose for public health and safety, the environment, and property.

In 2008, the Yukon Party government started the process. They recognized how critical it was, in a northern jurisdiction, not to be left behind the national advances in legislation to protect animals from abuse. They passed the *Animal Protection Act* that is in force to this day. The government at the time had the foresight to include measures respecting how communities may be remote and provided for enforcement by RCMP, who might be the only officials in some communities. They even provided for obtaining warrants by phone and for warrantless entry, when officers were justified and had no alternative.

By 2009, they created a position for an animal protection officer and the welfare program in Community Services. However, as Yukon public servants listened to concerns of the people here, they heard repeatedly that, while we had a law to protect animals from dangerous people, we had nothing to protect people from dangerous animals. Those calls for action were answered in 2010 by engagement, specifically with the people of Ross River, to address dogs that were out of control. While it was possible to create reports about what could be done, there was not the will to make any change.

The *Dog Act* remained our only tool, and it was significantly limited. In 2015, we saw a change. It was clear that the administration of the animal protection program should be under the chief veterinary officer. Veterinary expertise could provide guidance for future improvements, and the program moved in April of 2015. As I have mentioned, officials undertook evaluations and revitalization of animal protection programs, engaging community members to make improvements.

For one young man and for a community, change was unfortunately and tragically not fast enough. In the winter of 2015, Shane Glada-Dick was killed by a pack of dogs. This young man was the victim of dogs that he knew and had helped to care for. This tore at the heart of the community. The coroner released a report in 2016 that made it clear that the legislative framework, specifically the *Dog Act*, needed reform.

Officials began the process then to engage broadly to confirm the views of Yukoners about how animals should be controlled; how enforcement could be improved, particularly in remote communities; and what new legislation should look like. We have been listening to stakeholders actively and repeatedly since then.

It is, as I indicated a few days ago, well-documented, but, of course, not all meetings are documented. It is often in conversations when we interact with clients, concerned citizens, and groups in the course of our work. “What we heard” has led us to identify gaps in the entire framework related to domestic animals and people in the Yukon. What we have built,

based on all of those conversations, is an act that enables us to address these concerns. Does it currently have all the details required? No, of course not. Those details are rightly established after consultation with stakeholder groups most significantly impacted. Will we formally engage with those groups, as we develop these regulations? Of course, we will. We have a framework before us today, that once enacted, will provide the scope and breadth appropriate to modern legislation in 2022. It includes “what we heard” over many years, and will stand the Yukon in good stead well into the future.

I would like to sincerely thank the members for their time this afternoon and for their anticipated valuable contributions to the discussion of the bill, and thank you for the opportunity to provide some introductory comments this afternoon.

Mr. Istchenko: I do want to welcome the staff who are here to support the minister today. Like I said earlier, in my original opening comments, of course, we support taking appropriate measures to keep our domestic animals safe and to ensure that, in the case of animal abuse or neglect, the government has steps to ensure that animals are cared for appropriately. That is important — 100-percent important.

But where we are at — we are actually asking specific questions. The minister just got up and repeated what he said in the House a few days ago. So, I am interested in some of the questions I am asking him — hopefully getting to the crux of it and getting some answers. Where we left off was with the outfitters who weren’t consulted. One of the things that popped up into my mind when I was listening to the minister, and I had asked him if he thought that it might have been a good idea to consult with them — was that the act has a lot of different aspects to it. One of them, I am going to say, is feral horses as a part of this act and how to deal with feral horses. Well, a horse to an outfitter is the same thing as a hammer to a carpenter: it is an essential tool; it is part of their business. If they don’t have it, they can’t run their business.

If you look at this, not consulting with the Outfitters Association, I would bet you that what is in the act on feral horses would be a lot different. I know outfitters who have had feral horses intermingle with their horses, and the outfitters has had to put down his saddle horse, which is his business, because it gets a disease from feral horses — or wild horses; there are many names for them out there. I am pretty sure that what is in the act would be a lot different in the section about feral horses if they had actually consulted with the outfitters.

My question then is: Does the minister agree with me?

