



# Yukon Legislative Assembly

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3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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October 1, 2020 to December 22, 2020

NOTE

The 2020 Fall Sitting of the Third Session of the Thirty-Fourth Legislature occupies three volumes.  
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# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

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# Yukon Legislative Assembly

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Number 40

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Thursday, October 1, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

\*Hon. Ms. McLean changed her name from Hon. Ms. Dendys in September 2020.

Published under the authority of the Speaker of the Yukon Legislative Assembly



**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 1, 2020 — 1:00 p.m.**

**Speaker:** I will now call the House to order.

I would like to begin the 2020 Fall Sitting of the Legislative Assembly by respectfully acknowledging all Yukon First Nations and that we are meeting on the traditional territories of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

We will proceed at this time with prayers.

*Prayers*

**In remembrance of the Rt. Hon. John Turner**

**Speaker:** Today we mark the passing of the Rt. Hon. John Turner, Canada's 17<sup>th</sup> Prime Minister.

Mr. Turner was born in England in 1929 and migrated as a young child with his family to Rossland, British Columbia. He was an accomplished sprinter who would qualify for Canada's 1948 Olympic team. He attended UBC and ultimately received a Rhodes Scholarship, which led him to obtain a bachelor's degree in jurisprudence from Oxford.

Mr. Turner began his law practice in the late 1950s, but he quickly followed his interest in politics and was elected for the first time as a Member of Parliament in 1962, and he was a Cabinet minister under Prime Minister Lester B. Pearson and later under Pierre Trudeau. Mr. Turner would serve under various governments as Minister of Consumer and Corporate Affairs, Minister of Justice, and Minister of Finance until his first departure from politics in 1975.

After being away from politics and returning to the practice of law, Mr. Turner returned in 1984 and won the Liberal leadership, making him the 17<sup>th</sup> Prime Minister of Canada. He subsequently lost the 1984 election but remained as Leader of the Official Opposition until 1990, retiring from politics for the second time in 1993.

Mr. Turner was awarded the Companion of the Order of Canada in 1994 and more recently, in 2017, among many honours, Mr. Turner was awarded the Gold Medal of the Royal Canadian Geographical Society.

He passed away on September 19 of this year at the age of 91. He is survived by his wife, Geills, and four children. A state funeral will be held for him on October 6 at St. Michael's Cathedral Basilica in Toronto.

On behalf of all Members of the Yukon Legislative Assembly, we join other Canadians in mourning his passing and offer our condolences to his family.

**Speaker's statement**

**Speaker:** The Chair would like to draw attention now to the numerous changes which have been made in the Assembly to maintain a safe workplace and to mitigate the spread of COVID-19.

On the floor of the Assembly, the members have been spread out to allow for six feet of distancing between members' chairs. In addition, members are required to wear masks while

moving about in the Assembly but may remove them when seated or when speaking.

Members of the public and in the gallery and media in the press gallery will note the new seating arrangement to ensure physical distancing. After consultation with the chief medical officer of health, we have identified a lower number of available seats in our gallery. Members of the public and any staff entering the Chamber are also required to wear masks.

Of note is that, unfortunately, for this Sitting, there will not be an operational page program. We certainly hope to be able to reinstitute it as soon as it is possible when it can be done safely. This has led to a number of procedural changes to the way we manage paper in our daily activities. These measures have been put in place for the safety of the workplace and for the safety of the public and the media in the gallery.

I ask for — and I know will receive — MLAs' patience and cooperation in ensuring that we can safely do our work on behalf of Yukoners here in the Assembly.

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes made to the Order Paper.

The following motions have been removed from the Order Paper as they are now outdated: Motions No. 19, 153, and 156, standing in the name of the Member for Watson Lake; Motion No. 144 and Motion No. 15, standing in the name of the Member for Lake Laberge; Motions No. 95 and 164, standing in the name of the Member for Whitehorse Centre; Motions No. 136 and 139, standing in the name of the Member for Copperbelt South; Motion No. 142, standing in the name of the Member for Porter Creek North; and Motions No. 160 and 161, standing in the name of the Member for Kluane.

The following motions have also been removed from the Order Paper as the actions requested in the motions have been taken in whole or in part: Motions No. 16, 68, 84, and 148, standing in the name of the Member for Lake Laberge; Motions No. 51 and 104, standing in the name of the Member for Porter Creek Centre; Motion No. 53, standing in the name of the Member for Mayo-Tatchun; Motion No. 54, standing in the name of the Leader of the Official Opposition; Motion No. 125, standing in the name of the Leader of the Third Party; and Motion No. 18, standing in the name of the Member for Watson Lake.

Finally, the amendment moved by the Member for Lake Laberge to Motion No. 31, standing in the name of the Member for Mayo-Tatchun, has been removed from the Order Paper as the action requested in the amendment has been taken in whole or in part.

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

**Point of personal privilege**

**Speaker:** The Minister of Tourism and Culture, please.

**Hon. Ms. McLean:** I rise today on a point of personal privilege. During the summer, I was married and have subsequently changed my family name from Dendys to McLean. I am now Jeanie McLean.

*Applause*

**Speaker:** Thank you, minister, and congratulations to you and your spouse.

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Ms. White:** I invite my colleagues to welcome a dedicated group of individuals here from the Porter Creek GSA. We have Lou Gulstad, Xander O'Donnell, Shania Domay, Rylee Reed, Brendan Gregory, Mx. Felicity Brammer, and Mr. Jason Cook. Thank you for joining us today on this very important day.

*Applause*

**Hon. Mr. Silver:** Although it is a little bit harder to see who is in the gallery with all the masks, I do want to thank everybody for wearing them. I want to ask my colleagues if they will help us in welcoming Mike Pemberton and also Andrew Cook to the gallery.

*Applause*

**Speaker:** Are there any further introductions of visitors? Tributes.

## TRIBUTES

### In recognition of Yukoners' COVID-19 pandemic management efforts

**Hon. Mr. Silver:** I rise today on the first day of our fall legislative Sitting to thank Yukoners for their efforts to keep all of us safe as the pandemic continues. It has definitely been a draining and stressful situation for all Yukoners, from all walks of life. I see the stress when I meet with the chief medical officer of health and his staff as he carefully considers the recommendations that he gives to our government. I see it when I speak with business owners who have seen their life's work turned upside-down by this virus. In my home community of Dawson City, I see the anxiety in people's faces as they do their best to live a normal life and to look out for one another and the ones they love.

As Yukon's Premier, I recognize that, and I appreciate everything that Yukoners have done to date. To front-line workers in stores, restaurants, and hotels, thank you — thank you for your dedication to serving the public. To staff in our hospitals, the COVID testing centre — formally known as the respiratory assessment centre — and also our seniors facilities, thank you for caring for our most vulnerable citizens and for also being on the front lines.

To the business owners who reinvented themselves to meet the changing requirements, who moved to online stores, who offered curbside pickup, who created takeout menus, thank you — thank you for your incredible ingenuity. Thank you to all Yukoners who bought local this summer. I know that it will

continue, and I do love the renewed sense of community and community spirit that has come out of this pandemic.

To those meeting travellers at our borders and at our airports, thank you — thank you for managing the flow of traffic in and out of the territory every day.

To child care centre employees and early childhood educators who are looking after our children and the children of essential workers, thank you — thank you for your efforts, and they have not gone unnoticed.

To teachers, parents, students, bus drivers, administrative and custodial staff, First Nation liaison officers, LAs and EAs, and everyone else who is keeping our schools open — thank you. Thank you for your dedication to keeping our young people safe.

To public servants across government — from those working in health care to those keeping our buildings clean to those providing the public with the most updated information — thank you. Thank you for your continued efforts.

As we begin this Fall Sitting, I can tell you that keeping Yukoners safe has been our top priority since COVID-19 first reared its ugly head this spring. Make no mistake: We are in a safe space with only 15 cases to date. This has not happened by accident; it is due to the hard work of all of you Yukoners. Thank you for your perseverance under these challenging circumstances.

*Applause*

**Mr. Hassard:** I rise today on behalf of the Yukon Party Official Opposition to give our thanks and recognition to Yukoners.

This pandemic we are facing came on quickly and with great force. In the beginning, things were changing rapidly. We were without answers, we were without information, and Yukoners were looking for leadership. This was hard to come by in the early stages and Yukoners were thrown into a scary situation. For many Yukoners, they didn't know if their job would be there for them tomorrow — for others, not knowing whether they would be in the position to keep a full slate of employees or how long it would be before they could receive an important surgery that had been postponed. For some, the uncertainty about trying to sort out daycare, home education, or working from home kept them up at night. We are working through it. We are persevering and we thank you all.

There's an old cliché, Mr. Speaker, that "not all heroes wear capes", and this is certainly the case here in the Yukon. During the pandemic, we had front-line and essential workers who did not miss a beat in providing services. These services are critical and essential to Yukon individuals and families over these many months of uncertainty.

Cashiers who work day in and day out to ensure we could continue to get our essential services such as groceries while most of the territory was staying at home, we thank you.

Thank you to the owners and operators who have innovated and adapted, doing whatever it takes to keep revenue flowing and support their operations. Many people took pay cuts, gave up hours, or went without pay entirely to ensure that they could keep their businesses open and Yukoners employed.

Again, we thank you. These sacrifices did not go unnoticed by the Yukon Party. We are well aware of how interconnected businesses are throughout the territory. You rely on one another, and when one falls, it is felt throughout your industry and beyond. These are our neighbours, our friends, and our family. The pain of one is the pain of all.

To the teachers and administrators who stepped up to school our kids online and ensure that our children are able to return to a safe and stable school environment, we thank you. The decision to end the 2019-20 school year was certainly hard on all of you and even more so on the students. You adapted and kept them going to maintain some normalcy throughout a year that was anything but normal.

Thank you to the hard-working public servants across many government departments who, overnight, found themselves becoming border guards. Your efforts, your diligence, and your hard work kept Yukoners safe.

To the students, parents, and families who are upset about the decision to move MAD or to only allow for half days for Whitehorse school students, your efforts, your advocacy, and your passion have been important to the conversation about how our society can return to normal, but you were heard loud and clear. Thank you.

To the tourism industry, which has seen its industry decimated this year but which has continued to provide constructive advice and feedback to the government as to what can be done to support its industry — thank you for your efforts, your resilience, and your advocacy for this important sector of our economy and of course our culture.

To the mining industry, which in many respects was essential to keeping our economy alive this summer, we thank you. In a time of crisis, your industry supported grocery stores, supply and service businesses, and many others. It kept Yukoners employed and it helped people pay bills. I am hopeful that, after this summer, more Yukoners come to realize the importance of this essential industry.

We have seen business owners and dedicated employers passionate about their industries rally together and stand up for their beliefs and the livelihoods of their employees and of course our freedom as Canadian citizens. Thank you to these individuals for ensuring that decisions made by the government respect our rights and freedoms.

To all Yukoners who are doing everything they can to get themselves, their families, and their businesses through this, we thank you. We see you and we are with you.

*Applause*

**Ms. White:** Mr. Speaker, today I stand on behalf of the Yukon NDP to offer our thanks and gratitude to all Yukoners.

In December of 2019, when we started to hear rumblings about what was happening on the other side of the planet with an unknown and highly contagious virus, none of us could have anticipated what would happen next.

With horror, we watched as the Coronavirus outbreak expanded to touch every corner of the globe. Millions of people have died. Hundreds of thousands have been sick. Economies and industries have been decimated. Countless jobs have been

lost and lives have changed. We in Yukon haven't been unaffected. The Yukon NDP honour your losses and share your sadness.

Despite everything around us, Yukon has risen to the challenge of the pandemic with kindness, from literal signs of gratitude to the outpouring of support from our neighbours as folks faced unanticipated trials. We have all seen and felt kindness in every aspect of our lives. If I thought I loved where we lived before March of this year, I didn't know anything, because that love has deepened as I've watched our community join together in kindness and rise together to face the unknown.

So, thank you, Yukoners, for your strength, your adaptability, and your patience, but thank you especially for the kindness you directed toward others. Years from now, when we look back on this crisis, I hope we can all remember the kindness.

*Applause*

### In recognition of Orange Shirt Day

**Hon. Ms. McPhee:** Mr. Speaker, I am pleased to be here today on the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'an Council on behalf of the Liberal caucus to pay tribute to Orange Shirt Day. Educating the public about residential schools is essential to us all understanding the intergenerational impacts of the system and the abilities to support healing, truth, and reconciliation.

Often the best way to learn and truly gain understanding is through stories. Imagine a child who was excited about the fall harvest, hunting season, and going to school. She was given a beautiful new orange shirt by her grandmother to wear on her first day of school, but her new school was an Indian residential school. To her shock, her beautiful orange shirt was taken from her when she arrived and replaced with a school uniform. From that day forward, the colour orange always reminded her of her feelings of not mattering and of being worthless, of being separated from her family and being stripped of her culture, her value, and her sense of comfort and family.

In 2013, Phyllis Webstad shared her story when she was part of an organizing committee for the St. Joseph's Mission residential school commemoration project and reunion events that took place in Williams Lake, British Columbia. As part of that project, September 30 has come to be known as "Orange Shirt Day" — a day to acknowledge the generations of First Nation families and children impacted by the residential school system and its shameful legacy.

Annually, across Canada, Orange Shirt Day recognizes the harm of the residential school system and what it did to children's sense of self-esteem and well-being. It recognizes our commitment to ensure that everyone has value and deserves respect.

There were more than 130 residential schools across Canada. They were established in the 1800s, with the object of assimilating indigenous children into Euro-Canadian society. Children were taken from their families, from their communities, and from their language and their culture. Many of them suffered severe physical, emotional, and sexual abuse at school, and some did not return.

The last residential school closed as recently as 1996. Here in the Yukon Territory, there were four residential schools that operated from 1911 into the late 1970s. This story must be told.

In the Yukon, the Department of Education's First Nation Initiatives branch supports education about residential schools. They have developed residential school units for grade 5 and grade 10 and provide training and support to teachers to deliver these units in school. The grade 5 and grade 10 residential school units ensure that all students are able to learn and understand the legacy of the residential school system.

This year, the Yukon government Aboriginal employees forum organized several Orange Shirt Day activities for the public service, including: wearing orange shirts and taking photos to share — and we saw lots of those yesterday; an online workshop to bead an orange shirt pin — I saw several of those and they are truly beautiful; educational videos of influential speakers on reconciliation in residential schools; and a free online screening of the film *We Were Children*.

Yukon schools also participated in Orange Shirt Day activities, including a national online forum entitled "Every Child Matters: Reconciliation Through Education".

Mr. Speaker, let us continue this work to learn about and recognize the impact of this history in the Yukon Territory and in Canada and continue this journey of healing and reconciliation.

Thank you. Shaw nithän

*Applause*

**Ms. Van Bibber:** I rise on behalf of the Yukon Party Official Opposition to recognize September 30 and Orange Shirt Day. This national movement began in 2013 at Williams Lake, BC when residential school survivor Phyllis Webstad recounted her story. We heard Phyllis tell of pride in wearing a gift from her grandmother, and Phyllis had chosen the shirt herself — a bright new orange shirt for her first day of residential school. It was taken and never seen again. She wept for the loss.

After her story was shared, the orange shirt has become a symbol to remember that loss of childhood and the loss of family and community as young children were taken to a place — usually far away — to be taught a new culture — a new better way, according to the authorities. In a perfect world, childhood is meant to be a time of innocence and a time of love and care. It was anything but for many First Nations for decades. This day is a day that is set aside to educate and promote awareness of the Indian residential school system that was set up in other nations but that was very prolific in Canada, even in the remote northern regions.

The history of the residential schools is not pretty, but it must be told. As far back as 1883, the then-Government of Canada came along with the Christian churches and they attempted to absorb a whole population of people — or the Indians — into the general population of Canada to extinguish a culture that was deemed a problem.

Year after year, the recognition of Orange Shirt Day shows steady growth, with more schools recognizing its importance every year. This day allows for meaningful conversation on the

history of residential schools, anti-racism, and anti-bullying. It allows governments, First Nations, schools, and organizations to come together in a spirit of reconciliation and remembrance — and as was mentioned, the last residential school in Canada did not close until 1996.

I leave you with a quote from Nelson Mandela: "There is no keener revelation of a society's soul than in the way in which it treats its children."

Thank you. Every child matters.

*Applause*

**Ms. Hanson:** Mr. Speaker, yesterday, the Yukon New Democratic Party joined thousands of people across Yukon and across Canada tweeting or posting about and wearing orange shirts as a symbolic recognition and honouring of the generations of indigenous children, including many here in Yukon, who attended residential schools — institutions designed not to empower or foster the innate curiosity and intelligence of indigenous kids but to destroy it by severing all ties with their core foundation of family, culture, and language.

As we hold in honour and respect those who attended and survived residential schools, we mourn those who died in these institutions of cultural genocide. We hold up our hands to the parents of those children — parents rendered powerless to protect their children. As a parent, I can only imagine the depth of pain, despair, anger, guilt, and self-recrimination that successive generations of parents endured, knowing they were legally prohibited from trying to prevent their children from being forcefully removed from the care of their families and their communities.

You know, Mr. Speaker, it took us as Canadians and as Yukoners far too long to begin the conversation about the impact of government policies designed to destroy Canada's indigenous nations, cultures, and languages by targeting their most vulnerable — their children.

Despite the Royal Commission on Aboriginal Peoples 25 years ago and the work of the Truth and Reconciliation Commission released five years ago, we have a long way to go to move beyond symbolic words and gestures. This is a serious challenge. The attitudes and perceptions that allowed governments of all stripes to establish and maintain Indian residential schools linger. In a time of social, political, and economic upheaval, the backlash against challenges to the systemic racism that is woven throughout our society has become emboldened. As elected representatives, we have a responsibility — a responsibility to talk with and to work with all Yukon citizens as we move along on the journey toward reconciliation. We are obliged to break down the myths that — as the Truth and Reconciliation Commission so powerfully laid out — underlie the fundamental premises of the laws created in this country by settler governments.

There's an irony in tasking our educators with the job of creating a learning environment for our children — indigenous and non-indigenous — to begin to build that bridge toward reconciliation. It brings to mind an article I read several years ago in *Maclean's*. It started out this way — and I quote: "How would you feel, if this happened in your kid's class? Last fall,

a grade 6 social studies class ... was learning about residential schools. A student put up her hand and said, 'I don't have anything against Indigenous people, but my grandpa told me we had to put the Indians in residential schools because they were killing each other and we had to civilize them.

"Her words hung in the air for a moment. And then her teacher responded, 'Well, I don't have anything against your grandpa, but people who are your grandpa's age and your parents' age and even my age didn't have the opportunity to learn the truth. So, we have a responsibility, because we are learning the truth now.'"

Mr. Speaker, if a little girl can cling to the memory of an orange shirt taken from her as a talisman of hope, we as legislators can use the tools of truth to build the bridge toward reconciliation by calling out and eliminating the systemic racism blocking it.

Thank you.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Speaker:** Under Tabling Returns and Documents, the Chair has for tabling the following documents: *Report from the Clerk of the Legislative Assembly on the Absence of Members from Sittings of the Legislative Assembly and its Committees*, dated October 1, 2020. This report is tabled pursuant to the direction of the Members' Services Board.

In addition, the Chair has for tabling the *Report on Subsistence, Travel & Accommodations of Members of the Yukon Legislative Assembly 2019-2020*.

The Chair also has for tabling the 2019 annual report from the offices of the Yukon Ombudsman, the Yukon Information and Privacy Commissioner, and the Yukon Public Interest Disclosure Commissioner, entitled *Working to promote fairness, access & privacy rights, and protect the public interest*.

Finally, the Chair also has for tabling a report of the Chief Electoral Officer to the Legislative Assembly — the 2019 annual report on political party revenues.

Are there any further returns or documents for tabling?

**Hon. Mr. Silver:** I have for tabling three legislative returns.

**Hon. Ms. McPhee:** I too have two legislative returns for tabling today.

**Hon. Mr. Streicker:** I have for tabling today three legislative returns and also a report entitled *Pan-Canadian Survey on Domestic Violence and the Workplace*.

**Hon. Ms. Frost:** Mr. Speaker, I have for tabling today two legislative returns to address questions from November 27, 2019 regarding website and visual identity.

**Hon. Mr. Pillai:** Mr. Speaker, I have for tabling three legislative returns in response to Written Questions No. 9, No. 14, and No. 15.

**Hon. Ms. McLean:** I have two legislative returns regarding Written Questions No. 18 and No. 5.

**Hon. Mr. Mostyn:** So many legislative returns, Mr. Speaker. I have for tabling two legislative returns responding to a question regarding the Yukon government's website and visual identity costs from the Public Service Commission and Highways and Public Works.

**Mr. Cathers:** I have for tabling today a letter to the Minister of Energy, Mines and Resources entitled "Loss of Garbage Service Impacting Farmers and Other Businesses". I also have for tabling a letter to the Minister of Community Services entitled "Loss of Garbage Service Impacting Farmers and Other Businesses".

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

Are there any reports of committees?

### REPORTS OF COMMITTEES

**Mr. Adel:** Mr. Speaker, I have for tabling the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> reports of the Standing Committee on Appointments to Major Government Boards and Committees.

**Mr. Hassard:** Mr. Speaker, I have for tabling the 5<sup>th</sup> and 6<sup>th</sup> reports of the Standing Committee on Public Accounts.

**Speaker:** Are there any further reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

### INTRODUCTION OF BILLS

#### Bill No. 204: *Fourth Appropriation Act 2019-20* — Introduction and First Reading

**Hon. Mr. Silver:** I move that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now introduced and read a first time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 204 agreed to*

#### Bill No. 205: *Second Appropriation Act 2020-21* — Introduction and First Reading

**Hon. Mr. Silver:** I move that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now introduced and read a first time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 205 agreed to*

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

### NOTICES OF MOTIONS

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

THAT a Special Committee on Civil Emergency Legislation be established;

THAT the Hon. John Streicker be appointed to the committee;

THAT the membership of the committee also be comprised of one MLA from the Official Opposition caucus selected by the Leader of the Official Opposition and one MLA from the Third Party caucus selected by the Leader of the Third Party;

THAT the Leader of the Official Opposition and the Leader of the Third Party inform the Clerk of the Legislative Assembly of the names of the selected MLAs from their respective caucuses no later than seven calendar days after the adoption of this motion by the Assembly;

THAT the Chair of the committee have a deliberative vote on all matters before the committee;

THAT the committee:

(1) consider and identify options for modernizing the *Civil Emergency Measures Act*; and

(2) make recommendations on possible amendments to the *Civil Emergency Measures Act*;

THAT the committee be empowered to conduct public hearings for the purpose of receiving the views and opinions of Yukoners;

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods;

THAT the committee report to the Legislative Assembly on its findings and its recommendations by August 31, 2021;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the Chair of the committee shall transmit the committee's report to the Speaker, who shall transmit the report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly shall be responsible for providing the necessary support services to the committee.

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

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

(1) be recognized to speak in debate, notwithstanding Standing Order 17;

(2) be permitted to vote, notwithstanding Standing Order 25;

(3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and

(4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

Mr. Speaker, I also give notice of the following motion:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

Lastly, Mr. Speaker, I also give notice of the following motion:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

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

THAT this House congratulates the Yukon T1D support network for their tireless efforts in convincing the government to fully recognize the importance of and securing coverage for continuous glucose monitors for all Yukoners living with type 1 diabetes.

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

THAT this House urges the Yukon government to seek an agreement with the City of Whitehorse that allows commercial waste haulers to resume providing this important service to farms, businesses, and residential customers outside of city limits at rates that are affordable and predictable.

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

THAT this House urges the Government of Yukon to work with the Government of Canada, Champagne and Aishihik First Nations, Kluane First Nation, local communities, chambers of commerce, businesses, organizations, and community members to increase access to the front ranges of Kluane National Park and Reserve of Canada along the Haines Road and the Alaska Highway for the purpose of creating more land- and air-based tourism business opportunities.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with First Nations, the Yukon Fish and Wildlife Management Board, renewable resources councils, the Yukon Fish and Game Association, the Yukon Trappers Association, the Yukon Outfitters Association, and individual hunters, trappers, and anglers to improve the management of fish and wildlife populations so as to ensure that healthy populations will sustain hunting and fishing opportunities.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to use its 2020-21 budget to build a school in Burwash Landing.

**Mr. Adel:** Mr. Speaker, I rise to give notice of the following motion respecting committee reports:

THAT the Standing Committee on Appointments to Major Government Boards and Committees' 21<sup>st</sup> report, presented to the House on October 1, 2020, be concurred in; and

THAT the amendments to Standing Order 45(3.2)(a) recommended by the committee, adding to the list of entities for which the committee reviews nominations and recommends appointments, the Human Rights Panel of Adjudicators, be adopted.

**Ms. White:** I rise to give notice of the following motions:

THAT this House urges the government to explain why they are relaxing enforcement of Yukon's COVID-19 self-isolation requirements at Yukon's land borders as other Canadian jurisdictions are experiencing a second wave of the COVID-19 pandemic.

I also give notice of the following motion:

THAT this House urges the government to provide the date on which changes to the medical travel program's daily subsidy will take effect.

I also give notice of the following motion:

THAT this House recognizes the medical data indicating that all healthy individuals over the age of 50 years should receive the Shingrix vaccination to prevent shingles.

**Speaker:** If all members could please ensure that their motions and other related documents end up in their respective parties' baskets so that the clerks can monitor the flow of documents efficiently. Thank you.

Are there any further notices of motions?

Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Safe Restart Agreement

**Hon. Mr. Silver:** Mr. Speaker, from the beginning of the COVID-19 pandemic, Canadians have come together to support one another and meet this unprecedented challenge. I rise today in recognition of the tremendous cooperation that has

taken place between federal, provincial, and territorial governments to address COVID-19 and to ensure that the health and well-being of Canadians remains at the centre of this response. Since March, I have joined the Prime Minister and premiers on 18 First Ministers' calls and joined my provincial and territorial counterparts on more than two dozen calls of the Council of the Federation.

There truly has been a team Canada approach to this crisis, and I am committed to working with leaders across the country and with First Nations and municipal leaders and governments here in the Yukon as we see this through. The Safe Restart Agreement is an example of this extraordinary collaboration. Initially, the agreement included \$13.5 million in direct federal transfers to support the readiness of Yukon's health system in the coming months. Throughout our many calls, the Prime Minister and my fellow premiers recognize the distinct challenges that we face here in the north. Recognizing the unique needs of the territories, Canada has committed to top up the territories to address these shortfalls in the per capita allocations in Yukon. Additional northern-specific funding supports will go toward addressing the higher cost of delivering equitable services in the territories. Discussions on a northern support package are ongoing and expected to be finalized very soon.

The Safe Restart Agreement will support us to continue operating the economy safely and mitigate the risks from a potential resurgence of COVID-19. These resources will strengthen the capacity of our health care system to deal with cases of COVID-19 within the territory. It will help to keep the most vulnerable Yukoners — including residents of long-term care homes — healthy and protected. It will allow us to enhance mental health and substance abuse services which are seeing increased demand as a result of the pandemic. It will also help fund safe childcare spaces. It will ramp up testing and ensure an adequate supply of PPE. The agreement will also include supports for municipal governments which have faced new costs and challenges as a result of the pandemic.

All of this was made possible by close cooperation between governments. I look forward to building on these strong partnerships that continue to keep our communities safe and healthy.

**Mr. Hassard:** Thank you, Mr. Speaker, for the opportunity to rise today to speak to the Safe Restart Agreement.

Of course, this agreement was first announced on July 16 by the Premier. At that time, he was unable to provide very much in terms of details. As there are many moving parts, we thought that it was fair to wait a bit to see what that information was. This morning when the government informed us that they were going to be speaking about this agreement, I was excited as I was expecting some new details and some new information. However, when we received the content of what the Premier was saying today, I was disappointed to find out that the Premier was providing no new information to Yukoners. In fact, the Premier's statement today is nearly verbatim of his statement on July 16. For example, we were particularly

interested in receiving more information on the northern support package. This will be important as the cost of delivery of services in the north is higher and the per capita delivery of funding to small jurisdictions such as Yukon would simply be inadequate. Of course, this idea of providing additional funding to the Yukon due to northern circumstances is something that the Yukon Party has long been a champion for and was successful in ensuring that the federal government understood. The importance of this is why we were so eager to learn more about this particular northern support package for the Safe Restart Agreement.

The Premier stated in his statement earlier that discussions are ongoing and are expected to be finalized soon, but for reference, almost three months ago, when he first announced this, the Premier stated that the discussions on the northern support package were ongoing and were expected to be finalized soon. This is an unfortunate case of the government once again being unable to move quickly and take action. As I said earlier, Yukoners are willing to provide some leeway for the government, but after nearly three months of being unable to provide any new details on this important funding, I think it just highlights what has become the hallmark for this government: They are unable to be decisive.

Let's be clear, we think that enhanced support to our communities during the pandemic is a good thing; we were just looking for details. We were expecting that the Premier would be able to provide that here today. With respect to the funding re-announced by the Premier today, we understand that just over \$2.6 million has been earmarked for childcare workers returning to the workforce. This \$2.6 million was to be used to support infection prevention and control measures for childcare operators. It was also to go toward daycares in two communities, which I assume are the daycares in Dawson City and Watson Lake. Finally, it will go toward enhancing staff training.

We're wondering if the Premier will be able to provide us today with details on how much of the \$2.6 million for childcare is going toward enhanced infection control, how much of that \$2.6 million is going toward daycares in Dawson and Watson Lake, and how much of that \$2.6 million is going toward enhanced staff training.

**Ms. White:** It is good to see the response to this pandemic by all levels of government. Citizens expect nothing less. We have heard repeatedly that we're in this together and that, by pulling together, the health and well-being of Canadians has remained at the centre of the response. We appreciate that the north has been recognized as having unique needs and costs that cannot be addressed by a per capita distribution of funds. We look forward to seeing the finalized northern support package with the details regarding where this money will be spent. We look forward to seeing concrete action promised to bring in universal child care, to address our health care system responses, ongoing concerns with education, tourism, and businesses that Yukoners are speaking to us about.

Mr. Speaker, since the House adjourned on March 19, we have spoken and heard from hundreds of Yukoners about their

concerns surrounding COVID-19 and its many impacts. We've met with parents, seniors, vulnerable individuals, business owners, NGOs, and others. What is unfortunately missing in the Premier's statement is any mention of collaborating with MLAs from other parties. Admittedly, given that the Premier hasn't spoken to me since the House adjourned in March, it's not surprising. This is a stark contrast with what we've seen in other jurisdictions. It's unfortunate, because I really do believe that government program delivery would have been improved if people from all parties would have been able to study and scrutinize how to best support Yukoners. There are many examples of this, from the wage subsidy program to the supports for disabilities and others.

We are the only jurisdiction — until today — where the Legislature has not sat since the COVID-19 pandemic hit, and the Premier had the power at any point in the last six months to change that.

Mr. Speaker, Yukoners expect their government to listen to all views and collaborate with all elected MLAs. Let's hope the Premier will bring home some of the spirit of collaboration that he has witnessed on the national stage in this Sitting of the Legislative Assembly.

**Hon. Mr. Silver:** The COVID-19 pandemic has presented unprecedented challenges in the territory, in our country, and in the whole world. Our Liberal government responded quickly and decisively. We have been working tirelessly for the past seven months to help our territory stay healthy and stay safe. My colleagues and I have been working closely with our counterparts across the country to ensure that our response efforts are coordinated and effective as the situation has continued to develop. The cooperation between federal, provincial, and territorial governments to address COVID-19 and to ensure the health and well-being of Canadians has been unprecedented in my experience.

It has also been very, very welcome. Promoting the health and well-being of Canadians is at the foundation of government and it remains at the centre of the COVID-19 response effort. Through regular First Ministers' calls and meetings with the Council of the Federation, we have ensured that adequate support is available for Canadians from coast to coast to coast. The Safe Restart Agreement is an example of this extraordinary collaboration, and it does provide \$13.5 million in direct federal transfers to support the readiness of Yukon's health system in the coming months.

I'm very pleased that, throughout our discussions about the Safe Restart Agreement, First Ministers recognized the distinct challenges and circumstances faced by the territories and the need to address these separately. In particular, along with my northern counterparts, I have long advocated that the territories require federal support that goes beyond the per capita allocations. We appreciate the support of Canada's provincial premiers in recognizing the unique needs of the territories, and we're very proud that Canada has committed to providing additional funding on top of the Safe Restart Agreement to address these shortfalls in the per capita allocations in the Yukon. Discussions on a northern support package are in



progress, and I do look forward to sharing those updates as soon as possible.

The Safe Restart Agreement will support us in continued operations for the economy, making sure that things move forward safely, and will also mitigate the risk from a potential resurgence of COVID-19. These resources will strengthen the capacity of our health care system to deal with cases of COVID-19 within our territory. It will also keep the most vulnerable Yukoners — including residents of long-term care homes — healthy and protected. It will allow us to enhance mental health and substance abuse services, which are seeing increasing demand as a result of the pandemic. It will also help to fund safe childcare spaces, ramp up testing, and ensure an adequate supply of PPE.

Mr. Speaker, the supplementary budget I tabled today reflects the benefits of this close collaboration between those governments. The bill includes an increase of \$95.9 million in O&M related to COVID-19 responses, and more than \$52 million is recoverable — that's more than 50 percent. The bill includes economic and social supports as well as expanded health services for Yukoners in response to the pandemic. This spending was essential as part of our Liberal government's early response and it enabled the timely rollout of health care supports as well as targeted relief to individuals and businesses affected by the pandemic.

We have also budgeted additional money to ensure that we can continue to be responsive to the pandemic. I would also like to point out that, although this budget is focused on responding to COVID-19, it is smaller than some supplementary budgets that we've seen from previous governments. Our Liberal government will continue to support Yukoners and Yukon businesses during their times of need because we are all in this together.

Thank you very much, Mr. Speaker.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic — support for vulnerable communities

**Mr. Hassard:** Mr. Speaker, when COVID-19 hit us, government imposed restrictions, and direction came for Yukoners to isolate, avoid people, and stay home. While this direction was intended to protect public health while our public health officials worked to address the virus, it did have unintended and negative impacts on Yukoners. Sadly, as people were isolated and saw a decrease in supports or services, we saw an increase in drug and alcohol abuse in our communities. In particular, we saw the number of deaths this year related to opioids double compared to previous years. Mr. Speaker, this is a tragedy and a crisis, so can the Minister of Health and Social Services tell us if the government is monitoring the relationship between COVID-19 restrictions and the increase in drug and alcohol abuse here in the Yukon?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question. Most certainly, we look at all Yukoners and we try to provide appropriate and adequate in-

time services. We have expanded our services to the most vulnerable of our communities. We are working with the chief medical officer of health. Last year, we announced our national opioid strategy; we announced our Yukon strategy. We will continue to monitor and enhance the services that we provide, aligning that with the collaborative models that we have available to us here in the Yukon. Of course, we most recently announced the *Putting People First* report. We have expanded the scope of practice with mental wellness supports, and we will continue to work with our communities.

**Mr. Hassard:** Of course, these are important questions that we would have liked to have asked throughout the summer, but unfortunately the government would not allow for the Legislature to return.

The mental health of Yukoners was also impacted once restrictions came into place. A recent Statistics Canada survey reported that 52.4 percent of Yukoners felt that their mental health was worse off now since physical distancing rules were implemented. This is a problem, because if you don't have healthy coping mechanisms or strong supports, then you may go toward unhealthy or dangerous alternatives.

Can the Minister of Health and Social Services tell us what actions she has undertaken after restrictions were brought in to protect the mental health of Yukoners and to mitigate any negative impacts?

**Hon. Ms. Frost:** Mr. Speaker, I am honoured to say that the staff and the supports that we have available in the Yukon with our partners have, I would say, efficiently met the needs of Yukoners. We are working with our community health centres. We have established mental wellness support centres across the Yukon. We have quickly mobilized virtual care opportunities so that we can continue to provide in-time services and supports for those who have been affected by COVID-19, recognizing that we are under pressures in unprecedented times that require us to take some unprecedented actions. We have mobilized very quickly to do that. I am very proud to say that the department has done a very good job in working with our community partners to do just that.

**Mr. Hassard:** Can the minister tell us if those programs that she speaks of were implemented after the restrictions were brought in to help address potential mental health issues associated with the restrictions, or did they exist prior? If these programs existed prior, how much money has been added to their budgets since the restrictions were brought into place?

**Hon. Ms. Frost:** I would respond to that question by saying that we are still in a crisis, so that requires us to certainly enhance the supports that we have and take some unusual approaches — innovative approaches — to provide services to our communities.

With respect to whether or not these services were available prior, of course they were available prior. We presented it to this Legislative Assembly, and we continue to enhance that. I am happy to say that every Yukon community has a mental wellness counsellor, a social worker — and we have enhanced our home supports. We have enhanced home care, we have enhanced elder care, and we will continue to enhance the services that we have been providing historically.

Going forward, we are currently monitoring and ensuring that we are in time and that we are addressing the pressures that we're seeing in real time as they come to us. That requires, of course, due diligence and patience. We ask Yukoners to please bear with us, work with us, and give us the necessary feedback. If they're seeing shortfalls, let us know, and we will accommodate and do the best we can with the resources that we have available. There are sufficient supports out there. We will mobilize and ensure that Yukoners have the support, Mr. Speaker.

I encourage everyone to please respond and reach out to us.

**Question re: COVID-19 pandemic impact on mental health**

**Mr. Kent:** As just referenced, the pandemic has had significant and negative impacts on the mental health of Yukoners. We have heard many stories of how the pandemic has been especially negative for the mental health of our students.

The closure of in-person learning at the end of the last school year and the stress of only being in class part-time this year for Whitehorse high school students is causing problems for many young Yukoners.

Can the Minister of Education tell us what additional resources she has put into Student Support Services since the start of the pandemic to provide increased mental health support to our students?

**Hon. Ms. McPhee:** I appreciate the question. The member opposite is, I think, well aware that we are currently doing a review of Student Support Services with outreach to Yukon families, to our education partners, and to Yukon First Nations throughout the territory for the purposes of determining how those services can be better provided.

In the meantime, of course, they continue to be provided on, may I say, the "older model". We are working diligently for those improvements to come forward. That process has been delayed somewhat — I am very sorry to say — simply because the individuals who are collecting that information and proceeding with that review want to reach out in person to families and communities. The difficulty is that it has been delayed, but we are modernizing the review and determining how to best be in touch with those folks so that participation can continue and a new timeline can be drafted.

The support services that are provided through schools are continuing. Individual students and families who need support are being asked to be in touch with their administration, with the service providers at their school, with their superintendents — and, as always, we are trying a case-by-case basis so that we can respond to individual families as they come forward. As the other minister has mentioned, we are asking them to please come forward with issues and concerns that they have so that we can, as a team, address those, gather the supports that they need, and provide service to Yukoners.

**Mr. Kent:** Of course, these are important questions that we would have liked to have asked throughout the summer as the school reopening plan was being announced, but

unfortunately, the government would not allow for the return of the Legislature since March 19.

When it comes to seeking mental health support for their children, many families have had to use private providers and pay for it out of their own pockets, or some have needed that support and can't afford to receive it, so, of course, Mr. Speaker, this is not sustainable over the long term.

What is the minister's plan when it comes to supporting the mental health of our students so that their families no longer have to suffer the financial burden due to the restrictions in the school reopening plan?

I hope that she doesn't mention that this is all under review, because this is the reality and it's the lived reality of many Yukon families and those students right now today here in the Yukon.

**Hon. Mr. Silver:** The minister, of course, has the second supplementary to answer, but I see a seeded question in there with a couple of different questions from the opposition about this summer. Mr. Speaker, every jurisdiction is managing a COVID-19 response uniquely and best supporting their citizens during this unprecedented global health pandemic. We must remember that it was the request of the Official Opposition that we close the Legislative Assembly. We have not heard from them as well all summer, despite numerous offers to brief and to discuss the ministerial orders that were passed about COVID-19.

With some opposition members working other summer jobs, our government has been working tirelessly this summer, and we have been here every day, day in and day out, since March when we had unanimous consent to adjourn the Legislative Assembly.

Now, we've also heard here in the Legislative Assembly something that's incorrect and from the Yukon Party as well. There are other places in Canada that have not sat and held a legislative session during the summer. I wanted to officially correct the record.

**Mr. Kent:** I brought forward an important question with respect to student mental health, and then we got that from the Premier. I will leave that alone. I'm sure those parents out there will appreciate the Premier's response to the question that I asked of the Minister of Education.

At the end of August, it was announced that the federal government had created a pot of funding to assist provinces and territories with their school reopenings. Yukon's portion of this funding was just over \$4 million. The day of the announcement, ministers of Education across the country were able to give very specific details on how they would be spending this money to support the reopenings. On day one, Ontario announced the amount that they would be using to invest in mental health supports for schools. BC also announced right away the amount that they would be providing for school-based wellness programs and supports for students, families, and educators, but when Yukon's minister was asked multiple times by media, she refused to provide this information.

Is the Minister of Education able to tell us now how much of the \$4 million that Yukon is receiving will be invested in front-line mental health supports in our schools?

**Hon. Ms. McPhee:** No, I won't be able to give you that figure because we're working closely with administrators, school superintendents, school communities, First Nation governments, and school councils to determine what their priorities are for their school and how they would like the access to that funding to be used to the benefit of their students.

Mental health supports exist in every school in the Yukon Territory and will continue to do so. Enhanced mental supports, if need be — as identified by those education partners — will of course be provided.

Some of the additional COVID-19 costs have been: cleaning supplies; increased custodial services in schools; PPE such as gloves, reusable masks, and hand sanitizer; equipment to support adapted learning spaces such as additional desks or white boards or equipment for classes and students; health and safety training for staff and students, including the teachers on call; additional costs for technology and school bandwidth to support digital and online learning and virtual and in-person study halls; and relocation of the F.H. Collins grade 8 students and the Wood Street programs.

As I said, schools are continuing to identify emerging and ongoing needs for public schools. We are extremely pleased to have their support for Yukon education for Yukon students and the funds will go to benefit them as we proceed through this very unprecedented time.

#### **Question re: COVID-19 pandemic impact on Yukon tourism**

**Ms. White:** A 96-percent decrease in arrivals at the Whitehorse airport; 97 percent fewer people coming through our borders — this isn't just a bad season or just a bad year; this is an unprecedented crisis for the tourism industry — a crisis that's destroying what has taken decades to build and the largest private employer in the Yukon. These are Yukon jobs, and for many tourism owner/operators, it's a life they've built over decades of hard work and sacrifice. This is their entire life savings. Mr. Speaker, does the Premier realize how big of a hit this is for our economy?

**Hon. Ms. McLean:** Thank you for the question to the House today. I'm happy to stand today and speak about tourism in Yukon. I've been saying for years how important this industry is to Yukon. Absolutely — it's devastating to see what has happened in the last six months in our territory.

Our Liberal government is focused on protecting Yukoners and supporting them through these very challenging times. Our government responded early to support local businesses affected by the pandemic. In fact, we were one of the first jurisdictions in Canada to roll out a business relief program — and I thank the Minister of Economic Development for helping to lead that effort.

We know that to date the Yukon business relief program has provided \$5.1 million to 434 Yukon businesses; 165 were tourism and visitor-related businesses, getting approximately \$2.5 million. Under the tourism cooperative marketing fund, we had 161 clients funded out of 223 applicants, for a total of \$1.2 million, Mr. Speaker. So nearly \$4 million has gone to

tourism operators specifically, and we are glad that these programs are there to help businesses survive.

**Ms. White:** Two weeks ago, after their calls weren't being returned and their letters went unanswered more than six months into this pandemic, the tourism industry sent out an SOS, and they held a press conference to wake this government up. If there is anyone who should be on the Premier's speed dial, it is the tourism industry. These folks want to work their way out of this more than anything but for many it is straight up impossible. The COVID safety measures required to keep us safe have eliminated their ability to make a living. The general business relief program by this government was fine in the short term, but it is not adapted to the severity and the length of the crisis faced by tourism operators.

Mr. Speaker, beyond the limited arrangements for outfitters, has this government developed any tourism-specific support programs to help Yukon's largest private sector employer?

**Hon. Mr. Silver:** Absolutely, Neil's and Blake's numbers are on my speed dial, and I have spent hours speaking to both, and I know that the minister and her department have as well — weekly calls, Mr. Speaker — weekly calls ever since March started.

We absolutely know that the government values the tourism industry, and we have done so many things that we can't say it all within the 90 seconds that we have: establishing the Business Advisory Council; Yukon Tourism Advisory Board, working with them to provide advice and expertise; the Yukon business relief program — millions of dollars to advance to businesses in need; we are increasing the funding and scope of the tourism cooperative marketing fund by \$1 million and broadening a wide range of eligible applicants; we're looking at the tourism and culture refocusing marketing campaigns; doubling the advanced artist award funding from \$75,000 to \$150,000; increasing funds to On Yukon Time programming to support artists and organizations — and Mr. Speaker, we are not done.

We know that we are in triage right now with the tourism industry. We know that it is extremely important that seasonal businesses can survive over the winter, and I know that the Minister of Tourism and Culture and the Minister of Economic Development have the best interests of Yukon businesses in mind.

**Ms. White:** The chief medical officer has indicated that travel restrictions are unlikely to change until spring, at best. Destination Canada surveyed Canadians in July and found that only seven percent of Canadians feel that it is safe to travel — seven percent of the entire country are willing to travel — and that was before the second wave started.

We all hope that things will get better by next summer, but it would be irresponsible to assume that tourism will be right back up to normal, even if the second wave is less than anticipated. Tourism operators have put in years of work and investment building their businesses. Yukon's economy will suffer if these businesses close because it will take years to rebuild even once we can open our borders safely to the rest of the world.

When will the government commit to specific, targeted programs that reflect the unique and severe challenges faced by tourism operators in a world pandemic?

**Ms. McLean:** Thank you very much for the question. I am really happy to stand today and talk about the work that's being done. Again, these are unprecedented times. We have never seen a crisis like this in our entire world, so this is not just within the Yukon; it's worldwide.

As I've stated already, we have established a number of really specific programs to help businesses survive. Right now, the goal is to stabilize Yukon tourism businesses by developing relief programs to mitigate the impact of COVID-19 in preparation for phases 1 and 2. We are now in phase 3 of our reopening plan. We will continue to work with all of our partners as we move forward.

We have been working on a tourism recovery plan since March, Mr. Speaker, and we know it's going to take substantial effort from all partners to move through this together. I am really happy that we did the planning when we did on the *Yukon Tourism Development Strategy* and we will continue to work with our partners. Right now, we have four key themes in our recovery plan: instilling leadership; rebuilding confidence and capacity in tourism; preparing operators for recovery; and refining the brand and inspiring travelers to visit again.

**Question re: Living wage and minimum wage**

**Ms. White:** COVID-19 and the last months have made the need for a living wage obvious to all, and especially to those who depend on Yukon's essential workers. Ottawa has provided money to this government for a \$4 top-up to essential workers making less than \$20 per hour. This is a temporary support program that will only last for 16 weeks. This pandemic has lasted far longer than 16 weeks, but after 16 weeks of top-ups, the program ends and workers are back to square one.

They will be doing the same work that they were doing the day before, but they will no longer be making a living wage.

Mr. Speaker, why does this government believe that essential workers only deserve a living wage for 16 weeks in the middle of a pandemic?

**Hon. Mr. Pillai:** Mr. Speaker, just to give a bit of background to the Assembly and those listening, on our Yukon essential workers support program — the essential workers have been providing these very necessary services throughout the pandemic, and we want to thank all those individuals who are in those front-line jobs for their bravery and the supports that they have provided us. To support these efforts, the government launched the Yukon essential workers income support program to provide temporary financial support for lower income workers who deliver these essential services. The program provided businesses, non-governmental organizations, and governments that are delivering essential services a wage subsidy of up to \$4 per hour for each eligible employee, increasing their wage to a maximum of \$20 per hour for up to 16 weeks.

The program is accepting applications up until November 3, 2020, so employers have an opportunity of when they wanted to deploy that program, based on what was

happening. At this point, we are in a fragile state, but early on, I think there were more pressures and we needed to monitor.

It's important to note that the Government of Canada is providing the funding for this program. As of September 29, the program had received 890 applications and approved just over \$1 million in funding.

**Ms. White:** Last spring, this government implemented half-measures on the Employment Standards Board's recommendations on minimum wage. They shortchanged minimum wage workers over \$500 a year. It is understandable that the government couldn't predict a global pandemic. What the government should have been able to see was that folks were struggling to make ends meet before the pandemic started, and that is why Yukon's front-line workers need a living wage. The very existence of the wage top-up program is a recognition that these essential workers deserve a living wage, but after the stop-gap measures supported by Ottawa end, so does the living wage.

Mr. Speaker, does this government believe that a \$13.71 minimum wage is enough to live on for essential workers?

**Hon. Mr. Streicker:** I thank the member opposite for her question. This spring, what we did was we implemented the exact recommendation of the Employment Standards Board. They recommended that we increase Yukon's minimum wage by \$1 per hour, and that is what we did. I look forward to any further recommendations that they bring forward, and I am happy to bring them here to this Legislative Assembly.

**Ms. White:** I would love to have the Employment Standards Board come and appear as witnesses.

The essential workers income support program is a reactionary approach to a problem that has been known, documented, and talked about for a long, long time. The program is a temporary answer to a much larger problem. It tries to tackle the issue in 16 weeks with no thought about what happens into the future. There is a clear gap between the living wage and the minimum wage in Yukon, and this government has failed to address the issue in any meaningful way.

Mr. Speaker, can this government tell us what the long-term answer is to closing the gap that exists between the minimum wage and the living wage in Yukon?

**Hon. Mr. Streicker:** Since we've been here as a government, we have increased the minimum wage each year. The year before, we increased it 75 cents and two percent. We have been increasing the minimum wage. We recognize that the cost of living is significant here in the Yukon, and that's why we have been increasing it. We've been doing it by taking the recommendations of the Employment Standards Board. They have been in conversation with groups like the Yukon Anti-Poverty Coalition and business groups. We appreciate the work that the Employment Standards Board is doing. We're happy to continue increasing the minimum wage as per their recommendations.

**Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Istchenko:** COVID-19 has also had a devastating impact on our tourism sector. We've already had a question in

the House here today, but I felt that this was so important for Yukon and especially for all Yukoners.

A recent report indicated that air arrivals at the airport were down 96 percent — we heard that — compared to last year. Hotel occupancy has been nearly half, and in my riding, basically there's no hotel occupancy. Hundreds of people are out of work.

When we first raised the concern about the economic impacts on the tourism sector and asked the government to do more, the Premier said that the opposition members were paranoid, and the Minister of Tourism said that it would be business as usual for the tourism sector.

Mr. Speaker, I wish events had turned out differently and that the minister and the Premier were right, but unfortunately, they were very wrong.

Can the Minister of Tourism please tell us what work — we've already heard in the House today some of the existing programs — but new work. I think the minister highlighted that she has been working on it since March. What is this work that she's undertaking to support the recovery of our failing tourism sector?

**Hon. Ms. McLean:** Mr. Speaker, again, our Liberal government is absolutely focused on protecting Yukoners and supporting them through these very challenging times. I've already spoken today in the House about some of the relief programs that we've put in place. We are really, at this point, trying to help businesses survive and get through. We absolutely need to have our infrastructure and visitor experiences in place when travel is safe again and when we can have domestic travel and then ultimately international travel.

Of course, we recognize the devastating impact. I heard today in the House already talk about the impact on individuals, families, and businesses that have dedicated their entire lives to providing experiences and sharing the Yukon with the world. I can tell you that our Department of Tourism and Culture shares that grief. Some of them have worked decades alongside industry. It is because of the investment of businesses in Yukon — in terms of why and how we have had the tourism success that we've enjoyed.

I hold my hands up to all of those businesses that have put their lives into this. We are working on a recovery plan. As I've stated, we are working alongside industry stakeholders, and we are working toward a fulsome tourism recovery plan that will pivot off of our *Yukon Tourism Development Strategy* that we worked really hard on for a number of years. We are proud of that work, it has built relationships, and we are going to continue to do the good work and be there 100 percent with industry.

**Mr. Istchenko:** Mr. Speaker, I think we heard this earlier. Of course, these are important questions that we would have liked to have asked throughout the summer, but unfortunately, the government wouldn't allow us to return to the Legislature. During the summer when the Yukon opened its borders to British Columbia, there were significant complaints raised by the tourism industry and the Business Advisory Council that the Minister of Tourism did not have a marketing plan to promote our tourism sector to British Columbia. Just

days before the opening of the border, the Tourism Yukon website made no mention that our border would open to British Columbia. It was only after the industry and the Business Advisory Council went to the media that the minister finally took action and updated the webpage and launched a marketing campaign. Unfortunately, the minister's delays had negative economic impacts for the early days of reopening to British Columbia.

Can the minister tell us why there was a delay in launching Yukon's tourism marketing campaign to British Columbia this summer?

**Hon. Ms. McLean:** All the way through the pandemic, we've worked alongside the Chief Medical Officer of the Yukon. In response to a decision by the chief medical officer of health to create the BC bubble, the Department of Tourism and Culture implemented a marketing campaign targeting British Columbians to travel to the territory during the summer months. The total of this campaign cost \$225,000. I know that's not part of the question, but I think it's relevant and that Yukoners would want to know the cost of that marketing campaign. It included advertising on Global Television in British Columbia and digital advertisement. The campaign featured: "Why staycation when you can vacation?" The messaging went out and was well-received. We did receive some uptake from BC. We in fact had to work alongside the chief medical officer and ensure that the marketing campaign was launched at the right time in terms of our reopening plan, and that is what we did.

**Mr. Istchenko:** Perhaps if the government didn't call those asking for action paranoid or claim that it was "business as usual", they would have been able to get the marketing campaign out sooner.

Over the last decade, a growth of share of Yukon's tourism product has been winter tourism. On August 24, the Tourism Industry Association of Yukon wrote to the Minister of Tourism and Culture requesting an expansion of the existing travel bubble. The tourism operators who I have met with have said that even if the border opening does not expand, they would prefer to just have a clear answer from the government. They just want certainty so they can start making informed decisions about their finances.

I'm wondering if the minister has responded to the August 24 letter from the Tourism Industry Association of Yukon asking if the border openings will expand for the winter tourism season yet. What was the response?

**Hon. Ms. McLean:** Thank you for the question. We have been in contact of course with the Tourism Industry Association of Yukon throughout the planning through the pandemic. We were asked for this response. We've had specific meetings with the Tourism Industry Association of Yukon and we established weekly meetings with them going forward. However, we did have staff, myself, and many of the other ministers on their weekly webinars throughout the pandemic, and the communication has been strong. Again, I know we mentioned today the Yukon Business Advisory Council — which includes a member of TIA — and also the Yukon Tourism Advisory Board, which includes members of TIA. I know that our communication has been strong with them.

Again, we take our recommendations from the chief medical officer and the government makes an informed decision about these matters — about the reopening. We met with the chief medical officer — I reiterated in a meeting with TIA the criteria for reopening the borders and considering other bubbles. We did follow up in writing with them. You are welcome to have a copy of that letter.

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

## ORDERS OF THE DAY

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

### Unanimous consent to move without one clear day's notice Motion No. 213

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

### Motion No. 213

**Hon. Ms. McPhee:** I move:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

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

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker. The House Leaders have spent some significant periods of time over the last number of weeks speaking to one another and having conversations about how this Sitting would proceed.

We have turned our minds to a number of specific situations that we hope may never come to pass, but nonetheless, this addresses one of them in which members of this Legislative Assembly may not be, for various reasons — either illness or symptoms of illness or by application of a protocol that requires them to be not at work or not in this room — that they would be able to participate by way of teleconference. I am assured by Mr. Clerk, by the Speaker — yourself — and by the very talented staff at the Legislative Assembly Office that this is a possibility and that there are in fact opportunities for teleconferencing into this room. We have turned our minds to the operation of that should an individual — or more than one individual — be required to stay out of the Legislative Assembly by operation of the notes here in the motion.

I think the purpose of this motion is clear. We have had conversations regarding the ability to make sure that individuals who might need to be out of this Chamber for health protocol reasons but are able to participate have that opportunity. We have noted in the numbers delineated in this motion that they could be recognized to speak during debate, that they could be permitted to vote by virtue of Mr. Clerk indicating and calling their name in recording a vote that would be verbally spoken over the telephone. They can constitute a quorum by virtue of a situation where, at the beginning of the Legislative Assembly each day, the *Yukon Act* requires 11 members, including the Speaker, to constitute quorum. That's the quorum under the *Yukon Act*, but of course there is a separate quorum required under Standing Order 3. Individuals on the telephone could constitute that number of quorum. I believe, from the conversations that I've had with my colleagues, that would be satisfactory to the other parties as well, but of course they will speak to this motion.

Fourth, being on the telephone would constitute being in attendance in the Legislative Assembly and not require a deduction of indemnity as is required under the *Legislative Assembly Act*, section 39(5). I would like to take the opportunity to thank both of my colleagues — the other House Leaders — for their dedication to this topic and the other topics that are here before this House today, for their dedication to our conversations and the ability for us to come together with what we hope is a solution that will allow all members of this Legislative Assembly to participate, despite the unusual circumstances that we currently have.

Of course, we all hope that people will be able to come in person, but realistically, we also know of individuals in all of our lives who have had to either stay away from work or a gathering or stay away from other obligations that they may have as a result of symptoms or actually being ill or being tested — or a period of time when they are not permitted to be somewhere or they are self-isolating. Those are the circumstances that we are attempting to deal with.

**Mr. Kent:** As Official Opposition House Leader, I would like to thank the Government House Leader for outlining the intent of the motion and what we arrived at.

I too would like to thank the Third Party House Leader — the Third Party leader — for her work with us over the past number of weeks in dealing with these procedural circumstances.

I would also like to thank my colleague, the Member for Lake Laberge, as the deputy House Leader on this side. He also attended a meeting that I was unable to attend.

I appreciate everyone's involvement in finding solutions to these circumstances, not least of which, Mr. Speaker, is the involvement of yourself, the Clerk, and staff from your office. We appreciate your guidance and advice as we have moved through these deliberations as well. Of course, the Official Opposition will be supporting this motion here this afternoon.

**Ms. White:** Just the acknowledgement of my colleagues as we have worked together to make sure that elected members

are guaranteed their privileges no matter their health going forward due to pandemic reasons — making sure that we don't run into the same problem that happened in the spring and that we have a plan in place.

I appreciate the work. I hope that we never have to activate the plan. With that, Mr. Speaker, the Yukon NDP will be supporting this motion.

**Speaker:** Is there any further debate?

I just have a note from the Clerks. I would just advise of a minor amendment that is proposed. The motion currently reads: "... (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*..." (1) and (2) really are notwithstanding existing Standing Orders, but what you are saying in (3) is that, by virtue of your attendance in the teleconference, it constitutes quorum under Standing Order 3 and under the *Yukon Act*. So it's not a "notwithstanding" situation; it's just that the presence by teleconference is compliant then with the creation of quorum. Does that make sense? Yes.

So I'm not sure procedurally how — does that become a drafting change, then? I'm sure you want to hear the entire motion again. I'm in the House's hands. I can either read the entire motion with the proposed change or just subsection 3. Just subsection 3 — is there consent to do that?

**All Hon. Members:** Agreed.

**Speaker:** Thank you. So, then, the teleconference shall exist — the preamble — and then under (3): "contribute to constituting quorum in the Legislative Assembly under Standing Order 3 and the *Yukon Act*".

Does any other member wish to speak to the motion?

*Motion No. 213 agreed to*

**Speaker:** Thank you for the members' indulgence with that clarification.

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

**Unanimous consent to move without one clear day's notice Motion No. 214**

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

#### **Motion No. 214**

**Hon. Ms. McPhee:** I move:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

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

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

**Hon. Ms. McPhee:** I won't speak too long on this. Again, this is part of the conversations with the other House Leaders prior to attending today's session. We have had extensive discussions about the opportunity for parties to pair, and ultimately, this change is really about having that information provided to the Clerk during the early part of the day on which that might happen and, more importantly, having the recording of those names in Hansard and Votes and Proceedings for that day. We anticipate that there will be a number of recorded votes during this Sitting, Mr. Speaker, because some members might — maybe not for obvious reasons but for reasons regarding COVID-19 and the pandemic — need to be out of the Chamber, out of the House, or participating by telephone.

It seemed like an appropriate move for us to have those recorded so that, in the event that members of a particular party were not permitted to vote as a result of pairing, those records would be kept with respect to indicating that, while the issue might still be incredibly important to them, we are all

cooperating for the purposes of making sure that individuals who cannot attend are not causing undue concern for any of the parties.

**Mr. Kent:** We in the Official Opposition will, of course, be supporting this motion. As the Government House Leader mentioned, it was part of deliberations of House Leaders and representatives of yourself and the Clerk's office.

Mr. Speaker, this is one of those issues that we brought forward as temporary for the duration of the 2020 Fall Sitting, but it's an issue that I'm hoping we can refer to the Standing Committee on Rules, Elections and Privileges — or SCREP — to take a look at, perhaps adopting in a permanent fashion or adopting into the Standing Orders permanently, because I think it does provide some assurances to members who are paired for one reason or another. Obviously, this is to deal with what's happening here in the pandemic in this Sitting, but I hope that perhaps SCREP can take a look at this and take a look at adopting it over the longer term.

**Speaker:** Is there any further debate on the motion?

*Motion No. 214 agreed to*

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

#### **Unanimous consent to move without notice Motion No. 215**

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

#### **Motion No. 215**

**Hon. Ms. McPhee:** I move:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative



Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

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

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

**Hon. Ms. McPhee:** Again, this came as a result of our conversations between House Leaders prior to today's session, and as a result, I think it speaks for itself. We hope that this is a situation that never occurs, but in the event that there has been an adjournment, the precursor would be for an indefinite period of time. House Leaders — I would certainly think that it would be the three of us, if that day comes — would be making a request that the Legislative Assembly meet virtually in the event that there is business to conduct and in the event that the concerns are in place — either through an order or through the advice of the chief medical officer of health — that it is not safe for us to be in this Chamber.

I would like to thank again the other two House Leaders for their work on this particular motion and on all of the motions that we have had conversations about — all with the view of making our work together as smooth as possible going forward and in an attempt to think about worst-case scenarios and hope that we never need to use them.

**Mr. Kent:** I too would like to advise the House that the Official Opposition will be, of course, supporting this motion. Once again, I thank everyone involved for their work in arriving at it. We do have some additional procedural issues to deal with, and I am hoping that we can reach consensus on that to bring them forward to the House as soon as possible.

With that said, Mr. Speaker, I want to thank you and thank the House Leaders for their time and effort — and all members of the House through various meetings — to bring these three issues forward so that we could deal with them here today on the first day of the 2020 Fall Sitting.

**Speaker:** Is there any further debate on this motion?  
*Motion No. 215 agreed to*

## GOVERNMENT BILLS

### Bill No. 9: *Sexual Orientation and Gender Identity Protection Act* — Second Reading

**Clerk:** Second reading, Bill No. 9, standing in the name of the Hon. Ms. McLean.

**Hon. Ms. McLean:** I move that Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, be now read a second time.

**Speaker:** It has been moved by the Minister responsible for the Women's Directorate that Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, be now read a second time.

**Hon. Ms. McLean:** I'm very eager to move forward with this bill. I'm really pleased to stand today on behalf of our Liberal government to bring forward legislation banning conversion therapy.

We tabled this bill, Bill No. 9, in March 2020, and it was with a very heavy heart that we had to leave it incomplete to, of course, respond to the COVID-19 pandemic. This is our very first opportunity to recall it, and I'm really happy today, given our first opportunity to recall this bill, that we are doing exactly that.

I want to also acknowledge the young people and their teacher who are here today — from the students of the Porter Creek Secondary School Gender and Sexuality Alliance — so thank you, Mr. Cook, for bringing your students here today.

I also know that — because we have limitations in terms of folks being allowed in the gallery — we also reached out to Queer Yukon, All Genders Yukon, and other NGOs fighting for LGBTQ2S+ folks' rights. They may be listening, and I just acknowledge them today and hope that they were able to tune in and listen to the debate today.

Mr. Speaker, let me be clear: Yukon government does not support conversion therapy. We are committed to implementing a legislated ban in order to prevent this harmful practice from ever happening in the territory. This is not only about protecting Yukoners today but also protecting the generations to follow us. In the past three years, our government has made several changes to legislation, policies, and practices to support our goal of a diverse and inclusive society that promotes LGBTQ2S+ rights and gender equality. This legislation represents one more step to making our community safer for lesbian, gay, bisexual, transgender, queer, and two-spirited Yukoners.

As Minister responsible for the Women's Directorate, I have been mandated to take a leadership role in working with my ministerial colleagues on LGBTQ2S+ inclusion. We are currently developing a full action plan to this effect. One of the first concrete items emerging from this action plan is legislation to ban conversion therapy.

Conversion therapies are interventions aimed at changing an individual's sexual orientation, gender identity, or gender expression. These practices may include counselling and other kinds of treatment and also medication. Conversion therapy represents an incredibly homophobic, transphobic, and harmful practice. It can lead to distress, anxiety, depression, negative self-image, a feeling of personal failure, difficulty sustaining relationships, and sexual dysfunction, just to name a few of the potential negative impacts.

Our government has heard clearly from Yukoners that conversion therapy should be banned in the territory. The

gender and sexuality alliances of Porter Creek Secondary and F.H. Collins Secondary schools organized a petition last year asking for this Legislature to ban conversion therapy on minors. Their involvement with the democratic process was inspiring. They stood up for each other and for the safety of their peers knowing what is right.

I want to take a moment to commend the incredible work of the Yukon high school gender and sexuality alliances. I had the absolute privilege of being invited to meet with the gender and sexuality alliance at Porter Creek Secondary School this past fall. My colleague, the Minister of Health and Social Services, and I were absolutely inspired by the support that these students and faculty show each other, each and every day. We heard their voices loud and clear. The Yukon that they want to live in does not include homophobia or transphobia. They told us clearly that there is no place for conversion therapy in our Yukon Territory.

We have also received letters from multiple Yukon organizations, including members of the Yukon women's coalition, Yukon Teachers' Association, psychological association of the Yukon, and the working coalition consisting of all Yukon LGBTQ2S+ societies. These organizations echoed the call to ban conversion therapy. They stated their concerns about the real and tangible negative impacts that conversion therapy could have on someone.

The federal government has also recognized this. Last summer, they sent out a letter to all provincial and territorial jurisdictions urging us all to take steps to ban conversion therapy. Legislative bans on conversion therapy have now become law in three other Canadian jurisdictions. The Government of Canada tabled legislation on March 8, 2020, banning and criminalizing conversion therapy, which they reintroduced just today.

The timeline for amendments to the *Criminal Code* becoming law remains unclear. We cannot wait for the federal legislation to become law while Yukoners' lives may be negatively impacted. We will monitor the progress of this legislation going forward.

We committed to ban conversion therapy in the Yukon, and we intend to do just that with this bill. We will ensure that a fulsome ban on conversion therapy is in place in Yukon. We will ensure that a ban contains what is right for Yukon's unique needs. We are not slowing down. This legislation is still a priority for the Government of Yukon.

The purpose of this act is to protect minors from harm, as well as adults who have substitute decision-makers or guardians appointed. Harm could be caused by practices, treatments, or services that are provided with the intent of changing a person's sexual orientation or gender identity.

The ban that we are proposing ensures that conversion therapy cannot be practised at all on minors or adults who have a court-appointed guardian. In addition, a substitute decision-maker is not able to give consent for conversion therapy. A guardian or substitute decision-maker is someone who has been appointed to manage an adult's personal affairs. This legislation also clarifies that conversion therapy is not an insured health benefit. Again, let me be clear: Conversion

therapy has never been included as a service to be provided or funded by insured health. This legislation just provides further clarity of the current state.

We also wanted to make sure that this ban does not limit the ability of LGBTQ2S+ Yukoners to access appropriate support or health care as they explore or affirm their gender identity. The legislation makes it clear that conversion therapy does not include existing practices that help someone with the support they need or the professional guidance around identity exploration. It also does not include gender-affirming surgery.

This legislation ensures that we have a penalty in place for conversion therapy that recognizes the severity and negative impacts of this practice. Mr. Speaker, banning conversion therapy is part of the Government of Yukon's LGBTQ2S+ inclusion action plan that is currently being developed. This action plan is being developed to strengthen LGBTQ2S+ inclusion in Government of Yukon legislation, policies, programs, services, and practices.

Our government has committed to the principle of "nothing about us without us". We will work closely with the LGBTQ2S+ community, organizations, and Yukoners as we develop and implement the action plan. We will also be informed by the comprehensive LGBTQ2S+ public engagement that took place from November 2018 to the end of June 2019 to guide the development of this action plan. Reports and results from this engagement are available to the public at [engageyukon.ca](http://engageyukon.ca). The reports include feedback from LGBTQ2S+ Yukoners and their allies, with 70 recommendations and best practices for LGBTQ2S+ inclusion.

Prior to this comprehensive public engagement, the Government of Yukon conducted a review of legislation, policies, and services with a view to modernizing them to be inclusive of LGBTQ2S+ Yukoners. To date, a number of acts have been updated, including the *Vital Statistics Act*, the *Human Rights Act*, *Gender Diversity and Related Amendments Act*, *Equality of Spouses Statute Law Amendment Act (2018)*, and the *Public Service Labour Relations Act*, and the *Married Women's Property Act* was repealed.

Mr. Speaker, this is a great start, but that is all it is: It's simply a start. We must do more. We are proposing a bill today because we know that conversion therapy is a health and public safety issue. We have determined that this is the best course of action after our public engagement and research. We are committed to protecting human rights through banning conversion therapy.

Currently, conversion therapy could be openly practised in the Yukon without legal repercussions. That is not acceptable. This bill reflects how the law should be in 2020. People should be able to live freely and safely in Yukon. With all these initiatives, we are making steady headway in our goal of making sure Yukon is on the way to becoming a leader for LGBTQ2S+ inclusion. Everyone should be able to grow up here expressing who they are without fear or lack of acceptance. We should all be able to raise a family, work safely, and enjoy a quality of life without facing fear of harassment or violence. I want to live in a community where all people are treated with dignity and respect, not be forced to change who

they are. I know that our work to create an inclusive society isn't done. This is just the beginning.

In closing, Mr. Speaker, changes with bills like this do not solely benefit the LGBTQ2S+ community. All Yukoners benefit from a more inclusive society.

It is our duty to ensure that everyone feels safe and included in being who they are. This is a human rights issue. It is time for us to take action and help lead the way in Canada. This should not be difficult. The choice is very clear.

**Ms. McLeod:** I rise to speak on Bill No. 9, the *Sexual Orientation and Gender Identity Protection Act*.

I would like to begin by thanking the representatives from the public service who provided a briefing for us earlier today.

This legislation will prohibit conversion therapy from being provided to all minors or adults for whom there is a court-appointed guardian. It sets out that a substitute decision-maker does not have the authority to consent to conversion therapy for a person and clarifies that conversion therapy is not an insured health service.

As we know, there appears to be no scientific evidence that conversion therapy is effective, and several national organizations, including the Canadian Psychiatric Association, have expressed concerns about conversion therapy. It's our understanding that conversion therapy has not occurred in Yukon nor has it been contemplated.

In part, this legislation comes about following a petition to the Legislature that was organized by students at both Porter Creek Secondary and F.H. Collins. In particular, the work to organize the petition was led by the school's gender and sexuality alliance.

My colleague, the MLA for Kluane, had the opportunity to meet with the gender and sexuality alliance from Porter Creek Secondary in the school's Rainbow Room last year and was quite impressed by their leadership and fearlessness in tackling this issue. He has expressed to our caucus how much he appreciated meeting with the GSA and the concerns, issues, and hopes that they expressed to him. I would like to thank those students as well, on behalf of the Yukon Party, for their courage and leadership in bringing this forward.

I would also like to thank the Leader of the NDP for working closely with these students to bring forward their petition and for advocating on their behalf in the Legislature.

Beyond the petition, the Yukon government was also urged to take this action by the federal government, who wrote a letter to two Yukon ministers in July 2019. In that letter, the federal government urged the Yukon government to take this action. Since receiving the petition from Yukon students and the letter from the federal government, the Yukon government has responded with this bill.

Since that time, the federal government has launched its own initiative related to this issue. This initiative included an amendment to the *Criminal Code* to prohibit unwanted counselling seeking to change a person's sexual orientation to heterosexual, gender identity to cisgender, or reduce non-heterosexual behaviour nationwide.

While this federal bill was interrupted by COVID-19, I understand that a bill to amend the *Criminal Code* will be tabled in Parliament very soon. Now, as such, some of what is in this Bill No. 9 is already being addressed at the federal level in the *Criminal Code*, so with the changes coming at the federal level, some of this bill has been superseded.

Nonetheless, we recognize that there is value in signalling to Yukoners that the practices that this bill seeks to address are dangerous and harmful. Again, we would like to thank the GSA students who have petitioned for this bill and the organizations like Queer Yukon that have lent their support to this bill. The Yukon Party will be voting in favour of Bill No. 9.

**Ms. White:** It is a pleasure to rise today, obviously in support of this bill.

I was just thinking about the fight that got us here. As an example, we have students in the gallery right now who have been sitting there with masks, physically distant — which is not any fun — for the last few hours, but this goes back to the spring of 2019 when I heard two students on CBC telling Elyn Jones that conversion therapy was possible in the territory. This was in the same week that I got an e-mail from one of them asking if I knew that was possible. Of course, I had no idea. Why would I know? That started my education. For the last number of months and years, I have had the pleasure of hanging out with this fantastically diverse group of students in Porter Creek and F.H. Collins. One of the young people who was on the radio has actually gone off to university and isn't here anymore, but they started this work in the beginning of 2019.

As we talk about our queer history, we know that it goes far, far back to the bath house arrests in Ontario and it goes back farther and farther, because queer folks have been among us forever. It is about time we started respecting that, so this is a big step.

When I first went up to talk to the students at the GSA — I like to tell the story that when I first went there, no one could make eye contact. I was in the room and everyone was sitting in their designated spaces at the time. They hadn't fully colluded to become a group. The first time I was there, there was no eye contact and it was hard to introduce myself. We started off with introductions, and I said, "What are your pronouns?" I was told what their preferred pronouns are. I said, "No, no, not your preferred pronouns. What do I call you? If my pronouns are 'she', 'her', and 'hers', what are your pronouns?" In the last year and a half to two years, I have watched this group of young people grow. We no longer talk about our preferred pronouns; we talk about our pronouns. We introduce ourselves with our name, and we are respected when we go out and we see people, and we offer that same respect.

When the petition was created — so if you think how when I met these students and we couldn't make eye contact — in less than a month, they had a petition that they were circulating publicly. They went to an event that was held at the Kwanlin Dün Cultural Centre, and it was to give a voice to young people, being able to ask decision-makers questions, and they circulated this petition in a room with a couple of hundred people — going up to tables and saying, "Will you sign our

petition?” and explaining the petition. It has just kept going, and it is beautiful.

When we were talking about this, I understood that we didn't know that things were happening. I tried to bring across that, in the absence of law, it means that things are possible, and I appreciate that it was heard by government. I appreciate that you all recognized that, without the laws to say no, what we are saying is that it could happen. For the students who I met, the fact it could happen — that they could be told that they were wrong, that who they were wasn't right — it was really important. That is important.

When I would talk to the students and we would talk about different things — I can easily say that the Rainbow Room is not just about anyone who identifies on the rainbow; it is also about allies and it's about anyone who ever thought they were different or anyone who was looking for a place. So, what this group has done — what this space has done — it has changed the way Porter Creek Secondary School feels. It has changed how it feels, and that is a really big deal. We have talked all the time about how if you see something that you can't stand behind, if something happens that you know is hurting someone, or you see an injustice, you can either be a silent bystander — which means that in your silence you say that it's okay — or you can stand up. We have talked a lot of times about how, you know, sometimes you just need someone to stand beside you and you can fight your own battles. Sometimes you need someone to stand behind you so you can fight that battle, and sometimes you need them to stand in front of you because you just can't fight that battle.

I don't know if other members got these letters — I don't know what everyone else gets in their e-mail, but Mr. Speaker, when we have talked about lobbying and we talk about all those things, I got letters. I got letters against this bill. I was explaining today because I warned the students that I was going to read this letter — because I got this letter and how I wanted to respond was not parliamentary. The way I wanted to respond to this letter — my initial response — and if I put it on letterhead, it would not have been parliamentary. I would have signed it because that was how I felt. I was so mad that I had to walk back from this letter. I was so mad that I couldn't even think about it. Then the hard part for me was that this is a religious leader who sent me this letter. It was a person who has a public platform and who guides people. It hurt even more. I was so mad; I was so mad for a lot of reasons. I did share my anger with a couple of people because I couldn't even believe that he would write this down and this is what he would send.

So I reached out to Beverly Brazier who is a pastor of the United Church because I needed someone who could explain — who could help me. It was quite funny because her initial response was a lot like mine, and she said that I couldn't send that because that was unparliamentary, and it wouldn't do us any good in this argument. I said, “Okay, you're right.” We spent some time. We discussed different things. I did finally craft a response.

What I'm going to do right now is not something that I would typically do, but I'm going to read you the letter that I got that I had to respond to because this is what people in our

community face still. We can paint all the crosswalks we want and we can change laws and we can change things, but until we don't recognize people as “other”, this is still what people face. I'm going to read you this letter right now. I want you to know that I didn't leave it. I didn't just get this and not respond because I didn't want my silence to say that I approved. So I'm going to read this letter. If anyone wants me to send it, I can e-mail it to you. I've sent it to Hansard.

It says, “Dear Dear Ms. White,

“I am very deeply concerned about Yukon Territory's ‘conversion therapy’ ban, Bill 9.”

It's important that you know that conversion therapy is in parentheses the entire time, so it's given special attention.

“A ban on ‘conversion therapy’ represents a dangerous and unprecedented political intrusion into matters related to science, medicine, health, spirituality, and personal autonomy. The Yukon government has no business telling people who want to experience change that they are not allowed to do so. The government has no business telling qualified doctors and psychologists that they cannot help their patients. The government has no business telling churches and spiritual counsellors that they cannot nurture their adherents.

“According to Christopher Wells, a militant LGBT activist and government advisor” — I'm quoting — “The ultimate goal is to ensure that conversion therapy is put into the Criminal Code of Canada, so no matter where you practice it, and if you're practicing it, whether that's in a basement or in a church, you're going to go to jail because of this.”

Testify, brother.

“Yukon's Bill 9 would fall lock-step into line with Christopher Wells' brutal LGBT enforcement tactics.

“I do not believe anyone should go to jail for helping someone overcome unwanted gender dysphoria or same-sex attraction. It is absurd and totalitarian for any government to attempt to do so. It is also a violation of the fundamental human rights of those who want to change.

“Will you vote against Bill 9?”

“Can you end your 48 with the rest of her quote, then: It is also a violation of the fundamental human rights of those who want to change. Will you vote against Bill No. 9? To help you make the so important commitment to everyone's right to change, please watch this short video testimony from a former homosexual practitioner who recovered his true identity and found peace and freedom at last...” — there's a YouTube link if anyone wants it.

“Please respond with your position on this terrible bill. Thank you.”

I didn't click the YouTube video. I didn't watch it. I swore quite a bit, if I'm honest. Then I worked on it, and I had a conversation with someone who could help me. I have my friends here who I understand and conversations with others.

This is how I responded:

“Dear Sir,

“Until your April 8<sup>th</sup> letter opposing Bill #9, the only controversy surrounding the banning of conversion therapy was that it was taking too long.

“The Canadian Psychological Association opposes any therapy with the goal of repairing or converting an individual’s sexual orientation, regardless of age. Scientific research does not support the efficacy of conversion or reparative therapy.

“The goals of conversion therapy do not represent freedom for the individual; rather the goals of this therapy are clearly to convert individuals to heterosexuality. Therapies that respect and honour individual freedom don’t have a preconceived goal in mind.

“Full abundant life for people involves true freedom; the freedom to be who they are, to seek help that will not harm them when they need to, and to grow into the human beings that they were created to be.

“The Yukon NDP stands proudly behind, beside and in front of the young people and community members who helped Yukon get to the point where Bill #9 Sexual Orientation and Gender Identity Act was tabled in the legislative assembly. We fully support banning the practice of conversion therapy and my vote will reflect that.”

Mr. Speaker, I’m so proud of us for getting here. We have further to go. This is our 14<sup>th</sup> step out of maybe 652. I’m so proud of the people who are here today who have nudged us in the right direction. I look forward to getting to the point where we’re at the end of this, and thanks to the minister for tabling it.

**Mr. Gallina:** Mr. Speaker, in 1967, the former Prime Minister Pierre Trudeau introduced Bill C-150, which passed in 1969, decriminalizing same-sex sexual activity in Canada.

Since then, LGBTQ2S+ acceptance has been on the rise across our nation. Yet, despite the increased support between 1969 and 2020, the community built on diversity still combats discrimination on a daily basis.

To some, existing is treated as a crime in and of itself. Perhaps it is a perceived issue of moral or ethical superiority, or perhaps those who judge others for their personal lifestyle or identity choices are quite simply ignorant or cowardly. In any case, protecting our vulnerable youth and adults from those who would intend to do them harm is the priority behind this bill.

Conversion therapy, sometimes referred to as “reparative therapy”, is a long-standing issue that has plagued the LGBTQ2S+ community for far too long. Participants are exposed to shaming and emotionally traumatic or physically painful stimuli in an attempt to make them associate the stimuli to their LGBTQ2S+ identity. Conversion therapy is a pseudoscience with no reliable evidence to prove its effectiveness. In fact, it has been found to be more destructive than helpful overall. It can lead to severe psychological distress and leaves victims with increased depression, anxiety, self-destructive behaviour, and disassociation. Studies have shown that transgender people who have been exposed to conversion therapy efforts at any time in their lives have more than double the odds of suicidal attempts compared to those who have not been exposed.

Mr. Speaker, the legislation before us today will be the broadest in effect in Canada, as it bans anyone from performing

conversion therapy on a minor. This action reflects on this government’s commitment to inclusion and consideration for the mental and physical well-being of our growing LGBTQ2S+ community and is supported by many individuals and organizations across Yukon, including All Genders Yukon, the Yukon Teachers’ Association, Northern Gender Alliance, LesEssentiElles, Queer Yukon Society, Yukon Status of Women Council, Yukon Queer Film Alliance, Yukon Aboriginal Women’s Council, Help and Hope for Families, Victoria Faulkner Women’s Centre, the Yukon Women’s Transition Home Society, Dawson Women’s Shelter, and many, many more.

The government continues to employ a democratic process that focuses on the needs and desires of our community members at large. To ensure that the Government of Yukon meets the needs and priorities of LGBTQ2S+ Yukoners, this Liberal government initiated a territory-wide public engagement process in the fall of 2018. The purpose of this engagement was to identify ways to strengthen Government of Yukon legislation, policies, programs, services, and practices.

The engagement process provided multiple methods for LGBTQ2S+ Yukoners and allies to participate safely and with dignity. The purpose of this engagement was to address health, mental health and wellness, justice, safety and employment, and LGBTQ2S+ culture and community building.

In total, participation included three community dialogues, 110 attendees among 12 focus groups, four one-on-one interviews, 11 online submissions, and consultation with the gender and sexuality alliance at Porter Creek Secondary School.

Mr. Speaker, the overall feedback from this engagement speaks to providing education and training in LGBTQ2S+ cultural competency, a cultural shift toward more acceptance, services provided to rural and remote communities that are person-centred, creating more low-barrier access to facilities like businesses, schools, hospitals, and government buildings, and to the elimination of conversion therapy.

What is important to note is not only the important feedback received by this engagement, but the message to the LGBTQ2S+ Yukoners that this government is listening to the needs and challenges faced by this community here in the territory.

Attempting to change someone’s sexual orientation or identity through counselling, medication, or behaviour modification against their will is detestable. Being gay, trans, queer, or ascribing to whichever pronoun brings you comfort in your identity is not abnormal or something that can or should be cured. I say this today not as your MLA or elected official, but as your fellow human. You have a right to feel comfortable in your own skin. You have a right to be respected for the decisions that you make regarding your future, and you have the right to be free from persecution for your personal lifestyle and identity choices.

Mr. Speaker, this government does not support conversion therapy in any way. This legislation will ensure that conversion therapy is not an insured service for anyone, period.

While we believe that conversion therapy is not to be practised at all, we do recognize that, in a free society, adults who are able to consent to the practices should have that freedom. Conversion therapy amplifies the shame and stigma that so many members of the LGBTQ2S+ community already experience.

When members vote on this bill, I hope they consider those who are unwillingly subjected to trauma imposed upon them through conversion therapy, because we know, for instance, that the federal Conservatives have refused to condemn the practice of conversion therapy and that Conservative Leader Erin O'Toole has stated that he has concerns about the federal legislation brought forward to condemn this practice.

Mr. Speaker, I hope that all members of this Assembly will advocate for children to have the freedom to explore and develop their own social identity. Thank you.

**Hon. Ms. McPhee:** Mr. Speaker, conversion therapy is reprehensible — so-called “treatment” to convert or change a person from being their authentic self. Can we imagine a more harmful practice? Conversion therapy or so-called “gay cure” therapy aims to change an individual’s sexual orientation to heterosexual, to repress or reduce non-heterosexual attraction or sexual behaviours, or to change an individual’s gender identity to match the sex that they were assigned at birth. It harms and stigmatizes lesbian, gay, bisexual, transgender, queer, and two-spirited persons. It undermines their dignity and negatively impacts their equal rights. It reflects myths and stereotypes about LGBTQ2S+ persons — in particular, that sexual orientations other than heterosexual or gender identities are somehow wrong.

It reflects myths about counselling and behaviour modification. Conversion therapy is by definition at its very core harmful. Often titles of things in our world are ambiguous or unclear but the name of this practice makes its intentions very clear. The definition of “therapy” is a treatment intended to relieve or heal a disorder. It is the treatment of disease or disorders by some remedial, rehabilitating, or curative process, and the intention of the word “conversion” is also clear: to change or to make different.

It is critical, Mr. Speaker, that we recognize the evil done by discrimination and the practice of conversion therapy — the collective idea that a human must be other than their true selves. There is very strong evidence that discrimination occurs in our communities and at home. Queer and trans people experience significantly higher stress levels due to hostile social environments, leading to disproportionate rates of mental stress and illness. We have heard some of this already during this debate, but it bears repeating.

According to the interim results of the 2019-20 community-based research centre’s Sex Now survey, one in five sexual minority men have been subjected to sexual orientation, gender identity, or gender expression change efforts. It sounds a bit innocuous — “change efforts”; it is not. In 2011-12, results of the same survey also showed that low-income, indigenous, and trans persons are disproportionately represented among those exposed to conversion therapy.

Further, and related to this, 40 percent of homeless youth are queer or trans. That is a conversation that we have to keep having.

Conversion therapy practices have resulted in tragic rates of depression, anxiety, self-hatred, and suicidal behaviours among queer and trans change-effort survivors — and they are survivors. It is estimated that up to 20 percent of queer and trans men in Canada experience change efforts in some form, including conversion therapy.

Over 30 percent of the thousands of queer and trans people in Canada who have experienced conversion therapy have attempted suicide and many have actually taken their lives. In contrast, three percent of all Canadians attempt suicide.

Health organizations, including the Canadian Psychological Association, which you have heard about already, have dismissed the practice of conversion therapy as a treatment, saying it has no efficacy. They have also warned that the effects of such therapy can be harmful, resulting in distress, anxiety, self-harm, and suicide. In fact, there is absolutely no evidence to suggest that conversion therapy works. In fact, data suggests that the practice is dangerous and most medical communities have denounced it as unethical.