Hon. Mr. Clarke: As I reiterated from my comments previously in Committee of the Whole, my department is certainly committed to talking to outfitters going forward. I am a little unsure about whether the Yukon Party government, in their fairly truncated consultation in 2008, spoke with outfitters at first instance, but we are certainly committed to remedying any gaps that exist with respect to consultation.

I would just say from the outset that my sense in reviewing the entire document is that this is an incredibly thorough consultation engaged in by dedicated public officials, and it is actually very comprehensive by Yukon consultation standards. The consultation is never perfect, and, of course, there is always

additional work to do, and that’s what we are going to do in the months to come with respect to the targeted consultation and making sure that we get the regulations right.

With respect to the Member for Kluane’s question on feral horses, we know that there are existing populations of feral horses in the Yukon. In the past, as I stated previously, there have also been feral cats or dogs in the communities.

This proposed act provides a suite of tools that have not been previously authorized. They include surgical or chemical sterilization that would allow for the management of a feral population, to control the number of animals without methods such as capture and destruction. It will also allow for new methods that might become available in the future.

As I believe I have also stated previously, there is no immediate plan to intervene with any feral population. We will initially respond to concerns when the population of feral animals is identified as a threat to people or to the environment. In most cases, a response will depend on the result of the engagement with communities and/or stakeholders.

We know that there may be differing values that influence opinions about feral populations and the options for control, and we will respect those as we develop action plans. We have the tools needed to deal with situations where disease could be present in feral populations — to livestock.

I certainly value the member opposite’s real-world experience. I certainly welcome, as I stated previously, the input of outfitters. I recall that, in the letter, there was a concern — as I am sure there is a concern with all interested parties — about there being unintended consequences of the new, progressive, modern 2022 legislation. It certainly is not going to be the intention of the Department of Environment or of the Department of Energy, Mines and Resources — they and I will make best efforts to ensure that there are not unintended consequences. Once again, in my view, there was really strong consultation over many months. It was certainly not perfect, but it was a strong process, attending many, many communities, and engaging with a lot of interested Yukoners.

Mr. Istchenko: The question that I asked the minister is if he thought the content in the section around feral horses would have been different if they had consulted with the outfitters. That was my question. I can probably say that it would have been, but I will move on.

We were talking about standard of care and we were talking about the duties of the owners, so I would like to ask a little bit more about the duties of the owners under section 30. In (b), it says: manage the animal in such a way that the animal does not (i) injure or kill any individual, (ii) injure or kill another animal or wildlife.

It would be appropriate to acknowledge that when on public property, these working animals remain under the care and control of the owner.

I was wondering if that has been a consideration to implement as part of the interpretation for working animals.

Hon. Mr. Clarke: If the Member for Kluane could just repeat the question with respect to this. I’m on section 30, and I know, as it relates to — is there a consideration for including

working animals in a certain section? My question is if the member opposite could repeat what specific subsection it was.

Mr. Istchenko: Section 30(b) says: manage the animal in such a way that the animal does not kill or injure any individual or other animal. So, it would be appropriate to acknowledge that, when on public property — what I'm telling the minister is that when they are on public property, these working animals remain under the care and control of the owner. They are the owner's animals. So, I was wondering if that has been a consideration to implement, as part of the interpretation for working animals — if they thought of that and if that's in here. That's my question.

Hon. Mr. Clarke: I'm not trying to be difficult, and I am trying to answer the question. I have the act here. Section 30(b) — and what I have here — is that: "The owner of the animal must ... (b) provide the following with respect to that animal in a manner that is appropriate to the age, species, and type of animal..." — and then various subsections.

Sorry — are we just on different sections right now? I apologize in advance if I misheard, but I anticipate that I have the correct, most up-to-date act here.

Mr. Istchenko: I guess I'll just ask it in a different way. Is the government taking into consideration that, when owners of animals are on public land or public property, they are to be in control of the owner?

Hon. Mr. Clarke: To the member opposite's specific question — I don't think that we are speaking about the same sections.