As noted above, the word “therapy” is misleading and there is no scientific basis for conversion therapy. Practices often vary widely and are not regulated. It is not medically certified.

One young man who now works as an advocate for LGBTQ2S+ rights talks openly about his past: “When I was 16, the social pressures to be straight and masculine were too profound for me to navigate or fight back. I was conditioned by my family, friends and community to think that my only option was to change, or take my life. I had no access to safe spaces for queer youth, inclusive health education, representation in any aspect of suburban life or exposure to queer values. This social milieu established conversion therapy as a viable or even necessary option to me.”

Not only does conversion therapy fail to change someone’s sexual orientation or gender identity, it also is likely to worsen feelings of anxiety, self harm, and low self-esteem. It is a cure for an illness that does not exist.

It is absolutely the business of government to provide safe places, safe communities, and ban harmful practices. Societal change, obliterating discrimination, and true equity can be slow to come and must be the result of combined and sustained efforts. One way we signal that change and acceptance is by changing our laws.

City and town councils, legislative assemblies, and Parliament have the power to determine if something is harmful and to make laws that encourage community and societal change. I certainly agree with the member opposite and champion her response to a letter that I am sure we all received.

In March 2020, the Government of Canada proposed legislative amendments to the *Criminal Code*. As a result of the prorogation of Parliament, they had to be reintroduced. That was done, as my colleague said, today — quite coincidentally.

The legislation proposes five new *Criminal Code* offences related to conversion therapy. These will include causing a

minor to — it will be a criminal offence to cause a minor to undergo conversion therapy. It will be a criminal offence to remove a minor from Canada to undergo conversion therapy somewhere else. It will be a criminal offence to cause a person to undergo conversion therapy against their will. It will be a criminal offence to profit from providing conversion therapy and it will be a criminal offence to advertise and offer to provide conversion therapy. The legislation would also authorize courts to order seizure of conversion therapy advertisements or to order their removal from computer systems or the Internet. It is far-reaching.

Criminal law reform is an important step toward protecting LGBTQ2S+ persons and promoting their rights. But as my colleagues have all said, more remains to be done.

The Government of Canada has committed to working with provinces, territories, municipalities, and stakeholders to ensure that Canada is a country where everyone — regardless of their gender expression, gender identity, or sexual orientation — can live in equity and freedom. These new offences would not apply to those people who provide support to people questioning their sexual orientation, sexual feelings, or gender identity — places where particularly youth go for support and to talk — individuals like teachers and school counsellors, faith leaders, doctors, mental health professionals, friends, or family.

So far, Mr. Speaker, four provinces — Nova Scotia, PEI, Manitoba, and Ontario — have all adopted measures to bar the practice from their health care systems. At least three major cities — Vancouver, Calgary, and Edmonton — have also blocked the therapy. In the United States, 20 states have banned this harmful practice. It is not near enough.

Back in the spring of 2020, Hon. David Lametti, at the time and still Minister of Justice and the Attorney General of Canada when he introduced the legislation, said this: “Conversion therapy is a cruel practice that can lead to life-long trauma, particularly for young people. The approach we are proposing today demonstrates our Government’s strong commitment to protecting the dignity and equality rights of lesbian, gay, bisexual, transgender, queer and two-spirited Canadians, by criminalizing a practice that discriminates against them and harms them. If passed, this bill would make Canada’s laws on conversion therapy the most progressive and comprehensive in the world.”

It is critical that other levels of government also pass legislation within their jurisdiction to make and support our society’s progress to reduce harm. As I have noted, some provinces have done so already. Ontario has made the practice illegal for minors by initiating an outright ban. Nova Scotia has made it illegal for health professionals to provide conversion therapy for minors. Some jurisdictions, like Manitoba, have implemented non-legislative measures where they issued a position statement indicating that it expects health professionals to ensure that conversion therapy is not practised in the province. Luckily, some Canadian municipalities — such as Vancouver, Calgary, Edmonton, St. Albert, Strathcona County, Lethbridge, Wood Buffalo, and Spruce Grove in Alberta — are banning the practice and promotion of

conversion therapy within their city limits. That’s their jurisdiction, and they’ve done what they can. Vancouver and St. Albert in Alberta are the two cities with a complete ban on conversion therapy.

As you’ve heard from others during this discussion, Mr. Speaker, and from the minister, our proposed Yukon legislation is leading edge and will protect the rights of our youth and those who have substitute decision-makers. It will also protect those individuals seeking information and counselling about their personal lives.

There has been much discussion in the developing of this legislation — and certainly in the conversations about it in other places in Canada — about a possible Charter challenge. We are confident and satisfied that, in the event that someone brought a challenge — or individuals who are trying to seek out therapy and potentially challenge this legislation, or even the federal legislation under section 2 of the Charter of freedom of religion argument, or under section 7 where an individual might argue about security of the person and their ability to undergo conversion therapy — we are confident that, despite those potential challenges, which are not likely, the law and government will prevail.

Mr. Speaker, change efforts harm lives. The addition of conversion therapy to the *Criminal Code* is a good first step, but it must come with education efforts and changed structures and social attitudes to underlie such practices. A ban is only a start to repairing the damage that has been done and continues to occur. We need to acknowledge the poor social supports for queer and trans people, particularly youth, and the limited positive representation and social and health inequities that they face.

Conversion therapy in all of its forms threatens our health and human rights. This is one of the very first files — I think ever. It certainly feels like it’s hard to remember back that far now that the Minister of Health and Social Services and I, as the Minister of both Justice and Education, and the Minister responsible for the Women’s Directorate worked on it together. We met with community members. We met with youth. We’ve been to the Rainbow Room. We’ve spoken to the students at F.H. Collins. We have very close personal experiences in our own lives — all of us — and feel deeply about all of the changes that we have made and that our government has worked on to make equality, equity, and diversity a priority for this government.

It is not even possible for me to express the gratitude that I have for the students who have been so brave in bringing these matters forward and in expressing themselves in a community that has, I think, supported them in expressing themselves. It has not always been easy to do that — I understand. Thank you for doing it. Thank you to all of the students who signed petitions, thought of petitions, and came here every time that we have had a piece of legislation that we think is making improvements and supporting those. Thank you for being who you are in your communities because when you speak out, communities change.

Mr. Speaker, diversity and inclusion are among Canada’s greatest strengths. Canadians must feel safe in their identities

and be safe there, and they must feel free to be their true selves. Yukoners must be supported to be who they truly are and live full, healthy, and safe lives.

I am so proud of the work that our government has done and that this Legislative Assembly has supported — and I expect it will support it today — to make our community more inclusive, more diverse, more safe, and more positive so that everyone can be who they truly are.

**Mr. Cathers:** In rising to speak to this proposed legislation, I want to begin by noting that, while there is no evidence that conversion therapy has ever been practised in the Yukon, I acknowledge that some people are worried that it might be in the future. It should also be noted that some of the matters addressed in Bill No. 9 are already being covered by proposed federal legislation that will amend the *Criminal Code* to prohibit conversion therapy against a person's will, prohibit causing a child to undergo conversion therapy, and create several other offences. Some of the matters in this bill can therefore be addressed at the federal level, regardless of what happens here.

As a reporter mentioned at a press conference with Minister Lametti this morning regarding the federal bill dealing with this issue, some people are worried that the proposed legislation, as currently worded, may impact interactions between parents and their children. I want to talk about what I have heard from Yukoners.

I strongly disagree with the government's decision not to do public consultation on the details of this legislation. I have had concerns raised with me by constituents and other Yukoners about some of the details in Bill No. 9.

As an example, some citizens are concerned about how undefined terms might be interpreted down the road, especially as they relate to people's rights and freedoms. We are seeing an increasing trend by this Liberal government of rules being imposed autocratically without public consultation. This trend has become substantially worse over the last six months. Their imposition of over two dozen ministerial orders under the *Civil Emergency Measures Act* without public consultation has upset many Yukoners.

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

### Point of order

**Speaker:** The Minister of Community Services, on a point of order.

**Hon. Mr. Streicker:** I'm just having a tough time hearing the member opposite. I don't know what it is, but I am hoping that we can fix it a little because it's challenging, and I really want to hear what he's saying. Thank you.

### Speaker's statement

**Speaker:** So, just to the console operator in general — if you could make best efforts to ensure that all MLAs are heard. I think that, generally speaking, I'm the furthest away from some members. I think it has been quite good over the course of the last almost three hours, but there have been some glitches. I know it is day one, so I certainly understand that

we're still making modifications and adjustments, so we do the best possible to ensure that all MLAs can hear each other. Thank you.

**Mr. Cathers:** Thank you, Mr. Speaker. Since the Minister of Community Services indicated that he was having trouble hearing what I had just said, and he would like to, I'll just briefly repeat some of what I said and try to raise my voice a little bit so that hopefully members can hear better.

Some of the matters in this Bill, therefore, will be addressed at the federal level regardless of what happens here. As a reporter mentioned at a press conference with Minister Lametti this morning regarding the federal bill dealing with this issue, some people are worried that proposed legislation, as currently worded, may impact interactions between parents and their children. I want to talk about what I've heard from Yukoners.

I strongly disagree with the government's decision not to do public consultation on the details of this legislation. I have had concerns raised with me by constituents and other Yukoners about some of the details in Bill No. 9. As an example, some citizens are concerned about how undefined terms might be interpreted down the road, especially as they relate to people's rights and freedoms. We are seeing an increasing trend by this Liberal government of rules being imposed autocratically without public consultation. This trend has become substantially worse over the last six months.

Their imposition of over two dozen ministerial orders under the *Civil Emergency Measures Act*, without public consultation, has upset many Yukoners. Even people who generally agree with many provisions of the orders under CEMA have told us that they disagree with the lack of public consultation.

In Canada, we have enjoyed our democratic freedoms for so long that it is easy to become complacent and forget that democracy must be defended by every generation. During the pandemic, we have seen unprecedented restrictions put on our civil liberties. While some of these measures are needed for public health reasons, there is no reason why those decisions have to all be made in isolation by government instead of being subject to public consultation and the democratic process. While there are times when government may need to move quickly to respond to changing public health risks, over half a year into the pandemic, there is simply no excuse for the lack of public consultation on so many sweeping restrictions imposed by government. Similarly, there is no good reason why Bill No. 9 should not have been subject to public consultation on the details.

I have heard from Yukoners who are concerned by the details of Bill No. 9 and how they believe that it may be interpreted, notably as it pertains to freedom of speech. Freedom of speech — and indeed all our rights protected by the *Charter of Rights and Freedoms* — matter to Yukoners. The lack of clarity on what is considered "counselling" under the bill is a specific concern that has been raised with me by Yukoners. That term is not clearly defined in this proposed legislation. The question of when talking may become illegal is



worrisome to some Yukoners. The fact that section 7 of this proposed legislation would allow the seven members of the Liberal Cabinet to define that term in regulations at a later date without any public consultation is not comforting to concerned citizens.

While most people agree that the right to freedom of speech is subject to some reasonable limitations — such as not permitting inciting violence, threats of violence, and hate speech — I personally believe that anytime legislation that infringes on Charter rights is being considered, the public has the right to have their views heard. Whether any proposed limits are indeed — and I quote: “reasonable limits” that can be — and I quote: “... demonstrably justified in a free and democratic society”, as stated in the Charter, is always the public’s business. The Liberals even ran on an election promise in 2016 that Yukoners would be heard, yet time and time again, we have seen them forget that promise since forming government.

People want their elected representatives to listen to them and respect their views and values. Whether or not this legislation would have changed significantly if it had been subject to public consultation and if people’s views had been heard on the details of it is something I don’t know, but I think it is fair to predict that listening to public input probably would have resulted in some changes being made to this bill. Government should have at least given people the opportunity to be heard. Government does not need to be afraid of public consultation.

Mr. Speaker, while I have highlighted some of the concerns raised by Yukoners who are concerned about this legislation and its details, I have also heard from Yukoners who support the bill as written. I respect the views and values of all the people who have contacted me about this bill.

Our society is becoming increasingly polarized. While this polarization is more dramatically evident south of the border in the United States, it is growing in Canada as well. Part of the job of government — and indeed, of every elected representative — is to listen to people. Listening to people and respecting their views, values, priorities, interests, and concerns — even if you don’t always agree with each other — is an important step if you want to avoid polarization in society. As I have said before in this Assembly, it’s important for everyone to remember that we need to respect what our fellow Canadians value. People who are concerned that this legislation may impact their Charter rights should have had the opportunity to have their views, concerns, and suggestions heard before this legislation was finalized by government.

To remind members, the Charter says this:

“(1) The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

“Fundamental Freedoms

“(2) Everyone has the following fundamental freedoms:

“(a) freedom of conscience and religion;

“(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

“(c) freedom of peaceful assembly; and

“(d) freedom of association.”

When limits on any one of those rights or freedoms is being contemplated, in my view, the public always has the right to have their views on whether that is a reasonable limit fully considered.

In conclusion, I want to make it clear that I believe all elected representatives have a duty to stand up for the rights and freedoms of every person. I also believe that the people elected us to listen to them and represent them, not sideline them when important decisions are being made. The Liberal government could have easily asked the public for input on a draft version of this legislation. They simply chose not to do that.

**Speaker:** If the member now speaks, she will close debate on second reading of Bill No. 9.

Does any other member wish to be heard?

**Hon. Ms. McLean:** Thank you, Mr. Speaker. I listened of course with great interest to all the speakers today, but I’m still processing the final speaker here today.

I am gathering my thoughts. I have listened with an open mind and open heart to the remarks of my colleagues in the House today on this topic, and I thank them for their contributions and the discussion of this bill. I note that the Member for Watson Lake talked about our government having been somewhat pushed in this direction. We were going in this direction since we took on the file, and I know that our Minister of Justice spoke about that — that this is, in fact, one of the first joint matters that we addressed together, and so we were always going in this direction. We heard very, very clearly from Yukoners that this was a priority. I will speak a bit more about that.

Our intent is to get into a deeper discussion for sure in Committee of the Whole, but I want to acknowledge the Member for Takhini-Kopper King for her heartfelt words today and the work that she has done to advocate and to work toward equality in Yukon.

We, too, of course, have had letters lobbying us against tabling this bill — the Premier and me, for sure. We are replying to those Yukoners, and some non-Yukoners, around their concerns with the bill that we tabled in March. I’m not sure why the Member for Lake Laberge hasn’t, over the last six months since this bill was tabled, brought forward the concerns that he has expressed here today. I think that it would have been potentially helpful for us as we considered this bill.

That being said, at its heart, we are talking about the future of what we want to create in our territory — a future that I think most of us agree should be more inclusive.

I know that when we tabled the legislation in early days under the vital statistics bill and human rights, there were members within this Legislative Assembly who voted against that bill, and I recognize and hear that same sentiment today.

This is a human rights issue for Yukoners, and our debate and conversation in the Legislature are very important to help us make sure that we're on the right track to create a future that is inclusive. Our government has a vision to support healthy and vibrant communities. It's one of our key priorities. Part of having a healthy community is ensuring that it is safe for all Yukoners to express who they are and who they love without fear.

LGBTQ2S+ Yukoners deserve the same rights and protection that we all enjoy. That is why this legislation is so important. We have heard from LGBTQ2S+ communities that banning the harmful practice of conversion therapy is long overdue.

I know that the Minister of Justice and I have both stated that there are three other jurisdictions in Canada that have already banned conversion therapy. We know that banning conversion therapy is the right thing to do. As the fourth Canadian jurisdiction to implement a legislated ban, we are sending a message. We must always stand up for what is right. We must use the tools at our disposal to protect all Yukoners, including those who are marginalized.

I think of those members of our community who have been working toward equality for so long. I continue to learn so much from the members of the LGBTQ2S+ community and the tireless advocacy work that they do in Yukon. Thank you for all of your hard work and dedication. You have been critical in the development of this legislation but also in pushing governments, employers — all of us — to recognize your rights. Thank you to the Women's Directorate, Justice, Health and Social Services, and all of the folks who worked on this bill in bringing it forward. Thank you once again to the students who signed the petitions, wrote letters, and organized protests calling for the ban on conversion therapy. This is exactly what your role in a democratic society should be.

The time and energy that you put into advocating equality did not go unnoticed. This bill is part of a broader approach to creating a more inclusive Yukon through the development of this government's action plan on LGBTQ2S+ inclusion. We are developing ways in which our programs, policies, and services can be more inclusive for LGBTQ2S+ Yukoners. We are working collaboratively with the LGBTQ2S+ community and organizations that have provided us with the guidance we need to take our next steps.

In terms of the consultation that we did prior to tabling this bill, again, it was the first time that this work had been done in the Yukon. I have spoken about it already — that it will form a path-forward action plan that will reflect the kind of Yukon we want. We stand behind the bill as tabled today, and we really look forward to further debate. We'll be talking more extensively around some of the ideas and concerns that you brought forward today. I look forward to that discussion.

I would like to thank all members for their thoughts and their contributions on how to make our laws more inclusive. I know that it's an emotional topic for a lot of us. As the Minister of Justice has stated, there are a lot of folks who are close within our lives who are directly impacted by this. I want to let all Yukoners know that we are absolutely committed to an

inclusive Yukon that protects the rights of all. Let's continue to move forward and make lasting changes together.

**Speaker:** Are you prepared for the question on second reading of Bill No. 9?

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 9 agreed to*

#### **Bill No. 10: Act to Amend the Employment Standards Act (2020) — Second Reading**

**Clerk:** Second reading, Bill No. 10, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** I move that Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, be now read a second time.

**Hon. Mr. Streicker:** It is my privilege and honour to introduce Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, back to this Legislature. You may recall that we previously amended the *Employment Standards Act* in the spring 2019 session. Those updates align parental leave, compassionate care leave, leave related to critical illness of a child, and leave related to critical illness of an adult with federal employment insurance programs.

The amendments protect the jobs of Yukoners who need this to support their family and loved ones. This particular bill was originally tabled in the spring 2020 session, but it did not

move beyond first reading, as session ended early due to the COVID-19 pandemic. The importance of these amendments has increased in the past six months due to increased domestic violence rates.

I am pleased that the Legislature can continue our discussion and debate of Bill No. 10. These amendments will provide access to paid and unpaid leave for victims of domestic or sexualized violence working in territorially regulated industries and professions.

Yukon and Nunavut are the only Canadian jurisdictions without domestic violence leave, and yet Yukon has the dubious distinction of rates of gender-based violence that are three times the national average. The Northwest Territories developed legislation that offers five paid and five unpaid days of domestic violence leave, and their leave provisions came into effect January 1 of this year.

I am following the directive of my latest mandate letter to develop unpaid leave options to support victims of domestic violence. This leave addresses the mandate given to me and my colleague, the Minister responsible for the Women's Directive, in conjunction with the ministers of Justice and Health and Social Services, to improve services for victims of violence and sexualized assault in the Yukon. Mr. Speaker, this leave aligns with work being done to support missing and murdered indigenous women and girls and two-spirited Yukoners, as well as the work of the Yukon sexualized assault response team, that aim to improve services like this leave and reduce barriers for victims. It confirms this government's commitment to a people-centred approach to wellness that helps Yukoners thrive.

We are joining six of the 11 Canadian jurisdictions that provide combined domestic violence and sexualized violence leave. This will allow victims of sexualized violence perpetrated by anyone — including intimate partners, family members, acquaintances, and strangers — to access this employment leave. The needs of victims of sexualized violence and domestic violence are similar. The nature of these crimes, the fact that they are often under-reported, and systemic barriers to support often result in victims being left dealing with complex trauma. Paid leave provides a way to significantly lower one barrier for victims by minimizing financial hardship and providing victims the time to access medical, legal, and other supports.

This leave will provide employees time to get the support they choose if they, their children, or people for whom they are caregivers or close friends experience domestic or sexualized violence. For instance, the victim may need time to go to the police or to meet with lawyers or child protection workers. They may also need time for counselling or simply to heal from physical or psychological injuries. If they are working through a separation, they may need time to deal with countless details, such as changing bank accounts or getting new identification documents.

The employment and economic security this leave will provide is an important and necessary support when dealing with domestic or sexualized violence. Employment and economic security are even more important, given the effect of COVID-19 on working people, employers, and the economy

which is still recovering. As people work to get back on their feet, victims in particular need even more support to change and improve their situations.

Mr. Speaker, this leave will provide five days of paid leave and five days of unpaid leave which can be taken in increments. If required, a longer term leave of up to 15 unpaid weeks can be taken. This leave must be taken consecutively unless the employer consents to it being taken non-consecutively.

Paid short-term leave and unpaid long-term leave will be available after 90 days of employment. Unpaid short-term leave will be available immediately. The amount of leave that we are providing is consistent with most jurisdictions that provide a combination of paid and unpaid leave.

Mr. Speaker, domestic violence impacts the workplace as well. Canadian employers lose nearly \$78 million annually because of direct and indirect impacts of domestic violence. The cost to individuals, to families, and to society of course are even higher. The COVID-19 pandemic has made matters worse. Since the pandemic, the number of open police files in the Yukon for domestic violence-related charges increased by more than 25 percent over the same period in 2019. Unfortunately, this appears to be the trend across Canada and around the world.

At this point, I would like to take a moment to talk about the definition of “domestic violence” for this leave. We are aligning the definition of “domestic violence” in the *Employment Standards Act* with the corresponding definition in the *Family Violence Prevention Act*. It is a broad definition that includes all forms of violence — specifically sexualized and physical violence, psychological violence, stalking, as well as threats. It may be perpetrated by partners or family members without the requirement of cohabitation. This definition recognizes that domestic and sexualized violence can occur in many intimate relationships, including same-sex and familial relationships. This broad definition includes all forms of domestic and sexualized violence to reduce the risk of unintentionally excluding victims from accessing leave. Our definition of “domestic and sexualized violence” aligns with those used in Saskatchewan, Prince Edward Island, and Newfoundland and Labrador.

The eligibility for this leave extends to employees when their child or other person for whom they are a caregiver is the victim of domestic or sexualized violence. This eligibility more accurately reflects the concept of kinship for indigenous people, for whom broader definitions of “family” and “caregiver” are common.

Mr. Speaker, people with a history of domestic violence have a more disrupted work history, so the impact on their wages is greater. They may have to change jobs more frequently. They often work more casual or part-time jobs as compared to their peers who are not dealing with domestic violence.

The first Canadian survey on domestic violence was conducted by the University of Western Ontario and the Canadian Labour Congress in 2014, and I tabled that study for information here today. The parameters were broad. Domestic violence for the purpose of the survey was defined as “any form

of physical, sexualized, emotional, or psychological abuse". This included financial control, stalking, and harassment.

Of those who reported domestic violence, nearly 40 percent said that it impacted their ability to get to work. Nearly 10 percent said they lost their job because of it. Overall, nearly 82 percent reported that domestic violence negatively affected their work performance. The survey report is entitled *Can Work Be Safe, When Home Isn't?*

It is a sad fact that women are far more likely to be victims of domestic violence or sexualized violence. Rates of violence against indigenous women are up to four times higher than those against non-indigenous women. Studies show that many victims of domestic violence experience barriers to accessing supports or removing themselves from their situation.

Every circumstance is unique, with different complexities. This leave will be another resource for victims to respond to their situations. We know that removing "job" or "financial insecurity" from the list of barriers victims face may help to support their long-term healing and stability. Domestic and sexualized violence is often under-reported due to many complex and systemic barriers, which sometimes include a lack of support in the workplace. If victims ask for work, they may be worried about how their employer will respond. They may even be worried about losing their job.

COVID-19 has further impacted if and how victims come forward. Many support agencies have had to limit or modify their services. Many victims may still feel reluctant to come to a public space or access a transition home.

I want to remind all Yukoners that services for victims of domestic and sexualized violence are still available. Government and community agencies have done an incredible job, alongside businesses, of balancing accessibility with safety. In addition to the barriers facing victims, we know that some employers might also be uncertain about how to effectively support or speak to an employee who is experiencing violence.

Mr. Speaker, we recognize that operational requirements and staffing for private sector businesses may be impacted if or when employees access this leave. However, studies show that long-term productivity increases when the threat of domestic violence is removed as it affects employee focus, retention, and absenteeism. For this reason, we believe that this bill will help to improve the situation for both employees and employers over the long term.

Mr. Speaker, we want to ensure that victims who wish to access this leave, and their employers who provide it, have the supports they need. We learned from other jurisdictions that implementation has been a particularly critical facet of the leave. To that end, the Women's Directorate and Community Services will be engaging with stakeholders on how best to implement this leave for the Yukon. Each stakeholder group will contribute their specific expertise and valuable knowledge. This will be vital to effectively supporting victims of domestic violence or sexualized violence as well as employers.

We anticipate that stakeholder engagement will begin this winter. The Women's Directorate and Community Services will be asking for input on a number of areas, including: the

education resources needed by employees and victims; the education resources and training needed by employers; strategies on how to make information on the leave easily accessible to victims and caregivers; identifying what it can be used for and when; processes to ensure a low administrative burden to accessing the leave; and communicating the rights and responsibilities of an employee and employer when this leave is accessed.

We will be talking with stakeholder groups representing women, including indigenous women. Among them are: Dawson City Women's Shelter, Help and Hope for Families Society in Watson Lake, Yukon Aboriginal Women's Circle, Whitehorse Aboriginal Women's Circle, the Yukon Women's Transition Home Society in Whitehorse, and the Victoria Faulkner Women's Centre. Because violence also occurs in same-sex relationships, LGBTQ2S+ groups will also be engaged, including Queer Yukon and All Genders Yukon.

To understand what supports employers will need to implement this leave, the Women's Directorate and Community Services will also engage with the business community, including First Nation development corporations and the Yukon and other local chambers of commerce. We recognize that businesses will have operational requirements. In their engagement, the Women's Directorate and Community Services will be exploring how best to help employers support their employees who are experiencing violence, how government should make information regarding the leave available to business owners, what to include on an optional leave form, and what types of materials and training should be made available to employers.

As well, we will contact organizations focused on health, including the Council of Yukon First Nations health commission, First Nation health departments, and the Whitehorse Emergency Shelter.

Implementation is anticipated to be the most complex part of this proposal. While other jurisdictional examples are available, we need to put them into the context of the Yukon. For example, privacy issues might be more prevalent due to Yukon's small population, especially in the communities outside of Whitehorse. Focusing engagement on stakeholders may reduce privacy issues while ensuring that voices are still heard. As victims are in a vulnerable time in their lives, we do not want to create the potential for re-traumatizing them through a request for leave. Through education and resources, we will support both employers and employees to reduce the possibility of this occurrence. After engagement on implementation is complete, we will be able to develop and provide support materials through the employment standards office and online at yukon.ca.

Mr. Speaker, we are bringing this legislation forward now in advance of our engagement. We will work diligently to put in place the materials and supports to implement this leave for domestic violence and sexualized violence. Once we have developed implementation materials and processes that are informed by talking with key stakeholders, we will make the leave available. We hope that this leave will help support victims of domestic and sexualized violence in their journey to

heal and create a better, safer and supported life and, in particular, in our private sector.

I thank the officials from the departments of Community Services, Justice, and Health and Social Services, and the Women's Directorate for their work in preparing this bill.

I look forward to hearing, from all members of this House, their thoughts on the bill before us.

**Ms. Van Bibber:** I rise to speak to Bill No. 10, the *Act to Amend the Employment Standards Act (2020)*. I would like to also thank those individuals who have worked on this piece of legislation.

We were provided with a very informative briefing this morning. This legislation will enable those who are subjected to sexualized and domestic violence to access leave to deal with emotional, physical, legal, or other repercussions. This will include those who have personally experienced these types of violence and those who are supporting an individual going through this. We are satisfied that providing five days of paid leave to employees after three continuous months of services is complementary to other benefits allowed to many employees in the workplace. Providing five days of unpaid leave to those with under three months of employment is also very important as sometimes the newer employees may feel that they have the most to lose by taking days off so early in their employment, regardless of the reason.

The fact that individuals are able to access longer term, unpaid leave up to 15 weeks is equally important as many complex situations may require time to work through them. People who experience domestic violence have historically separated their experiences and situations from their employment. Domestic or sexualized violence is rarely brought up in the workplace. The stigma associated with it is just too real. People facing these types of violence would struggle to hide their experiences among what options they had to leave. Some use sick days here and there — some having to do this so often that they would leave themselves short when it was needed for illness. Some do not have paid sick leave or any paid leave. Many employees facing such ordeals will continue waking up and heading to work, keeping silent about their struggles.

Bringing leave such as this into the workplace allows individuals who have experienced domestic or sexualized violence to take the time they need to heal from visible and non-visible wounds. It also provides the chance to open up about their experience if they so wish. This leave allows employees to take time without being penalized. It gives them time to get medical care, if needed, get counselling, work with Victim Services, relocate, or get legal help if necessary.

This is another step to assisting in this process. It's not just a personal issue that affects one person; it does have a ripple effect that can harm a whole family unit, a whole workplace unit, and so on. The very fact that this leave is being added to the lengthy list of various types of leave points to the notion that it is a widespread issue, it is recognized, and there should be no stigma attached to using it.

On behalf of my colleagues in the Official Opposition, we will be supporting this bill. Again, I would like to thank all those who have worked on bringing forward and implementing this important addition to the *Employment Standards Act*. We hope it moves forward expeditiously.

**Ms. White:** In speaking to Bill No. 10, *Act to Amend the Employment Standards Act (2020)*, I don't think it will come as a surprise to any that the NDP will of course be supporting this legislation and this change.

When you know anyone in the territory, you know someone who has been affected by domestic or sexualized violence and what it can mean to a person or their family and how hard it can be to put the pieces back together. We appreciate that this bill makes sure that people are supported and are able to take the time when they need it.

I think that the part I was told today that resonated the most with me was that, in order to access this leave, there is no need to have any kind of proof because it was not about re-traumatizing victims. I think that when we talk about harm reduction or sensitivity, this is an important part of that — making sure that we are not asking someone to get the verification from a third party, whether it is a women's organization or a doctor or whatever. I think that is really important and just shows how far we've come when we talk about thinking outside of ourselves toward others.

I did also appreciate today in the briefing how it was explained as to how it was going to work. One of my concerns though was the timeline or lack of maybe a concrete timeline. I say this only because — I've seen legislation come here, and waiting for the regulations to be developed — it can go on in perpetuity. I mean, I use the *Residential Landlord and Tenant Act* as an example because it passed in 2012 and didn't come into force until 2017. It was five long years.

I appreciated today in the briefing where we were told that, once it passed this part, the conversations would start with women's organizations and queer organizations — the organizations — for feedback, but I struggle to understand why those conversations couldn't happen ahead of time. I mean, it's very rare that legislation is able to be amended on the floor of the Assembly. Again, we have a majority government and so unless there was a glaring error that everyone agreed to, it's not something that could change here.

I appreciate that, in the COVID world, things getting together has been harder but Zoom and Jitsi and other online platforms exist, and today we were told in the briefing that's how it would be done. It would be done in a remote way — that people could contribute their feedback.

So I just highlight my concerns that we're just going to pass this and we're going to wait. Really, the reason why people are speaking in favour of this legislation is because it's so important — because it's about supporting people in really tough spots. None of us wish that anyone needs to access leave like this, but if they need it and they're in that kind of crisis, I want them to be able to access it. We look forward to having the minister tell us how that's going to go — the steps and maybe even a ballpark guideline of when it could be in place

— because really, these changes are critical. It's not about us passing it in the fall of 2020 and it not coming into force until 2022. Heaven forbid it should be on the books for that long.

So we look forward to going into Committee of the Whole and having questions with the minister with his support here.

**Ms. Hanson:** I just want to echo the comments made by the Leader of the New Democratic Party. I too stand in support of the principles outlined in the *Act to Amend the Employment Standards Act (2020)*. I listened carefully to what the minister outlined when he made his opening comments and talked about the timeliness of this — the importance of this now, because we have seen the rise of domestic violence during this pandemic in the last six months. I guess I was just taken aback when — I am; not “guess” — I am taken aback.

I absolutely expect the minister to be able to say to this House when this legislation will come into effect; otherwise, this is a sham because we are saying to people who are suffering violence — who are enduring domestic or sexualized violence — that there is some help for you, but guess what — it is not available yet — and guess what — we don't know when it will be available to you because we won't commit to when it will be available.

I say that based on the experience — as the Leader of the New Democratic Party has just pointed out — that there are numerous pieces of legislation that have been passed by this Legislative Assembly since 2016 where we are still waiting for regulations to give them effect. I am not going to enumerate them here this afternoon — members opposite know what they are.

But it is one thing to say that we're doing the right thing, but if it's not in force and effect, what good is it? Will it sit on the shelf for the next three years? That would be very disturbing, so I hope that is not the intent, and I hope that this minister will say to us that before spring there will be regulations — because otherwise, what was the purpose of identifying the reality that people are living every day with increased incidences of violence and domestic abuse?

**Hon. Ms. McLean:** I rise today in support of Bill No. 10, *Act to Amend the Employment Standards Act (2020)*. I know that this government is committed to supporting victims of violence in all forms. Like the Minister of Community Services identified, this bill directly aligns with the mandate given to me, the Minister of Justice, and the Minister of Health and Social Services to improve services for victims of violence and sexualized assault in Yukon. This leave provides employees the time to get the support they choose if their children or people with whom they are close friends or who they are caregivers for experience domestic or sexualized violence.

Our goal is to improve the social response to victims at all levels so that they feel believed, honoured, and supported within the justice system, support services, and their own communities. We know that our services and systems must support the dignity, well-being, and healing of victims. We are committed to improving these responses wherever possible. This is why we are working to amend this legislation. My hope

is that this legislation sends a clear message to victims: We support you.

These paid and unpaid leave provisions were created to be victim-centred and limit the re-traumatizing of victims. We aim to break down barriers for victims and to create space in which they can pursue the supports they may need without financial burdens limiting them.

Mr. Speaker, many of our colleagues across the country have already put in place this type of legislation. In fact, all 10 provinces have enacted some form of legislation supporting victims of family violence, domestic violence, or sexualized violence leave. I'm proud that Yukon's legislation is quite ambitious, both in terms of the leave provisions available as well as who can access the leave. The eligibility for paid and unpaid leave is intentionally broad to cater to the nature of what relationships look like in the Yukon and to be inclusive of the diversity of the family unit in Yukon. It is not unusual for someone's support network to be outside their immediate family. The leave is flexible in who can use it — whether you need to take the leave for yourself or to support a family member, child, or friend.

Our legislation also intentionally includes sexualized violence, which is not the case in every jurisdiction. We knew that it was critical to be inclusive in the scope of this effort since the rates of violence here are unacceptably high. This leave will provide five days of paid leave and five days of unpaid leave which can be taken in increments. This aligns with the Government of Canada, Saskatchewan, Manitoba, Ontario, New Brunswick, and Northwest Territories. If required, a longer term leave of up to 15 unpaid weeks may be taken.

Yukon's long-term leave provisions align with what is currently being offered within BC, Northwest Territories, and Ontario. These opportunities for paid and unpaid leave will allow victims to pursue their chosen supports. This might mean reporting to the police, meeting with a lawyer, accessing counselling, or any other form of traditional healing. This also allows the victims' families time to be the support system the victims need without the fear of income insecurity.

This type of legislation is becoming the new norm throughout Canada. Governments around the nation are recognizing the importance of supporting victims in the workplace. Yukon is committed to this as well.

I would like to take a moment to point out the gendered impact domestic and sexualized violence has within our community. Sexualized assault is a persistent form of gender-based violence that is rooted in gender inequality.

The Minister of Community Services has discussed in his comments how we know that people in the Yukon are three times more likely to experience gender-based violence than the national average. Further to these already high numbers, it is reported that rates of spousal abuse and homicide are three times higher for indigenous women than for non-indigenous women. That is in the territory. I know that there was another statistic that talked about it being four times higher for indigenous women, but that's overall in Canada. So, again, it is three times higher in Yukon and then three times higher yet for indigenous women.

As we are all aware, indigenous women and girls in Canada are disproportionately affected by violence and are over-represented in the rate of women who are impacted by domestic violence and sexualized violence. As the Minister responsible for the Women's Directorate and a co-chair of the Yukon Advisory Committee on Missing and Murdered Indigenous Women, Girls and Two Spirited Yukoners, this bill falls in line with our government's unwavering commitment to supporting indigenous women, girls, and two-spirited individuals in Yukon.

As we move toward finalizing the Yukon strategy on MMIWG2S+, it is clear that support for victims of gender-based violence is a priority. We heard from family members of missing and murdered indigenous women and girls that the systems that are meant to support victims sometimes unintentionally end up re-traumatizing them. These leave provisions are one step in changing that story, Mr. Speaker.

This legislation also complements work we are doing with the sexualized assault response team, or SART. SART provides coordinated victim-centred, low-barrier services to victims of sexualized assault. New services within SART include a 24/7 confidential support line for victims to call, a website, weekend SART support workers on call, specially trained medical providers, specially trained RCMP officers, and priority access to mental wellness care. SART also builds collaboration between existing services, including the Crown witness coordinators, Victim Services, and many other supports within the territory.

Providing access to paid and unpaid leave is another step to providing supports. This leave is an essential option for victims of domestic and sexualized violence to seek support and feel safer within their workplace. It takes an enormous amount of bravery for victims to come forward and even more to pursue the healing that they need.

There are many reasons a victim may not come forward: a fear of not being believed, a deep sense of shame, feeling powerless, distrust in the criminal justice system, guilt and shame in questioning their own actions, fear of children being removed from the home, loss of relationships with friends or family, loss of income, or feared retaliation from their abuser. Victims of domestic violence and sexualized violence can be at an increased risk of further violence after they report the crime, leave a violent relationship, or access supports.

Our culture has become accustomed to victim blaming rather than keeping abusers accountable, which often leads to victims staying quiet. These barriers can be especially pronounced in rural or remote communities as a result of limited access to support sometimes, like transition homes and legal services.

Both domestic and sexualized violence are vastly under-reported across Canada. More than 80 percent of cases of domestic violence go unreported. Sexualized assault is the most under-reported crime, with 95 percent of victims not reporting. This legislation acknowledges the barriers in reporting domestic and sexualized violence and allows employees to access the supports that best suit their needs.

We all know that COVID-19 has impacted gender-based violence. During the pandemic, domestic and sexualized violence rates have risen considerably everywhere around the world. A Canadian survey of those working in various support services for victims found that 82 percent of respondents noticed an increase in domestic and sexualized violence incidences and 50 percent noticed an increase in severity. Researchers believe that this could be due to the combination of much more time being spent at home, income insecurity, and the difficulty of securing new housing during the pandemic. Sexualized violence often affects more than one aspect of one's life, including their mental and physical health, job security, and housing stability.

As my colleague mentioned, domestic and sexualized violence also have, without question, an impact on the workplace. If an employee is trying to respond to violence in their life, there is no question that their work performance will be negatively impacted.

I know that the pandemic has impacted many businesses in Yukon. I hope that this leave can help businesses to effectively retain employees by providing them with some options to get the support they need. This bill continues our government's commitment to a victim-centred approach in our legislation. Violence touches all of our lives, Mr. Speaker, whether we experience it directly or support a family member or friend. I know that these amendments are the right thing to do for our territory. With this bill, we want to support victims and help them feel empowered to find the help and healing that they deserve. We want victims to know that the Yukon government supports them on whatever path they choose.

Thank you very much for the opportunity to comment on this important piece of legislation, Mr. Speaker.

**Mr. Cathers:** I just would like to briefly speak to this legislation. I am pleased to see this amendment brought forward to the *Employment Standards Act*. It's very important to have the appropriate safeguards in place for people, including, in this particular case, the amendments dealing with people who are victims of domestic or sexualized violence. I do thank the government for bringing forward these changes. It is, as the minister mentioned, something that is common in other jurisdictions, but the Yukon's legislative structure had not yet caught up. I think that it is valuable and important that these changes be made to strengthen that support structure.

**Speaker:** If the member now speaks, he will close debate on second reading of Bill No. 10.

Does any other member wish to be heard?

**Hon. Mr. Streicker:** I would first of all like to thank all members who rose to speak to this legislation because all expressed support for it. There were, of course, some concerns that were raised, and I look forward to discussing those through Committee of the Whole.

I will say a couple of things. I believe that we are very keen to see this legislation not only pass this House but also be implemented.

I will work hard to make sure that there are resources put toward achieving that implementation. I want to, of course, respect the need to have the dialogue with all of the groups that I listed off when I rose previously.

I do think that we have been having much informal conversation — for example, when we passed amendments to the *Employment Standards Act* last year. That initiated much conversation between employers and employees around the act. We also, here in the House, have passed legislation around the *Workers' Compensation Act* to talk about trauma, and we've been working on how to deal with that trauma around the workplace. This spring, as has been noted, we got up and running the sexualized assault response team, which we hope is helping victims of domestic and sexualized violence. That is its goal, and I think that shows strong intent to address this issue, and this is another step along the way.

Again, thanks to all members for, in general, their support with the intention of this act. I look forward to further dialogue in Committee of the Whole in order to answer some of the specific questions that were raised.

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 10 agreed to*

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** Committee of the Whole will now come to order. The matter before the Committee is general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection 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. 9: *Sexual Orientation and Gender Identity Protection Act*

**Chair:** The matter before the Committee is general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*.

Is there any general debate?

**Hon. Ms. McLean:** I would like to welcome our officials to the Legislative Assembly today: Valerie Royle, Deputy Minister responsible for the Women's Directorate, and Bhreagh Dabbs from Justice. Thank you for being here today and assisting with the Committee of the Whole.

In my earlier remarks on second reading, I briefly reviewed the legislative changes that we have embarked upon in the last three years to make Yukon a more inclusive place for all genders and sexualities. These legislative changes, as well as public engagement, a petition, and much more, have led us to the *Sexual Orientation and Gender Identity Protection Act* that we are currently considering.

I will now discuss some historical context, talk about the bill in depth, and consider our present and future directions. I know that Yukon laws are living documents; they are not set in stone. Like all of us, they must be responsive to changes in society.

Here is an example. After years of rallying and fighting for safety and equality, homosexuality was decriminalized in 1969. That was only 51 years ago — one generation.

Later, society moved slowly toward recognizing same-sex marriages. It took the *Canadian Charter of Rights and Freedoms* and a number of high-profile court cases and changes in the law for same-sex marriage to be legalized across the country. These examples may feel like they were a long time ago, but we are living through another similar example right now. We are living in a time when it is not illegal to subject people who identify as LGBTQ2S+ to harmful practices with the intent of changing their gender expression or sexuality. We must be an example for positive change, not for exclusion. That is why we are proposing this bill. Those who identify as LGBTQ2S+ and their allies are demanding equality before the law. They want to feel safe in their community. This ban is one



important part of that. Not only does it limit a harmful practice, but it sends a message that their safety is important. We are telling LGBTQ2S+ Yukoners that they can be who they are.

In my second reading speech, I detailed the progress that our government has made toward making our legislation more inclusive for LGBTQ2S+ Yukoners. The bill that we are considering today marks the next step in this process. Now I would like to go through the bill in a little more detail. As a reminder, conversion therapies are interventions aimed at changing an individual's sexual orientation, gender identity, or gender expression. Conversion therapy is harmful and can have negative impacts and outcomes.

In this legislation, it is defined as “counselling”, “behaviour modification techniques”, “the administration or prescription of medication”, or “any other practice, service or treatment”, with the objective of changing the person's sexual orientation or gender identity.

We want to be sure that this legislation does not interfere with someone's ability to access helpful and safe support services — to ensure that the definition of “conversion therapy” in this legislation does not include a practice, treatment, or service that provides acceptance or that helps with coping, social support, or identity exploration and development or gender-affirming surgery or any practice, treatment, or service related to gender-affirming surgery.

This act protects minors as well as adults who have a substitute decision-maker or a guardian appointed from harm caused by services that try to change a person's sexual orientation or gender identity. The ban ensures that conversion therapy cannot be practised on minors or adults who have a court-appointed guardian. A substitute decision-maker is not able to give consent for conversion therapy. This legislation provides further clarification that conversion therapy cannot be insured by Health Services. In no instance will the Yukon government pay for conversion therapy.

Unfortunately, we have run out of time. I move that you report progress, Mr. Chair.

**Chair:** It has been moved by Ms. McLean that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee 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

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection 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. Ms. McPhee:** 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. on Monday.

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

### The following sessional papers were tabled October 1, 2020

34-3-32

*Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sitzings of the Legislative Assembly and its Committees* (October 1, 2020) (Speaker Clarke)

34-3-33

*Report on Subsistence, Travel & Accommodations of Members of the Yukon Legislative Assembly 2019-2020* (Speaker Clarke)

34-3-34

*2019 Annual Report — Working to promote fairness, access & privacy rights, and protect the public interest — Yukon Ombudsman, Yukon Information and Privacy Commissioner, Yukon Public Interest Disclosure Commissioner* (Speaker Clarke)

34-3-35

*Report of the Chief Electoral Officer to the Legislative Assembly — 2019 Annual Report on Political Party Revenues — Annual Revenue Returns — Contributions Made To Political Parties — January 1, 2019 to December 31, 2019* (Speaker Clarke)

34-3-36

*Seventeenth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (April 1, 2020) (Adel)

34-3-37

*Eighteenth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (April 30, 2020) (Adel)

34-3-38  
*Nineteenth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (June 24, 2020) (Adel)

34-3-39  
*Twentieth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (August 19, 2020) (Adel)

34-3-40  
*Twenty-first Report of the Standing Committee on Appointments to Major Government Boards and Committees* (October 1, 2020) (Adel)

34-3-41  
*Standing Committee on Public Accounts Fifth Report — Yukon Public Accounts 2018-19* (May 2020) (Hassard)

34-3-42  
*Standing Committee on Public Accounts Sixth Report — Kindergarten Through Grade 12 Education in Yukon — Department of Education* (May 2020) (Hassard)

**The following legislative returns were tabled October 1, 2020:**

34-3-18  
 Response to Written Question No. 2 re: carbon price exemption for farm propane (Silver)

34-3-19  
 Response to Written Question No. 22 re: website and visual identity costs for the Executive Council Office (Silver)

34-3-20  
 Response to Written Question No. 11 re: website and visual identity costs for the Department of Finance (Silver)

34-3-21  
 Response to Written Question No. 8 re: website and visual identity costs for the Department of Education (McPhee)

34-3-22  
 Response to Written Question No. 12 re: website and visual identity costs for the Department of Justice (McPhee)

34-3-23  
 Response to Written Question No. 16 re: website and visual identity costs for the Yukon Liquor Corporation (Streicker)

34-3-24  
 Response to Written Question No. 23 re: website and visual identity costs for the French Language Services Directorate (Streicker)

34-3-25  
 Response to Written Question No. 17 re: website and visual identity costs for the Department of Community Services (Streicker)

34-3-26  
 Response to Written Question No. 13 re: website and visual identity costs for the Department of Environment (Frost)

34-3-27  
 Response to Written Question No. 19 re: website and visual identity costs for the Yukon Housing Corporation (Frost)

34-3-28  
 Response to Written Question No. 9 re: website and visual identity costs for the Department of Energy, Mines and Resources (Pillai)

34-3-29  
 Response to Written Question No. 14 re: website and visual identity costs for the Department of Economic Development (Pillai)

34-3-30  
 Response to Written Question No. 15 re: website and visual identity costs for the Yukon Development Corporation (Pillai)

34-3-31  
 Response to Written Question No. 18 re: website and visual identity costs for the Department of Tourism and Culture (McLean)

34-3-32  
 Response to Written Question No. 5 re: website and visual identity costs for the Women's Directorate (McLean)

34-3-33  
 Response to Written Question No. 20 re: website and visual identity costs for the Public Service Commission (Mostyn)

34-3-34  
 Response to Written Question No. 21 re: website and visual identity costs for the Department of Highway and Public Works (Mostyn)

**The following documents were filed October 1, 2020:**

34-3-27  
 Loss of Garbage Service Impacting Farmers and Other Businesses, letter re (dated September 8, 2020) from Brad Cathers, Member for Lake Laberge, to Hon. Ranj Pillai, Minister of Energy, Mines and Resources (Cathers)

34-3-28

Loss of Garbage Service Impacting Farmers and Other Businesses, letter re (dated September 8, 2020) from Brad Cathers, Member for Lake Laberge, to Hon. John Streicker, Minister of Community Services (Cathers)





# Yukon Legislative Assembly

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Number 41

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Monday, October 5, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, October 5, 2020 — 1:00 p.m.**

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

*Prayers*

**Introduction of new Deputy Sergeant-at-Arms**

**Speaker:** At this time, I am very pleased to be able to introduce Mr. Joe Mewett, our new Deputy Sergeant-at-Arms.

Joe was raised in St. Catharines, Ontario and has served in the Canadian Armed Forces. Joe began his service with the Canadian Armed Forces primary reserves in 1981. In 1983, he transferred to the regular force and, in 1984, was posted to the Third Regiment, royal Canadian forces artillery. Over the years, he has served in various positions in the Canadian Armed Forces, including serving three tours of duty within Canada and overseas.

In August of 2011, after 30 years of active service, Sergeant Mewett retired from the Canadian Armed Forces and moved back to Whitehorse, where he worked for the Department of Environment until his retirement. Joseph has significant volunteer experience with Scouts Canada, the Royal Canadian Army, and air cadets and is currently the branch president of the Whitehorse legion. I would ask members to welcome Joe to the House at this time.

*Applause*

**Speaker:** I would also like to take this time to thank Terry Grabowski for his tenure as Deputy Sergeant-at-Arms. Terry has taken a new opportunity at the Department of Justice.

**DAILY ROUTINE**

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

Are there any visitors to be introduced?  
Tributes.

**TRIBUTES**

**In recognition of Women's History Month**

**Hon. Ms. McLean:** I rise today on behalf of our Yukon Liberal government to pay tribute to Women's History Month. I would like to acknowledge those who are listening in. I know that we did invite a lot of folks, and given our new reality, they are listening in on the radio. Thank you very much for doing that.

Every October, I am grateful that I have the opportunity to acknowledge and celebrate the incredible accomplishments of women and girls throughout our history. As always, I want to acknowledge the women in our community who have important roles as indigenous leaders, activists, elders, and matriarchs. From traditional knowledge-keepers to politicians who have broken the glass ceiling to key contributors to Yukon's history, indigenous women and girls have played an important role in shaping this territory.

I would like to acknowledge our most recent woman to make history in our territory. Congratulations to our newly appointed Yukon Chief Justice, Madam Justice Suzanne Duncan. She is the first woman in Yukon history to hold this distinguished position.

I am sure that many of my colleagues here today can think of a woman in their lives who has helped them along the way. I know that I am certainly standing on the shoulders of giants — those women who paved the way for me to be in a leadership role today.

This morning, I was so proud to celebrate the achievements of women in the territory with the launch of six new tourism banners in honour of Women's History Month. From 20 submissions, six artists were selected to have their work featured on banners at visitor information centres and on roadways across this territory. This year, I am delighted to share that all six artists identify as women. I would like to say also that the last competition featured six women artists as well. These artists this year are Emma Barr, Esther Bordet, Amber Church, Maegan Garrett, Violet Gatensby, and Sharon Vittrekwa.

Yukon has a long history of women as leaders in the arts community, both finding success individually as artists and supporting one another in an often very challenging industry. We are very fortunate to come from a territory with a rich history of women overcoming the many challenges they have faced. I'm often inspired by the strength and resilience of women in this territory — particularly indigenous women and girls who have faced even greater adversity.

On Friday, this adversity was acknowledged and honoured with a combined campaign in recognition of the Yukon Sisters in Spirit and Red Dress campaigns. Although we are usually able to join together for a vigil at this time of year, the organizers at Yukon Aboriginal Women's Council adapted to COVID realities. They instead encouraged everyone to hang a red dress in their office or public space in solidarity and support as we remember those lives lost but never forgotten. We did that here in our Cabinet office and the dress is still on display today.

They also hung 42 red dresses along 2<sup>nd</sup> Avenue and Robert Service Way in Whitehorse to mark the absence of missing and murdered indigenous women and girls of Yukon. The City of Whitehorse has marked this occasion and paid tribute to the campaign by proclaiming October 2, 2020, to be Yukon Sisters in Spirit Vigil and REDress Campaign Day in the City of Whitehorse.

The REDress Project was founded in 2010 by a Métis artist, Jaime Black. The original art installation included collecting 600 red dresses as a visual reminder of the staggering number of indigenous women and girls who are no longer with us.

This year's campaign is not just a powerful symbol of the lives that have been lost and the families who are grieving, but it is also a call for action — a call to stop violence toward indigenous women and girls and two-spirited people in Yukon. As the Minister responsible for the Women's Directorate and the co-chair of the Yukon advisory committee on MMIWG2S+,

I can say that we remain committed to creating a future in Yukon where indigenous women and girls and two-spirited people can live their lives free of violence.

So, during this Women's History Month, I encourage Yukoners not only to celebrate the achievement of women and girls who came before us, but also to remember the adversity we have faced and still face today. It is through recognition of these past and current hardships that we will find a better way forward.

*Applause*

**Ms. McLeod:** I rise today on behalf of the Yukon Party Official Opposition to recognize October as Women's History Month. Canada has been home to many strong, resilient women over the years — women who have forged the path for us today.

Life has changed so much for women across the country. Just think back to the stories that our grandparents would tell us about the hardships they faced as children, as young women, as career women, and as mothers. They also persevered through pandemics, economic depressions, and fights for equality. Their experiences — whatever they may have been — and their paths — whichever they may have chosen — have each contributed in some way to the life we enjoy today. We experience similar struggles today but under very different circumstances.

The achievements of those generations of women before us have created a world today where we can enjoy more equality, more opportunity, and the ability to achieve what we want to achieve in our lives and our futures.

This year, Women's History Month is focused around the theme "Make an impact". We focus often on the women who historically have made an impact on society, on women's rights, health care, education, justice, and more. We must remember that every achievement and step forward that we make today, either individually or collectively, we are making an impact for future generations. So let's make sure that we are making positive impacts and ensure that we continue to forge that path for women throughout the Yukon and across the country.

*Applause*

**Ms. Hanson:** It is an honour to rise on behalf of the Yukon New Democratic Party to join in paying tribute to Women's History Month. Although we normally think of the past when hear the word "history", this year's theme #BecauseOfYou shifts the focus, celebrating girls and women who have made and continue to make a lasting impact.

It is easy to look back and reflect, as my colleagues have done so ably, on the women who have made history in Yukon and across Canada, often despite incredible opposition. It is sometimes more challenging to recognize the women and girls among us who are in the process of fomenting change, of advocating for and dedicating their time, energy, and skills to making Yukon a better place for us all.

My initial thoughts when I heard the #BecauseOfYou theme were about the young women — girls, really — who have been instrumental over the past year or so leading the

weekly climate change strikes calling upon municipal, territorial, and federal politicians to take climate change seriously — to match words with action.

I think of Sophie Molgat, Kalia Graham, and Emma Marnik, who last fall appeared before city council to a packed, overloaded gallery to state clear, cogent reasons why city council should declare a climate emergency. To their credit, these young women have not relinquished their focus on this all-encompassing crisis and continue to raise climate change as the issue requiring urgent action by us all.

Mr. Speaker, there are so many in Yukon who fit the #BecauseOfYou theme. I also think of Claire Anderson, a Taku River citizen and lawyer who was appointed as BC-Yukon regional commissioner to the CRTC in 2019. She is the first indigenous woman and Yukon resident appointed to the Canadian Radio-television and Telecommunications Commission. Her historic appointment provides the CRTC with a much-needed northern lens on connectivity and technology challenges facing Canada's north. She faces the weight of heightened expectation experienced by so many women history-makers.

Once started, Mr. Speaker, it's hard to narrow the list of young women making history. Let me end with a shout-out to Kate Mechan. I first became aware of Kate's intelligent and compassionate approach to working with Yukon's homeless population in 2010 when she was working with the Yukon Anti-Poverty Coalition on developing a housing strategy. Over the past 10 years, she has persistently advocated through successive governments the importance of working with people, bridging the divides between those who need housing and those who control access. The success of the Safe at Home community plan — a base plan to end and prevent homelessness — is largely due to Kate Mechan's belief in the need to honour partnerships, and it is a vital part of the #BecauseOfYou legacy of Yukon women making history.

*Applause*

### **In recognition of World Teachers' Day**

**Hon. Ms. McPhee:** It's my honour to rise today on behalf of the Yukon Liberal government to pay tribute to Yukon educators in recognition of the 26<sup>th</sup> annual World Teachers' Day.

This World Teachers' Day, we say thank you. The Canadian Teachers Federation theme this year is "Teaching for a better world: Together in strength and solidarity". This is a theme that recognizes perseverance and dedication. The world has required that teachers and educational assistants and all those who work with students adapt and ensure that learning continues in these challenging times — a time like no other we have known.

Today, I want to recognize the many educators in Yukon schools for their efforts and innovation in finding different ways to work with students while face-to-face classes were suspended at the end of the 2019-20 school year, for working so hard to support the safe return of the students and fellow staff to school this year, and for continuing to provide high-quality,



caring instruction and learning supports to our students in this very unusual school year.

Last spring, Yukon educators were enthusiastic in their adaptation and unique ways to connect with students in continuing to learn while face-to-face classes were suspended. They used online tools and technology like videoconferencing, they prepared and delivered weekly paper learning activity packages, and some did driveway check-ins with students at a safe distance. Thank you for supporting your students.

This fall, students have been able to return safely to face-to-face classes because of the enormous hard-working efforts of administrators and educators in Yukon schools and essential administration staff. They worked to adapt learning spaces to meet the health and safety guidelines for schools; they have gone over new routines with students, such as safe spacing, hand-washing, keeping hands to ourselves, and not sharing food or drinks; and they are working with students and families to ensure that students have the learning supports that they need.

During these unusual and uncertain times, students are looking to the adults in their lives for reassurance, understanding, and compassion. With patience, kindness, and mutual support, Yukon educators continue to set positive examples, be innovative, and demonstrate deep care for the well-being of their students and their school communities.

The jobs and the responsibilities of educators are complex and challenging at the best of times. What is now required of them in the world pandemic is truly unprecedented. Educators have shown that — through resilience and optimism — we can adapt and overcome the challenges that COVID-19 has presented. The energy and smiles on the faces of our students who are back in school remind us of the importance of the role of school and the connections and relationships that students have with their classmates and with their teachers. Our students remind us that Yukon's future, despite current challenges, remains bright.

On behalf of my colleagues in the Yukon Liberal caucus, I thank all of the teachers, educational assistants, support staff, administrators, and school staff for their deep dedication and commitment to their students and their school communities.

Merci, thank you, shǎw níthän.

*Applause*

**Mr. Kent:** I rise on behalf of the Yukon Party caucus to pay tribute to a group of individuals who are always deserving of our thanks and recognition, but this year in particular. To our Yukon educators on this World Teachers' Day: You have found ways to overcome all the curve balls that this pandemic has thrown at you. We are thankful that here in the Yukon we were able to send many of our kids back to school. While not all schools are back to full-time learning, teachers are making the most of the situation.

Some of you are faced with the additional challenges of only part-time in-class teaching, but the extra time and work that you put in makes a difference to those students who have been affected. You each spend extra time making the school year work, no matter the unusual circumstances that you and

your students find yourselves in, and every bit of that time and dedication is appreciated. You have adapted, learned new skills, and kept a brave face for our children through months of unknowns and challenges. You show resilience and your calm direction helps each student navigate a school year filled with uncertainty.

This year, we would like to give our sincere thanks to all teachers, administrators, paraprofessionals, and others who work day after day to provide our kids with a learning environment that is wholesome and healthy. You work to create safe spaces where our kids can be kids but still respect the new guidelines we all must follow for the time being. You have had to adjust everything you have learned over the course of your careers and find new ways to make things work. The added stress of a new school year beginning in the middle of a pandemic has not been easy on many parents, but for them to know that their kids are in good hands really helps.

So, Mr. Speaker, thank you again to our teachers and educators for their hard work and dedication to education here in the territory.

*Applause*

**Ms. White:** Today I stand on behalf of the Yukon NDP to add our voices to the chorus of thanks to teachers across the planet but especially here at home.

Teachers are remarkable people. Teachers and educational staff have always been critical but never more so than now. When the pandemic hit, teachers had no more time to pivot than the rest of us. They went from the classroom to spring break to an unknown future. Teachers were fast on their feet as they adjusted from in-person classes to online learning. How they rose to the challenge of telling children and young people that there would be a tomorrow is where this story lies. That story isn't just about education; it is about humanity, kindness, and showing up where and when they were needed. Educators connected with and supported students and families when they were needed. They made banners, videos, Zoom rooms, and phone calls. They reached out in creative ways to let students know that they were seen and not forgotten.

Being a teacher is never an easy job; being a teacher during a pandemic is something else entirely. Teachers aren't just tasked with educating their charges; they help to shape the child of today into the adult of tomorrow. Thanks to educators, despite a pandemic during their school careers, the adults of tomorrow will have hope for the future.

*Applause*

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 14: *Act to Amend the Environment Act (2020)* — Introduction and First Reading

**Hon. Ms. Frost:** I move that Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Environment that Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, be now introduced and read a first time.

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

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

### Speaker's statement

**Speaker:** Before we begin notices of motions, I would like to remind all members as we begin this Fall Sitting that the proper form of giving oral notice of a motion is: "I give notice of the following motion..." and then proceed to read the motion. Thank you for your attention on that topic.

Notices of motions.

## NOTICES OF MOTIONS

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

THAT this House supports the income support for essential workers program in response to the COVID-19 pandemic.

**Ms. Hanson:** I give notice of the following motion:

THAT this House acknowledges the urgency of Bill No. 10, *Act to Amend the Employment Standards Act (2020)*, to address paid or unpaid leave for employees who experience domestic or sexualized violence by committing to have regulations in place so that the amended *Employment Standards Act (2020)* can come into force by December 31, 2020.

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

THAT this House urges the Government of Yukon to increase the proportion of Yukon government jobs based in communities by:

(a) implementing its own policy 1.9, entitled "Decentralization Policy";

(b) supporting current employees who wish to relocate to a Yukon community through remote work arrangements;

(c) relocating community-focused positions including but not limited to regional economic development officers and community advisors when these positions become vacant; and

(d) working with First Nation governments and municipal governments to ensure lot and housing availability to support decentralization efforts.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to use the protected area provisions provided in the *Territorial Lands*

(*Yukon*) Act to protect and manage sensitive areas identified over the last seven years from off-road vehicle use.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide the additional \$400 monthly funding in response to COVID-19 to all disabilities service clients.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Youth Panel on Climate Change

**Hon. Mr. Silver:** The climate change that we are experiencing is the biggest challenge of this government and of this generation and Yukon youth deserve to have their voices heard.

Two weeks ago, I was very pleased to announce a call for applications to form Yukon's first-ever Youth Panel on Climate Change. Our northern climate continues to warm three times faster than the global average and carbon pollution continues to grow at an alarming rate.

I know that, for many youths, climate change is deeply concerning and there is growing frustration that governments are not doing enough to address the impacts of climate change. This is why Yukon youth are speaking out with concern for their future and demanding change. Our Liberal government believes that it is essential that our youngest citizens have an opportunity to help chart our course forward.

One of the objectives within the *Our Clean Future* strategy is to educate and to empower youth. This youth panel will provide perspectives and advice to our government on how to address climate change. We have launched a call for applications to Yukon youth between the ages of 12 to 25 to serve for a one-year term on the Youth Panel on Climate Change.

The panel is expected to include seven to 10 members. It is important that it reflects the diversity within Yukon and involves youth from across the territory who have a keen interest in addressing climate change. The work of the youth panel will include: participating in activities that build leadership, life skills, and education related to climate change; engaging with young people about energy and the economy; communicating perspectives on climate action; providing advice and perspectives to the Government of Yukon on the *Our Clean Future* strategy; and supporting youth to learn about climate change and empowering youth to get involved and take meaningful action to address it.

Panelists will be asked to attend monthly virtual meetings and, if possible, several in-person meetings. The youth panel will have the autonomy in choosing how to represent their recommendations to the government. We want the youth who form this panel to have the freedom to decide how they engage youth from across the Yukon and how they present their ideas to government.

There will be an honorarium in support of attending meetings and providing advice and participating in other

activities. I'm very excited to learn who will take part in the panel and to greet each of the members after the panel is announced later this fall.

In developing this panel, we worked closely with many committed and concerned non-governmental organizations. These community partners have shared their ideas and unique perspectives and we truly appreciate their help. I want to specifically thank BYTE — Empowering Youth Society for agreeing to support the panel in the coming months. BYTE was asked to help in recognition of its exceptional expertise in empowering youth. They will also be asked to help because of their connection with other non-governmental organizations and with their connections to First Nation governments and organizations active in the field of climate change.

I also want to recognize all younger Yukoners who have already stepped up and are already taking action and showing leadership. You have an important role to play in building a healthy and prosperous Yukon and you are already making a difference. Your generation's passion to addressing issues like climate change will drive many positive and much-needed innovations here in the Yukon.

I'm also very excited about a future where Yukon is resilient and we have a thriving green economy powered by clean energy. We have a lot of work in front of us and we look forward to receiving the panel's perspectives and recommendations. Our government will take those recommendations to heart and make sure that we are taking meaningful actions based upon the work of this panel.

**Mr. Istchenko:** It's a pleasure to rise and speak to this — a ministerial response on a climate change youth panel.

Climate change is an issue that affects all Yukoners, and we know that. We know that Yukoners are affected by climate change more significantly than the rest of the country. We know that it requires real, tangible action from the government to address it. Youth not only in our territory but across the world are leading conversations on what can be done to address climate change effectively and sustainably. This is a good thing, as it will eventually be the youth who inherit this world from us, so having them be part of this discussion is great.

That's why we were concerned when the Liberal government cut the climate change youth ambassador program in 2017. The climate change youth ambassador program allowed young Yukoners to attend United Nations' climate meetings and to see first-hand how these discussions took place. It provided Yukon youth the chance to learn a global perspective of climate change and gain invaluable leadership experience.

It was disappointing that the government chose to cut this successful program, and we were disappointed that they never provided a reason why, but with today's ministerial statement less than a year before the territorial election, I am glad that the government has finally come around to understanding the importance of having youth engaged on this important issue.

I should quickly note that this panel was first announced last year, it was then re-announced last month, and now it is being announced, I believe, for the third time — but as I said,

we are pleased to see more opportunities for youth; we always will be.

This year, when I was responding to the announcement, I asked the government to require that there be representation from rural Yukon on the panel. Unfortunately, it is not a requirement. So I would encourage the government to make a special effort to advertise and encourage youth from our communities to participate.

I would like to also talk about how this initiative is another shining example of the strength and leadership of our youth in this territory. It was a protest by young Yukoners last year that first pushed the government into announcing that they would establish this panel, so I want to give a big shout-out to them. With this initiative and with recent protests by students concerned with the government's decision to relocate MAD and to reduce the amount of in-person classes receiving widespread media coverage, and with the Gender and Sexuality Alliance from Porter Creek successfully pushing the government to bring forward legislation banning conversion therapy, I think we can say that the future is bright for Yukon's young leaders.

Before I conclude, Mr. Speaker, I also want to give a shout-out to the NDP leader, who has worked hard to make the government act on their commitment to launch this panel. I just wish the government didn't wait until there was less than a year left in their mandate to take action.

**Ms. White:** Like many, I was relieved to hear that the government was finally making good on a commitment that they made in their Speech from the Throne last year. After last year's announcement, I was contacted by students eager to apply and by teachers and parents wanting to support that process. Unfortunately, I had no answers, no timelines, and no one to send them toward to ask those questions.

But enough about the year-long wait for the creation of this panel — I would rather focus on the future. My hope is that what is being created is actually given wings to fly and that this is not merely an exercise in lip service. The young people being invited to participate in this process won't accept anything less than meaningful participation. This is an opportunity to hear from those whose futures depend directly on the actions that we take today.

The Premier's acknowledgement that the northern climate is warming three times faster than the global average brings to mind the chants that I hear at climate rallies: "You will die of old age; we will die of climate change" or "The planet is dying; so are we". These words from the mouths of children puts the pace at which things need to change into perspective.

Youth have an outlet that none of us here have. Their optimism at what the future could be is priceless, but their dread at what the future could be is tangible. Through enacting the changes that they recommend, we can make the planet a healthier place. Autumn Peltier has said — and I quote: "Kids all over the world have to pay for the mistakes we didn't even make. This is our future. We're the next leaders. This is our future."

Mr. Speaker, initiatives like the Youth Panel on Climate Change are one opportunity at giving youth back their dreams and control over their future. It is a chance to giving the next generations a childhood that isn't plagued by wildfire, smoke, flooding, unnatural disasters, and fear. The task for us here is simple, even though it won't be easy: We have to listen honestly to what youth have to say and enact changes that will lead to the future that they deserve.

We have seen a true crisis response with COVID-19; now let's see the same with the climate crisis.

**Hon. Mr. Silver:** Thank you to my colleagues for their responses to the ministerial statement today. We do believe, Mr. Speaker, that the Youth Panel on Climate Change will engage Yukon youth and ensure that their perspectives and priorities will inform government action, as we work to address climate change. As I said, the climate crisis that we are experiencing is the biggest challenge of this generation, and Yukon youth deserve to have their voices heard.

We also believe — the Liberal government believes — that it is essential that our youngest citizens have an opportunity to help chart the course forward. It is absolutely important — and I agree — that the panel reflects the diversity within Yukon and has youth involved in it from across the territory. The call for applications is open, and the deadline for application is October 20. I do encourage Yukon youth from all communities to get involved and to share their perspectives on how we can build a clean future for our territory.

Last month, our Liberal government released *Our Clean Future — A Yukon strategy for climate change, energy and a green economy*. We have seen our youth demonstrating in the streets. We have seen them expressing their deep concerns about climate change. We know that they want to see governments take action. The strategy that we have developed together with Yukoners includes 131 actions that our government will take to address the impacts of climate change, while building a green economy and ensuring that Yukoners can access reliable, affordable, and renewable energy over the next decade.

This territory-wide strategy meets the challenges that we face today and sets a clear direction for a strong resilient future. *Our Clean Future* includes a number of targets that we have identified for how we can propose to reduce the impacts to the environment. This includes reducing Yukon's greenhouse gas emissions by 30 percent by 2030.

Over the next decade, Yukon government, in participation with the Government of Canada, will invest more than \$500 million to implement this strategy and to create new jobs in a green economy. Creating a youth panel to provide advice and perspectives to government is one of the action items in this plan, and we are very excited to see it come together.

The plan also supports the leadership objectives of the strategy, which call on us to — and I quote from the plan: "Educate and empower youth as the next generation of leaders."

We do look forward to hearing from Yukon youth directly and learning from them to identify actions that we can move

forward on with them in the Yukon. We have taken a stake in Yukon's future and we all need to work together to address climate change. Together we can build a future for the territory that is resilient and that has a thriving green economy powered by green energy.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic — support for vulnerable communities

**Ms. McLeod:** As we sadly highlighted last week, we have seen that the isolation required due to COVID-19 restrictions have negative social consequences, such as an increase in drug and alcohol abuse. We saw the number of deaths this year related to opioids double. This is a crisis, Mr. Speaker.

In response to questions, the minister said that the resources in place already — in her words: "... efficiently meet the needs of Yukoners." If that is the case, then we wouldn't have seen the drug and addiction issues skyrocket during the shutdown. We wouldn't have seen the amount of people dying from opioids double.

So I will ask the minister a question she did not answer last week: How much has she increased the budget to address mental health and addiction issues since the shutdown?

**Hon. Ms. Frost:** With respect to supports provided to Yukoners during and before the pandemic, this government has provided significant supports to all Yukoners. We take our role very seriously, which is to ensure that we provide supports. We are committed to Yukoners to ensure that all programs and services accessed during COVID-19 are readily available. If they are not, we have made adjustments, and we will continue to do that.

With respect to the broader Yukon government's commitment to be innovative and adaptive to make sure that Yukoners' needs are met — we have taken those measures. We will continue to look at Health and Social Services' programs to make sure that the COVID-19 requirements are met.

With respect to how much more we put in — we have certainly had to take a different approach. I just want to acknowledge all of our partners in our communities for doing such an excellent job at adapting and pivoting very quickly, moving to make sure all Yukoners are supported where they reside in their Yukon communities by taking necessary measures. That means that services certainly have had to be adapted, and I just want to acknowledge that great work.

**Ms. McLeod:** The question was on how much the budget was increased during shutdown.

Mr. Speaker, the minister is speaking about supports that were inadequate, as we have seen in the number of opioid deaths that have doubled — and we're only in October. Instead of repeating the old talking points, the minister needs to tell us what she has done to address these issues since the pandemic hit.

How many new mental health and addiction counsellors has the minister added to prevent the increase in drug and

alcohol abuse and deaths in the territory since the pandemic began?

**Hon. Ms. Frost:** The wellness of Yukon is a high priority for this government, particularly as we deal with the added stress of COVID. Critical mental health and wellness and substance use services in Whitehorse and in our rural Yukon communities continue to be provided with adaptations for the health and safety of all clients and citizens of Yukon.

At the onset of the pandemic, the majority of services moved to providing telephone and virtual counselling. As restrictions lifted, we are now back to ensuring that counselling services are moving forward in person and delivered based on clinical need while respecting COVID-19 guidelines. I would like to assure Yukoners that we will continue to provide collaborative care as needed in our communities.

I'm happy to say that the mental wellness hubs established in the Yukon have been very successful. We have provided counselling supports and services in each one of our communities, successfully working with our municipalities and our First Nations to ensure that we have supports through those agencies as well and the other governments.

With respect to COVID-19 guidelines, we follow the parameters of the chief medical officer of health and followed all the protocols. We will continue to do the good work that Yukoners require of us.

**Ms. McLeod:** The question was: How many new mental health and addiction counsellors has the minister added?

Will the minister have her department begin studying and monitoring the relationship between the restrictions imposed by her government, the increase in drug and alcohol abuse, and the declining mental health of Yukoners?

**Hon. Ms. Frost:** I would like to again remind the member opposite and remind Yukoners that this government has taken the necessary measures and the precautions to ensure that all Yukoners are safe and healthy and that we are doing so under the guidance of the chief medical officer of health and we will continue to provide the supports that are needed. We are adapting. As the pandemic has demonstrated, unprecedented times require unprecedented actions.

With respect to the services we provide, historically, I think we have done an exceptional job and I will continue to hold my hands up and acknowledge the good work of the departments for collaborating and working toward the efforts of ensuring that we bring positive measures to Yukon. That's defined under the *Putting People First* report, under the parameters of the weekly meetings that the chief medical officer and my good colleague, the Minister of Community Services, have provided to Yukoners. We are hearing from Yukoners and we are adapting accordingly.

#### **Question re: COVID-19 pandemic impact on economy**

**Mr. Hassard:** So, last week, the Liberal government put out a press release that stated "economy remains resilient" in the title. The press release went on to brag about how the GDP of the territory has grown. This messaging and type of thinking

is terribly out of touch and out of line with the lived reality of many Yukoners.

According to the Bureau of Statistics, compared to last year, 1,100 Yukoners are out of work. Also, according to the Bureau of Statistics, compared to last year, 100 businesses have closed. Yet the government is bragging about the GDP growth. Well, GDP numbers are cold comfort for out-of-work Yukoners.

So what is the government's plan to get these Yukoners back to work?

**Hon. Mr. Silver:** I'll ask the Minister of Economic Development to get up as well to respond. Here we have the Yukon Party taking things out of context. Part of that bigger conversation that we're having was that the numbers are the numbers, and we do have a GDP forecast which is great to see compared to other jurisdictions that are really suffering. What else is really good is that we came into the pandemic with a surplus, which is good to have as well.

Now, we continue the conversations. That does not change the fact that many businesses are struggling and suffering right now and it does not change our obligation to these businesses. It doesn't change the obligations that we have to the health and safety of Yukoners, and we must maintain direct conduits to the private sector to make sure that we are giving the relief that we need to give to these businesses.

Now, if the Yukon Party were telling the whole story, they would say that this is the bigger conversation that we are having. However, I will say that we are in an enviable position compared to some other jurisdictions in Canada, and I want to thank the mining sector specifically for that — being a key driver for our economic forecast that we do speak of.

Getting the placer miners out into the field and for getting the quartz mining folks — like Victoria Gold — to be able to continue with guidelines was an extremely important thing that this government did and took seriously from the very beginning. Those numbers are extremely important when we take a look at the forecasts — that we are in an enviable position to other jurisdictions.

**Mr. Hassard:** Thank you, Mr. Speaker — but 1,000 Yukoners are not in that enviable position that the Premier speaks of. Meanwhile, the government's message last week was that our economy was resilient and our GDP is growing — no plan to get those people back to work. It's just, "Hey, don't worry; our GDP is growing." That message doesn't help the over 1,000 Yukoners out of work.

Has the government done an analysis on how much those numbers will increase if the current restrictions on the economy and the border remain in place throughout the winter?

**Hon. Mr. Pillai:** Mr. Speaker, I think I will start off by saying that it's unfortunate that we are having this question characterized in this way. I think everybody here in the Legislative Assembly knows that small businesses are the backbone of our Canadian economy.

We moved quickly as a government, hand in hand, in taking direction from the private sector to ensure that we have programs in place, like the business relief program or the sick leave program that the federal government used as a template

for their program — which I think says a lot for the public servants who did that work and structured it.

Also, if we are going to talk about the trends, what is key to this is that we have seen some closures in business. In some cases — when they talk about closure and the definition of “closure” — the owner may still be running the business, but yes, some of those individuals may not be employed in that particular business. But also there have been a number of businesses that have opened since April. I think that is something to highlight. In the middle of a pandemic, we have had a number of businesses in the mineral sector as well as in retail that have opened because they trust the foundation of this economy. I think that is also really important to touch on.

We are going to see jobs created between now and December, and I look forward to expanding on that after the third question.

**Mr. Hassard:** So as I mentioned, 100 businesses have closed compared to June 2019. There are 1,100 Yukoners out of work compared to last year. When can those Yukoners expect to be back to work full time in the private sector?

**Hon. Mr. Silver:** Again, we are working with the chief medical officer of health, like every jurisdiction, to have recommendations as far as how we move through a path forward, which is our plan to recovery. We are, right now, in the final plan before we get a vaccine.

There is a bit of a stall based upon the epidemiology, but we are advancing quite quickly. I want to thank Economic Development and Tourism and Culture for the local supports that we do offer here in the Yukon which are not being offered in other jurisdictions in Canada. Fixed business costs of up to \$30,000 a month — that’s something that other jurisdictions did not have the financial wherewithal to be able to support businesses with.

Do we believe that we’re out of the woods? No, we don’t. Are we concerned about the businesses that have gone under and other ones that have had to switch and have their lives upside-down? We absolutely do — absolutely. But in just a few months, COVID-19 has had such a bigger impact on our economy than any other event since the Great Depression. This unique situation requires dramatic increasing in the spending of public health measures, emergency supports and management, coordination and enforcement, and financial and economic relief, and we are up to that challenge.

On a net basis, when all the funding from Canada and other sources are considered, the economic impact of COVID-19 has been large in the Yukon for the Yukon government — close to \$40 million in supports for Yukoners and Yukon businesses. I’m extremely proud of the work that this public service — this government public service — has done to be nimble and helpful to help and support the targets that we need in the right areas.

#### **Question re: Internet connectivity**

**Ms. White:** The COVID-19 pandemic is having different impacts on different people. One area where this was particularly obvious is Internet access. In March, many key parts of the lives of Yukoners were suddenly forced to take place online. Work, school, community activities, and family

gatherings were all one big Zoom meeting. People in Whitehorse fared pretty well with four months of unlimited Internet access. People in the communities, on the other hand, only saw partial increases to their plans and not nearly enough to sustain the increased usage. For many families outside of Whitehorse, this meant hundreds of dollars in fees, and for others who couldn’t afford it, it meant missing out on important parts of their lives.

Mr. Speaker, what concrete steps did this government take to address the affordability gap in Internet access between Whitehorse and Yukon’s communities?

**Hon. Mr. Mostyn:** I appreciate the opportunity to talk about this very important issue to Yukoners this afternoon.

This government has been working consistently for the last three years plus to make sure that we get expanded broadband penetration throughout the territory and make sure that the broadband that we do have is resilient and backed up by a fibre optic link to the NWT. That work is underway — it will begin in the next couple of months and will then continue for the next two years which will then provide the redundancy we need.

Now, the member opposite has talked about the cost of Internet up here. This is something that is of extreme concern to Yukoners, and so our government worked very hard to support a plan from Northwestel to bring fibre to every home in the territory that is accessible by road. So Northwestel will be improving the broadband speeds and lowering costs for rural broadband users in the next year and going forward. We appreciate the financial support the CRTC provided to the project to enable rural Yukoners to receive better broadband Internet to communities at rates comparable to those charged in Whitehorse. That was done with the support of this government.

**Ms. White:** Although I appreciate the work done by Northwestel, that doesn’t answer whether or not this government took any steps to address the affordability gap between Whitehorse and the communities at a time when a huge part of our lives is taking place online and why, at the end of the day, they failed to close that gap.

But here is a chance for this government to be proactive. A few months ago, hundreds of Yukoners living outside of Whitehorse were informed that their provider, Xplornet, would cut their Internet access by the end of this year. This is a massive step back in terms of access to Internet for residents and small businesses. What is worse is that there are no other providers they can turn to.

What steps has this government taken to make sure that these rural Yukoners and Yukon businesses keep Internet access beyond December of this year?

**Hon. Mr. Mostyn:** This is a very critical file for this government. I, the Premier, and the Minister of Economic Development have been working very closely on this file for the last six weeks since we learned about it. We learned about it at about the same time as all customers in the territory learned about it, which was when Xplornet informed their customer base that they were going to be pulling out by December 31. To this government, that is wholly unacceptable.

We have reached out and worked with our federal counterparts in Ottawa, who have the responsibility for the oversight of satellite communications in this country. I have also had several conversations with the president of Xplornet and his staff about the pending shutdown. Just this morning, Mr. Speaker, I spoke to the president of Telesat and made known to that corporation what our position is here, which is that this service must continue beyond December 31 to make sure that those constituents who we have in Yukon continue to get access to the global communication network that they have built their businesses and their lives around for the last 15 years.

**Ms. White:** I like to call those constituents “friends” or “neighbours” or, you know, “people in my community”.

So imagine losing access to Internet in the middle of a global pandemic when it is your only way to communicate with the rest of the world. What makes it even worse is that the infrastructure that once provided basic radio phone service before Xplornet offered Internet access has since been taken down by Northwestel. These residents and small business are going back decades in terms of connectivity. It is a safety concern, it is a quality of life concern, and it is an economic development concern.

What assurances can the government give to these rural Yukoners that they will not lose Internet access at the end of this year?

**Hon. Mr. Mostyn:** I want to assure the member opposite that our friends, relatives, citizens, and constituents in the territory have an expectation to be connected to the global economy and to the global communication network. We understand that on this side of the House very, very viscerally and we have been fighting and lobbying very hard to make sure that this service, provided by a private company to a Crown corporation, continues after December 31, 2020.

I have every confidence — and I have been told by the company at hand — Xplornet — that they will not leave any customer behind and I am going to hold them to that commitment over the coming weeks and months. It is wholly unacceptable to this government that citizens, constituents, friends, and relatives lose their access to this vital communication network. We will fight tooth and nail to make sure that continues beyond December 31, 2020.

#### **Question re: COVID-19 pandemic impact on education system**

**Ms. Hanson:** Mr. Speaker, on Thursday, the government tabled the supplementary estimates for the 2020-21 fiscal year. The supplementary budget shows Yukoners that, despite the extra COVID-related funds from Ottawa, the Minister of Education has reduced the money allocated to the Education budget by \$634,000. Everyone understands that running an entire school system during a pandemic costs more than during a normal year. We all know educators who have spent their own money to get their classes ready and adapted to COVID-19.

So, Mr. Speaker, how does this government justify spending less money than budgeted on education when parents

and educators know that the need for support is greater now than in any normal year?

**Hon. Ms. McPhee:** Unfortunately, the assumption in that question is that running a school system in a pandemic costs more. The reality is that a lot of things change during the concept of a pandemic. For instance, there wasn't any busing at the end of last year's school year. There was almost no — or absolutely no — department travel. There was no need at the end of last year's school year for teachers on call. There was no need for extra staff who normally perform a number of duties in the Department of Education. Of course, that resulted in changes in the finances for the Department of Education. Presumably, we'll have lots of time to discuss what those details are.

**Ms. Hanson:** Despite the minister's litany of things that our money is not being spent on, we know that educators and parents have identified the need to increase the number of educational assistants and provide greater mental health supports for students. We have heard concerns from parents and teachers about a variety of shortcomings with the return-to-school plans. This government chose to shuffle all grade 8 students from F.H. Collins to the Wood Street Centre School. Programs from Wood Street were transferred to other schools, including to a mouldy portable. In-class teacher support for grades 10 to 12 students was reduced by half.

So let's look at one specific area of that education budget: Why has the Minister of Education reduced the schools and student services part of the education budget by \$572,000 rather than increasing the supports that parents, students, and educators are asking for?

**Hon. Ms. McPhee:** The back-to-school plan — I guess that's the part I'll address with respect to some of the number of comments that were in that question. Our government believes in evidence-based decision-making. Our government believes in leadership. We were in a good position to welcome students back to classes, and our government is very proud of the collective work that was done over the summer — and really since March 2020 — to ensure the safe back-to-school plan.

The safety of students is our top priority. The need of Yukon students is our key top priority. It is the measuring stick by which we address every question in Yukon education — what is in the best interests of our students?

The situation with respect to returning to schools — I should just remind Yukoners and those critical of this process that operational plans were done by every individual school. They were worked on diligently by administrators, by teachers, by school communities, by parents, and by First Nation governments in those communities where those schools are and in the school communities here in Whitehorse. Those operational plans were addressed and reviewed by the chief medical officer of health and the hard work that went into that was all for the safe return of Yukon students.

**Ms. Hanson:** Despite what the minister has said, the reality is that is being made available to schools or student services.

Mr. Speaker, another area — currently students in grades 10 to 12 are attending in-person classes for half a day. For the remainder of the day, they may work from home independently or remain in a study area provided at the school. In a survey of educators earlier this year, one of the greatest concerns was the negative impact on progress and achievement due to lack of direct in-class support — teacher support.

Mr. Speaker, when will the government pay attention to their own information — to their own evidence — and use the new federal dollars to resume full-day in-class instruction for grades 10 to 12 students?

**Hon. Ms. McPhee:** I see that the member opposite thinks perhaps that's something that isn't a top priority for this government or for the Department of Education. I can assure her and all Yukoners that it is.

One of the key criteria in returning to school and to making the decisions about how that could be done came about on the basis that all of the evidence shows that the more connections students have with their teachers, the better. It was critically important for us to have the ability to have all students, including those in grades 10 to 12, with a teacher five days a week. We had many suggestions: Could they come to school two and a half days a week or two days a week? Could we break it up that way? Would they be in full days? Absolutely — the decision was made — based on the criteria of the health and safety of students — to have them connected to a teacher five days per week.

It is a top priority for us to review that as it's going along during this first term. Classes have been in for almost six weeks now, and as a result, that review is happening. The survey that the member opposite refers to is going to be done again in November. I can assure her and all Yukoners in fact that the information that's coming from that survey is included every day in the decisions that are being made by the Department of Education.

#### **Question re: Budget estimates and spending**

**Mr. Cathers:** On Thursday, the Premier tabled a supplementary budget increasing spending for the last fiscal year 2019-20 which ended on March 31 of this year.