Yes, the answer is that the words "care" and "control" — to acknowledge that working animals such as horses may not always be contained but are still under the control of the owner or operator. Yes, that is being considered.

Mr. Istchenko: I thank the minister for that.

I want to move on to my next line of questioning. I have a couple or three here.

We know that several stakeholder organizations have written to the government asking for meaningful consultation on the proposed legislation before it comes into law. Earlier today in his opening remarks, the minister did mention a few of them, but could he please tell the House here today how many organizations have written to him and his colleagues to ask for consultation on Bill No. 20?

Hon. Mr. Clarke: What I would say is that there is a bit of a difference between asking to be consulted versus asking to re-engage or to participate in and be consulted in a meaningful way with respect to the drafting of the regulations. I can advise that those letters are coming in quite regularly. I am not in a position to provide a definitive number.

But there is a difference between asking to be consulted in the first instance, or to be included. For instance, the Yukon Agricultural Association has asked to be meaningfully engaged with respect to the regulations. They acknowledge, in their letter, that the current YAPCA is general and transfers a significant burden and importance on to the development of regulations. Concerning the limited industry consultation supporting the development of the YAPCA, the YAA is seeking assurances — it says "binding assurances" — and

deeper consultation in the following areas — and those include six areas, which we will certainly discuss, but that is obviously further consultation.

The Association of Yukon Communities is also seeking further — their request is to be further consulted before the implementation of these legislative changes, which I read to mean that, when the law is in force and effect — it is after the regulations come into force and effect.

My department will communicate in a fulsome manner with the Association of Yukon Communities in the ongoing consultation process, but I can advise that the department is extremely responsive. The chief veterinary officer, Mary Vanderkop, is speaking with interested parties.

The responses are being turned around within a day. Without fail, they are certainly indicating a willingness to continue to engage and to have meaningful discussions over the course of the next number of months to ensure that the regulations are the highest quality possible, and as indicated, that there are no unintended consequences, and also no unreasonable, new demands placed upon the interested parties.

Mr. Istchenko: We are being cc'd on a lot of the letters also, and they are being tabled in the House, of course.

From the contact that the minister has received from stakeholder organizations, have any of them written to the minister asking him to pause and consult on the legislation? And which ones?

Hon. Mr. Clarke: The answer is yes. A few organizations have asked for a pause. Consistent with my comments so far in Committee of the Whole, we are certainly confident that, through engaging, communicating, and addressing concerns, all concerns can be addressed. Once this matter came to the Legislature, of course, it would get people's attention, but certainly, my view of the consultation record is that the majority of these organizations have been spoken to. So, it is more now the clarification with respect to the various technical working groups with respect to the regulations. I have every confidence that the concerns can be addressed over the course of the next number of months, prior to the regulations being drafted and the law becoming — this new, progressive 2022 law — which deals with, in some cases, up to 30-year gaps in legislation and a lack of enforcement and protection tools — that we will be able to answer the questions that are posed.

Madam Chair, the Government of Yukon has been working for several years to develop this new legislation. Our consultation was thorough. As I mentioned at the outset of Committee of the Whole, there were two phases of engagement. In 2018, we engaged Yukoners through a public survey, receiving over 900 responses, and held 10 community meetings to establish values and broad concerns. The second targeted phase took place in 2019 and through 2021 to discuss specific issues with the livestock sector, veterinarians, dog mushers, pet stores, rescues, and others directly impacted by potential changes.

The public input demonstrates substantial support to improve animal welfare standards and set control requirements across the territory. It took substantial time and resources to get

that information collected and prepare a bill of this size for this Legislature.

Let me be clear, our engagement started in 2018, but continues to this day. We are still having conversations and still taking feedback. Informal conversations happen every week. Departments are in regular contact with all the stakeholders mentioned. As we move forward in the development of the regulations under the *Animal Protection and Control Act*, we will engage with all affected Yukon stakeholders. I know that this engagement will also be thorough.

There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotics, and any other questions or concerns they may have. Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory, and will fail to mitigate risks that uncontrolled animals pose for public health and safety, the environment, and property.