The largest portion of this increased spending was in the Department of Health and Social Services amounting to \$5.2 million that occurred in the last fiscal year that was not budgeted for. So far, we have received only a vague one-sentence explanation for the \$5.2 million in increased spending.

Will the Minister of Health and Social Services please provide us with a breakdown of that extra \$5.2 million in spending in the last fiscal year?

**Hon. Mr. Silver:** I did hear that there was a briefing this morning with the opposition. We will have an opportunity with both departments to go through the spending in Committee of the Whole, but I will give an update to the general public here in the Legislative Assembly for Question Period.

The supplementary estimates for 2019-20 — we are calling them *Supplementary Estimates No. 3* — requested \$7.6 million in additional operation and maintenance. Specific to what the

member opposite is speaking to, Health and Social Services did require an extra \$5.2 million as a result of greater demand, primarily related to hospital stays outside of the Yukon for extended family care agreements, increased demand for mental health services, and social and community supports throughout Yukon. It also includes additional costs to respond to unexpected challenges due to the COVID-19 pandemic.

We have seen in the past, as well, that when claims come in from other jurisdictions that are the responsibility of the Yukon, these might not be coming in as timely as we want them to, but I believe that the department did their best to stay within their budgets. What we have here is a result of a couple of different things that we explained both in the briefing today and also here in the Legislative Assembly, and we will have an opportunity for the minister responsible to go into detail in Committee of the Whole for whatever questions the members opposite have on that \$5.2 million.

**Mr. Cathers:** Just some context for the average person listening: What we have received to date is less information on the \$5.2 million than the average person would have to provide if they were applying for a new credit card.

Mr. Speaker, we know that increased spending associated with the pandemic is needed. That doesn't eliminate the need for the government to be accountable for its spending and to provide us with a breakdown. Will the Minister of Health and Social Services please tell us how much of that \$5.2-million increase in last year's budget is related to the purchase of personal protective equipment and other pandemic supplies?

**Hon. Mr. Silver:** Again, the minister will get up and answer the final question here, but the member opposite makes it seem that there is no opportunity for that conversation. As members in the Legislative Assembly know, Committee of the Whole will debate *Supplementary Estimates No. 3* for the whole \$7.6 million, and at that time, what we will do is go through all of the questions that the members opposite have for all of those budget items. We can spend as much time as they want answering questions. The department will be here as well — so again, giving that transparency as well.

We have an opportunity here to highlight — in the short time frame — that there were two different departments — the other department being Highways and Public Works — that will require \$2.4 million more due to maintenance activities related to a higher snowfall than normal and higher utilities costs than normal, resulting from the COVID-19 pandemic as well.

Again, Mr. Speaker, when it comes to personal protective equipment or overtime or demand for technology support that was increasing, we will have opportunities for both departments to talk about that.

I will say that when it comes to Highways and Public Works and the ability for the public servants to have the virtual clients that they needed to continue the good work after we passed the 2020-21 main estimates — it is extremely important work and we are really glad that we got that work done for the department.

**Mr. Cathers:** Mr. Speaker, we are just asking for transparency. Again, as I pointed out earlier, so far, we have



received less information justifying this \$5.2 million than the average person would have to provide if they were applying for an ordinary credit card.

Mr. Speaker, on March 5, the Liberal government tabled its spending plans for the remainder of the 2019-20 fiscal year, which ended on March 31 of this year. They have now increased spending in Health and Social Services for the 2019-20 fiscal year by \$5.2 million more than they predicted in early March — the last month of that fiscal year.

Will the Minister of Health and Social Services please tell us how much of that \$5.2-million increase is related to pandemic costs, including actually providing us with a breakdown of how much of this was spent on the Health Emergency Operations Centre and other increases and operational costs due to the COVID-19 pandemic? Mr. Speaker, we are talking about the public's money. All we are asking is that the government be transparent about how they spent it, where, and how much.

**Hon. Ms. Frost:** I would like to assure Yukoners that we are accountable. We are a public government that has accountability to Yukoners —

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

**Hon. Ms. Frost:** I am not sure about the other rumblings — I am trying to concentrate, Mr. Speaker.

Where we are exactly is that we have committed to support Yukoners. The members opposite — the Yukon Party in particular — built a 350-bed facility with no O&M, no costings or supports. We opened up the Wind River Hospice House recently. We provided supports for extended life care for families. We provided and opened up the reablement unit at the Thomson Centre. We have the emergency shelter that was built — a shell — and it excluded vulnerable populations. We have made increases to supporting vulnerable Yukoners. We have provided collaborative care supports to all Yukoners with an emphasis on rural Yukon care. We have not sat on \$20 million of housing funding for the most vulnerable of our communities. We have spent the resources that were made in an accountable and true fashion through collaboration and input from Yukoners who are aging in place using collaborative models. We have *Putting People First*; we have the Financial Advisory Panel — I can go on, Mr. Speaker, but we deliver accountability to Yukoners.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 205: *Second Appropriation Act 2020-21* — Second Reading

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

**Hon. Mr. Silver:** I move that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now read a second time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now read a second time.

**Hon. Mr. Silver:** I am pleased to rise this afternoon to outline spending requests as part of the first supplementary estimates for 2020-21. Supplementary estimates provide the government with an opportunity to update the main estimates or budget that this House approved in the spring. It should come as no surprise that there have been some updates in spending expectations since early March. There has been a lot of change since early March. The economy has changed and the needs of Yukoners have changed; our priorities have not, Mr. Speaker.

This Liberal government remains committed to fiscal responsibility, to providing Yukoners with the services that they need and that they expect, and to helping those who need extra support. These supplementary estimates show that we need a wider safety net as Yukoners deal with a global pandemic.

The pandemic certainly came on quickly and we also acted quickly. Credit is due to so many staff across government. We were able to get health resources, economic supports, border controls, and other programs off the ground quickly and decisively — things like the respiratory assessment centre, the Health Emergency Operations Centre, testing and contact tracing, the Yukon business relief program, and supports for event cancellations and also for reopening schools. This fast action ensured that Yukon families, businesses, and industries could access the help that they needed and remain safe, open, and viable.

Working in collaboration with the federal government, many of these programs and services will have costs recovered, but we know that we are in this for the long haul as well. The new normal that the chief medical officer of health has mentioned so many times means that we will have to continue to ensure that our families, businesses, and industries are supported through all of these uncertain times.

So, while many of the challenges presented here today are COVID-related, they will not reflect the total cost of dealing with the pandemic. The first supplementary estimates provide an up-to-the-minute picture of where we are today. Many departments absorb costs as staff work to ensure continuity of our core services, while also having the extra responsibility of launching new programs.

It is important to remember core services. Regardless of a pandemic, services to Yukoners need to continue and some of them need to change. You will see in the supplementary estimates that there are some non-COVID-related changes and updates as well — that is normal to see, even in an abnormal year like this one — but none have been made without scrutiny and an eye to responsible spending.

So let me explain a little as to where we are. I'm going to start with just an overview. Mr. Speaker, I would like to outline the budget changes that we are making between the main estimates and the supplementary estimates. In total, the 2020-21 first supplementary estimates contain \$92.2 million in additional spending. It can be broken down into \$95.9 million for operation and maintenance and a decrease of \$3.7 million in capital spending. The result is a forecasted deficit in 2020-21 of \$31.6 million.

As mentioned, O&M recoveries are significant. They are \$58 million higher than in the main estimates. However, there is also a decrease of \$5.9 million in recoveries on the capital side. While transfers from Canada remain the same, we are projecting a \$10-million decrease in own-source revenues from taxes and fees. These changes, of course, were not expected. The COVID-19 pandemic has affected almost all areas of society and government.

Preparation and response take time, effort, and money. What this pandemic has shown so far is that, even if there is no community spread and the number of cases is low, you still have to prepare for the pandemic. You need to have the masks, the testing, the centre, the staffing, and the enforcement. It comes at a cost, but it is necessary to prevent the loss of life. We recognize that the financial cost is significant.

As mentioned, there is an increase of \$95.9 million in O&M. \$88.7 million of this increase is related to the response to COVID-19. This includes \$33.7 million in new spending on health care and the public health response to the pandemic.

It is important to note that health care during a pandemic is not just treating those who have the virus. So, even though only 15 Yukoners have tested positive, more than 3,000 have been tested. Funds have been used to set up the respiratory assessment centre, now called the COVID testing centre. It helps with emergency operations and personal protective equipment. There has been support for vulnerable populations and daycares. But where the health funding helps to prepare and protect for what might happen, economic supports have helped with real-time impacts. This supplementary estimate has \$44.8 million in economic and financial supports for businesses, families, and Yukoners hardest hit by the pandemic.

For lower wage essential workers, it was giving them a boost to make sure that they could pay their rent and buy groceries. For those without sick-pay leave, it provided a way to stay at home and stay safe. For businesses trying to keep their doors open, it covered fixed costs that were beyond their ability to pay with fewer customers coming in. For cancelled events, it helped ensure that they could happen another year or provide supports as a result of their cancellation. This included events like the Arctic Winter Games. For our northern aviation industry, it kept flights going to take people where they needed to go, delivered COVID-19 tests to Vancouver, and kept vital community ties alive. For our mining industry, it incentivized continued activity in this crucial sector. For our schools, it helped to make sure that students and staff had extra spending measures when they returned to the classroom. There is \$11 million in this budget allotted to COVID spending that remains unallocated so that we can continue to respond to the needs of the territory as they arise.

Beyond spending related to COVID-19, there are changes that will make a difference in the lives of Yukoners long after the pandemic impacts fade.

*Putting People First — The final report of the comprehensive review of Yukon's health and social programs and services* was released this summer because, pandemic or not, we know that Yukoners want improvements to our health care system. Through our supplementary estimates, we are

committing \$1.7 million for our government's initial actions in the implementation of this report. Those actions include but are not limited to: providing increased medical travel supports; a new nurse practitioner in Carmacks; enhancements to Yukon's pharmaceutical programs; and expanding the implementation of the IHealth information network. Modernizing and integrating our health care system is essential now more than ever.

We are also seeing new and increased funding agreements for things like early learning and childcare because we recognize that, to kickstart our economy, we need to support Yukon parents who want and need to get back to work. We also know that the pandemic has disproportionately impacted women. Affordable childcare is one way to offset this reality.

The supplementary estimates also show added funding for many other projects, from school council elections to emergency road-washout repairs.

For programs and services that help some of our most vulnerable populations — like the Victim Services family information liaison unit, Victoria Faulkner Women's Centre, and the Yukon strategy on MMIWG2S+, or funding for disability services to increase the volume of flu vaccines — we are maintaining the services that Yukoners expect, expanding our programs to deal with the growing population, and ensuring safety and economic stability during the pandemic. We recognize the importance of balancing our economy with the health and safety of our residents, and we are implementing programs to put Yukoners and Yukon businesses on a sure track to recovery.

I would like to now turn to the supplementary estimates in terms of capital spending decreases. The overall \$3.7-million decrease is due to delays in the Dempster fibre project. Permitting delays meant that most of the work that was expected on this project in 2020-21 will be deferred to the next fiscal year; however, this is offset by moving forward with the Mayo-to-McQuesten transmission project and the battery storage project — two significant and critical Yukon Energy projects to give Yukon added reliability and sustainability. Together, there is \$9.3 million allocated for these projects.

These projects are indicative of a growing territory that has growing needs. These needs are being responded to with actions such as expanding the IHealth information network and finishing additional work at the Whistle Bend continuing care facility.

Mr. Speaker, there are also changes to recoveries included in the first supplementary estimates; particularly, there is an increase of \$59 million for operation and maintenance recoveries. Over 90 percent of this is related to funding from COVID-19 programs and services. That includes funding measures in schools to protect students and staff, financial support for lower income workers for the delivery of essential services, funding for sports organizations affected by COVID, funding to keep flights coming in and out of the territory, and of course much of the funding for health care services.

On the capital side, there is a decrease in recoveries. As I mentioned, the Dempster fibre project permitting delays mean that recoverable funds expected to come back this year will also

be pushed to next year; however, new areas of capital spending will take advantage of federal funding opportunities. New energy investments are 100-percent recoverable and nearly two-thirds of the investments in the IHealth information network are recoverable. We will continue to invest in this territory and take advantage of opportunities that can build capacity for a growing Yukon.

Mr. Speaker, it will be no surprise that there are also forecasted changes to revenue in the first supplementary estimates for 2020-21. The COVID-19 pandemic did not just have an impact on how much it cost for supports but also in how much we took in. We are forecasting a \$10-million decrease in own-source revenue from taxes and from fees. That's from collecting less personal, corporate, and fuel oil taxes. As well, there will be fewer revenues from the fees associated with outdoor pursuits as fewer tourists were able to visit. This includes camping, hunting, fishing, and wilderness tourism fees. Some industry fees — including aviation and mining — have been waived, decreasing those potential revenues as well. We recognized early that one way we could support local businesses and industry was not just by providing funding but rather by eliminating some of the costs in the form of fees.

Another example of creative ideas to help Yukoners in these uncertain times: the interim outlook. Sorry, I'm going to pivot to the interim outlook.

Mr. Speaker, this week, we also released the *2020-21 Interim Fiscal and Economic Update*. It reveals that, in the face of the COVID-19 pandemic, Yukon has seen significantly higher levels of spending to support public health measures and help to mitigate economic disruptions.

Despite increasing funds from the federal government, impacts of the pandemic — including spending on public health measures — are the primary driver of a downward revision in the surplus projections. The result is a forecasted deficit in 2020-21 of \$31.6 million.

There was a lot of talk this summer from the opposition about the spending that was taking place this summer — talk of a huge supplementary to come, with no oversight. I find it interesting to note that this supplementary — during a pandemic no less — is still smaller than some that were tabled by the previous government.

A key priority of this Liberal government has been to implement strong financial management after years of uncontrolled spending. The strong pillars this government has implemented in the last four years remain in place.

As with most jurisdictions across Canada and around the world, Yukon has seen a decline in economic activity in recent months. While still positive, Yukon's real GDP is now forecasted to grow by 0.8 percent, below the March forecast of 6.2 percent. We are one of only two jurisdictions forecasting positive GDP growth for this year. That economic growth remains positive due to the underlying momentum in the economy that predates the pandemic — particularly, increased production from Eagle Gold, Minto, and later this year, we hope, from Keno Hill mines.

In order to keep Yukoners safe, mandatory self-isolation requirements have restricted Canadians and international visitors. This public health measure has resulted in a significant reduction of the 2020 tourism season, which also translated to a reduction in Yukon's real GDP forecasts.

Overall, the COVID-19 pandemic is adding a greater uncertainty to the outlook. Factors like the duration of the outbreak, the potential for a second wave, and the timing of vaccine development are all key factors and they continue to impact Yukon's economy.

I would like to conclude my remarks by reflecting on the last six months. I know that it has not been easy for Yukoners. Yukoners have been isolated from friends and family, unable to easily leave the territory or welcome guests. The concern over the virus has been real, even as measures have prevented any significant community spread locally, but these measures that kept our territory healthy and safe have a lasting impact on many local businesses, especially the tourism sector.

I want to acknowledge that much of the credit for a successful response to the global crisis begins with the people of this territory. To citizens who have been following the "safe six", to businesses that have adapted to new ways to serve customers, and to our essential front-line workers who keep us safe and provided for us all throughout this, I want to say my most sincere thank you.

Mr. Speaker, changes to our supplementary estimates have helped those hit the hardest and we will continue to look for ways to help those who are struggling. We have had to evolve our efforts and measures over the last six months and we will continue to evolve.

So while the first supplementary estimate for 2020-21 is large, it speaks to an even larger and uncertain issue: a worldwide pandemic. It will not go on forever, but we need to make responsible financial decisions in order to come out of it on the other end strong. This is not the time to be tentative in our approach to spending. It is the time for the government to support its people.

We are on a good path forward, even if it is not the path we expected to be on just six months ago. Today, our Liberal government presents a responsible first supplementary estimate, and I invite members to treat Committee of the Whole as an opportunity to request further details on any of the areas included in any of the line items and any of the supplementary estimates — and I thank them all. I thank everybody for the time today. I look forward to other members' comments as we go through second reading here today.

**Mr. Cathers:** In rising to this as Official Opposition Finance critic, first of all — since it is my first opportunity of the fall to get up and discuss the budget — I would like to thank my constituents in Lake Laberge for their continued confidence and support in my job as MLA for Lake Laberge and to thank my colleagues for their support in my role as Finance critic and in my other roles I perform on behalf of the Official Opposition caucus.

I would like to note that 2020 has been, for many people, a tough year. I recognize, and my colleagues recognize, that

while the year has been challenging for everyone, these tough times have been much harder for some people than for others. It's probably fair to say that almost everyone has adjusted their life to some degree because of the pandemic and its restrictions. For some, it has meant much more.

For some, it has meant a loss of income and the possible loss of the future that they had planned. For many business owners who had approached the 2020 season with optimism, they are now facing an uncertain future, and some don't know whether or not their businesses will be able to survive this pandemic.

In these unprecedented times, while we recognize that there is a need for government action, including public health restrictions and increased spending, it is also a time that, along with that unprecedented spending and unprecedented restrictions, there should come increased public input and public consultation and increased democratic oversight and debate. At the start of this pandemic, if we take it back briefly to when the Premier tabled the budget — he gave the budget speech in March of this year — the Premier and his colleagues had been very slow to recognize that there was a global health crisis emerging. The budget speech contains some remarks that were outdated when they were delivered, claiming that the Yukon's economy is strong — for example, on page 4 — and talking about record tourism numbers and predicting that these would only grow in 2020, which, again, it did on page 5 of that budget speech.

Now, recognizing what was happening, my colleagues and I asked the government a number of questions during the very short Spring Sitting, before it was wrapped up due to the pandemic restrictions. At that time, we saw in the first week the Premier and his colleagues largely batten down the hatches, claiming that it would be business as usual and defending their projections rather than realizing what was going on all around us.

In saying that, I am quite aware that the government was caught off guard and it was simply slow to recognize what was occurring. I recognize that, in fact, for many people — whether elected or unelected — the events this year have caught people by surprise and it has taken time to wrap their heads around them, but a pandemic is not an excuse to avoid accountability. It is not an excuse to physically distance yourself from democracy or to refuse to call the Legislative Assembly for half a year. With unprecedented spending should come increased public consultation, democratic oversight, debate, and accountability — not less. With unprecedented restrictions on people's lives should come increased public consultation, democratic oversight, debate, and accountability — not less.

When business owners were seeing their income hit hard by the impacts of the pandemic and seeing the very future of their businesses and in some cases their families who depend on them for their livelihoods in doubt, there should be increased public consultation, democratic oversight, debate, and accountability — not less.

When parents are worried that changes to the education system related to the pandemic may cause serious harm to the education of their children and are worried about their kids and

their future, there should come increased public consultation, democratic oversight, debate, and accountability — not less.

When substance abuse issues are growing and more people are experiencing negative impacts to their mental health related to the pandemic, there should be increased public consultation, democratic oversight, debate, and accountability — not less.

In talking about the supplementary this year, again, we do recognize that some increased spending related to the pandemic is of course required. We agree as well that some public health restrictions were needed. But because — as I noted in beginning my remarks — this is affecting people differently, it's important to recognize that government doesn't have all the answers and certainly the Liberal caucus does not have all the answers, nor do they even understand fully the impacts this is having on some Yukon citizens. As members will know, at the outset of the pandemic, the Official Opposition proposed an all-party committee to deal with the pandemic and the response to it and that suggestion was rebuffed by the government.

Again, Mr. Speaker, my colleagues and I continue to listen to Yukoners who are affected by this. As I mentioned, the effects are different. The rules that are working well for some businesses are not working well for others. We've heard from Yukoners who think that the rules should be more open, allowing more activity, and those who are concerned about the public health risks under the current rule and would rather see other measures taken. What's important in a democracy is that everyone's view and everyone's livelihood — everyone's life — matters. So the government did not need to be fearful of public consultation or democratic debate, nor did they need to fear Question Period during the summer. These are opportunities to debate what is a substantial health crisis but also a substantial economic one.

In the supplementary estimates, the Premier downplayed the increased spending and minimized it, hoping that people would not read the total amount and do the calculations on it. If we look at the two budget bills that were presented on Thursday of this Fall Sitting, the total increased spending when you tally up the additional \$7.6 million that was spent in the 2019-20 fiscal year and the increased spending in this budget here now, with an increase of \$114.8 million, that in total is a \$122.4-million increase since the spring of this year. \$122.4 million is a large number, and for some people, it may not immediately relate to their lives, but if you compare that to the Yukon population of 40,000, that is over \$3,000 in increased spending per person in the territory. That is over \$3,000 that, if it's not coming from the federal government, it is coming from deficit spending. Those matters are very relevant to the public.

While I want to note that we do not disagree that some of this spending was absolutely necessary, when we see numbers touted about such as \$33 million in increased spending in health related to the pandemic for which we do not yet have a reasonable breakdown, we are left, on behalf of Yukoners, having to remind the government that this is the public's money. It is not just the business of MLAs but in fact of every citizen in the territory as to where the money is being spent and how it is being spent. People deserve to see a breakdown.

Also, at a time like this, the fact that it is a pandemic does not excuse the government from the tough questions about whether it is making the right decisions or whether in some cases it is unnecessarily spending money or spending it inefficiently or wastefully. For example, in the spring, the Liberals yet again increased the size of government by hiring more full-time equivalent positions. This is from the same government that, according to their own statistics, in the first two years of office alone, increased the number of government employees by 10.4 percent. We have seen that as a consistent pattern with every budget.

Every year, there is a significant increase in the number of government positions, while the government bizarrely presents itself on the other hand as getting out of the business of doing business and while taking on areas such as when they unnecessarily entered into cannabis retail — before they eventually backed out in embarrassment — and when they have taken over from NGOs that were offering services and ballooned the Department of Health and Social Services through their inability or unwillingness to work with Many Rivers and the Salvation Army — just to name two examples of the many NGOs this government has had a broken relationship with.

Those increases matter. So again, we see an increase on top of the increase they included in the main estimates this spring; the new plan presented to us now has 88 full-time equivalent positions for government. That is on top of the spring increase and the previous 10.4-percent increase. This is at a time when — while we do recognize that there are new duties that have been created — we have also seen situations where some government employees have seen their duties change substantially. So we have the obligation to ask, on behalf of Yukoners, why those increases are necessary and could they not have been accomplished within existing resources, including through people who could potentially be doing slightly different duties related to the pandemic.

I want to note that, in addition to the private sector, I do recognize that this has been hard on government employees in some areas as well. It has caused, for people across the territory, great adjustments to their life and to their daily routine, and especially for parents and those caring for other family members, it has required dramatic adjustments to their routines that have made it tough for many people. I don't dismiss the challenges that anyone is facing, but I would point out in this that government — again, we have seen the pattern of the Liberal government to increase spending every time it turns around. While some of that spending, in every budget bill we have seen, has always had a purpose to it, we have always been able to see areas where that spending was unnecessary. In this case — though we don't yet fully have the breakdown — increased spending of \$3,000 per every man, woman, and child in the territory is significant. When we see the number of those positions that are increased in areas that have nothing to do with the pandemic, again, we're left questioning why this Premier's and this Liberal government's reflexive response to every situation seems to be to grow government and to increase spending.

Ultimately, someone has to pay the bill for the deficit spending. If the federal government is not increasing spending related to the pandemic, it is coming from Yukoners in the future. You cannot simply spend that money without having to pay that money back at some point in time. Someone has to take responsibility for that.

So, Mr. Speaker, in this area — while we're concerned about the increased deficit spending, we're concerned as well that again — though the government has modified their talking points since the spring and they have recognized that the tourism sector and some sectors of the economy have taken a major hit — actually, a massive hit — we still see them bragging about the GDP forecast while businesses are closing.

If a certain sector — if operating mines are leading to an increase in the GDP, of course that has positive impacts. But for businesses that are not benefitting from it — for businesses — especially those in the tourism sector — that are dependent on a tourism season that basically never happened and are wondering whether they can keep the lights on until next year — if there is even a tourism season next summer and next winter — these people are concerned.

The government's rhetoric, quite frankly, is out of touch — to go on about how rosy the picture is here in the territory and how well our GDP compares to other jurisdictions and to fail to recognize that's pretty cold comfort if you're operating a business or used to be employed by a business that is in a sector of the economy that took a massive hit this year and you're seriously questioning what you are going to be able to do to feed your family and to pay your mortgage, and if you're a business owner, to keep that business running.

So we're looking for more than platitudes from this government. We're looking for the government to actually live up to the rhetoric about cooperation and actually walk the walk instead of just talking the talk. As we noted in March, at the outset of when this was officially declared a pandemic, we were prepared to work with the government collaboratively — and we are now — to try to work together in the best interest of Yukoners, recognizing that collectively our territory — and the world — is facing a health and economic crisis that has not existed in our lifetimes — and indeed, we have to go back to events like the flu pandemic in 1918, the Great Depression, or wartime situations to find examples that are even comparable in terms of the turmoil that they create.

So again, there is an opportunity to work together. The government has talked the talk at every turn but has failed to follow that up with real action and a real willingness to work with us.

We have seen other areas related to the government's misuse of the emergency powers under the *Civil Emergency Measures Act*, ministerial orders that could have been subject to public consultation, either prior to being issued or after the fact — again, noting that we do recognize that there have been times throughout this pandemic, especially at the beginning, when quick action was necessary — but as we are into month 7 of the pandemic, there is no excuse for the lack of public consultation. There is no excuse for the lack of consultation

directly with businesses that are affected by these provisions and with citizens who are affected by these provisions.

Government could be asking people, “What is working and what we can do better?” While it would not be possible, of course, to keep everyone happy, government could be listening. For a party — a government — that campaigned on a promise of “Be Heard”, the lack of willingness to follow through on that, the lack of willingness to work with other parties has been disappointing — not surprising, but disappointing.

We saw as well this summer the government quietly issuing a press release announcing that the Yukon’s debt limit had doubled from \$400 million to \$800 million. This is despite the fact that the Yukon had used only about half of the previous debt limit. We know that the request was made in secret by the territorial Liberal government and it would allow them to saddle future generations of Yukoners with this debt — a massive amount of debt — without prior public debate or democratic accountability. The fact that the Premier asked the federal government to double the debt limit despite repeatedly denying in this House prior to that that he had any interest in doing that is, in my view, neither accountable, democratic, or transparent.

If the government wishes to borrow an unprecedented amount of money — whether related to the pandemic or some other priorities — it really does require debate, because future generations of Yukoners should not have to pay the bill for this government’s spending, especially if that spending is not subject to the prior scrutiny of Yukon citizens and the Yukon Legislative Assembly. A decision to burden future generations with massive debt should never be made behind closed doors by just the seven members of the Liberal Cabinet. Yukoners deserve better from their government.

I would point out that the number of times — we have come up with a list — no less than three times — of when the Premier assured this House that he had no interest in increasing the debt cap. Then, of course, they didn’t follow through. He did exactly the opposite of what he promised.

Again, I want to touch on the fact related to not just the spending contained in this budget, but also the decisions made by the government during their holiday this summer when they were not being accountable to the public in the Legislative Assembly. Yukoners were gravely concerned about the impact that these measures were having on their lives, including Yukoners who have taken the government to court, believing that the actions were unconstitutional. Ultimately, we continue to argue that people have a right to see the information, that there is a right to informed public debate, and that there should be democratic oversight and debate of the decisions government makes rather than seeing the seven members of the Liberal Cabinet make the decisions about what spending is required and what public health measures are required and fail to involve the Yukon public during a time when we are facing a crisis that we have not faced in our lifetimes.

As I stated before, while there is a need for increased spending and while there is a need for public health restrictions, with unprecedented spending and with unprecedented public

health restrictions should come increased debate and increased accountability, not less debate and less accountability.

Mr. Speaker, there are some positive things contained within this budget. Again, we do recognize that there are some areas where the government’s response to the pandemic has been good, but in the areas where it could be improved, that public debate and dialogue are important parts of improving it. Unfortunately, the government has not been listening.

I will give a few examples where I am pleased to see increases here or continued spending in this budget. There is the 1Health project — the Meditech replacement project. It is positive to see it moving forward. I do have to remind the Premier and the Health minister that this is an area that they were slow to act on. I have been raising it on behalf of our caucus and Yukoners since the spring of 2017.

We are pleased to see that the government is finally moving to increase the medical travel rates after over two years of delaying in response to requests from the Yukon Party Official Opposition.

Mr. Speaker, I would note that we will get into some of the details of this budget in Committee, but I would like to just briefly touch on a matter that is both a constituency matter and is related to the success of the agriculture sector. Government, despite being very quick to shut businesses down during the pandemic, has been slow to respond and recognize when businesses are in need of the government working with another level of government to help them, and that is in the area of the impact particularly to the agriculture sector, but also to other businesses in my riding as well as south and west of town outside of city limits that have been impacted by the sudden lack of availability of commercial garbage service. That is related to an area where, if the Yukon government were working as they should be with the City of Whitehorse, this problem wouldn’t exist.

As the ministers know, over 70 percent of the Yukon’s farms, including a number of our largest producers, are in my riding of Lake Laberge, and many are directly affected by this change that is preventing them from having commercial waste-hauling service. Again, for anyone who is not aware, that was at their own cost. They paid for that service, but despite the fact that it was a month ago that I wrote to the Minister of Energy, Mines and Resources and the Minister of Community Services about this problem — I know it has been raised with them directly as well by people prior to that. While I have received a response from the city about this issue, I have yet to receive a response to my letters from either the Minister of Community Services or the Minister of Energy, Mines and Resources, despite the fact that this is a problem directly impacting farmers and other businesses, including tourism businesses that had already taken a hard hit this year — and retailers — and it’s impacting services to residential customers, including creating a risk of increased wildlife attraction due to the lack of waste-disposal options. We see again a government that has been quick to shut businesses down but slow to act when businesses need help.

Mr. Speaker, I would just encourage them to recognize the issue. As I asked earlier in my initial letter — which was much

more collaborative in tone because I was hoping they would listen, recognize the urgency of it, and act — all I am suggesting is that the government work with the city to come up with an agreement that allows this service to continue. During the time that they have failed to act, that waste has to go somewhere. Seeing it burned or dumped in ditches is not a very environmentally responsible solution.

Again, Mr. Speaker, government needs to work with these businesses and work with others who have been affected by the pandemic to respond to their needs and to balance public health restrictions and other situations with the needs of the private sector rather than simply sticking to their talking points in Question Period, reading from budget speeches and supplementary budget speeches that tell us all how rosy the situation is in the territory because of comparing GDP numbers to GDP from other situations. It is time for the government to get out of their ivory tower and listen to Yukoners.

I will leave most of my comments on the budget until later. I look forward to hearing more in Committee. A significant amount of the information that we rely on to scrutinize the budget was just provided to us late this morning, so in some cases, we are still analyzing the information that we have received. We are concerned, of course, that the government has made a downward revision to the forecast deficit of \$31.6 million.

We are pleased that there is a more realistic assessment than there was in the spring about the potential for problems related to surges in infection rates throughout the autumn and winter, which could require extended public health restrictions and additional need for economic and financial relief. Just for the reference of Hansard, I am quoting from page 2 of the *Interim Fiscal and Economic Outlook*.

Another area that I am concerned about is the assumption in the government's projection for future years about increased GDP growth, including the recovery of the tourism sector. We have yet to see information presented that really backs up that optimism with information.

I recognize that, for every government, this is a time of change. It is difficult to fully understand the impacts of something as unpredictable as this pandemic. That being said, when government is providing predictions and projections — including when they're spending into the red today and assuming that, in future years, they'll be able to pay it back — the public does have a right to detailed information about how government is coming to those assumptions. While hope is important, hope is not a solid enough basis for future projections.

So, Mr. Speaker, I would ask, in wrapping up my remarks, that we see more detailed information coming from the government related to the increased spending, including where they have seen reductions in certain areas that have offset some of the increases and where reallocation between departments has occurred. I would again note that we've seen a significant increase in this budget unrelated to the pandemic and that of course is concerning.

Another area that I would like to highlight is the fact that there has been an impact on people in that increased Internet

usage has become a very common thing across the territory. As was debated earlier in the House and as has been the subject of a letter sent by the Leader of the Yukon Party to the federal minister regarding the coming cessation of Xplornet services, this is affecting hundreds of Yukoners, including people in my riding, placer miners throughout the territory, people with outfitting and tourism camps, and many others. I have constituents who are just out on the Mayo Road area or in Ibex Valley who are dependent on Xplornet right now — to see these people without an option, in some cases — because many of the people who will be losing the service do not have cell service and do not have the option of accessing Northwestel's direct services.

It also relates to the long-standing request and proposal coming from the Yukon Party Official Opposition to the Liberal government that government invest in working with the private sector to expand cell service to areas throughout the territory that are not currently served. Unfortunately, we've heard a lot of platitudes and have seen absolutely no response on that area.

Within my riding, the unserved areas where people have asked us to bring forward a request for cell service to the government repeatedly include Grizzly Valley, Deep Creek, Fox Lake, and areas in the Ibex Valley that don't have proper service. There are areas within the Member for Klwane's riding — that includes Mendenhall and Champagne — and in the Member for Watson Lake's riding — that includes Junction 37. Again, these are areas where hundreds of people throughout the territory are needing communication opportunities and are forced, in some cases, to rely on satellite service that may be ending at the end of the year without having the opportunity for cell service or the availability of service through Northwestel.

Unfortunately, we see a Liberal government that has been long on platitudes and very light on action in this area. People who are asking for cell service in their areas and in their communities would like to see action, not words. People who are losing Xplornet service — it is good to hear that the government is attempting to lobby the company to come up with a solution, but whether that succeeds or not, there are still people who are without cell service and have been asking for it repeatedly, while we see the government spending money needlessly in areas that have nothing to do with the priorities of Yukon citizens.

We see other areas, such as — again, touching on an issue that is important to my constituents and to people in the riding of Watson Lake — the Minister of Highways and Public Works at the moment is bizarrely proceeding with installing more street lights than my constituents want to see on the corner of the Alaska Highway at the Mayo Road intersection by the Cousins Airfield Road while meanwhile turning down the request by 370-some residents of the Watson Lake area who would like to see street lights on the Robert Campbell Highway.

Listening to the public is an important part of making good government decisions. I would hope that the minister would reconsider that matter and recognize that there is an easy and obvious solution to replace the lighting in my riding at a level comparable to what it was before, which would make people

there happier, and an opportunity to respond to requests that have been made for two years — it might even be three years — by the people of Watson Lake for increased lighting for safety in their area.

Mr. Speaker, I would like to just talk as well about another area in terms of the government's projections for future GDP growth and the economy. They appear to be making assumptions about the timing of when a COVID-19 vaccine will be available as well as its viability. We don't have a lot of detail yet on what they're basing those assumptions on. Again, we recognize that government — that every government is to some extent struggling with predicting exactly what the impacts of this pandemic will be; however, we believe that the public has a right to the best available information the government has about what assumptions they're basing their projections on — whether it relates to vaccine viability and availability or to whether the tourism sector will recover due to the potential impacts to the cruise ship market, to name one, as well as international travel, to name another.

With that, Mr. Speaker, I think I will wrap up my remarks for the moment. I look forward to hearing other remarks from my colleagues, and there are a number of other issues — including related to individual departments — that I will look forward to touching on either in general debate on the budget or on those individual line items.

In conclusion, I would say what we're looking to see from this government is more information, more accountability, and more transparency.

**Hon. Ms. Frost:** Mr. Speaker, I'm very pleased to rise today to share my thoughts on the supplementary estimates in this House for all Yukoners.

In particular, I am deeply honoured to have the opportunity to represent my community of Vuntut Gwitchin to speak to the members of my riding, my home, about this supplementary budget and what it means to them, this territory, and their government.

In all the work that I do, I will always bring an indigenous perspective, indigenous values, and indigenous commitments. The time that I give to Yukon and to Yukoners will always be with the focus on reconciliation and on appropriate supports and programs.

The time away from family, the time away from my community, and the time away from the land that I love to do the work in shaping the fundamental changes of Yukon is necessary. It is necessary for a better tomorrow and for a better future for the people of my community and for all Yukoners.

I want to just start by acknowledging the public servants for coming in day in and day out, for working virtually and showing up every day because they care. They care about services for Yukoners. They care about essential supports for Yukoners.

I want to acknowledge the Minister of Community Services and his efforts. Every week, he has reached out to the communities. He has worked with Yukon First Nation chiefs. He has worked with executive directors. He has worked with the municipalities.

With respect to some of the comments — slow to respond to a recognized crisis — I would say that we acted very appropriately and in a very timely fashion. We did not play down the budget. We did not play down our responsibilities. In fact, 25 percent of the budget from last year went toward COVID expenses. We had to act quickly.

We just came off of a Yukon Forum three days ago. It was the 14<sup>th</sup> one that we have had in our term in office, compared to the previous government. That shows that we are committed to listening. We are committed to partnerships. We are not downplaying anything. We are working in collaboration with our communities.

As the Minister of Health and Social Services, Environment, and Minister responsible for the Yukon Housing Corporation, I recognize the privilege that I have been afforded to do this work. My work will continue to be guided by the realities of my constituents, and I thank them deeply for their voice and their support.

These past seven months have been unprecedented, and even in the midst of responding to the COVID-19 health pandemic, work has continued on the issues that matter most to Yukoners, and that work will not stop — it can't, because we have come so far.

In four years, we are now in a place when prevention, preventive care, and people-centred health care are possible, where housing solutions are collaborative and ideas become results and where, for the first time, Yukon has an environmental road map for a clean future.

Finding the good is always possible in times of deep change, and the pandemic has required us to adapt and innovate new ways to deliver programs and services across all departments. Much of the work already underway was quickly accelerated by the COVID-19 health crisis, which overnight demanded the need for more virtual health care options, greater supports for preventive health care, and improved access to daycare for parents.

At the same time, we saw an increased demand on our health and social systems. We saw a dramatic increase in the use of Yukon's parks and campgrounds. So our government responded to the COVID-19 crisis. We have also picked up the pace on our chartered course, and that is to ensure that we have better supports for Yukoners. The work is reflected in these supplementary estimates, which shows how our support nets got wider quickly as we launched a whole-of-government response to the pandemic.

It is also important to acknowledge what this budget doesn't reflect, and that is public servants who adapted and took on more — such as environmental enforcement and inspection officers who contributed heavily to the front-line work with border checkpoints or the health care workers who took on new positions and duties to help our territory respond to COVID-19.

I am so humbled and grateful for the work of Yukon government public servants. As members of the Liberal caucus, we have all worked tirelessly to collaborate on the right response. Deputy ministers and their staff were right there with us. Significant challenges were faced by all departments this



year as, globally and locally, we attempted to respond to COVID-19.

Our government continues to strive toward citizen-centred, person-centred values, while ensuring that our budget is spent in a way that supports Yukoners to lead healthy, happy lives. It was money well spent, and it is worth acknowledging that Yukon government staff have done what they have done and continue to do an incredible job of protecting Yukoners from the threat of COVID-19.

More than ever, we will continue to work as a team to support Yukoners and respond as one government. Our government — and the Department of Health and Social Services — considers the health and well-being of Yukoners to be of paramount importance. Our financial commitments acknowledge this. The pandemic response required new spending for items like the COVID-19 response unit and isolation centre, PPEs for our critical care workers, COVID-19 testing, and a respiratory centre. These supplementary estimates provided for a comprehensive and coordinated program and services to meet people's needs at all stages of their lives. Reports and actions such as *Putting People First*, aging in place, and *Embracing the Children of Yesterday, Today and Tomorrow* and our response to the recommendations of the Blackjack inquest all show that reinvesting in and revolutionizing our health system is a priority for this government.

Meanwhile, though, we forged ahead with the *Putting People First* action plan, which sees us working to increase medical travel subsidies, the implementation of the IHealth information network, the development of options for universal childcare, and much more.

Already we have a nurse practitioner accessible in Mayo and Pelly, with more to come. There have been enhancements to the vaccine program, increased accessibility to them through expansion of the pharmacists' scope of practice, and we now lead the country in supports for type 1 diabetes as the first jurisdiction in Canada to fully fund constant glucose monitors.

Our departments have worked extremely hard to ensure that First Nation children are cared for by family and community whenever possible, rather than being brought into care. This step forward should be celebrated even while we strive to do better through our partnerships in amending the *Child and Family Services Act*.

We have been expanding mental health services, improving access in the communities, and are in the midst of hiring staff to implement a territory-wide midwifery program.

Mental health services are one of many examples of where our previous work has served us well through the pandemic. When I took office, there were two rural mental health support workers; now we have four mental wellness and substance use hubs serving rural Yukon. We have worked hard to ensure that those who are struggling in our communities do not face additional hurdles in accessing services.

While we all acknowledge that the Whitehorse Emergency Shelter faces many challenges, we have brought together a number of social supports under one roof. Mental wellness and substance use services, Emergency Medical Services

paramedic supports, the psychiatric outreach team, and others are working toward Housing First strategies for those in need. The issue facing the shelter are historic, community-wide, and systemic. It will take our community to acknowledge and address this situation. We consider it a priority, and we are doing our part. This summer, we released our community safety plan, and developments continue with our partners on this and other fronts. Yukoners have sent a clear message that housing is a priority, and we are listening.

I want to just say, Mr. Speaker, that as I'm speaking, there are members in this Legislative Assembly using profanities, and I can hear it very clearly. I would please acknowledge that this language be refrained from as I'm speaking about our most vulnerable citizens in our community and the importance of the health and well-being of Yukoners. I would please ask that the language be refrained from being used in this House.

Yukoners sent a clear message. In keeping with my promise to find collaborative solutions, we now have 350 affordable units at various stages of completion and construction throughout the territory, resulting from our housing initiative fund. We have over 600 units that we put in the market in the last three and a half years.

In keeping with the housing action plan, aging in place, and *Putting People First*, we are happy to be partnering with local businesses and governments on the construction of Normandy Manor, which fills an important gap in the housing continuum, meeting the needs of seniors who want housing with support services such as meals and activities.

We also continue to partner with the Challenge Cornerstone mixed-use project, which will soon provide 53 units in downtown Whitehorse, 46 of which will be affordable rental units.

Underway as we speak, and helping us to achieve the goals of our clean future, is our 47-unit community housing development. This development is being built to the highest energy standards possible and follows the leadership in energy and environmental design, or LEED, energy ratings. Ten of these units will be barrier-free, and all of them will support clients across the housing continuum, from homelessness to affordable rental.

Again, this was all work that continued despite our required response to COVID demands, which prompted actions such as the rent-assist program that provides supports to over 150 households to ensure that no one lost their housing due to lost income during the pandemic.

The pandemic has also required us to adapt and innovate new ways to deliver programs and services across all departments. Yukoners were ready to take advantage of this summer's staycation, and once campgrounds opened, they quickly packed up and headed outdoors. The Department of Environment adapted by delivering online education and events rather than in-person gatherings and encouraged clients to use the online system for hunting and camping permits. The demand for clean, safe, and quiet campgrounds continues to grow, and it is clear that this is an important topic for Yukoners.

Guided by the Yukon Parks Strategy, we will continue to invest in our campgrounds and parks to support local economic

recovery and a positive camping experience. Within the next five years, a campground near Whitehorse will be built with 150 new campsites. The strategy sets the long-term direction for Yukon's territorial parks system over the next 10 years and it outlines the values of how we manage our system of parks along with First Nations and Inuvialuit partners.

Our health and well-being is holistic. It has been particularly important for Yukoners to have space to get outside during COVID. Yukoners want healthy outdoor spaces and thriving, vibrant landscapes for our future generations to enjoy.

As northerners, we can see and feel that the climate is changing. It is a priority for this government to take part in the global shift to reduce greenhouse gas emissions, build a greener economy, and fuel our lives with clean and reliable energy. Last month, we proudly released *Our Clean Future*, an ambitious territory-wide plan that sets out a road map for our long-term response to the climate change emergency and puts us on a course to reduce Yukon's greenhouse gas emissions by 30 percent by 2030. These ambitious targets include increasing renewable electricity on Yukon's main grid to 97 percent and increasing renewable heating in Yukon buildings to 50 percent.

Through 131 specific actions, we will reduce greenhouse gas emissions, enhance energy security, prepare for the impacts of our changing climate, and employ Yukoners in the green economy. The strategy outlines clear targets, timelines, and evaluation criteria. We also added a new target to reach net zero emissions for Yukon's entire economy by 2050. We look forward to continuing to work with our partner governments and our communities that are championing initiatives and that have also contributed their own actions to our clean future.

Over the next decade, the Government of Yukon, in partnership with the Government of Canada, will invest over \$500 million to implement this strategy and create new jobs in our green economy. I am proud of the work undertaken by the Liberal caucus to lead the government-wide efforts to respond to COVID-19 while still providing services despite the uncertainty that the pandemic has caused. Our government continues to strive toward citizen-centred — person-centred — values while ensuring that our budget is spent in a way that supports Yukoners to lead healthy and happy lives.

Mahsi' cho.

**Mr. Istchenko:** It is my pleasure to rise, as the MLA for the great riding of Kluane, to speak to Bill No. 205, entitled *Second Appropriation Act 2020-21*.

I first want to thank my family and friends for their support and often their guidance and trust. I would also like to thank the constituents of Kluane for their support. In my over nine years representing this riding, I have learned a lot and seen a lot of people do a lot of great things.

This is a riding made up of resilient, hard-working Yukoners. Never has that been more evident than this year, when we saw our tourism industry and highway traffic industry devastated. The Kluane riding relies heavily on the Alaska Highway to support its economy. We are particularly heavily hit by the ongoing negative impacts caused by the restrictions placed on the economy.

Since the very short Spring Sitting of the Legislature, I have been busy in the riding in a different way than I usually am: meeting with constituents, listening to concerns, and trying to help find solutions. In a regular year, this is the bread and butter of being an MLA. But in 2020, when nothing is normal anymore, this job takes on a very different look. With limitations on gatherings, limitations on meetings, and limitations on everything, it really changes the dynamic of engaging with constituents. This means that our old friend — we all love it — the phone became one of the most important tools of democracy. E-mail use skyrocketed. In fact, I don't think my inbox has ever seen so much activity. Facebook became an even more important tool for reaching out and listening to constituents.

Finally, the word "zoom" — something previously associated with a car commercial — entered everyday use as the number one way to conduct business. In fact, Zoom stopped being the thing you simply downloaded and started being something you did to stay in touch. People just started saying, "Oh, let's Zoom each other." The pandemic sure has changed how we do business as MLAs in rural ridings. In fact, to say that things have changed and that it has been a challenge is an understatement.

Every day, I know that this has been the case for all my Yukon Party colleagues. We have received questions, concerns, and issues from constituents. Many of these issues would have been best addressed if the Legislature had been sitting, of course, so that we could ask the government direct questions for answers and help improve the government's response to this pandemic. As you know, the Liberal government refused to let the Legislature sit. Every other jurisdiction in the country sat or had committees meet to allow for democratic oversight. The Yukon's Liberal government instead shut it down. They wouldn't even let committees meet to discuss the pandemic.

The Chair of the Standing Committee on Statutory Instruments flat out refused to convene that committee despite several requests from both opposition parties to do so. This unfortunately reduced the opposition to only be able to send letters to ministers.

As any Yukoner who has tried to get a hold of a minister through e-mail or letter can attest, they're not exactly speedy in their replies. In fact, I think I had one letter this summer that took the government nearly two months to respond to. I have many letters that haven't been responded to yet. That's just one of a few examples.

These are all issues related to spending actions — and in the case of some, inactions — of government. With the Liberals shutting down the Legislature, with the Liberals shutting down committee work, and with the Liberals delaying and refusing to respond to requests — not just from MLAs but from the general public — in a timely manner, they unfortunately undermine democracy.

If legislatures across Canada, including the Northwest Territories, can find a way to safely meet to allow for democracy to continue, the Yukon can do the same. Democracy is not just something you ignore because the government doesn't perform well in Question Period. We need to be able to

hold the government to account — so that is why I am glad we're back to do this and talk about Bill No. 205 today. Before I get into Bill No. 205, I need to acknowledge all those essential service workers, private sector service workers, and constituents who had to adapt in a hurry to the effects of COVID-19.

I'm so proud of how everyone handled this pandemic in the Kluane area. I'm very confident that we will continue to adapt and carry on with our lives in these changing times. Our RCMP, doctors, nurses, EMS staff, and all our front-line Yukon government, First Nations, municipal staff — I want to thank them for what they do. They adapted and found ways to still provide the service — sometimes having to be creative and innovative, but you got the job done.

To our seniors and those most vulnerable, these times are tough, but we will get through this together. Those who work with our seniors are the best. They sure are. Thank you for taking care of our most important residents.

To the teachers, students, parents — an understatement would be “What a stressful time”. I heard from so many parents and students and teachers. It was a massive job if classes were cancelled, but having access to technology in our homes, you were all getting through it. There were probably a few hiccups along the way — I know — but you did it. Of course, you have to say something to the graduating class of 2020. It was a lot different from anyone else's, but we found a way out there to celebrate and it was awesome. Thanks to everyone for making that happen.

To all the community leaders, thank you for helping to stickhandle through these trying times. We are starting to see the economic impacts of this pandemic. Many of us are very fortunate to have jobs, but many others unfortunately lost their jobs, their businesses, and their savings. That's where this gets real. There are people suffering due to the pandemic. But the riding of Kluane is so dependent on the tourism market. Even today, I just noticed a post on Facebook — one great event in our community that happens in the spring, the bluegrass festival, has been cancelled. That is an economic driver for us.

Unfortunately, through the pandemic, this is where there was a major lack of leadership from the Liberal government. Talk to anyone in the tourism sector in my riding, and they'll tell you that the Minister of Tourism and Culture, in the beginning, was nowhere to be seen. That is what's really disappointing. At the time when the minister was needed the most, she was not there. The advertising campaign to British Columbia was delayed until the industry came out and criticized the Liberal government for being slow to act. This is a bit of a theme with this government: They don't take action until it's a bad news story.

But the tourism industry is innovative. The hard-working people in that industry knew that they couldn't wait for the minister to start taking action, so they started to act on their own. They began to innovate, promote, reinvent, advertise, and support themselves and our other local businesses. It will be awhile before things get back to normal, so we need to adapt to the times. We need to do a better job of building resiliency

within the industry and we need better promotion by the government of local tourism.

My riding, in particular, needs more Yukoners to go there and spend money. Our business community has adapted and done very well, but we need to buy local and we need to support them because they support our communities. As the MLA for Kluane, I will continue to fight for them and hold this government to account. I will continue to pass on ideas and constructive criticism. I've been hearing loud and clear from my constituents that they are not being heard or listened to by the government. Constituents have concerns with how the Liberal government's spending, without legislative scrutiny, will affect them. They also wonder who benefited and who will have to pay for this spending.

A few examples are how much more things will cost within all the increased taxes and fees the Liberals are bringing in during the pandemic. These will make things tougher for businesses in my riding to make a go of it. Things are tough enough, so we should be looking at reducing overall costs for businesses. In fact, some businesses in my riding have reported that they have seen more than a 90 percent — I'll say that again — a 90 percent or more loss of business compared to last year.

Seeing the Liberals mess up for the second time on contracting and delaying phase 3 of municipal infrastructure upgrades disappointed so many in Haines Junction — especially the business community. This would have been the year to make sure that the project went forward. Businesses in town sure could have used that business to help pay the bills. It's also too bad that the Liberals once again have refused to put money into the budget for the north Alaska Highway. The conditions of that road — it is the worst it has been in years. Unfortunately, this lack of attention and priority to this highway is due to the Liberals saying that the north Alaska Highway does not benefit Yukoners — incredible, Mr. Speaker.

Another thing that is frustrating — there are so many in this — is the inability of this Liberal government to build a school in Burwash Landing, even though they have put money in the budget every year. This government is just a government that can't get things done, I guess.

In Bill No. 205, we see an increase of \$19.4 million in economic development. We are going to have a lot of questions in Committee on where the money went and how it helped during an unprecedented time in this world. Health and Social Services has increases of \$43 million. On what and how did the funds get spent when we know that the pandemic is taking a toll on our mental health and almost doubling the deaths due to opioid addiction? An increase in the Department of Tourism and Culture of over \$7 million — how does that help the non-existent tourism industry in the riding of Kluane?

Then again, we have to question the lapse of funds not spent in Education. You know, I think this would have gone up as well. You know how important our education is to our youth.

We will be digging into these questions and many more when we get to Committee of the Whole, but unfortunately, Mr. Speaker, we should have been able to dig into these issues throughout the summer. Maybe we could have helped to solve

a lot of the problems that this Liberal government is having, but the Liberals shut down our democracy and our institutions.

So, Mr. Speaker, in conclusion, I do strongly believe in our small rural towns and the lifestyle. I owe my family, my community, and my constituents thanks for their guidance, as always. Unfortunately, I see a rough ride ahead for my riding in the economic recovery from COVID-19. In more than one way, I see a rough road — I can say that.

I see a government that does not take action and does not make decisions. This is creating uncertainty for the residents of Kluane, so I am going to keep pushing this government to make things better for the riding of Kluane. I want to thank everybody for their time today in this House. God bless.

**Mr. Adel:** To the constituents of Copperbelt North and the rest of Yukon citizens, I want to start by assuring them that their health and safety is the number one priority of this government. It is on that note that I rise today to speak to Bill No. 205.

2020 has been an exceptionally challenging year for many Yukoners, to say the least. COVID-19 has presented many new challenges, and this government has been working tirelessly to navigate the uncertain path forward. I would like to start off by saying thank you to my fellow MLAs on both sides of the House for their dedication to the well-being and safety of each and every Yukoner. From the hard-working departments to the front-line workers and, of course, the first responders, everyone has a part to play in these troubling times.

In the spring of 2020, this government tabled a surplus budget. The unforeseen circumstances of COVID-19 have impacted the previously tabled budget in a number of ways, and I would like to take some time to touch on how and why. As any responsible government should, this government follows the advice and recommendations of the chief medical officer of health when it comes to addressing this pandemic.

Throughout Yukon's spring and summer, this government took many steps to ensure the safety of Yukoners. The Yukon remained equipped and prepared to respond to COVID-19 by working closely with federal, provincial, and territorial partners to coordinate bulk purchasing of personal protective equipment. The health and safety of our front-line care workers is important to us. We want to ensure that they are provided with the resources they require to ensure the health and safety of the public. This did not come cheap. We have ensured that our health care workers are following protocols for the proper use of PPE to contain the spread of the virus as much as possible. I would like to think that we have been very successful in our efforts. While PPE shortages have been a cause for concern nationally and internationally, Yukon's level of preparedness has been raised.

A concern that I share with many of my constituents is the treatment and care of Yukoners living in long-term care. Our government has remained committed to ensuring that Yukon residents and staff in long-term care homes remain safe and well taken care of. Today, the active numbers of cases in our long-term care homes remains at zero. The success of this achievement cannot be overstated.

Ultimately, the success of this was predicated on the steps we took to protect residents and staff in the early stages of the pandemic, which included restricting visitors and regularly screening staff for COVID-related symptoms. Of course, it would be entirely unreasonable to expect any families from physically visiting their loved ones in long-term care, which is why we took the steps to provide alternative visits such as window visits, video calls, and outdoor visits.

Mr. Speaker, many Yukoners raised concerns over medical travel during this pandemic. Yukoners want to know that our government is committed to ensuring access to treatment and care when medical services are not available in their home community. Our government made sure that the medical travel program remained operational and available to Yukoners through our response to the pandemic. We continue to work closely with provincial partners so that Yukoners can continue to access out-of-territory care as required.

Our commitment doesn't stop there. The Department of Health and Social Services recently introduced Kelowna and Victoria as gateway cities that provide additional options for Yukoners to access care as required. Mr. Speaker, these added options provide flexibility for seeking medical services in areas closer to potential family and friends for additional support if needed.

The *Putting People First* report put forward many recommendations including the importance of improved coordination of medical travel. The government has delivered. The medical travel subsidy will increase. It will also begin on the first day of travel. Of course, this came with a cost. The supplementary is showing a general increase across Health and Social Services of over \$50 million for the delivery of these programs along with the measures taken to preserve Yukoners from the impact of COVID-19. This kind of action speaks volumes.

The pandemic has impacted our economy in many ways. One of the hardest hit sectors, unfortunately, was tourism. We recognize the importance and value of tourism for Yukoners and are committed to supporting the industry through the global pandemic. Canada's tourism GDP is projected to drop by two times more than the national economy. This drop, as would be expected, leaves many of our Yukon tourism-based businesses in jeopardy. This government's response efforts to this blow to our tourism industry was comprised of efforts to stabilize the tourism business by developing relief programs to mitigate the impact of COVID-19 while we made progress toward our recovery phases. The Department of Tourism and Culture works to fund businesses and support initiatives such as the tourism cooperative marketing fund and marketing campaigns targeting BC residents and Yukoners, which encouraged them to explore the Yukon Territory over the summer.

I had several conversations with people who came to the Yukon because of the TV ads that we ran and who spent five to eight weeks here, and they had a marvellous time. It was a great time to show off our territory. This marketing fund was increased by \$1 million to a total of \$1.7 million for 2020-21, and the requirement for a 50-percent equity contribution from applicants was waived.

Sustaining Yukon's tourism industry during a global pandemic is challenging, to say the least, but Yukoners are resilient, and I am sure that they will rise to the challenge. This government took responsible actions, considering the health and wellness of the community in its decision-making process.

I would like now to turn my attention to the housing issues that Yukoners currently face. Recognizing that job losses and financial difficulties were inevitable during a pandemic, this government took the necessary steps to ensure that Yukoners were not left out on the streets. Under the *Civil Emergency Measures Act*, Yukon government issued a ministerial order for the suspension of evictions of residential tenants. Along with securing tenancy for Yukoners, our government is constantly working toward land development to help with the fast-growing housing market in the Yukon. Most of this government's land and development budget is used to engage private sector contractors for development, with our role being focused on getting land ready for residential or commercial building projects.

As part of this government's housing action plan, we want to provide a variety of different sized lots to encourage the construction of more affordable housing for Yukoners. We recognize that, for younger Yukoners looking to enter the housing market, the current costs for development and purchasing present financial challenges for young families. We want to strike a balance between maintaining a healthy supply of lot inventory across the Yukon without adversely affecting the current markets.

Supporting the Yukon First Nation governments is another key priority in land development and availability. First Nations have shown an interest in using the Yukon Land Titles Office to register settlement lands. This provides unprecedented opportunities for future development for both commercial and residential properties.

This government maintains its commitment to working more closely with Yukon's indigenous people and has approved recommendations to support the amendments of several Yukon First Nation self-government agreements. These agreements allow for the registration of category A and B settlement land in the Yukon Land Titles Office without compromising aboriginal rights and title, which I heard was a primary concern for Yukon's First Nations.

Lastly, I would like to talk a bit out our Youth Directorate, which supports youth programs and services to promote wellness and assist youth in reaching their potential. It stands to reason that, one day, each of us in this House will be replaced by a younger member of society — some sooner than others. It's important that we provide the youth of today with the tools that they need to succeed in the world of tomorrow.

The Youth Directorate provides an annual contribution of over \$1.5 million to organizations and community groups through several funding programs specifically for Yukon's youth. These organizations include: Association franco-yukonnaise, which provides programming for francophone youth; BYTE — Empowering Youth Society, which focuses on empowering youth throughout Yukon and Canada's north; Boys and Girls Club of Yukon, which provides a safe and

supportive drop-in centre for youth; the Heart of Riverdale Community Centre, which focuses on youth programming, citizenship, leadership, and arts development and engages community members across generations; Youth of Today Society, which delivers a safe, nurturing environment for high-risk youth; the youth development asset program, which focuses on activities, training, and employment for youth across 16 Yukon communities, including the Kwanlin Dün First Nation; and the youth investment fund that is dedicated to fund for projects which recognizes the value of community-driven initiatives aimed at marginalized youth 18 and under. As you can see, Mr. Speaker, this government has continued to take a number of important steps for preserving the integrity of Yukoners.

I have taken some time over the summer to interact with my constituents from social distances while riding through the constituency on my bike. It's kind of fun — people are out on the lawn and you get to have a chat and you're not inside the six feet. As always, I'm available at any time for my constituents to listen to their concerns and assist them in any way I can.

Thank you for listening. I look forward to seeing what other members of the House have to say. I will be supporting this supplementary budget.

**Ms. Van Bibber:** I would like to take this opportunity to thank my family and friends and the constituents of Porter Creek North for their continued support and for the honour I have of representing them in this Legislative Assembly.

It continues to be a trying time for the world, the country, and our Yukon due to the coronavirus pandemic. It is at times confusing, at times scary, and at times comforting to know that we have a small infection rate in our corner of Canada, but without due caution, we could be turned very quickly and those stats could change. I encourage all to get their winter flu shots as well as continue to take the necessary precautions already stated over and over on COVID-19 protocol. This is not a time to relax, as we see in other parts of Canada the rising numbers of infections continue. Although we want to relax and forget this danger, we cannot yet.

The budget adjustments for the current period ending March 31, 2021 — Bill No. 205 — have adjustments to operation and the maintenance budgets for most departments. The Premier stated that most adjustments are due to COVID-19 stresses and therefore there is a need to get money moving quickly, without legislative oversight and scrutiny. Such costs include the COVID-19 assessment centre, the response unit, PPE, contract tracing, daycare supports, financial support and relief programs, and many, many orders under the *Civil Emergency Measures Act*, or CEMA.

We have not been in this Chamber since late March and now see, for the first time, figures that have been spent and money that has been used however the ruling party has decided. This should be a concern for all Yukoners who believe in the democratic system. To rule out autocratic decisions — or "Premier knows best for us" — we must have the ability to see this as it happens in real time, not months later. To put the onus

on working groups or third-party decision-makers is just not cutting it. The Liberals have made final decisions and must now answer the questions.

Somehow, government still found a way in the middle of a pandemic to grow government. For instance, there is a total of nine additional full-time employees hired as border control for the COVID-19 response. Considering that we understood that employees would be moved from different areas across government to work at the Yukon borders during closures, it is a surprise to see that government had to hire a number of full-time employees to fill these positions. Due to these times of uncertainty, governments of all levels are expected to step forward to assist where possible and I commend those employees who have done that. I commend the NGOs and other non-profit groups who help whenever and wherever possible and are needed more for families that are struggling to make ends meet.

As social functions stopped and fundraising events were cancelled, working or professional musicians and artists are out of work. The list goes on. All need some help. There are so many concerns that arise when we are in this transition period — what is safe and what is worrisome? However, I hope that anyone with concerns will please come forward and let us know. If we don't know what is on your mind, we can't ask the appropriate questions on your behalf.

So I look forward to going through line-by-line debate and asking more pointed questions on this bill and hopefully we will get more concrete answers for all Yukoners.

**Mr. Hutton:** Mr. Speaker, I rise today to speak to Bill No. 205, which of course I will be supporting.

I would like to begin by saying a truly sincere and heartfelt thank you and mahsi' cho to all the good folks out there in the Mayo-Tatchun riding for all their support and encouragement over the past four years and a special thank you to family and friends for their continued support. It means absolutely everything to me. Without them, I wouldn't be here today pushing forward solutions to the many unique problems that my communities face.

I would like to acknowledge that the Mayo-Tatchun riding is encompassed by the traditional territory of the Na-Cho Nyäk Dun, Selkirk, and Little Salmon Carmacks First Nations. Their land comprises the largest and most beautiful riding, among many beautiful areas, in our Yukon, and I am privileged to be welcomed there and living on it. Every day is truly a blessing, and in these times of COVID, we kind of tend to forget that, but we live in the best part of the greatest country in the world. We are extremely fortunate to have so much land and so few people. It has allowed us to weather this pandemic much more comfortably than hundreds of millions of people around the world — so, thank you, Creator, for this land.

I would also like to thank this government for its continued hard work and dedication to Yukoners in our communities. I want to give a huge shout-out to NND and all their staff for ensuring that all the traffic that came into Mayo was monitored at their COVID-19 checkstop. This was done to keep everybody in the community safe. It is all about contact tracing;

it wasn't about keeping anybody in or out. It has been very successful, and I just really want to say thank you and how much I appreciate all those people. They all have jobs. They are all suffering from COVID-19. They are all in the same pandemic we are, and they still took on this additional responsibility to ensure that they kept our communities safe.

The kindness that I have witnessed in the communities — all the communities. There is a network — a Yukon helpers network. I don't know if it was established by Ashley Fewer, but she seemed to be the driving force behind it. All you have to do is read some of the ways that Yukoners have reached out and helped each other. It is absolutely heartwarming.

What saddens me is that it took a pandemic to get that level of kindness out there. I know that it exists out there, so it shouldn't take a time of crisis — a war or a pandemic — to make people treat each other this way. I hope that one of the lessons we take home after this — if it ever ends — is that the kindness we show to our fellow human beings throughout situations like this will get us through the absolute darkest and worst of times.

To every Yukoner out there who shared a kindness, thank you so much. You really made me proud to live in this territory — just to see the way that people look after each other.

I want to thank our government for putting a full-time nurse practitioner in Mayo. A huge thank you to Lee Holliday for her service to our community. It was greatly appreciated. I never heard a bad word from anyone in the community. I would also like to welcome our new nurse practitioner, Erinne, and her family. She has been very successful filling some very big shoes that Lee Holliday left behind. I also understand that a nurse practitioner will be added very soon to the Carmacks Health Centre. Thank you to Minister Frost and her team for making that happen.

I do owe a big thank you —

**Speaker:** Order, please.

### Speaker's statement

**Speaker:** The Member for Mayo-Tatchun will have to be careful. You should name the minister by their portfolio. Thank you.

**Mr. Hutton:** I would like to thank the Minister of Health and Social Services and her team for the great work that they did in keeping our communities safe.

To front-line workers in every community, thank you so much for providing essential services while putting at risk not only your own health and well-being but that of your loved ones as well. This is a huge sacrifice and one that no one should take lightly. I want you all to know — every one of you, including the truck drivers, custodial workers, and the people I get my groceries from at the store — thank you, absolutely from the bottom of my heart, for doing that work. It just means so much to all of us. We appreciate you and we thank you, from the bottom of our hearts.

I am truly grateful for the continued focus on improving the well-being of our citizens in our rural communities, especially during these trying times. The impacts have been

severe in our small communities. The lockdown was hard on a lot of people. People with alcohol and substance abuse problems were already isolated and marginalized. Now some of them are dead. It is just getting worse and worse out there. I really do appreciate the mental health supports that have gone out to those hubs so that they are available in the communities. At least people out there, in this time of darkness and despair, have a place to go and someone to talk to.

2020 has been an exceptionally challenging year for many of us living in the communities. Our world continues to face unprecedented pressures year after year, and this year has been no exception; in fact, it has been a dandy. On March 27, the Yukon government declared a state of emergency under the *Civil Emergency Measures Act* in order to respond to the onset of the pandemic — an extremely difficult but absolutely necessary decision when considering the health and safety of our people and our communities with limited infrastructure and support staff.

Keeping communities engaged, informed, and supported through the COVID-19 pandemic is no small feat. I would like to give a big shout-out to the Minister of Community Services for the fantastic work that he has done in making sure that Yukoners have been kept informed. Since March, a community outreach team has been working directly with municipalities and First Nations by providing support and information to our community members throughout the Yukon. Working hand in hand with industry and government departments, they work to ensure that the essential and critical services work required in our communities is closely managed. The state of emergency provides Yukon government with the tools and capacity to ensure the safety and security of Yukoners, by and large.

As a member living in one of the many beautiful communities that our territory provides, I've heard many constituents express their fears and concerns this year. The health protection order was put in place, which mandated individuals entering Yukon from certain jurisdictions to self-isolate for a 14-day period. This provides adequate time for the virus to pass through its life cycle but also to ensure that those who were asymptomatic were not putting others at unnecessary risk. While not all travellers were required to self-isolate, the results of the measures and orders put in place speak volumes to Yukon's success in mitigating the potential impact of COVID-19. With an estimated 20,000 US citizens passing through the Yukon under these restrictions, the results speak for themselves: a marginal number of cases and no deaths.

Mr. Speaker, as you are well aware, protecting Yukoners from the virus is only half the battle. Measures for job protection leave were also established to ensure that Yukoners could self-isolate without concern of losing employment. The paid sick leave rebates have provided businesses with an opportunity to recoup losses from wages for employees collecting paid sick leave while being required to self-isolate.

The government has taken, and continues to take, many steps to ensure the security of Yukoners and businesses. In response to the COVID-19 pandemic, a research group was established with the goal of assessing how the pandemic has affected businesses and non-profit organizations and their

operations, as well as identifying the best adaptations possible. With assistance through an inter-agency leadership, the Government of Yukon is currently working to develop a research program with the hope that this program will identify high-quality research to better assist us to understand how the pandemic has affected our environment, health, communities, business, and culture.

Evidence-based decision-making is the best form of decision-making, Mr. Speaker, and these initiatives advance the Government of Yukon science strategy. I hope that Yukoners are proud of the work we've done and continue to do to ensure that the impacts of this pandemic are as minimal as possible.

During the early onset of the pandemic, Yukon received the first northern support funding for our aviation industry and Health and Social Services. \$18 million was directed to Health and Social Services and \$4 million to Highways and Public Works.

In July, Canada announced the Safe Restart Agreement with \$19 billion in funding. These funds were directed toward a number of support systems designed to ensure the safety and security of all Canadians, including testing, contact tracing, and data management, health care system capacity, support for our vulnerable peoples, personal protective equipment, childcare, support for municipalities, and paid sick leave. As the funding was allocated on a per capita basis, Yukon received \$13.2 million, with Health and Social Services receiving \$11.2 million of those funds. Additionally, this government is negotiating a second northern supports package in acknowledgement of the higher costs for delivery of these programs and services up here in the north.

COVID-19 is only one of the many emergencies that we must consider and manage. Wildland Fire Management faces new challenges each year, with extended and more severe fire seasons. This very wet season provided a brief respite as fire season went well into October last year and severely taxed the resources of our Wildland Fire Management program.

Protecting our communities from disaster and working on preventive measures is becoming a clear priority with this government. I'm very pleased to see that wildfire protection plans will be developed with the communities in an effort to mitigate forest fire risk while creating jobs in the communities and among the First Nations. For generations, First Nations have played a key role in wildland fire management in the territory. I am very happy to see the ever-increasing role played by our First Nation firefighters, many of whom I've had the pleasure of working with during my somewhat lengthy career in the Yukon.

I would also like to congratulate the community of Mayo on their new airport status. The government has committed \$2.5 million in upgrades for runway lighting which will allow for scheduled and non-scheduled night operations. Infrastructure upgrades such as these help to connect our remote communities to the territory's capital city. I'm excited to see further infrastructure upgrades like these in the near future.

Over this remarkably wet summer, I've been involved with my constituents in a number of areas. I met with my colleague, the Minister of Community Services, and the mayor and council from Mayo with regard to the solid waste facility. I've been working with all my colleagues on a one-government approach to address the costs for home heating fuel, groceries, and electric utilities as well as the lack of housing and development which are impacting residents in unprecedented ways in our rural communities.

The Minister of Highways and Public Works and the Minister of Economic Development are working with federal regulators and Xplornet to ensure subscribers still have service after December 31 of this year. Many of my constituents, especially those along the Silver Trail, rely on Xplornet, so it's going to be a huge blow to them if they lose that service, so I really hope our ministers are successful.

I've had regular and ongoing discussions with the Minister of Health and Social Services on the opioid crisis and mental health that's negatively affecting the communities of our territory, especially in my riding. We've also discussed working toward housing solutions for our rural communities.

I would like to take this opportunity to say congratulations to the NND and Canadian Parks and Wilderness Society youth for their sponsorship and educational youth partnership. The lessons and knowledge shared with the youth on their traditional territories is invaluable, and I hope that other nations will work to do something similar for their youth. I had the opportunity to congratulate them when the youth returned from their trip from the Beaver River all the way down the Stewart into Mayo. They got to see some fantastic country.

I would like to thank the Minister of Highways and Public Works for the ongoing work at the Ethel Lake Road. I certainly kept the ministers informed, and I advocated for and received support to ensure that the road was kept open this year.

Thank you and mahsi' cho to the Highways and Public Works staff, especially those at Stewart Crossing. Thank you to the Minister of Highways and Public Works for doing this necessary work for the community.

Thank you, everyone, for taking the time to hear me today. I look forward to hearing the responses to the budget from other members and look forward to future opportunities to speak and expand on some of the topics I discussed today. Thank you.

**Hon. Ms. McLean:** Thank you, Mr. Speaker. I rise today in response to the *Supplementary Estimates No. 1 for 2020-21* for the current fiscal year. First, I would just like to express a heartfelt thank you to my family and my friends for their unwavering support as I worked alongside my colleagues to respond to this global pandemic that we find ourselves in as Yukoners, Canadians, and ultimately the world.

I would like to also thank my constituents. It is an honour to represent the Mountainview riding and to work through different issues with constituents. We did a lot of casework during the last six months and I thank my constituents for entrusting some of their most personal issues to me and allowing us to assist where we could.

I thank my staff for sure for going the extra mile all the time. I really want to take a moment to acknowledge this team on this side of the House. I am so grateful to each and every one of these members for the work that they did on behalf of Yukoners and on behalf of future generations. As we went through the last six months, we knew that we were in a historic moment all the way through and that life as we knew it would never be the same. When we put our names on those ballots, not one of us thought that we would be governing through a pandemic, yet we did. I am so grateful for this team and for all of their hard work — the family that we have. I still believe 100 percent that Yukoners got it right when they chose this team to govern at this time in our history, so I thank them — each and every one of them — for the remarkable work that they have done to keep our territory safe and to hold it for the next seven generations to come, because that's how we need to govern in this territory.

I will now get to my reply around some of the specifics. I will start with Tourism and Culture. I will begin by thanking our team there as well. Tourism and Culture staff have been remarkable. There were several months and consecutive days where people did not take any time off. People were working from home and did it with a full heart to help this industry survive and respond in the best possible way.

Mr. Speaker, the Government of Yukon has acted swiftly and decisively in response to the drastic impact COVID-19 has had on the territory's arts, culture, and tourism sectors. With the 2020-21 *Supplementary Estimates No. 1*, the Department of Tourism and Culture is putting forward a net increase of \$7,847,000 in operation and maintenance expenditures, which I would like to now explain in greater detail.

On the arts and culture side, we have successfully reallocated funds within our department's existing budget to provide nearly \$500,000 in support to these crucial Yukon creative communities. I would like to formally recognize the ingenuity of my Cultural Services branch in these reallocations. The funding has been a welcome relief for Yukon's cultural sector and has sparked imaginative new ways to engage with their chosen crafts and mediums as well as their audiences.

The temporary support for events funding, which was \$1.8 million — as part of our mitigation efforts, the government provided urgently needed financial support to organizations of Yukon events that were cancelled because of the pandemic. Though absolutely necessary to protect the health and safety of Yukoners, the cancellation of events has left many Yukon organizations facing unique financial losses related to perishable goods and the cancellation of accommodations and services. This is everything from large-scale events — such as the 2020 Arctic Winter Games, the Yukon First Nation hockey tournament, the Dawson City Music Festival, and Adäka Cultural Festival — all the way down to conferences and other events in Yukon with more than 50 participants.

As a transfer to Tourism and Culture from the Department of Economic Development, this funding program allowed for mitigation of up to 100 percent of unique financial losses due to COVID-19-related cancellation of specific events. The Yukon government was pleased to be able to provide support



to local workers, businesses, and non-profit organizations negatively impacted by cancellations of these events due to COVID-19.

In terms of tourism — on the tourism side, the recent release of our second-quarter stats confirmed what most of us already knew all too well: Travel restrictions to and within the territory have decimated Yukon's tourism industry. The goal of the department's response efforts to date has been to stabilize Yukon's tourism businesses by developing relief programs to mitigate the impact of COVID-19 and prepare for recovery. To this end, the department reprofiled portions of its budget to fund business support initiatives such as the tourism cooperative marketing fund and marketing campaigns targeting British Columbia residents and Yukoners, encouraging them to explore the territory this summer.

In terms of marketing to help address the impacts of the COVID-19 pandemic on Yukon's tourism sector, the Government of Yukon announced a \$1-million increase to its tourism cooperative marketing fund, bringing the total available funding to \$1.7 million for the 2020-21 fiscal year. The scope of the eligible applicants and eligible activities was also broadened so that more Yukon tourism experience and service providers can promote themselves locally within Canada and internationally when the COVID-19 pandemic subsides and wider scale travel resumes.

To make it easier for Yukon businesses to receive support for their tourism marketing efforts, the funding enhancement will see the Government of Yukon contribute 100 percent of the costs of eligible marketing activities for 2020-21. This increased funding and expanded eligibility will allow for greater promotional opportunities for a wider cross-section of our tourism sector and help facilitate a strong resurgence. As of last week, the department has processed 161 of the 223 applicants for a total of \$1.2 million in funding.

Moving to the border information kiosk staffing — there is an increase of \$547,000. With their experience as welcoming and knowledgeable ambassadors for the territory, we recognize that staff in our visitor information centres as well as in the Beringia Centre could play a role in providing travellers — particularly those transiting through Yukon to Alaska — with COVID-19 information and resources. Visitor information centre staff and Beringia Centre staff were reassigned to our borders and airport as information officers to augment and support the enforcement officers. I would like to thank them for the excellent service that they provided. They were very eager to do this work on behalf of Yukoners. This decision was made with a mind to best application of staffing resources and to support the Government of Yukon's overall COVID-19 response and enforcement efforts. Additionally, nine full-time employees were hired to meet the demand for information officers. This supplementary budget item covers the additional personnel costs associated with providing the service.

Enhanced domestic marketing of \$500,000 — this \$500,000 increase to the domestic marketing budget is in support of coordinated marketing and communication efforts to promote tourism within Canada. The resulting campaigns are part of a nation-wide effort led by Destination Canada to restart

Canada's visitor economy following the impact of COVID-19. Because of this partnership, this funding will be fully recoverable.

For dedicated COVID-19 recovery and support, there is \$4 million. The largest item in our supplementary budget is \$4 million for dedicated COVID-19 support and response to Yukon's tourism sector. This funding will be guided by the tourism recovery strategy, which is currently under development in coordination with the overall economic recovery plan for Yukon. The initial goal of Yukon government's response effort was to stabilize Yukon's tourism businesses and organizations by developing relief programs to mitigate the impact of COVID-19. With the support of the Yukon Tourism Advisory Board, we continue to be focused on relief and are partnering with the Tourism Industry Association of Yukon to assess industry needs and identify any gaps in relief funding so that we can properly support the sector.

In addition to business relief, we have also turned our attention to recovery in coordination with the economic recovery plan for Yukon. We are developing Yukon's COVID-19 tourism recovery plan. Elements have been reviewed and endorsed by the Yukon Tourism Advisory Board and include four key themes: instilling tourism leadership; rebuilding confidence and capacity for tourism; preparing operators for recovery and refining the brand; and inspiring travellers to visit. A final step will be to engage industry on a draft recovery plan and to collect their input to ensure that we have it right. The Yukon COVID-19 tourism recovery plan will aim to bolster and reshape the sector into a more resilient and sustainable tourism industry and strengthen it in the long term. I look forward to sharing the details of this plan in the very near future.

In conclusion, on the tourism aspect, Mr. Speaker, I summarize that we are putting forward an increase of \$7,847,000 to the Tourism and Culture operation and maintenance budget. These funds represent ongoing support to Yukon's tourism and culture sectors in the wake of COVID-19. The Government of Yukon recognizes the value of tourism and our arts and culture sectors. It is committed to supporting them through this crisis.

I would like to thank our department officials again for their efforts in getting these funds out the door in a strategic and expedient manner, as well as the Yukon Tourism Advisory Board, the Business Advisory Council, and TIA membership for invaluable guidance in making sure that the tourism sector's needs and challenges are known and understood.

Moving to the Women's Directorate, I would like to thank the team at the Women's Directorate for their excellent work in, again, adapting so very well to what our new reality was, especially in the early days. We have a lot of parents who work in the Women's Directorate, and this was a challenging time for all, so I really thank them for their hard work and for adapting in such a great way to serve Yukoners.

The supplementary budget for 2020-21 reflects the many initiatives that the Women's Directorate undertakes with our partners in order to advance gender equality. This year, in addition to our key priorities and mandate items, we had the

gender impacts of COVID-19 to consider. The UN Women organization described it as a “shadow pandemic”. One clear implication is that physical distancing and self-isolation measures mean that individuals may be required to stay in close quarters with someone who is violent.

Many support services and public spaces were required to reduce or alter services. As part of our response, the Women’s Directorate accessed \$25,000 in funding from the Government of Canada to improve availability of safe taxi transportation in Whitehorse and support other COVID-related emergency needs at the time.

Another initiative that supports the increased needs due to COVID-19 is the sexualized assault response team. The Minister of Justice, the Minister of Health and Social Services, and I, along with several non-governmental agencies, have been working to improve services for victims of violence and sexual assault in Yukon. The sexualized assault response team, known as SART, has now been implemented in Whitehorse and provides coordinated victim-centred, low-barrier services to victims of sexualized assault. Services within SART include a 24/7 support line for victims to call, a website, weekend support workers on call, specifically trained medical care providers, specifically trained RCMP officers, and priority access to mental wellness care.

SART also builds collaboration between existing services, including Crown witness coordinators, Victim Services, and many other supports within the territory. As a result of the SART initiative, victims of sexualized violence in Whitehorse and rural communities now have priority access to mental wellness care through our new mental wellness and substance use hubs. Better coordination of existing medical and victim services is being supported by two specialized staff, a victim support coordinator, and a clinical counsel coordinator. They are working in partnership to ensure that there is continuity of care and wraparound service for victims of sexualized assault.

As SART is implemented and strengthened in Whitehorse, we will begin to work with communities to create a model that works for them, starting with Dawson City and Watson Lake where medical supports are currently available. As we move to the next phase, we will start our conversations with First Nation governments in each community and build on their expertise.

Another key priority in increasing government’s effort to reduce violence against women has been ensuring that Yukon plays a leadership role in response to the National Inquiry into Missing and Murdered Indigenous Women and Girls. Our government has been working on this issue for several years through a variety of collaborative efforts with First Nation governments, indigenous women’s organizations, RCMP, and communities. As we all know, the national inquiry final report was released on June 3, 2019, leaving our country with 231 ambitious and impactful calls for justice.

In Yukon, the Women’s Directorate serves as the secretariat support for the Yukon Advisory Committee. I serve as one of the three co-chairs, alongside Chief Doris Bill and Ann Maje Raider. We are now in the final stages of responding to the national inquiry final report with clear actions for Yukon. The Yukon strategy on MMIWG2S+ will be a long-term,

whole-of-Yukon approach. It will outline the main paths where action is needed, which are: strengthening connections and supports, education and economic empowerment, community safety and justice, and community dialogue and action.

In terms of the budget, to support this approach, we have an increase in the Women’s Directorate budget for \$90,000 in support of two family gatherings that happened during the summer. Those were some of the changes reflected in the supplementary budget.

We’re also working closely with a number of NGOs. When I get into Committee of the Whole, I’ll make sure that I outline the supports that are going to the non-governmental organizations and, of course, some of the work that we’re doing around the LGBTQ2S+ communities and the action plan that’s coming forward.

I really thank Members of the Legislative Assembly for your time and for listening to my reply to this supplementary budget. I really look forward to Committee of the Whole and talking about all of the initiatives that we’re undertaking in more detail.

**Hon. Ms. McPhee:** I truly appreciate the opportunity to address the House today and speak to all Yukoners.

This is an unusual and challenging year for everyone. Mr. Speaker, we are living through a moment in history when every day there is uncertainty, anxiety, courage, and opportunity. Every day, we are learning and adjusting to new routines.

It is with patience, kindness, and mutual support that Yukon communities are working to keep us all safe and resilient. Before I begin speaking about the 2020-21 supplementary budget, I would like to speak for a moment about what we have all dealt with in the last several months — and it is ongoing. At this point, I think it’s fair for us to talk about experiences that have come to date, but we are all clearly and keenly aware that this pandemic is nowhere near over and our struggles and challenges with it are nowhere near over.

Mr. Speaker, it doesn’t feel like that long ago that my colleagues and I met with the chief medical officer of health and made the very difficult decision to cancel the 2020 Arctic Winter Games. Our hearts broke for the organizers and for the endless hours that they had spent to make sure that every detail was attended to. Our hearts broke for the athletes who had earned their spots, who had practised, and who were excited for the opportunities ahead to meet new friends and be with one another in what is truly a unique opportunity for our youth.

The organizers’ herculean efforts cannot be, and must not be, diminished by the fact that the world had intervened and our games at that time would not be all that they had dreamed. We know now that this was only the beginning of the difficult decisions that we would have to make.

During this world pandemic, Mr. Speaker, people need their government to be strong, to make difficult decisions, and to make adjustments as needed so that everyone can be supported. We need to meet people where they are. That is what our government has been doing. We have been working hard

every day to adjust, to respond, and to do what is supportive of all Yukoners.

Turning to the 2020-21 supplementary budget, I think it is important that Yukoners know how we worked to develop the most important document produced by government — the main budgets, of course, and the supplementary budgets going forward. We worked as a team for months and months, not from a distance but in a very real way. We asked ourselves, “What are the priorities of Yukoners?” — what they told us on the doorsteps, through public engagement, through our partnerships, and working with First Nation governments, municipalities, community groups, and individual Yukoners. Governments must understand their responsibility to the people of this territory — and this one does.

The 2020-21 supplementary budget is required when there are changes to the main budget for one reason or another — and have we got changes and reasons this year. The supplementary budget includes spending due to the COVID-19 pandemic and what our government spent to assist Yukoners in multiple necessary areas. When members opposite accuse us of making decisions based on our own political interests, this is truly shocking to me, Mr. Speaker, because I know this team of people. As my colleague has said, I have spent nearly every day with them, and I know that in every situation we ask ourselves, “What is in the best interests of Yukoners?”

Mr. Speaker, this has been at the forefront of our decisions during the last several months, even more than usual: What is in the best interests of Yukoners? The supplementary spending reflects that attitude and that approach. What is the help that Yukoners need and are asking for? What can we do to keep Yukoners safe during this world pandemic? That approach ensures that priorities that exist in every corner of this great territory are addressed. All Yukoners and all communities matter, and I am so proud that our government has not only adjusted our spending at this time, but has worked extensively with each and every community to meet with them, to listen to their priorities, and to respond.

This supplementary budget shows many of those responses, Mr. Speaker — investments in arenas, medical professionals, schools, mining roads, bridges, housing, residential lots, new legislation, tourism infrastructure, small business, climate change, procurement, fire halls, community centres, health centres, biomass, and land use planning, just to name a few. Government is not just about buying things; it is about growing vibrant, sustainable communities and supporting Yukoners everywhere.

Mr. Speaker, Yukoners are extremely intelligent, innovative, and forward-looking people. They have built the most amazing communities. Back in 2016, when we asked Yukoners to put their trust in our team to make their lives better, they agreed. They sent us here to work for them. This has been a very unusual time, and I am proud that our government has been here to provide the support that Yukoners need now more than ever. I know that part of their trust in us resulted from our commitment to work collaboratively with Yukon First Nation governments and communities, to respect the spirit and intent of modern treaties, and to build prosperity and certainty for our

futures by building meaningful partnerships with Yukon First Nations for the benefit of us all.

Despite talking about doing so, these relationships with Yukon First Nations were just not working. It was not a priority for too many years under the previous government. We have worked hard at these relationships to build trust and to build the foundation of our work going forward. Mr. Speaker, it is not always perfect. Like all complex relationships, there are bumps in the road, but we are on the road together and committed to going forward together.