I would be surprised, I would think, if we receive unanimous support from the general public at this, sort of, education phase, but this has been a broad consultation, and it will continue. This legislation will provide a lot of tools that were not previously available. I look forward to the ongoing conversations with many user groups.

Mr. Istchenko: Has the minister heard from any stakeholder organizations that would like to see this bill passed immediately?

Hon. Mr. Clarke: We are listening to Yukoners, and we have presented this bill in the House for debate. Many Yukoners view this as being overdue, and I will get to some details on that.

One practical call for help, which has been ongoing at the animal protection unit, is I'm advised that there have been multiple calls per week to the unit asking for some measures to be taken with respect to out-of-control dogs. That's both within Whitehorse and in the communities.

That is obviously one of the big reasons why this legislation is before the House. It fills a significant gap in our legislation to ensure the safety of our citizens and our animals. This modernized statute will provide a comprehensive and enforceable legal framework for managing all aspects of animal protection in the Yukon.

The Agriculture branch has heard from a number of different livestock producers, who have expressed their desire to see improved legislation around livestock control, welfare, and care. Boarding facilities, pet stores, and animal rescue organizations are supportive of regulating the operation of these organizations. Over the course of multiple years, Yukon First Nations and communities have been supportive of improving, and where possible, jointly enforcing new standards in communities, of course, to avoid the tragedy that took place in Ross River a number of years ago.

From the "what we heard" document, people want more enforcement of animal protection and control requirements, and enforcement that will deal with animal hoarding, remove animals from situations of abuse or neglect, and in some cases,

prohibit a person from owning animals. Most importantly as well, they want more effective enforcement tools for local governments and communities, and an increased capacity for enforcement.

I will highlight some of the high-level responses as well, but for organizations that want to have certainty with respect to regulations to ensure there are no undue burdens or unintended consequences, of course they will communicate — as they have — in a respectful manner. They've made their requests known, and they will be responded to and engaged. Generally speaking, it's understandable that the organizations have concerns or questions, and we believe that those questions can be answered.

With respect to the engagement, we contacted every Yukon First Nation, municipal government, and local advisory council. We invited anyone who was interested in having an engagement event set up in their community to contact us. So, it was a public engagement. We worked with every First Nation and community that responded with an interest in having an event in their community. As I indicated previously, there were public meetings in Carcross, Carmacks, Dawson City, Mayo, Old Crow, Pelly Crossing, Tagish, Takhini River subdivision, Teslin, and Whitehorse. We also met with First Nation governments, town councils, and joint councils.

In addition to the community meetings, we posted an online survey during the consultation period between October 16 and December 17, 2018. We received 902 responses. Respondents shared approximately 90,000 words in comments. We also met with groups that could be affected by changes to the legal framework for animal protection and control. These included animal rescue, dog mushers, and enforcement agencies, such as the RCMP and municipal bylaw officers. What we heard clearly from this engagement on the topic of animal control was a territory-wide requirement for owners to control their animals at all times, freedom to allow their dogs off-leash, better tools to enforce animal control in communities, animal control to apply to all owned animals, pets, livestock, working animals, and cats that are confined to minimize their impact on wildlife.

The majority of the respondents — 66 percent — want owners to be required to keep their animals under control at all times. Specifically, people were concerned about dogs roaming at large. Thirty-six percent of respondents felt that uncontrolled dogs in their community pose a safety risk to them, and 46 percent of respondents thought uncontrolled dogs pose a safety risk to other members of their community. The safety risk is not borne equally by all Yukoners. Forty percent of respondents who identified as female reported feeling at risk from dogs, and 50 percent of respondents between the ages of 56 and 75 years of age felt at risk. Of respondents who identified as First Nation persons, 53 percent reported feeling at risk from uncontrolled dogs in their community.

While we heard primarily about concerns with dogs, it is clear from responses that people also want domestic cats to be confined. People were concerned about the impacts that cats have on wildlife, in particular, predation of song birds, and also the destruction of wild predators — foxes, for example, attracted to prey on roaming cats. People wanted better control

of livestock, particularly to prevent the escape of animals that could establish a feral population in the Yukon.