That was extremely evident during the 15<sup>th</sup> Yukon Forum that was held last Friday in Carcross — an opportunity to have meaningful and important dialogue between Yukon First Nations, the Council of Yukon First Nations, and the Yukon government ministers and officials. These meetings take place now four times per year. Agendas are drafted together. Opportunities to have meaningful dialogue are presented and relationships and trust are being built. They are the foundation of us moving forward in this territory for greater prosperity for all Yukoners.

I’ll move now to make some comments about the Department of Justice. I am so proud of the work that the Department of Justice has done. It is an honour for me to be the minister responsible for that work and to lead and respond to the people who work in that department.

The Department of Justice has recently developed priorities to guide its work on behalf of Yukoners. They could not even be contemplated — those priorities — without the foundational work done by our government with Yukon First Nations. Throughout this fiscal year, the Department of Justice has continued to work diligently toward a justice system that is responsive to the needs of all Yukoners in a fiscally responsible manner, all while responding to the impacts of the COVID-19 pandemic.

One increase in the Department of Justice for the operation and maintenance expenditures pertains to the Government of Yukon’s response to the COVID-19 pandemic. The Department of Justice is working with all government departments to protect the health and safety of our staff, clients, and all Yukoners. A number of our workers were deployed to other work units to assist with emergency planning, response activities, and enforcement measures. While the majority of workers have continued with their regular assignments, it is through their efforts and with the cooperation of Yukoners that we have been able to limit the spread of COVID-19 within the Yukon.

While we recognize that there have been service disruptions due to COVID-19, the department has remained committed to ensuring the delivery of essential services throughout the territory. Therefore, the Department of Justice has allocated spending as required for enforcement measures under the *Civil Emergency Measures Act* and to accommodate the increased workload of the Legal Services branch to assist with our security services to enforce occupancy and physical distancing guidelines and drafting the *Civil Emergency Measures Act* orders and court operations.

Of course, during this time, the other important work of the Department of Justice continued.

The Department of Education has one focus and one focus only: What is in the best interests of our students? Yukoners expect us to plan, to think ahead, and to do our jobs, even when that work is really hard. They don't expect us to throw up our hands and refuse to plan schools just because it is difficult, just because people will disagree on next steps. Planning schools is tough work, because you cannot please all Yukoners all the time. Parents, teachers, administrators, students, and Yukon citizens who are no longer involved in the school system all have different ideas about what is best, but just because it is tough doesn't mean that it can be avoided. It doesn't mean that there is no opportunity to work together.

I want to thank every Yukoner who took the time out of their day to write to me or to the department. There are parents, students, community members, and others. We answer every letter carefully and, even when we might disagree on the approach forward, the ideas that come from those Yukoners — their comments and their insight — are truly so valuable.

Our government and the Department of Education has taken up the challenge of addressing our future school needs. Thanks to these conscious efforts, we have been able to adapt and resume classes in schools for students following the advice and the guidelines from the Yukon chief medical officer of health. This supplementary budget reflects how the department is adapting and responding this year, based on the priorities for education during this ongoing pandemic, which include: ensuring the health and safety of students and staff; ensuring that learning continues for all students, including supports for students with diverse learning needs and those in need of additional supports; and supports for students, teachers, and support staff for flexible learning, including access to technological tools and training.

Of course, obligations and the work of the Department of Education also continue. We are building Whistle Bend elementary school, the first elementary school planned and built in almost 30 years in Whitehorse. We have finally ended an 11-year court battle through negotiation in the building of a French first language secondary school. We are working with the community of Ross River to address the long-overdue stress of a new school.

I have to take just a moment to correct the Member for Kluane regarding a school being built in Burwash Landing. Mr. Speaker, I have never been asked by the Member for Kluane about what the situation is there or what is happening on that file. If he had, I would have told him that the Department of Education officials are meeting almost weekly with representatives of the Kluane First Nation to plan a new school for their community. We are doing this because building a school in Kluane is a priority. Back in June 2020, an MOU was signed between the Government of Yukon and the Kluane First Nation regarding setting out a plan and a timeline for the construction and implementation of a new school. That MOU is a commitment for our work together. With Kluane, land has been identified and geotechnical work is about to begin and will be underway shortly.

Mr. Speaker, building a new school in Kluane is a priority for our government for many reasons. The first one is simply that it is the right thing to do. On October 20, 1917, the then-Chief T.A. Dickson wrote to the then-bishop of the Yukon asking for a school in that community. On my very first visit to Burwash Landing, quite coincidentally, as the Minister of Education, I met with the chief and council and brought them a copy of that letter. The day we visited there — my colleague and I — was October 20, 2017 — 100 years to the day. I am not suggesting that the member opposite even knew about that request, but I do know that the former government, for some 14 years, made no moves whatsoever to build a new school in Kluane, and there were no meetings about that either.

I would like to take a moment, as many of the members here have, to thank my family and friends for their endless support and understanding. It has been tested this year for sure. As everyone who has done this job — even for a short period of time — knows, being a member of the government and of this House takes a toll on relationships. It is wrong, but the demands of your time mean that your family and friends regularly take a backseat, and they don't have you in the everyday moments of their lives as much as they might like or as much as you might like. This commitment is one that they make as well when we decide to go down this road.

This time since March and the world pandemic coming to our Yukon doorstep has been even more challenging. Our caucus has been working every day. There have been no family vacations, no lazy Saturdays, no quiet summer days. The work has been ongoing, and I take note that some comments have regularly been coming from the other side of this House about being on holiday. I can assure you that nobody on this side of the House has been on any holiday in 2020.

I would like to take a moment to thank the people of Riverdale South. The honour is mine to have been sent here by them to represent them, to bring forward their concerns, and to help resolve issues that are of interest to them and of interest to all Yukoners. I appreciate that we come from our own ridings and that we have come with a political stripe, but, in fact, representing all of the individuals in our neighbourhoods, in our ridings, or in our communities — those who cast their vote for us and, maybe more importantly, those who didn't cast their vote for us — is the true honour and privilege and commitment of this job. The individuals from Riverdale South who took the time to express their votes and to participate in our democratic process for the purposes of having a representative here in the Legislative Assembly and choosing me to do that fills me with honour every day.

There is an incredible opportunity here to work on behalf of Yukoners. I would like to thank all Yukoners and how diligently and vigilantly they have worked to protect us all over these last number of months. I think we need to remember that it is not over and that we do need to continue that vigilance and I appreciate Yukoners. We have such a safe and amazing community because they have worked so hard.

**Ms. White:** There are lots of thoughts on the supplementary budget — and some definitely on what has

happened since, you know, we left this House in March. I can assure everyone here that members on both sides of the House have worked steadily throughout. Vacations weren't had, and time with family wasn't what we looked for. In my case, family dinners don't look the same because there are more than 10 of us who could be in a room. I haven't hugged my nephews in — I don't know — six months. I haven't had dinner with them in that long. I haven't spent time in the seniors complex with the 48 surrogate grandparents. We haven't had Whitehorse Connects. There are lots of changes that have happened and they have affected everybody. I don't think it's anyone's — we're all in this. We have talked about this — we're all in this together.

So, Mr. Speaker, much has changed since that budget was tabled in the spring. In fact, that budget made absolutely no mention of COVID-19. I mean, I think that gives everybody an idea of how many adjustments needed to be made in the supplementary. Budgets are our priorities. We have talked about this before. So at times, I'm listening to the members speak and I'm like, "Oh, maybe there is an election coming this fall" because it sounds kind of similar to speeches that were given in 2016 after the election. Maybe what we are going to see here is the highlighting of the priorities that will come forward in that next election.

But budgets are about priorities, and the way we prioritize in budgets is we put money toward things and we respond to the needs of people in the community where we live. We recognize the shortcomings and where support needs to go. With that in mind, the first thing that jumps out, when we looked at the supplementary budget, was the fact that we actually see a decrease in Education spending, despite over \$5 million being planned for the COVID response.

You know, today in Question Period, we heard justifications from the minister — but remember that budgets are about priorities. So this was in stark contrast with other departments like Tourism and Culture, Economic Development, and Health and Social Services which all saw a significant increase in spending. I think it is important to be clear: It is not that needs don't exist in Education. I mean, we all say that education is critical. We talk about how important it is. We talk about early childhood education. We talk about K through 12. We talk about post-secondary education. There are obvious needs right now in Education — the adaptation of classrooms, sanitation protocols, and increased cleaning.

When there was a program announced — that there was going to be \$250 for every K to 12 student in the public system to support students through COVID-19 — I sent some letters. Initially, it was supposed to be within Yukon public schools. We have K4 students who are in public schools and then Aurora virtual students who are affected by COVID-19. There were unanticipated consequences of the pandemic. It was interesting. We got that expanded — the \$250 — to most K to 12 students, except those in the Montessori program — which is fascinating, because I think it would have been about \$3,000 and then those students too would have been supported because of the pandemic. But that is an example of obvious need.

So when we look to schools, we know that they need more educational assistance. We know that there needs to be more mental health supports. I am not the only one who said that we were lucky that the pandemic hit in the spring when the light was coming back. I know that I am seasonally affected; November sucks. Thank goodness it happened in March, but what happens in November? What happens in November when grades 10 through 12 students are only going to half-day in-person classes? What happens in November? What happens in November when the grade 8 students at Wood Street Centre School can't change classrooms because that's the way it is — when they aren't able to go the parks to play soccer for PE class? What happens to school systems when winter hits and it gets colder?

I spend a fair amount of time around teenagers to find out how things are going, and I can tell you that it is bleak for students in grades 10 through 12 in Whitehorse; it is tough. Even students who are academically gifted are struggling with half-day classes. Of course, we are going to see this reflected — for some, it's going to go really well, it's going to be great, and it's what they needed, but for those who are struggling, do we want to make it harder — especially for those in grade 12 whose next step, if they choose, is post-secondary education? Do we want to give them one more burden before they apply against kids across the country for those spots?

We think about classrooms, we think about educational assistants, and we think about additional teachers — knowing that there are teachers on call and that there are a number right now — 30 more going through the process — but understanding that, with the system as it is that is in place, teachers themselves are not able to attend classes. So at this point in time, even now — just a couple weeks in — schools have been short of teachers. We have administrators and principals going into classrooms and we have counsellors in classrooms, which takes away from the support for other students.

When we talk about the budget and we talk about priorities, some of the questions are: If we saved all that money in the spring because we didn't need school buses, then why, at that point in time, didn't we make the decision that we would need more school buses in the fall? Why didn't we start looking at it then? Why was it until August that we started talking about that?

If we knew that there wasn't enough room at F.H. Collins — and this is full credit — F.H. Collins — and I've said this before; the Liberal government inherited F.H. Collins — I like to call it the "new" new F.H. Collins, because the new F.H. Collins that was planned was going to be awesome and it was going to be much bigger, but the "new" new F.H. Collins that we got isn't quite big enough, which leads to problems. But there are solutions out of that. I read this comment — from a teacher, it turns out — a teacher, no less — who suggested that grades 8 and 9 students could go to F.H. Collins, grades 10 through 12 could go to Porter Creek, and then Wood Street would stay where Wood Street was — great suggestion. We have lots of space right now. We have some space in the community — the Guild Hall, the Arts Centre — we have

meeting rooms at the Kwanlin Dün. Maybe we could have looked at renting space so that students in grades 10 through 12 could have stayed for full face-to-face classes.

So, Mr. Speaker, if a budget is a reflection of government priorities, then unfortunately, with the supplementary budget, it doesn't look like Education is a priority to this government, because if it was, maybe things would look different. Maybe the families that had students who had been on buses since they started school would still be getting bused, but they're not, in some cases. The letters that come back to me say they're out of their catchment areas but the schools within their catchment areas don't have space, which is why they were going to these other schools to start off with, so now parents are trying to figure out how to make that work.

Let me be clear: We understand that, at the end of last school year, there were fewer expenses; we understand that. We just got told that was the difference in the budget. But then why didn't that extra money get reinvested into Education? Going into the opening of school, we heard from administrators that they were trying to figure out how — within their budgets — they were going to pay for the hand sanitizer that they need. Knowing that we saved that money, then why haven't we made extra mental health supports — beyond what's regularly available — available? Why didn't we put more counsellors in school? There are a lot of questions. I appreciate that the Premier has ideas. I can't wait to hear them again.

I am going to move on from Education to other departments. It is interesting because the Liberal government likes to talk about how much better they are than the Yukon Party government. It pains me. It pains me to have to say that I disagree at times, because it was terrible between 2011 and 2016. I am being perfectly honest about that.

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

**Ms. White:** I appreciate that the Member for Pelly-Nisutlin is asking if it was that bad. It was terrible.

But do you know what happened, Mr. Speaker, in briefings? There was more information available. There was information available. It is shocking to say that I preferred it sometimes before — but the information.

I am going to use this as an example. This wasn't the general briefing this morning. This was like the departmental briefing. I went to the Health and Social Services department briefing this morning — the very specific one. There is a \$43-million increase in operation and maintenance for Health and Social Services. I was given the sheet — and I really appreciate the sheets given me by the department; I really do. On the top of that sheet, there is a line for \$33,695,000, and the note for it says, "pandemic management".

So, to give you an idea on this breakdown, I think the smallest breakdown where there is more of a line item — yes, it is here under health services, which is a total expenditure of \$2 million. It explains that \$20,000 has gone to community health programs — the Canadian Partnership Against Cancer — and it is 100-percent recoverable — \$20,000. It breaks it down to \$20,000 for me, but there is a \$33-million line item — almost a \$34-million line item — and it says "pandemic management". That is incredible. So, then I ask what

"pandemic management" means, and you can imagine that we're taking notes and trying to get through it. Some of it has numbers and some of it doesn't, and I do look forward because the official says that they will get us more information. It is fascinating that we should break it down so much that I could know that almost \$34 million was for pandemic management, but I can tell you where \$20,000 went.

It's fascinating, because we are often told that this government is the most transparent and that they share the most information and all those things, but I don't see it. I don't see it in all ways.

Understanding that there is a pandemic — I get that. I have heard the word "unprecedented" quite a few times. I understand that and everybody understands that, but it doesn't negate the responsibility of government to be transparent about where and how they spend the money. Pandemic management — \$34 million. Mr. Speaker, one of the complaints that you hear from opposition is that we believe that oversight can lead to better programs. We really believe that. I just used the example of the \$250 for children in school. That got better with a bit of oversight.

Initially, when CERB was announced, the Department of Health and Social Services was clawing that back, and people were worse off during the pandemic than they were before the pandemic. That got resolved. That was great, and I am glad that got resolved. Then there were announcements about \$400 for disability clients, but then it turned out it only meant per family and not per client, which meant that some kids got more supports than other kids. I still can't figure out how that works. There was the rent subsidy program that got announced on May 11. The first payment went out at the end of June — fascinating. People panicked the entire time. They were panicking because they were desperate for help. There have been lots of programs announced. There has been a lot of help. It has been good, but we believe that oversight makes for stronger programs.

Some of the questions that we have are: How much does each program cost? How many people or businesses access them? How many students or families applied for the \$250? How many families applied for the disability support service money? How many individuals had to access the rent subsidy? All that information is essential because that's how you evaluate the success of programs. That is how governments determine if they need to be continued or modified to better respond to people's needs.

We have heard government talk about evidence-based decision-making. We appreciate that. We would like to see the evidence; that would be great. We have heard often the words "extraordinary", "unprecedented", "challenging" times, and I don't disagree. Now, when we talk about the budget and we look at information — here is an example. I only know the two briefings for tomorrow, for Tuesday, but I don't know what is happening on Wednesday or Thursday. I am not sure. I really appreciated it when government initially would give us the full listing of briefings so we could plot it in and figure out where it was going, but that has changed. I know what tomorrow's 10:00 a.m. briefing is and what tomorrow's 11:00 a.m. briefing

is, but I don't know what is going to happen on Wednesday or Thursday.

I appreciate that, when there are more people, maybe that's less challenging, but when there are fewer people, it's quite challenging. The Premier would know about that because before we didn't get told what the briefings were either, and that wasn't great.

We talk about the sharing of information and we talk about transparency because everybody has been affected by this. There's not a single person in the territory who is not affected. We talk about people's experiences. For some people, this has been a break that they needed. Their life had to slow down because it had to, but for so many people, it has up-ended routine, it has made things challenging, and it has been hard. It's with all of that that we look toward a supplementary budget to see where people are going to get support and how people will be supported. I'm grateful for the programs that have been announced because they have taken some people from the brink, brought them back, and told them that it's not easy right now but don't go over that edge, but you know, you talk to the tourism industry, and they're at that edge. They're trying to figure out how to get through a winter tourism season or what happens next year. What does next year look like?

Mr. Speaker, we're just looking for more information. We're just looking for the transparency that we were promised and how things would be different. It's challenging. It's challenging to be on this side and looking for that information. I look forward to additional speeches and how people have gotten through this, but what I really look forward to is more information during briefings. I'll even put a pitch in that it would be great to know when those briefings are going to happen.

**Hon. Mr. Streicker:** I'm happy to speak to the supplementary budget for 2020-21 today. I'll do my best to try to add information.

Since the *Civil Emergency Measures Act* falls under Community Services, we are very involved in the Government of Yukon's overall COVID-19 response efforts, although it really has been an issue that includes all of government. It's an all-of-government effort, and it doesn't just include our level of government. It includes every community, every person, and every aspect of the territory.

The supplementary estimates before us consist of \$275,000 in increases to capital and \$9.5 million in increases to operation and maintenance for Community Services.

Let me break that down a bit. Of the \$9.5 million for operation and maintenance, \$9.2 million is for the COVID-19 pandemic support and response. Approximately \$6 million is tied directly to provide support and economic recovery for municipalities and sport and recreation organizations. Approximately \$3 million is related to our ongoing response efforts including border measures and emergency coordination efforts broadly.

On March 27, we declared a state of emergency under the *Civil Emergency Measures Act*, or CEMA, as I'll refer to it. Even before that time, departments activated Yukon

government's pandemic plan, and under the guidance of the civil emergency planning officer, we activated the Emergency Coordination Centre to coordinate government's response to COVID-19. The Emergency Coordination Centre operates under an incident command structure and relies on employees from across government who are trained in those roles to support operations and the continuity of services in an emergency.

In this case, the Emergency Coordination Centre also supported the health emergency operation centre and the chief medical officer of health, or CMOH, to set up and operate and has made the various CEMA ministerial orders, including border measures, a reality.

I look forward to discussing ministerial orders with all members of this Legislature. In the spring, we wrote to the opposition twice — on May 21 and June 5 — to offer to come into the Legislature to answer questions about those orders. I was surprised that the opposition declined. I hope to hear from the opposition about which orders they disagree with because all of them were put in place to support Yukoners and Yukon businesses.

I would like to give a shout-out to the team at the Emergency Coordination Centre. Through the pandemic, these folks have worked tirelessly to keep Yukoners safe and to reduce the impact of this pandemic on our communities. They have worked to keep people informed and communities connected, and they have liaised with the Canada Border Services Agency, RCMP, and more.

Engaging with municipalities, First Nations, unincorporated communities, and local advisory councils remains a priority for our government throughout the pandemic. Conference calls and Zoom calls have helped us to understand their needs and concerns, to provide updates on the government's COVID-19 response, and to support communities in their emergency preparedness capacity and response. The Emergency Coordination Centre does come with additional costs that were not otherwise planned for in this budget year originally.

Hindsight may be 20/20, but the year 2020 has been tough to predict. Border control and enforcement of the *Civil Emergency Measures Act* has resulted in additional costs. Through the supplementary budget, we are requesting an additional \$2.8 million related to the Emergency Coordination Centre and border enforcement. These costs include such things as enforcement personnel in Watson Lake for both the Alaska Highway and Stewart Cassiar Highway at Junction 37 — and by the way, I should just mention for the Member for Porter Creek North, who talked about full-time, permanent employees — no, these employees are term employees. They are here during the pandemic and, in fact, we have been working with the Liard First Nation and the Town of Watson Lake to discuss whether they would like to be staffing up there.

We have also been paying for equipment rentals including light towers and trailers. We have paid for automated texting for travellers who are transiting the Yukon. We have put in place a security contract for the information kiosk that was up at the top of Robert Service Way. We have contracted flagging

services and we have also paid for decals to provide for out-of-territory residents to signify their adherence to the self-isolation rules.

Other areas within Community Services of course also adjusted to the pandemic. I want to acknowledge the staff in the department for their efforts to maintain essential service continuity amidst the reality of remote work and service-level adjustments to safeguard Yukoners. For the most part, these adjustments have been incorporated into all aspects of operations and the department is pivoting without the need for significant additional supplementary funding. There are some exceptions and for good reasons.

We are seeking additional funds to support some of the required changes within the Yukon Emergency Medical Services — EMS — an essential partner in the territory's health care system. EMS is supporting the COVID assessment centre and works hand in hand with Health and Social Services, the Yukon Hospital Corporation, and other allied emergency response agencies.

The COVID-19 pandemic has resulted in extra costs for EMS to deal with increased personnel expenses. The supplementary budget includes \$206,000 to pay for increased EMS costs, including the backfilling of primary responders as required due to self-isolation and related requirements.

We have related capital requests, including \$105,000 for EMS equipment costs. This includes the purchase of four high-speed disinfecting units, UV or ultraviolet disinfecting lights, and respiratory testing equipment. The EMS staff showed me the disinfecting unit. It allows us to disinfect an ambulance against COVID-19 in minutes, which of course means that the ambulance and staff will be back in circulation quickly and safely.

Other costs included in this supplementary budget support operations of recycling depots and public libraries. The supplementary budget includes \$78,000 to provide relief funding to recycling facilities for adaptations they have had to make to maintain public health and safety. COVID-19 has touched every aspect of our day-to-day routines, and recycling is no exception. Reducing the volume of waste that goes to landfills remains an ongoing effort, made more challenging by the pandemic.

At the outset of the pandemic, we closed the public libraries on the advice of the chief medical officer of health and took advantage of this time to make some needed upgrades to comply with the recommendations of the chief medical officer of health and his office to safely reopen on July 21. There was \$85,000 toward unbudgeted equipment, including replacing the existing aging furniture with cleanable chairs and sofas in the Whitehorse Public Library and upgrading the boardroom floor to a more cleanable surface.

In terms of additional costs related to COVID-19 supports and recovery, the supplementary budget includes funds for sport and recreation organizations and Yukon's municipal governments. In May, the Government of Canada announced many millions of dollars — \$500 million — in COVID-19 relief funding for cultural, heritage, and sport organizations across the country. Yukon's allotment was approximately

\$1.7 million to distribute to local non-profit and sport and recreation organizations. This funding is included in the supplementary budget and is fully recoverable from Canada.

The team at Sport and Recreation has been in contact with community sport and recreation groups over the past months to provide support to these organizations so that these sport organizations can access this funding.

Funds are going to sport governing bodies, special recreation groups, and local authorities for recreation. As well, a portion of these funds will be available to other groups through Sport Yukon. Forty-nine groups have received funding already, and it is anticipated that another 20 to 30 organizations may access funding through the fund established through Sport Yukon.

We also recognize the importance of supporting our municipal governments with funding related to the COVID-19 response. Together with Canada, the Yukon government is investing in municipal governments to assist with the additional expenses that they are realizing due to the pandemic. This will be essential in helping municipalities in their recovery from the pandemic. I will talk in a moment about my latest round of community visits where we discussed their costs due to COVID-19. We will work with Yukon municipalities to identify eligible costs, and we will be working to set up a process to make these funds available this fiscal year.

The supplementary budget is focused on additional pressures due to the pandemic, but there are some changes not related to COVID-19. One that I will mention pertains to wildland fire. In this budget, there is a transfer of \$425,000 from the Infrastructure Development branch to Wildland Fire Management for the Whitehorse south hazard-reduction project. This project was announced in September and will result in a 400-hectare fireguard 14 kilometres south of downtown Whitehorse. The project will reduce the city's wildfire risk while providing firefighters with a control line from which any fire coming from the south could potentially be fought. This is part of our overall move to increase wildfire prevention around all of our communities. Of course, I might have been one of the few Yukoners who was happy that we had a wet, rainy summer. Overall, our spending to respond to wildfires went down. More importantly, of course, we didn't face the increased risk of wildfire in our communities, so it was a good opportunity for us to advance our work on prevention.

Since the 2016 territorial election, we as a Cabinet have made over 450 visits to our communities. One of the toughest things about COVID for me personally was that we had to stop community travel. Teleconference calls are fine and video calls are good for those who are tech savvy, but it is so important to be able to meet face to face when it is safe. I was happy to begin community visits again this fall where the community was ready for an in-person visit. Where they were not, we turned to Zoom or conference calls.

Here's a sample of that community tour. In Watson Lake, the Premier and I discussed staffing possibilities for border control, and we agreed to work with the Liard First Nation and the Town of Watson Lake on these opportunities. By the way, Watson Lake is having a mayor by-election on October 8, later



this week, and I'm sure that the Member for Watson Lake and I encourage all Watson Lake residents to get out and vote.

I made it to Old Crow for the Vuntut Gwitchin First Nation General Assembly. There, the Member for Vuntut Gwitchin and I talked with the chief and council and citizens about how hard their staff are working during the pandemic.

For the Village of Haines Junction and the Champagne and Aishihik First Nations, we met via Zoom. We discussed property assessments and municipal boundary expansions.

In Dawson, our meetings went very late into the evening, discussing land, recycling, mining and municipalities, and you name it. Dawson always enjoys talking long.

In Burwash, Chief Dickson gave us a great tour of the new water treatment plant, and by the way, we also talked about work in developing and plans toward the new school.

With Na-Cho Nyäk Dun, the Minister for Economic Development and for Energy, Mines and Resources and I had an in-person meeting where some of the staff Zoomed in. We discussed service agreements and secondary exits for their subdivision up on the bench. We also had a meeting with the Village of Mayo that the Member for Mayo-Tatchun referenced in his remarks, and we discussed spill liability and negotiating a landfill agreement. Just a shout-out to the mayor — he's a force to be reckoned with on that front. I just want to acknowledge his advocacy.

The Minister of Highways and Public Works joined me for a Zoom call with Ross River. We discussed long-term solutions for their school, permafrost degradation, and the chipsealing of the Robert Campbell Highway from Ross River to Faro.

Teslin was another Zoom call. Congratulations, by the way, to Mayor Gord Curran. He is the new President of the Association of Yukon Communities, which had to cancel their annual general meeting or make it an online meeting. By the way, this was enabled by a ministerial order. Mayor Curran and I try to speak weekly to discuss issues concerning municipalities. During our Teslin call, we discussed creating a road map for solid waste in our communities.

For Carmacks, we had both an in-person visit, talking about land development, and a Zoom call, where we discussed the Blackjack inquest and adjustments to EMS. When we spoke with the Selkirk First Nation, we spoke about support and improvements to the Pelly farm. In Faro, I had a late-night conversation with one of the local businesses to assist with accessing the business relief program.

As Minister of Community Services, I have quarterly meetings with the Whitehorse City Council and administration. Right after our last meeting, I had the honour to speak at the opening of the new operations building. I didn't speak as eloquently or as long as Mayor Curtis, but we both gave our remarks to leaders, media, and staff at podiums that were situated under this giant overhead crane that can lift a city bus inside the building. It was a stark contrast to when I was on city council. With the old transit building, it was so tight that some buses had to be parked outside. On cold nights, the city would need to keep the buses running.

The Premier and I also did a Zoom call and an in-person visit to Beaver Creek. One story that I will share from those

meetings was checking in with the folks at the Canada Border Services Agency. As I said earlier, we are working closely with Canada on the Alaska-Yukon border crossings. When we got our tour, the staff were proudly wearing beaded fireweed pins donated to them from the White River First Nation. Normally, agency staff are not allowed to add anything to their uniforms, but in this case, they got special dispensation to do so.

With respect to my own communities of Mount Lorne, Carcross, Tagish, and Marsh Lake, I started weekly calls with each community to let them know how things were progressing with respect to COVID-19, to answer questions, and to share updates back in April. We talked about free stores, firesmartering, travel, border patrols, and all things COVID-19 related. There are so many people that I would like to thank, but today I would like to give a shout-out to Katee Obediah, our mental wellness community counsellor in Carcross. This pandemic has been such a deep concern for Yukoners, and the stress on families and Yukoners has been a real challenge.

Katee first worked via telephone, then Zoom, and then later in person to counsel those folks who were not coping well. On top of that, she chaired our inter-agency meetings this year.

I'm glad to be back in this Legislature. I'm glad we are able to be here in this Legislature. As a government, we have been at work since we were last here every day to keep Yukoners safe during this pandemic — all of us. I just wanted to let Yukoners know that we also wrote to the opposition parties on May 6 and 14 and on July 24 offering to sit in this Legislature with departments to answer questions on the budget. Again, the opposition declined. Thankfully, we did meet with our communities. They asked questions and talked about their concerns. We met with First Nations, municipalities, the public, businesses, the Business Advisory Council, tourism, and NGOs. On March 7, we — the territorial government, the City of Whitehorse, and the Arctic Winter Games Host Society —

**Speaker:** Ten seconds.

**Hon. Mr. Streicker:** Well, I will just stop it there. I will say that, since that day, our focus has been to help keep Yukoners safe during a pandemic. I would like to acknowledge all those Yukoners —

**Hon. Mr. Pillai:** I'm happy to rise today to speak to the spending as part of the first supplementary estimates of 2020-21, but first, as my colleagues have so effectively done, I think it's important to thank family members. A unique situation at my house — in March, although it seems a long time ago but was just a few months ago, I had the unique opportunity to be one of the first individuals to have to go through COVID testing here in the Yukon.

In the work that we do — all of us in the Assembly — we have pressures that sometimes get put on our friends, children, and family members because of the work we do or the policy decisions that we decide to take on. In this particular case, my wife and both of my children were thrown into — because of the work I do — a process of having to be under a tremendous amount of stress as they were waiting for tests to come back.

**Speaker:** Order, please.

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

*Debate on second reading of Bill No. 205 accordingly adjourned*

*The House adjourned at 5:30 p.m.*

**The following documents were filed October 5, 2020:**

34-3-29

Whistle Bend Place care, letter re (dated October 1, 2020) from Patti McLeod, Member for Watson Lake, to Hon. Pauline Frost, Minister of Health and Social Services (McLeod)

34-3-30

Streetlights on the Alaska Highway, letter re (dated September 29, 2020) from Patti McLeod, Member for Watson Lake, and Brad Cathers, Member for Lake Laberge, to Hon. Richard Mostyn, Minister of Highways and Public Works (McLeod)

**Written notice was given of the following motions October 5, 2020:**

Motion No. 229

Re: ensuring that Yukon families have access to adequate and safe child care spaces (McLeod)

Motion No. 230

Re: Special Committee on Mental Health and Education Supports during the COVID-19 pandemic (Hassard)

Motion No. 231

Re: amending orders of reference for the Standing Committee on Statutory Instruments to include ministerial orders (Cathers)



# Yukon Legislative Assembly

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Number 42

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 6, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, October 6, 2020 — 1:00 p.m.**

**Speaker:** I will now call the House to order.  
At this time, we will proceed with prayers.

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Mostyn:** I would ask my colleagues this afternoon to join me in welcoming Tintina Air's Dave Sharp to the House today.

*Applause*

**Mr. Cathers:** I would like to ask members to join me in welcoming a friend and constituent, Melanie Brais, to the gallery.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Mental Illness Awareness Week

**Hon. Ms. Frost:** I rise in the House today to recognize this week as National Mental Illness Awareness Week. I invite Yukoners to take the time this week to learn about the realities of mental illness and about mental wellness strategies.

If you or someone you know is struggling, know that it can happen to anyone. I encourage people not to deny this known illness but to seek treatment as soon as possible, especially under challenging circumstances. It is perfectly normal if you are feeling angry, anxious, lonely, sad, or worried. It's okay to reach out for help, no matter where you are, your age, your history, or what you're going through. You don't have to go through it alone.

Every year, one in four Canadians live with mental health issues and everyone's reality is different, but this year, because of the impacts of COVID-19, more Canadians than ever are experiencing moderate to severe anxiety. Often, there are those whose struggle is compounded by the lack of support or a societal stigma associated with seeking help. This week is all about reducing the stigma associated with living with mental illness. This is why it is important for all of us to engage with an open dialogue about our emotional well-being with families, friends, and colleagues. By doing so, we improve and maintain our mental health in uncertain times.

To find out how to help your mental health and what supports are available during COVID, we encourage everyone to go to yukon.ca or reach out to the mental wellness hubs and supports in your community.

Yukoners can access services through the Canadian Mental Health Association, Yukon chapter, All Genders Yukon Society, and Health and Social Services' mental wellness and substance use hubs. Many other workshops and programs are also offered through our government to support those who strive to improve their overall mental health and wellness.

I invite you to follow the Health and Social Services Facebook page along with the pages associated with the above-listed various agencies. Collectively, Yukon's mental health and substance use services provide a light in the dark with their counselling services and support groups. Our mental health hubs in the communities ensure that help is available whenever Yukoners need it.

I would like to take the opportunity to thank Yukon's mental health professionals and advocates for their tireless dedication. I raise my hat to you for your creativity during the pandemic, ensuring that Yukoners have access to quality service in a safe manner.

Not everyone has mental illness, but everyone has mental health. Please take care of yourself — listen to your body and your mind, especially during these unprecedented times. Self-care is most important. This week and every other week, let's think of those around us who have hidden struggles and give them a hand. Let's make sure that no one is left on their own. Let's foster a culture of support and work every day toward destigmatizing mental illness.

Yukoners have displayed great resiliency during the pandemic and we lean on each other. Even if we can't be close physically, we need to stay close emotionally for our well-being.

Finally, Yukoners living with mental illness inspire us to persevere, to rise above, and to work together to ensure that our communities thrive and overcome stressful events affecting all of us.

*Mahsi' cho.*

*Applause*

**Ms. McLeod:** Today, I rise on behalf of the Official Opposition and the Third Party to recognize October 4 to 10 as Mental Illness Awareness Week.

The week was established in 1992 as a public education campaign to raise awareness and normalize mental illness. This year, the importance of this week may hold a little more meaning to many people throughout the Yukon. While COVID-19 has impacted many individuals and families in different ways, we are just realizing the massive effects that it is having on the mental health of people around the world. Anxiety is high among many. People are worried about food, health, safety, education, and most of all, financial security. This pandemic has affected everyone. Worry compounds and if there is no way to address it, it gets worse until it is more than just worry. Without avenues to tackle the very real and very human issues that we are facing in this pandemic, worry turns to anxiety, which can in turn manifest to much worse. Economic and geographic shutdowns have cost so many their livelihoods, their businesses, and their jobs, and anxiety is running high.

We have some supports in place here in Yukon to work with people who experience some form of mental illness, but we will always have a ways to go. I am told that there is a normal wait-list of six months for individuals to see a private youth counsellor, and six months of waiting to have a professional help you to work through your problems, to listen, and to find a way past them is an incredibly long time for any youth to face their burdens without help.

Mr. Speaker, let's all work on finding a solution to this problem and help people find ways to work through or cope with mental illness. It's a public health issue, and it's a community issue.

*Applause*

### **In recognition of 100 years of Yukon aviation**

**Hon. Mr. Mostyn:** Today we pay tribute to 100 years of aviation in the Yukon. I begin by welcoming special guest David Sharp, chair of the Yukon Aviation Advisory Committee. In this role, Dave represents an important connection between the aviation industry and the Yukon government. A long-time member of the aviation industry, a pilot, and a business leader, Dave exemplifies the drive, ingenuity, and professionalism that these stakeholders possess. Years ago, Dave graciously took time to talk to me about Yukon aviation — insight that has guided me through my time in office — and now he, along with the rest of the Yukon Aviation Advisory Committee, will identify strategic opportunities to support and grow aviation in the Yukon, and we are thankful to have him here today.

It is important to reflect on how aviation has shaped our economy, our well-being, and our sense of adventure over the past 100 years. It is the lifeblood of our modern northern lifestyle. It connects our communities and delivers essential goods, allows for medevac services, and powers tourism and mineral exploration and more besides. While we adapt to this COVID-19 world, aviation has never played a more important role — one we are proud to support.

I am a bit of an aircraft nut and have been since I was a youngster, so it was great to see the territory's pilots take off from the airport this summer and waggle their wings for spectators around Whitehorse as part of the celebration of 100 years of aviation in the Yukon.

For those of us who might need a refresher, aviation first took flight in the territory on August 16, 1920, when the Black Wolf Squadron touched down their De Havilland DH-4 planes on the site of the future Erik Nielsen Whitehorse International Airport. The US military flight was to prove the viability of long-distance air travel. The pilots touched down in Whitehorse on their way to Alaska from New York. It was a noisy bi-plane landing in Whitehorse in 1920 and it would have brought a buzz of excitement to the community; so strange and exhilarating for those who had never seen one before.

Aviation brought economic expansion to the north and allowed Yukoners to connect with their families down south. But it didn't come easy. Long, dark winter months paired with rough and unforgiving terrain made flying into remote areas difficult and dangerous. Keeping skilled employees in remote

communities would have been challenging and the financial risks of investing in airlines — a little-known industry — cannot be understated. We are thankful to those adventurers who paved the way for the industry we know today. We are thankful for the risks that they took and for the milestones that they achieved.

As we look to the next 100 years, we have committed to strategic investments that ensure a safe, efficient aviation system for Yukoners and that work has begun. Over the past two years, the Yukon has invested in maintenance equipment, runway paving, a maintenance facility and a second apron in Dawson and improvements in Mayo — all of which will significantly boost our airport productivity and tourism opportunities once the pandemic passes and people start travelling again.

Recently, First Nations, the aviation community, municipal governments, stakeholders, and the public have spoken about what they want aviation to look like throughout the territory. We heard that the future of our aviation system must focus on public safety, access to communities, supporting our economy, and the tourism sector. These ideas will inform investments that support a strong future for northern aviation.

We are incredibly lucky to not only have a rich history but engaged and passionate stakeholders who want the best for aviation now and for years to come. As I close, I acknowledge our locally owned and operated carriers, pilots, and operators. It is because of their dedication, passion, and love for the Yukon that we are giving these tributes today. These folks are vital to the Yukon's economic engine. They connect us to family, friends, and the world. They provide essential and emergency services and get us to some of the Yukon's most hidden and remote gems. They support our tourism, mining, outfitting, and exploration industries, ensuring that passengers arrive safely and depart safely.

Thank you all. We admire your strength and determination, especially as we try to navigate these uncertain times. We commit to ensuring our aviation community remains operational and resilient throughout this pandemic, and moving forward, we want to work with you to find ways to maximize benefits for you and for all Yukoners.

Looking to the next 100 years, we must remember how far we have come and keep our eyes firmly set on new horizons. Thank you.

*Applause*

**Mr. Hassard:** I rise today on behalf of the Yukon Party Official Opposition to pay tribute to aviation here in Yukon. We have come a long way since that first flight to the Yukon back on August 16, 1920.

Today, the territory is home to one homegrown commercial airline that is arguably the best in the business. Smaller charter airlines continue to provide immeasurable service between communities, moving travellers, employees, essentials, and other freight. Helicopter companies are essential to mining operations, environmental research, and a number of other operations. Sole proprietors provide services to hunters, outfitters, sightseers, and other tours.

COVID-19 has directly affected businesses and operations throughout the territory, and the aviation industry has been hard hit by the pandemic. With tourism being shut down and border restrictions in place, the aviation industry has been forced to shift focus to other areas where they are able to continue operations.

For me, growing up as the son of an outfitter, I spent much of my childhood flying in bush planes, often with some of the biggest names in Yukon aviation today. I remember one time, when I was about eight or nine years old, flying out of Big Salmon Lake with Joe Sparling. It certainly wasn't in his 737 days.

I want to take a moment to acknowledge an individual who has contributed greatly to Yukon aviation, both in practice and through authorship, and that of course is Bob Cameron. Bob is a former commercial pilot for the old Trans North Turbo Air, and he penned a book in 2012 that highlighted the unique collection of planes servicing the Yukon since the 1920s. The book, entitled *Yukon Wings*, tells the tale of aviation in the Yukon. The stories and photographs are incredible and focus on aviation throughout the 1930s, 1940s, and 1950s. I would certainly encourage anyone interested in aviation or history to find a copy of that book and have a look.

It was exciting to see some of those old aircraft and others take part in the celebration of 100 years of aviation here in the Yukon, which took place on August 16 — as the minister said — where pilots circled Whitehorse, tipping their wings in celebration. Again, congratulations to the aviation industry on 100 years, and on behalf of Yukoners, thank you.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP to celebrate 100 years of Yukon aviation — a century of stories, characters, adaptation, ingenuity, triumphs, and loss. It will surprise no one who lived in Yukon this summer that, in the days leading up to August 16, it was questionable if the weather would clear in time for the celebratory Tip Your Wings Flight, but it did, and the once-in-a-century event occurred as patches of blue pushed away the clouds. It was as though the pilots were embodying the poem *High Flight* by pilot officer John Gillespie Magee:

Oh! I have slipped the surly bonds of earth  
And danced the skies on laughter-silvered wings;  
Sunward I've climbed, and joined the tumbling mirth  
Of sun-split clouds — and done a hundred things  
You have not dreamed of — wheeled and soared and  
swung  
High in the sunlit silence. Hov'ring there  
I've chased the shouting wind along, and flung  
My eager craft through footless halls of air.

Up, up the long delirious, burning blue,  
I've topped the windswept heights with easy grace  
Where never lark, or even eagle flew —  
And, while with silent lifting mind I've trod  
The high unsurpassed sanctity of space,

Put out my hand and touched the face of God.

So, Mr. Speaker, we would like to thank the Yukon Transportation Museum, the organizers, the pilots, the historians, and the enthusiasts, because it was a great celebration indeed.

*Applause*

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 13: *Act to Amend the Elections Act (2020)* — Introduction and First Reading

**Hon. Mr. Silver:** I move that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be introduced and read a first time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 13 agreed to*

**Speaker:** Are there any further bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to ensure that all rural Yukoners who depend on Xplornet for Internet connection will have access to an affordable Internet connection beyond the end of 2020.

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

THAT this House supports the labour market funding program in response to the COVID-19 pandemic.

**Speaker:** Are there any further notices of motions?

Is there a statement by a minister?

## MINISTERIAL STATEMENT

### *Yukon Parks Strategy*

**Hon. Ms. Frost:** I am pleased to rise today to speak to the *Yukon Parks Strategy*, which we released at the end of September.

The strategy sets the direction for Yukon parks for the next 10 years and responds to the growing demands for Yukon government campgrounds. As a government, we are proud to have this strategy to guide how we sustainably manage and invest in parks and campgrounds.

The *Yukon Parks Strategy* commits us to: expanding the service campground season to five months, from May to September 30, starting next year; building a new campground

near Whitehorse; developing new trails at territorial parks; increasing the number of accessible wilderness experiences at boat-in and hike-in campsites; testing a campground reservation system; and developing a parks system plan.

Yukon's territorial parks have always played a big role in protecting Yukon's environment, cultural heritage, and ongoing traditional use by First Nations and Inuvialuit. The strategy will also help support Yukon's economy at a time when that could not be more important. The park strategy will create jobs in rural Yukon and result in significant capital investments. Through local employment and contracting opportunities, implementing the strategy will have a positive economic impact on many communities across the territory.

In order to sustain service levels in our parks, we will be increasing camping fees starting in 2022. While the draft strategy proposed increased fees in 2021, in consideration of the impact of COVID-19 on tourism and individuals, we are delaying the fee increases until 2022. The updated fee schedule will increase our cost recovery from an estimated 10 percent to approximately 22 percent. Even with the new increases, they will remain some of the lowest in Canada. These fees will help ensure that we can continue to offer world-class experiences in our parks and campgrounds while maintaining affordable access. Meanwhile, all the same amenities that Yukoners expect — including firewood, park entry, day use, parking, boat launch use, and interpretive programs — will continue to be free of charge.