Respondents clearly saw a link between control and welfare, that animals cared for properly were less likely to roam in search of food, and that animals under control were less likely to come into conflict with wildlife, bite people, or be struck by a vehicle.

In general, animal control issues were more significant in communities outside of Whitehorse and Dawson City, which have bylaws that impose rules beyond the existing territory-wide legislation. We asked Yukoners about what animal owners should be responsible to do. A strong majority of respondents — 82 percent — believed that responsible owners should spay or neuter their pets, unless the owner is specifically intending to breed the animal. Eighty-one percent of respondents expected owners to be reliable for any damages caused by their animals. Seventy percent of respondents consider it the responsibility of owners to confine dogs to their property, and 64 percent consider it a dog owner's responsibility to leash the dog when off their property.

People noted that adequately trained dogs that come when called, or used tools such as electronic training collars, could be a means of control. People wanted to allow discretion, as long as dog owners would ensure that their dogs do not interfere with other animals or people. However, if owners are not able to adequately control their animals, people expect there to be consequences.

Communities are frustrated with the limitations of existing laws and the challenges of enforcing them. Communities are interested in exploring new enforcement models that would better support them to address public safety concerns and have more autonomy to manage animals in their communities. Following these discussions, we took note of the areas that needed further discussion.

So, the “what we heard” document, in many respects, was part of the process, in addition to a cross-jurisdictional scan, but provided the guidance and the push for this legislation. So, it is somewhat organic. It is organic, and it has occurred over the course of the — there being a requirement for many years now. The former Yukon Party government went some way in 2009, but there was more work to be done. We rolled up our sleeves, and this is comprehensive, modern legislation.

Is it foreseeable that impacted stakeholders who have organizations want more detail with respect to what will occur with the regulations? Absolutely, but hundreds of Yukoners have made their voices clear in significant community outreach and consultation over the course of a number of months and ongoing consultation and with a commitment to continue this targeted consultation.

Yes, so, that is what I would say, and there are more results that I can share with the House as we continue with this Committee of the Whole debate, but there are a lot of Yukoners who see the value in this new progressive legislation, which combines a lot of largely outdated pieces of legislation.

Mr. Istchenko: That concludes my questions for today. I know there are many other questions from fellow colleagues,

so I will turn it over to the critic from the Third Party, and I thank the staff for being here today.

Ms. Tredger: I will start by thanking the officials for being here and answering all our questions — answering them in briefings and answering them here. They have done a lot of work both, before and during this, so I really appreciate it.

I have a number of different questions. I am going to, kind of, jump around in the act a little bit. I want to start with the section about the humane killing of animals, which is section 34. One of the things that it says here, which I flagged in second reading — I'm looking under 34(3) — under forbidden methods of killing animals, it includes “... exsanguination without prior or simultaneous loss of consciousness...” So, this is a method of killing animals that is really important for halal or kosher slaughtering of animals. I understand from what the minister said that this is going to be allowed under regulations, even though it is forbidden in the act, and I just want to dig into that a little bit more.

I know that we have talked a lot about consultation today, and I promise I am not going to ask too many questions about it, but could you talk about the consultations with the religious communities that you did around this specific piece of the act?

Hon. Mr. Clarke: In reverse order, I can advise that both the Jewish community and the Yukon Muslim community has been communicated with, both in writing and by telephone. I can provide some more information here.

The new legislation prohibits a number of methods of killing to ensure that animals are killed in a humane way. Prohibited methods will include drowning, abandonment to the elements, suffocation, carbon monoxide poisoning, slaughter without prior or simultaneous loss of consciousness, and other methods of pre-slaughter of animals without prior or simultaneous loss of consciousness, but that will be permitted when killing is for the purpose of religious ritual slaughter to produce halal or kosher meat, which is carried out in accordance with the federal guidelines for the ritual slaughter of food animals without pre-slaughter stunning to be prescribed under the regulations.

Representatives of the Yukon Jewish and Muslim communities have indicated that they understand the intent of the legislation and are supportive of the stringent requirements that are set out for ritual, religious slaughter.

At a national level, I am advised by the chief veterinarian that we engaged with the national religious organizations — both Jewish and Muslim — through the Council of Chief Veterinary Officers. National standards were developed with their input and endorsement. We patterned the legislation for Yukon to reflect those national approaches to ensure that it would be compliant with the high standards of their religious practices. The standards for religious slaughter are very high, and when we have spoken with religious officials here in Yukon, they appreciate that we respect their needs.

I think that basically answers the questions, but we are in contact and they certainly appreciate the outreach.

Ms. Tredger: Thank you for that answer. It is good to know that contact has been made. When I reached out, it seemed to be a surprise to people. This was a few weeks ago,

or when the legislation was tabled. I don't know if that contact has been recent, but I am really glad that it has been established. I just think that when you are doing a consultation of this scale, there are lots of pieces, and if things don't happen at first, I am glad that they can happen later.

When I talked to people, the general feeling seemed to be that what was important was that there was a path for it to be allowed, and so I just want to make sure that I get a really clear understanding here on the record of what that path is going to be for people. My understanding is that the federal guidelines don't apply — please correct me if I am wrong — to the Yukon because we don't have any federally regulated facilities, but that the guidelines will still be referenced in the regulations. Now, will that apply to people who are at abattoirs, or people who are doing farm-gate sales, or people who are doing it for non-commercial use, or all three or just some of those?

Hon. Mr. Clarke: Firstly, specifically with respect to slaughter at abattoirs, a slaughterhouse or abattoir would need to be licensed under the existing regulations for abattoirs in the Yukon. They will be able to slaughter without prior stunning as long as they follow guidelines prescribed in regulation under the *Animal Protection and Control Act*.

The Yukon does have standards for abattoir operators. Each one must meet the criteria and be subject to inspection by the Agriculture branch per the *Agricultural Products Act* and meat inspection regulations. There are federal standards for slaughter without stunning, referred to as the “ritual slaughter without pre-slaughter stunning” — Canadian Food Inspection Agency, Canada.ca — that apply in federally inspected slaughter facilities. While we have no federal facilities in the Yukon, we are informing communities about this standard, and national religious organizations are well aware of it. The religious standard is of the highest order and will be referenced under the regulations, therefore allowing this practice if guidelines are adhered to.

That is my response so far. I can certainly try to get some follow-up information if there is a follow-up question.

Ms. Tredger: I have some follow-up questions about abattoirs, but, first, I don't think I quite understood. Does it apply to farm-gate sales or slaughter done for farm-gate sales, and does it apply for slaughter done for personal use?

Hon. Mr. Clarke: The short answer is that the rules apply everywhere.

Ms. Tredger: I really appreciate the short answer. I didn't catch the end of it. Could he just repeat it again?

Hon. Mr. Clarke: The rules apply everywhere.

Ms. Tredger: In the federal guidelines, it talks about the competence, qualification, and training you need to do in order to do this process. There is supposed to be a written protocol that lays out what the roles and competencies are. There is a whole list of preventive measures and records of effectiveness. Does that mean that someone would have to submit a written protocol to apply, even if they were just doing it for personal use?

Hon. Mr. Clarke: So, there are two instances that I will try to answer and may follow up. With respect to abattoirs, training is required. With respect to farm-gate sales, training

would not be required, but you would still be required to follow the rules.

Ms. Tredger: Thank you for that. So, with the regulations, is it that these are the rules and, if you follow them, you are good to go and do it? Or is it that these are the rules, and you need to apply for permission to show that you can follow the rules? Is there an application process, or is it just laid out what people need to do and, as long as they are following that, they are in compliance?

Hon. Mr. Clarke: Just to be clear, we are separating out the two primary discussions at once. Halal and kosher refer to a method of slaughter for religious purposes, whereas the proposed *Animal Protection and Control Act* is designed to address livestock welfare and ensure that no undue harm comes to animals during slaughter.

The *Animal Protection and Control Act* is written so that both of these important factors can be achieved at the same time if following the federal guidelines.

Once the national guidelines are prescribed in the Yukon regulations, someone may use a prohibited method of killing as long as they adhere to the guidelines. In the case of a licensed slaughterhouse or abattoir, no permission would be needed.

Ms. Tredger: Just to be clear, in the case of farm-gate sales and personal use, no permission would be needed either; they would just have to follow the guidelines set out in the regulations.

Hon. Mr. Clarke: Yes.

Ms. Tredger: Thank you for that answer. That is really helpful.

Just going back to abattoirs for a minute, I spent a little while trying to figure out what the current situation is. As far as I can tell, I read the meat inspection abattoir regulations from 1988, which I think are the current ones. They didn't reference methods of slaughter, but the Yukon *Mobile Abattoir Procedures Manual* for 2020 did. I am going to summarize a little bit because it is a little bit long. It says that when it comes to killing the animal, a rifle may be used, or the mobile abattoir carries a captive bolt stunner, which is available for use by the farmer.

It then goes on to talk a little bit about stunning, which really implies to me that you have to stun the animal. I am wondering if, once the regulations are in place, the abattoir procedures manual will be updated to reflect that there is this option for killing without stunning.

Hon. Mr. Clarke: Yes, it would have to be updated.

Ms. Tredger: That's great. I guess my last question on this topic — my understanding is that this legislation doesn't come in force until the regulations are ready, so there won't be any lag time in between, will there? I guess what I am wondering: Is there going to be a period of time where it is forbidden before the regulations come into force, or will this form of slaughter be allowed right as soon as the act comes into force?

Hon. Mr. Clarke: The new *Animal Protection and Control Act* would come into force and effect once the regulations are passed, and the patchwork quilt of all existing prior laws are the law of the land until such time.

Ms. Tredger: Thank you for the answer, and I appreciate everyone bearing with me while I kind of drill down into this. I think that this is really important, because we are talking about a religious practice that is being restricted by this law, and I think that it is really important that we have a really clear record of what the intention is for the regulations, so that people can continue to practise their religion freely.

From the conversations that I have had with people, I think that people aren't too concerned about whether it is — well, I am summarizing what I have heard — but people aren't too concerned whether it is in the law or the regulations, as long as it is allowed. I have actually talked to one person who is planning to start a business that would provide halal meat, so I think that it is really critical that happens, and I am really glad to hear that it sounds like lots of thought has gone into how that is going to happen.

I am going to move on. I know that we only have a few minutes left, so I am just going to ask one question that I think will be pretty quick, and if there is not time to answer it today, then we can always come back. I wanted to talk a little bit about prohibited species. I know that there are going to be species that are not going to be allowed. Does this legislation support breed-specific bans? I am thinking, of course — an obvious example is pit bulls. Would you be able to ban a specific breed of dog, for example?

Hon. Mr. Clarke: Yes, the act does allow for regulating specific species of animals, but not breeds within species. It would not support breed-specific restrictions.

The intent of the prohibited species list under the regulations is to prohibit species that threaten public safety or the integrity of the environment, such as large carnivores, venomous reptiles, or invasive species. There will also be a restricted species list, where owners will require a permit to own, apparently including skunks and raccoons. This will allow conditions to be set regarding vaccination, spaying, and neutering for the control or care for animals that are lower risk. Also — to clarify — that some animals considered wild by nature in their country of origin can be owned as pets here without any restrictions, such as canaries and hamsters. This is comparable to legislation about exotic pets to most, or in most, other jurisdictions in Canada.

Thank you for the input from members opposite. Madam Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 20, entitled *Animal Protection and Control Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:26 p.m.

The following sessional paper was filed October 27, 2022:

35-1-67

Yukon Public Accounts 2021-22 (Silver)

The following legislative return was filed October 27, 2022:

35-1-65

Additional response to Petition No. 14 re: Golden Horn area minimum lot size (Streicker)

The following document was filed October 27, 2022:

35-1-92

Bill No. 20, *Animal Protection and Control Act*, letter re (dated October 26, 2022) from Ted Laking, President, Association of Yukon Communities to Hon. Nils Clarke, Minister of Environment (Clarke, N.)