By investing in Yukon's parks and campgrounds, we are contributing to healthy and happy Yukoners as well as supporting our vital tourism sectors. Parks and campgrounds are one of Yukon's best assets and they are beloved by Yukoners and visitors alike. This was especially apparent this year as more Yukoners are getting out camping and exploring their own backyards in the wake of COVID-19.

Mr. Speaker, I would like to thank everyone who participated in our public engagement on the draft parks strategy over the last three years. We heard from over 1,500 Yukoners, 200 non-residents, 10 First Nations, and 28 Yukon organizations. I look forward to working with our partners to implement this strategy over the coming years.

Mahsi' cho.

**Mr. Istchenko:** Thank you for the opportunity to rise today to speak to this. We all know that the parks and campgrounds are very important to all Yukoners. Our campgrounds are one of the most popular ways that Yukoners get to experience our amazing outdoor life, so we are glad to see the government pay attention to the need for further work to improve access to our campgrounds.

I am glad to see a new campground coming for Yukoners. It is badly needed, which is why we included that in our 2016 election platform. I was also very pleased to open the last newly constructed campground when we completed the Conrad campground. Conrad has been very popular and many Yukoners have expressed their desire to see more growth of our camping opportunities.

But I was a bit surprised to see that the new campground was going to be so massive — apparently, it has 150 sites. This would make it the biggest campground in the Yukon, which I'm not sure is the right approach. We would prefer new campgrounds to be of similar size to what Yukoners have become accustomed to. Nonetheless, Mr. Speaker, it is a good step that the government is finally recognizing that another campground is needed.

However, I can't help but think that this strategy was a huge missed opportunity for this government. At a time of unprecedented economic crisis, the Liberals had a real opportunity to use this strategy to help kickstart our economy and our struggling tourism sector. It was an opportunity to use our parks systems and campgrounds to incentivize economic opportunity. It was also an opportunity to encourage more local tourism and to encourage more money flowing into our communities. It truly could have been an important component of our economic recovery from the downturn caused by the pandemic. In fact, the document does not even mention the pandemic. There is no reference to the struggling tourism sector. I think the report actually says that the tourism sector is growing, and we know that this is not the reality for this industry.

It was mentioned yesterday that there are over 1,000 Yukoners out of work due to the pandemic. Many of the jobs are in the tourism sector. This strategy makes no mention of how we could help recover from this devastating downturn. It is clear that the parks strategy was written months ago, before the pandemic devastated our economy. Unfortunately, it is out of date and out of touch.

In fact, the only mention of the word "recovery" in the parks strategy is in reference to "cost recovery" which are Liberal code words for "increased fees" and "increased costs". The Liberals want to see increased fees to attend our parks for all Yukoners. They want to increase them for the general public, but they also want to get rid of the exemption for seniors and start charging seniors to attend our campgrounds. This is unfortunate.

As we learned during the pandemic, for many Yukoners, camping became the only way to refresh their mental health and to get a vacation. As we have seen during the pandemic, the majority of Yukoners reported that their mental health has gotten worse during the pandemic. This is why there was so much public outcry when the Minister of Environment made the political decision to shut down our campgrounds. We should not be creating barriers to attending campgrounds and we know that fees and taxes are a barrier. They are meant to prevent people from doing something.

As the Liberals loved telling Yukoners and Canadians during the carbon tax rebate, the reason you increase the cost of something is to prevent people from doing it. So here we have the Liberals actively increasing costs for Yukoners to go out and enjoy our campgrounds and this is unfortunate. At a time when Yukoners are struggling, particularly our senior citizens, the government should not be increasing costs to them. It will also hurt our communities as the government is encouraging people to stop going to campgrounds, which means that there



will be less economic activity in our communities as a result of these decisions. Again, this is disappointing because the strategy could have been used to kickstart our economic recovery.

It's also interesting to note that the Liberals are holding off on their fee increases until right after the territorial election, hoping that this will not hurt them at the ballot box.

But I do want to be clear: the Yukon Party government will stop Liberal increases on camping fees.

**Ms. White:** Mr. Speaker, I want to acknowledge the hard work that went into this strategy by many knowledgeable and passionate people. I want to thank those who participated in the consultation and those of course who work every day in our parks.

Camping is a part of what we do as Yukoners. Connecting with the natural world around us is an important part of our identity and it has been great to see movement on the importance of the accessibility of campgrounds. We look forward to the day when more campgrounds are accessible to those with disabilities than those that are not available to them, where trails and amenities are built with universality in mind so that every Yukoner, no matter their mobility, can get out into and enjoy the natural world in and up close, and in a personal way.

On the issue of fees, the Yukon financial advisory report that was commissioned by this government recommends raising user fees, fines, and related policies to better reflect costs to providing goods and services. A similar recommendation was made by the panel regarding the Yukon's non-renewable resources. So it's interesting that YG recognizes that, in order to sustain levels in our parks, camping fees will increase to reflect that reality. But at the same time, we are seeing little movement on fees associated with resource extraction in our territory.

In this year's budget, it was estimated that campground permits would bring in \$532,000 to Yukon's general revenue, whereas non-renewable resource royalties are expected to collect only \$22,000 — this at a time when the prices for our non-renewable commodities like gold have risen to historic highs. It appears that YG would rather have individuals who camp pay fees that reflect the cost, but those who benefit from the extraction of minerals continue to pay rates established at the turn of the last century. Again, Mr. Speaker, it's all about priorities.

We do welcome the decision to postpone the hike due to the COVID pandemic, but we also can't help but notice that this is pretty convenient for a government that is about to go into an election. We wonder if a more gradual approach to the increases would have been more appropriate, rather than simply pushing it to the next government to implement.

**Hon. Ms. Frost:** Mr. Speaker, I would like to remind Yukoners that the *Yukon Parks Strategy* was drafted in consultation with over 1,500 participants. We have had significant input on the design and development. We have self-

government agreements that define approaches to sustainability of our environment.

The Member for Kluane should very well know the process that his government took during the establishment of parks and the establishment of campgrounds.

With respect to the mineral development strategy, that really has nothing to do with the parks strategy other than this government proceeding with the mineral development strategy that looks at approaches of modernizing legislation. That is what this government is doing.

I would like to say thank you, Mr. Speaker, because the feedback is quite interesting. Do we take that under consideration? Probably not — we listen to Yukoners first and foremost. Our government is proud of the *Yukon Parks Strategy*. I am proud, as an indigenous person who has fought hard to implement the Peel strategies and who has fought hard to recognize indigenous reconciliation in Yukon. We know how much Yukoners and visitors enjoy using Yukon parks and campgrounds. This strategy reflects our government's priority to making parks and campgrounds more accessible so that all Yukoners can enjoy them and to do it in collaboration with our partners.

Last year, we opened up a new wheelchair-accessible interpretive trail at the Wolf Creek campground. We will continue to do that throughout the Yukon.

The Tān Tāgā Shro was developed collaboratively by the Government of Yukon, Kwanlin Dūn, Ta'an Kwāch'ān Council, and the City of Whitehorse. The trail features interpretive signage in English, French, and Southern Tutchone — the first of its kind in Yukon territorial parks. These kinds of accessible trails allow more Yukoners to get out and enjoy nature and have memorable recreational experiences. Increasing the accessibility of Yukon parks is a part of the strategy over the next 10 years. This is an important improvement from the past.

Another is the collaborative approach our Liberal government is taking with Yukon First Nations and municipal governments to improve our parks systems. This strategy includes a focus on reconciliation with our indigenous and Inuvialuit partners. We will work in collaboration with our partners to identify new parks and protected areas, making sure that we honour indigenous rights, languages, and harvesting and traditional uses on the land.

Yukoners will remember very clearly that a few short years ago, in 2013, the then-Environment minister tried to push through a campground in Atlin against the wishes of the Taku River Tlingit First Nation. Was there concern for the First Nation opposition? No. The First Nation pushed a lawsuit. Our Liberal government looks forward to continuing to manage parks collaboratively with our First Nations and our Inuvialuit partners.

Mr. Speaker, improving our parks and campgrounds and making them more accessible will require investments — another legacy of the Official Opposition, as we continue to reckon with their inability to sustain our environment. Yukon's current cost recovery for our parks is 10 percent —

**Speaker:** Order, please.

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on alcohol and drug services

**Mr. Hassard:** The government-imposed COVID restrictions have had unfortunate and unintended consequences on public health. A recent Statistics Canada survey reported that 52.4 percent of Yukoners felt that their mental health was worse off now since physical distancing rules were implemented. Unfortunately, we have seen some people turn to drugs and alcohol as a result of this.

Can the Minister of Health and Social Services tell us what the current wait-list for detox beds at the Whitehorse Sarah Steele alcohol and drug services building is?

**Hon. Mr. Silver:** I do want to talk about mental health supports. I also want to acknowledge that the opposition members — you know, they have underserved Yukoners on mental health supports for years. Now they have a newfound interest in mental wellness and mental health. That is very welcome and encouraging, but they are very late to this party — that is for sure.

When we took office, there were two rural mental health workers. We now have 22 positions focused on Yukoners' mental health and wellness located in four new community wellness hubs. That is for rural Yukon, Mr. Speaker. Additionally, we have child and youth counsellors with masters' level training who work with children in every Yukon community.

Mr. Speaker, the minister will get on her feet obviously and answer the next two specific questions that the members opposite ask, but it's very interesting — their approach to mental wellness in this session. Right now, pandemic or not, people in Yukon, including students and rural communities, have the supports that they need. We will continue to make sure that those supports are available with our programming by properly supporting mental health in our territory. We are prepared to manage the unexpected. That is exactly what is happening in the territory and that's exactly what we're going to do — continue to work on the mental wellness of Yukoners.

I am very proud to also be on a national mental health symposium. I will talk more about that in other questions.

**Mr. Hassard:** Speaking of being late to the party, the Premier seems to be answering questions from a couple of days ago. I actually asked about the wait-list for detox beds at the Whitehorse Sarah Steele alcohol and drug services building.

My second question, Mr. Speaker — and hopefully we can get a little better response — is again for the Minister of Health and Social Services. Can she tell us how often the detox beds at Sarah Steele were at capacity throughout the pandemic?

**Hon. Ms. Frost:** The question with respect to wellness and services provided to Yukoners — I can happily speak to that. We have, through Health and Social Services, provided extensive supports for the current crisis we are under. We have provided supports to our communities. I will continue to address that by saying that I cannot answer specifically how many. I will certainly have to go back to the department, as that

is a very explicit question, but I will speak about programs and supports to Yukoners.

We have provided extensive supports, as noted by the Premier. With mental wellness supports, we have expanded collaborative care in our communities. We have a nurse practitioner in the community of Mayo. We have supports to Selkirk.

We have opened up extensive collaborative approaches in our discussions with the Yukon Medical Association as we look at virtual care and as we look at in-time supports during unprecedented times. So we want to just acknowledge all of the health professions for thinking outside the box and responding appropriately to the demand and the need of Yukoners.

**Mr. Hassard:** I certainly look forward to the responses to those first two questions, as we didn't get them here in the Legislature. I hope that the minister can get them to us in a timely fashion.

But moving on, Mr. Speaker — could the Minister of Health and Social Services tell us if the Sarah Steele Building had to turn anyone away from having access to detox beds over the course of this pandemic?

**Hon. Ms. Frost:** I will bring us back to the points that I made earlier. This government has elaborated — I will elaborate, Mr. Speaker, that the department has worked very closely with our First Nation governments. We've worked very closely with our NGO communities to ensure that we have timely supports — in-time supports — for members of our community that required it. That meant we had to put resources in place — and yes, I'm happy to say that we have ensured that those who have presented with illnesses or some challenges when in our community — we supported that.

We've done that through expanded supports through the referred care clinic. We've done that through expanded supports through our communities. We will continue to do that and work in collaboration with our communities through the land-based initiatives that we are working so hard with our communities on to provide services — not through Sarah Steele, Mr. Speaker, but through the communities that rightfully have that responsibility. We will hold them up and continue to do that good work with our communities — in particular, with the First Nation communities that have not been supported historically. I am happy to say that we are doing that now.

### Question re: COVID-19 pandemic — funding to reopen schools

**Mr. Kent:** Yesterday, my colleague, the MLA for Whitehorse Centre, asked the Minister of Education why her department was lapsing \$634,000 from her department's budget. I thought it was a great question and I thought that the answers were eye-opening as to how little planning the Liberals — and in particular this minister — did for the school reopening.

As the Member for Whitehorse Centre pointed out, why wouldn't the Liberals have used that money to prepare our Whitehorse high schools to allow kids to return to school full

time? The minister didn't answer yesterday, so I wanted to give her another chance.

Why did the minister let that money lapse instead of spending it on enhancements to the schools to support their return to full-time classes?

**Hon. Ms. McPhee:** It is always unfortunate when members opposite indicate that we didn't answer questions because they don't like the answer that came forward. In fact, I did provide a number of examples as to why those finances have lapsed in the Department of Education and I, in fact, look very much forward to the budget debate coming forward to answer those questions.

The funds that have lapsed with respect to the Department of Education require much more than one minute and thirty seconds to respond to. I can indicate that the funds have remained in the Department of Education and that they do include the benefit and funding benefits that have come from the federal government to the tune of \$4.16 million.

**Mr. Kent:** So the question was: Why didn't we use some of that lapsed funding to support the return to full-time classes for Whitehorse high school students? That went unanswered by the minister.

The Public Health Agency of Canada, headed by Dr. Theresa Tam, has issued guidance to administrators of schools to support the reopening of classes. The guidance specifically states that we should address air exchangers and air ventilation in our schools. I have seen an e-mail from a school council member from Whitehorse asking the minister if the Yukon government will be applying to the Government of Canada for funds to support infrastructure needs related to COVID for our schools. Yet a CBC story from August 20, entitled "There's no plan to upgrade ventilation systems in Yukon schools", stated that the Liberal government hasn't invested in upgrading the ventilation in our schools.

Why are the Liberals ignoring the advice of the Public Health Agency of Canada, and why didn't they use the over \$600,000 in lapsed funding to upgrade the air ventilation in our schools?

**Hon. Mr. Mostyn:** The Department of Highways and Public Works maintains the schools in the territory. We are working very closely with the chief medical officer of health to meet all the standards required under our maintenance to make sure that the schools are safe for the students and the teachers.

**Mr. Kent:** What a missed opportunity to upgrade those ventilation systems in our schools — not only to deal with COVID-19 but also dust, mould, and other allergens. I have met with one local contractor who would be eager and anxious to bid on that type of work.

So, despite the Minister of Education cutting over \$600,000 from her budget and not using it to get our schools ready for kids to go back to full-time class, the federal government threw her a lifeline. On August 26, the federal government announced that it was giving \$4.16 million to the Government of Yukon to support the reopening of schools but, over 40 days later, the government still won't tell us how they are spending that money. Despite jurisdictions across the

country figuring this out right away, this minister has continued to drag her feet.

Will the minister agree to use the over \$4 million to help get Whitehorse high school students back to school full time?

**Hon. Ms. McPhee:** I am sure that there is an actual question in there somewhere that Yukoners deserve to have answered, despite the insults coming from the other side. I am happy to have the opportunity to repeat myself from last Thursday when this question was asked then. I indicated at that time that the department has identified a number of places where some of that funding will be spent initially: cleaning supplies; increased custodial services in schools; PPE such as gloves and reusable masks; equipment to support adapting learning spaces, such as additional desks and whiteboards; health and safety training for staff and teachers on call — that took place last Friday and will continue; additional costs for technology and school bandwidth to support digital and online learning and virtual and in-person study halls; the relocation of F.H. Collins grade 8 students and the Wood Street programs; and, of course, our top priority, which is returning grades 10 to 12 to school full time.

#### **Question re: COVID-19 pandemic — support for disability services clients**

**Ms. White:** During a regular COVID-19 update on June 2, the government announced additional funding for folks with disabilities to reflect the increased costs that they faced. The Premier said — and I quote: "An additional \$400 per month will be available to disability services clients..." Despite the Premier's words, people with disabilities soon found out that the payment was per household rather than per client. I pointed out this error to the minister, who then confirmed that only one payment per family would be issued.

Mr. Speaker, how is it fair that someone with a disability receives less support just because another member of their family also has a disability?

**Hon. Ms. Frost:** With respect to supports to Yukoners, I want to just say that we have worked with all of our support centres across the Yukon, ensuring that every Yukoner is given the support that they need despite the challenges that they are confronted with. We have certainly learned from our experience. Was it responsive? Was it sufficient?

I think I can say that our objective as a government is to ensure that Yukoners maintain the supports that they need. If it is not sufficient — if things are off track — I said on the very first day of this legislative Sitting that we are open to hearing from Yukoners. If we have challenges, we are adaptive. We will continue to adapt to the needs of Yukoners as they present their situations to us.

I would like to say to the member opposite that, if there are challenges, certainly I ask Yukoners to give us the necessary feedback so that we collectively can work together to align with the current needs of Yukoners — be it for disability or funding supports. We have expanded as much as we possibly can and we are willing to go the extra mile.

**Ms. White:** It is interesting because this was brought forward to the minister in a letter from the family highlighting those concerns.

I will break it down further: Following my letter to the minister where I talked about this issue, I was told that the additional \$400-per-month funding could be used for expenses such as respite care or specialized equipment. But it is pretty obvious that a family with two people with a disability will have more needs for respite care, more needs for specialized equipment, and more needs for support than a family with only one person with a disability. If we take into account how much volunteer support caretakers often provide, the need for support for families with multiple people with disabilities is even greater. The fair thing to do in that situation is to give the same amount of support and funding to each disability services client. The current system penalizes those families who have more than one person with a disability.

Will this government increase COVID-19 relief funding for disability services clients to \$400 per client like the Premier initially committed to?

**Hon. Mr. Silver:** I appreciate the member bringing up casework in the Legislative Assembly. We will get her the information for this very specific case. We wouldn't have casework in our binders for Question Period, but what I will say is that, right across the government, we are committed to ensuring that Yukoners do have the access to programs and services that they need during this pandemic. That will not change, Mr. Speaker.

Both our departments and the broader Yukon government as well — and Health and Social Services is no exception — will continue to innovate, to adapt, and to make sure that the programs do meet the needs of Yukoners. Programs may look a little bit different, but they are still available.

In addition to income supports and social supports for Yukoners and the economic supports for businesses and organizations and other actions that were taken very early to protect Yukoners and help Yukon businesses to thrive, we have also provided more information and included the expansion of particular services — too many to list right now.

The members opposite are asking for a specific answer. We will take back the specifics here of the casework and we'll get them the answers that they deserve — and we will reach out to the family as well, if we haven't already done so — but I do believe the minister is working with this particular family.

**Ms. White:** The issue is that this is systemic. This affects all families with children with disabilities. This isn't just one family; it's multiple families.

So the pandemic is ongoing, and what some thought would be a short-term problem will have long-term consequences. In these times, we need to look at how we can support those who need our help. Many programs accessed by folks with disabilities have reduced hours of services because of COVID safety measures. This creates a need for additional ongoing respite and support and this will be needed until the COVID-19 pandemic is well and truly behind us.

The additional funding that was announced by the Premier on June 2 was scheduled to last only three months. Ongoing support is still needed.

What action is government taking to provide ongoing support throughout the COVID-19 pandemic to clients of disability services into the future?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question.

As I indicated, we have of course certainly learned a lot from COVID. We've learned a lot about the services we provide — the expanded scope of practice. We've learned a lot about efficiencies. We've learned a lot about shortfalls.

I want to just acknowledge and clarify that the funding that was provided was certainly — as was explained — for households. All people with disabilities were able to get other individual supports through disability services. That's still available. There is no penalizing anyone. I encourage Yukoners who are experiencing challenges to please come to the department; make it known what your challenges are. We will work with you. We will work through disability services.

To the best of our ability, we have adapted and we will continue to move to ensuring services are provided to Yukoners — in particular, with emphasis on collaborative care and disability supports in rural Yukon communities, which has been a major challenge as well. There is lots to learn — lots of best practices across the country and lots of experiences. We want to ensure that we do the best we can for Yukoners to ensure that they're happy where they reside in their communities.

#### **Question re: COVID-19 pandemic — Yukon highway border enforcement**

**Ms. McLeod:** Last week, the Yukon government announced that the COVID-related border enforcement model for Yukon highways will be changing to a system where enforcement officers staff the border from 9:00 a.m. to 6:00 p.m.

Under the new arrangements, visitors to Yukon arriving outside of business hours will be asked to stop at some sort of kiosk instead of by an actual enforcement officer. We know that many of the Yukon government employees who have been assigned to the role of border guards have not been entirely happy with this arrangement. Typically, they would rather be doing the normal duties of their respective positions.

Can the minister explain the rationale for shifting the border enforcement model? Has the government considered engaging the private sector for the provision of border enforcement?

**Hon. Mr. Streicker:** I appreciate the question from the member opposite. I think the first thing I want to say just in rising is that the border folks are there to try to keep Yukoners safe. That's what they've been doing for the past six months. Of course, that border enforcement comes into play because we declared an emergency that allows us to put in place these rules for border enforcement. We've been working very closely with the Canada Border Services Agency to try to work in a coordinated fashion to make sure that everybody is safe.

Things change over time, as always. Traffic is starting to reduce into the territory — road traffic from the south. It's increasing at our airports. We're shifting people. We're trying to put more staff at our airports and reduce the hours where it's staffed at the two border crossings. I said yesterday when I rose in this House to speak that we worked with the Town of Watson Lake and the Liard First Nation to see if they wanted to participate. We haven't closed the door to anything from the private sector, but we do want to recognize that this is an important role and we want to make sure that we can keep Yukoners safe. That's our overall goal.

**Ms. McLeod:** When these changes were announced, the Yukon government also announced that the travel restrictions for visitors from Alberta would remain in place for the foreseeable future. While the case profiles of both BC and Alberta have ebbed and flowed, they seem to be quite similar. Many Yukoners have also noted that residents of BC and Alberta can freely move from one province to the other.

Can the minister explain to Yukoners why the Yukon government has decided to allow travel to and from BC but not Alberta?

**Hon. Mr. Streicker:** Over the last several days in this Legislature, I have heard some of these questions and comments — we turn to the chief medical officer of health for advice on the epidemic. We ask for his and his office's recommendations. It's a health recommendation that is given to us.

In fact, I know that Dr. Hanley works nationally with all of the chief medical officers of health offices to discuss the epidemiology. It isn't just about the number of cases — when he talks to the Premier, others, and me, he explains that it is also about contact tracing and risk. So we take that advice, not from some other folks — whether they be businesses or whether they be NGOs or whether they be members opposite — what we ask for is the advice from a health perspective and that is the advice that we have been given. So far, to date, we have followed all of those recommendations.

**Ms. McLeod:** The economic links between Alberta and Yukon are well understood. A considerable amount of Yukon's goods are supplied from Alberta and there are tight links between businesses in Yukon and Alberta. Businesses that want to bring workers or people in from Alberta can apply to the minister for an alternative self-isolation plan, which allows them to bypass the 14-day isolation requirements. The Minister of Community Services makes the final decision on whether or not to approve those alternative self-isolation plans.

So can the minister tell us how many alternative self-isolation plans the government has approved and how many of those special exemptions are from Alberta?

**Hon. Mr. Streicker:** The first thing I want to do is to try to set the record straight a little bit here. Again, I just answered — I just responded — that we're not asking the business community to recommend to us whether we have alternative self-isolations or whether the epidemiology is strong enough. We ask the medical professionals to give us that advice and I thank them for that advice.

Second of all, we do allow for alternative self-isolation — but let me be clear: There is still self-isolation at all times. Somewhere in that question I am concerned that there was a misunderstanding. All of those people who come in are self-isolating, as per the rules that we have set up based on the recommendations from the chief medical officer of health.

I don't have a number off the top of my head of how many are from Alberta. I can obviously ask the folks who are dealing with those applications to go back through and count them up if that is what the member opposite would like — no problem.

What we do know is that we have had several hundred of those applications and we treat them as quickly as we can — because sometimes they are about compassionate issues, where a parent might be ill or just a situation that is very hard on a family. So we do our best to try to respond as quickly as we can to those people who are applying.

#### **Question re: School busing**

**Ms. Van Bibber:** One of things we hear often from Yukoners is about the difficulties they are having getting their kids to and from school this year. Many families have been left out of the school bus service for this year — yet, shockingly, we have found out that the minister has actually reduced the Education budget for the 2020-21 school year.

Can the minister tell us how many students applied to ride the school buses this year and how many were denied?

**Hon. Ms. McPhee:** I think it is clearly important to remind the members opposite and to speak to Yukoners about the priorities with respect to school busing and how they are, in fact, dealing with the health and safety of students in our school bus system.

School busing for the 2020-21 school year has of course been adapted to follow the chief medical officer of health and safety guidelines for school bus operations that were issued for the pandemic. These adaptations are to prevent the spread of COVID-19, to keep communities safe, and to keep children safe while they are getting to and from school.

In a standard year, in the past, there have been as many as 2,000 students on buses going to and from school. This year, even in the event of the COVID-19 restrictions and the guidelines and the requirements of the chief medical officer of health which have been adapted for school buses, there are almost 1,800 students riding school buses here in the territory.

**Ms. Van Bibber:** We are hearing many stories from the Copper Ridge area in Whitehorse. With no buses running to elementary schools in Porter Creek from this part of town, it has left a number of families without transportation for their children. Families attending Holy Family Elementary School can't get a school bus there, even though the other Catholic elementary school in Whitehorse is full. Families who were redirected to Jack Hulland Elementary School when Elijah Smith was full a number of years ago are being asked to choose between abandoning their friends and support networks or parents taking time off work to drive their children to school.

When will the minister be providing a solution to these families and others living in those neighbourhoods when it comes to school busing?

**Hon. Ms. McPhee:** I note that the member opposite is speaking about a particular case and a particular family that we have been working with. I also note that it is not appropriate for me to disclose any of their personal information, but I think, in a general way, what I can say is that student transportation regulations include students and transportation allowances or the ability for students to ride school buses for students who live farther than 3.2 kilometres away from the school that is in their catchment area.

As a result, I can also note that, of the number of students mentioned already who are assigned to school buses during this world pandemic — I want to remind Yukoners, perhaps, that while this adaptation for school buses has not been perfect, there are many jurisdictions in this country and around the world that have simply stopped running school buses altogether — all eligible students have been assigned a school bus, and approximately 150 additional students between kindergarten and grade 3 have been accommodated.

**Ms. Van Bibber:** For families living in the Porter Creek and Crestview areas, buses no longer stop at daycares, and the Crestview to Hidden Valley bus has been cancelled. Will the minister make the necessary adjustments to the school bus schedules and add a stop at the Porter Creek daycares? As well, will she return the school bus service from Crestview to Hidden Valley?

**Hon. Ms. McPhee:** I think that what is important for Yukoners to know with respect to school buses is that we have made amazing efforts this year working with the chief medical officer of health to determine school bus health and safety guidelines — that students have been accommodated in what has been a really unusual, difficult year for the folks at the department dealing with the school bus requests. Many, many of them came in late — some 600 in the middle of August, and the deadline is generally the middle of June.

Parents have been very cooperative. They have asked for their students to be assigned to school buses and then contacted us regularly to say, “I actually don’t need that space on that bus; could some other family use it?” So thanks to all of them. Thank you to workers and the staff at the department who have worked so diligently on these issues.

I can indicate that all of the eligible students in our system have been assigned a school bus. I would also like to take the opportunity to thank school bus drivers and to encourage anyone who is interested in working with children to come forward. We will have some additional buses coming, but school bus drivers are a very important commodity in our community and I encourage anyone interested to please let us know.

**Speaker:** The time for Question Period has now elapsed.

### Notice of opposition private members’ business

**Ms. White:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, October 7, 2020. That is Motion No. 226, standing in the name of the Member for Takhini-Kopper King.

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, October 7, 2020. It is Motion No. 230, standing in the name of the Member for Pelly-Nisutlin.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

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

### Point of order

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

**Mr. Cathers:** Thank you, Mr. Speaker. I rise, pursuant to Standing Order 19(f), with regard to Motion No. 212 and the orderliness thereof. As you are aware, we were advised this morning that the government would be calling it today. The motion seeks to form a Special Committee on Civil Emergency Legislation, and the purpose of this point of order is to question whether this is in contravention of Standing Order 19(f) which prohibits reference to a “... matter that is pending in a court or before a judge for judicial determination where any person may be prejudiced in such matter by the reference.”

In introducing this matter, I would quote very briefly from the *House of Commons Procedure and Practice*, third edition, 2017, which notes: “The *sub judice* convention is first and foremost a voluntary exercise of restraint on the part of the House in which restrictions are placed on the freedom of Members to make reference in debate to matters which are *sub judice*, that is, awaiting judicial decisions. It is also understood that matters before the courts are also prohibited as subjects of motions, petitions or questions in the House. This restriction exists in order to protect an accused person or other party to a court action or judicial inquiry from any prejudicial effect of public discussion of the issue. The convention recognizes the courts, as opposed to the House, as the proper forum in which to decide individual cases. As Speaker Fraser noted, the convention maintains a ‘separation and mutual respect between the legislative and judicial branches of government.’ Thus, the constitutional independence of the judiciary is recognized.”

That is, of course, a brief excerpt from the *House of Commons Procedure and Practice*, third edition, 2017. With the direct reference of this, it appears to us that the matters covered in the motion may directly overlap matters that are covered in active litigation directed against the Minister of Community Services and the Government of Yukon. The minister is named in this court application specifically, and it is, of course, before the Supreme Court of Yukon.

I would also very briefly quote from the petition so that the Speaker may be better informed in making the ruling. The petitioners who have filed this litigation are seeking an order that — and I quote:

“THE PETITIONERS APPLY FOR AN ORDER THAT:

“1. With respect to the *Civil Emergency Measures Act*, R.S.Y. 2002, c.34 (the ‘CEMA’):

“a. A declaration that the CEMA is inconsistent with the unwritten constitutional principles of Canada, specifically the rule of law, democracy, constitutionalism, parliamentary accountability of government, and the separation of powers;

“b. A declaration that the CEMA, to the extent of this inconsistency, is of no force and effect;

“c. A declaration that s. 9 of the CEMA grants arbitrary power to the Respondents and is unconstitutionally vague;

“d. A declaration that s. 10 of the CEMA violates s. 7 of the *Canadian Charter of Rights and Freedoms* (the *Charter*); and

“e. A declaration that s. 10 of the CEMA is not saved by s. 1 of the *Charter*, and is therefore of no force and effect pursuant to s. 52 of the *Charter*.”

With regard to that, Mr. Speaker, while Motion No. 212 purports to do a review of the *Civil Emergency Measures Act*, the litigation that is directed against the Minister of Community Services by name and this government would, if successful in the Yukon Supreme Court, overturn parts of the *Civil Emergency Measures Act* itself as being unconstitutional. Therefore, it appears to us that debating this motion called by the government may contravene Standing Order 19(f) and I would ask you to rule on this matter before we proceed further with this.

**Speaker:** Minister of Justice, on the point of order.

**Hon. Ms. McPhee:** Mr. Speaker, I don't think it will surprise you or perhaps any Member of the Legislative Assembly that I vehemently disagree with the member opposite with respect to his interpretation of Standing Order 19(f) as well as his assessment of what both the motion before this Legislative Assembly is seeking to do as well as the petition that is before the Supreme Court. I will not comment on what the Supreme Court petition is attempting to do, despite the fact that the member opposite has read part of that into this record. The motion that is proposed today is not a review of the legislation. The purpose of it is to support a select committee or, as known in the Standing Orders, a “special committee” for the purpose of having a conversation with Yukoners about their comments, their ideas, and their issues — should they have any — regarding the *Civil Emergency Measures Act*. It is not, as the Leader of the Official Opposition has noted publicly, some sort of report card on what is being done. In fact, the motion that is before this House today, Mr. Speaker, is for the purpose of not talking about the details of the legislation at all but for putting forward a committee that can speak to Yukoners about these matters going forward.

The special committee —

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

**Hon. Ms. McPhee:** Excuse me? Sorry.

Mr. Speaker, my comments will be directed at you. I urge you to permit this matter to proceed for debate. I have described it, I think, fairly. I appreciate that members opposite may not be interested in debating this particular motion going forward. It is a motion of the member opposite. It is irrelevant as to whether or not this matter, which is in my submission to you, Mr. Speaker, unrelated regarding the opportunity for these

Members of the Legislative Assembly to consider whether or not they want to form a committee to do some work.

**Speaker:** Are there further submissions on the point of order by the Member for Lake Laberge?

Does the Member for Whitehorse Centre wish to be heard?

**Ms. Hanson:** Mr. Speaker, not on the point of order. Thank you.

### Speaker's statement

**Speaker:** This is my initial gut reaction. My initial gut reaction is that this is obviously deemed to be important work for the government, but in my view, it is not time sensitive in that it does not necessarily have to proceed today. I have heard some interesting points from the Member for Lake Laberge and from the Minister of Education. Obviously, the petition is not before me right now, but there is *prima facie* — when I'm looking at the motion, two of the points are: (1) to consider and identify options for modernizing the *Civil Emergency Measures Act*; and (2) to make recommendations on possible amendments to the *Civil Emergency Measures Act*.

That at least puts the Speaker in a position where the Chair should at least review the position — in my view, the position taken on the point of order by the Member for Lake Laberge. My proposal — and I am certainly in the members' hands — is that there be a motion to adjourn this debate. Sorry — I will take guidance from Mr. Clerk on this. I am not in a position to rule on this matter immediately.

I am in the House's hands. I could ask the House's indulgence right now and we can stand down for 10 or 15 minutes.

**All Hon. Members:** Agreed.

**Speaker:** The House will recess for 15 minutes, please.

*Recess*

**Speaker:** I will call the House to order.

### Speaker's ruling

**Speaker:** Thank you, all members, for your time. I thank members for their contributions and submissions on the point of order. I have now had an opportunity to confer with the Clerks-at-the-Table and I have reviewed the excerpt of the article referred to me by the Member for Lake Laberge — *House of Commons Procedure and Practice*, third edition, 2017, edited by Mark Bosc and André Gagnon, under “The *Sub judice* Convention”, and I have conferred with the Clerks and find that the final observation of that excerpt applies in the current circumstances: “The convention does not apply to legislation or to the legislative process as the right of Parliament to legislate may not be limited. If the *sub judice* convention were to apply to bills, the whole legislative process could be stopped simply by the initiation of legal proceedings in any court in Canada.”

That is my ruling on this point, so debate on the motion can proceed.

**GOVERNMENT MOTIONS****Motion No. 212**

**Clerk:** Motion No. 212, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** I move:

THAT a Special Committee on Civil Emergency Legislation be established;

THAT the Hon. John Streicker be appointed to the committee;

THAT the membership of the committee also be comprised of one MLA from the Official Opposition caucus selected by the Leader of the Official Opposition and one MLA from the Third Party caucus selected by the Leader of the Third Party;

THAT the Leader of the Official Opposition and the Leader of the Third Party inform the Clerk of the Legislative Assembly of the names of the selected MLAs from their respective caucuses no later than seven calendar days after the adoption of this motion by the Assembly;

THAT the Chair of the committee have a deliberative vote on all matters before the committee;

THAT the committee:

(1) consider and identify options for modernizing the *Civil Emergency Measures Act*; and

(2) make recommendations on possible amendments to the *Civil Emergency Measures Act*;

THAT the committee be empowered to conduct public hearings for the purpose of receiving the views and opinions of Yukoners;

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods;

THAT the committee report to the Legislative Assembly on its findings and its recommendations by August 31, 2021;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the Chair of the committee shall transmit the committee's report to the Speaker, who shall transmit the report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly shall be responsible for providing the necessary support services to the committee.

**Speaker:** It is moved by the Minister of Community Services:

THAT a Special Committee on Civil Emergency Legislation be established;

THAT the Hon. John Streicker be appointed to the committee;

THAT the membership of the committee also be comprised of one MLA from the Official Opposition caucus selected by the Leader of the Official Opposition and one MLA from the Third Party caucus selected by the Leader of the Third Party;

THAT the Leader of the Official Opposition and the Leader of the Third Party inform the Clerk of the Legislative

Assembly of the names of the selected MLAs from their respective caucuses no later than seven calendar days after the adoption of this motion by the Assembly;

THAT the Chair of the committee have a deliberative vote on all matters before the committee;

THAT the committee:

(1) consider and identify options for modernizing the *Civil Emergency Measures Act*; and

(2) make recommendations on possible amendments to the *Civil Emergency Measures Act*;

THAT the committee be empowered to conduct public hearings for the purpose of receiving the views and opinions of Yukoners;

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods;

THAT the committee report to the Legislative Assembly on its findings and its recommendations by August 31, 2021;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the Chair of the committee shall transmit the committee's report to the Speaker, who shall transmit the report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly shall be responsible for providing the necessary support services to the committee.

**Hon. Mr. Streicker:** I just want to shift my remarks slightly. When we were talking in Question Period today, I heard a question from the Member for Porter Creek North about bus drivers and a question from the Member for Watson Lake about border control.

I just want to start off, because here we are — we are still in the middle of a pandemic. Yesterday, Canada had, I think, around 2,800 new cases. That was a new record for Canada — not a record that any of us want to achieve, but it shows clearly that we are in the middle of this second wave of the pandemic.

I just want to start by putting some emphasis on thanking all the people who have worked to keep us safe — from the bus drivers to the border enforcement folks — I'm sure that everyone here in this Legislature wants to say thank you. Let those be my first words — from store clerks to custodians working here in this Legislative Assembly, who I see working super late into the evening — I just want to say thank you because they are doing an amazing job for all of us. From teachers to truck drivers — thank you. To all those people who have helped to make the Yukon a safer place — because we have one active case here in the Yukon when I last looked — and I'm sure that was roughly two weeks ago, so I am hoping that person is well and soon on their way home.

We are in such a different place here in the Yukon. We have few cases here, but it doesn't mean that we should not be concerned about the epidemic. It is because we have been concerned about the epidemic that we have relatively few cases here. It is not up to me; it is all the work that Yukoners have done, including those border enforcement officers.



CEMA — the *Civil Emergency Measures Act* — dates back to the 1960s. When looking back at the history and the provenance of this piece of legislation, I note that it was amended in the mid-1980s, but it has not been updated significantly since that time. I note as well that, here in the Yukon — in Canada — we experienced SARS in the early 2000s — I think it was around 2003 — and then we had H1N1 in 2008. I think we even had deaths here in the territory as a result of H1N1. These were important times. It means that some of the members opposite who were in government at that time will have that experience and will have something to say about how we could improve this act. That is the importance that we all bring as legislators when looking at this act.

H1N1 hit and SARS hit, but nothing has been as big or as impactful as COVID-19 has been. I don't just mean in the Yukon or in Canada — I mean in the world. In how we navigate through this as a territory and as a group of people, we have to work from this act because it effectively is the backbone — it's the law — behind which we work.

The whole point of what we do — all the bus drivers, the store clerks, the custodians, and the legislators — the whole point is how to keep the safety of Yukoners intact. There was a question earlier — and I will refer to Question Period today — where the question came forward about our schools and another about our economy. Then there was another about health and mental wellness — talking about the restrictions.

This has been the challenge throughout: How do we balance the rules to protect against COVID-19 while the challenges of protecting against COVID-19 also represent other health challenges to Yukoners? That balance has been a very difficult balance to find.

I completely expect to hear views shared by the opposition about how they believe we should work to keep Yukoners safe — their perspectives, their scrutiny here in the Legislature or through correspondence over the summer while this has been happening. I've had a few letters — not many — but that is how I expect to hear from them. Now is an opportunity where we can all work together to try to talk about the act itself. But the main purpose, again, is: How do we protect Yukoners during a pandemic?

This motion is about the act. It's not talking about the actions. I think, as I've stated here just moments ago, it's important that here through the Legislature, through correspondence, through conversations — that we can hear the opposition perspectives on what they would like to see improved or would have done in a different way. Those are the actions that have been taken and that I will stand up and take responsibility for — at least those parts that pertain to my role as Minister of Community Services or in my other ministerial roles.

But what I note is that the act is old and we believe the act can and should be fortified to better serve Yukoners. That's the whole purpose of this select committee. When we proposed an all-party committee with a representative from each political party, we hoped to create a collaborative opportunity for parties to work together to improve and modernize this important legislation. One of the things that I will just note that I think is

of critical importance — it's hearing the views and opinions of Yukoners — of all those folks who are working now to keep us safe, of all those folks who are working to navigate this pandemic.

This committee would be empowered to conduct public hearings, to learn from the views and opinions of Yukoners, and would report to the Legislative Assembly on its findings next summer.

I want to make it clear that we have used the act to do just what I've said — to work with Yukoners, to make sure that we maintain the safety of Yukoners throughout. But this is about the tools that are at our disposal — as I have referred to it, the backbone of the choices on how to protect Yukoners.

So I look forward to having an all-party committee. I'm excited to get those views shared and to work collaboratively on that.

**Mr. Cathers:** In rising to this as the Official Opposition critic for democratic institutions on behalf of the Official Opposition and my Yukon Party colleagues, I would like to note at the outset that we are happy to participate in a review of the *Civil Emergency Measures Act*, but we do have concerns with this motion and with the approach being taken by the Liberal government. This includes the fact that, once again, for a party that talks a lot in its talking points and press conferences about collaboration and working together, this is another case where they've gone it alone.

Rather than working with the Yukon Party and the NDP to come up with mutually agreeable wording for a motion to name an all-party committee, they've presented this to the House and they now are facing the consequences for their unwillingness to work together, which is that we will criticize them for the choices that they've made in that they've made some serious mistakes — the most serious being the proposal to do a review of the *Civil Emergency Measures Act* and have the very minister who has been the government's lead minister throughout this pandemic and who is currently facing legal action for his decisions under this very act.

Now, I recognize and I do acknowledge the decision regarding the orderliness of this earlier — so I just want to make it clear, Mr. Speaker, that I'm not attempting to revisit that discussion — but I would note that the fact that this motion talks about matters that are very similar, if not a direct overlap, of those which are being dealt with in active litigation in which the Minister of Community Services is directly named by Yukoners who have taken him to court on this matter.

The motion is messy. It may procedurally be in order, but it's messy. From a public standpoint — even if it's legal, even if it's procedurally in order — for the Minister of Community Services to be on a committee reviewing the act under which, for the last seven months, this Liberal government has enacted a series of over two dozen ministerial orders without any public consultation and has taken the approach of telling Yukoners how it is going to be rather than listening — even if the government is procedurally in order and legally not across the line, it certainly at the very least undermines any public confidence in the process when the Minister of Community

Services — after being, for months, the government's lead on the orders under the *Civil Emergency Measures Act* — is then supposed to participate in a committee that is reviewing that act and what is working and what is not. Any review of that act, to be effective in nature, has to take into account how it is being used in application in the territory.

While the use of that act has occurred in other situations prior to the pandemic, the use of it during the pandemic is going to naturally be what is top of mind for Yukon citizens, and it is going to be the subject of most concern to citizens.

So whether it is the government's intention to do it this way or not, by its very nature, any effort to review the act and to hear from people how the act could be improved is going to end up being a de facto review of how well the act has operated this year and how well or poorly the government's actions under that act have been executed this year.

Mr. Speaker, again, I just want to touch briefly on one matter that the minister raised that we are in full agreement with. We would like to thank all of the Yukoners and indeed all of the people across the country who have been responsible for taking personal actions — either in the conduct of their professional duties or as citizens — to try to minimize the public health risk and to ensure that supplies continue to flow as Yukoners, along with many other Canadians, were given a bit of a wake-up call in the spring with regard to the vulnerability of our supply chains and even our food supply when we saw interruptions to some goods appearing in local stores, supermarkets, and other facilities. It is a reminder of the value of local production and a local economy, including local food production.

I would like to thank, on behalf of our caucus, everyone in the territory and across the country who have taken actions to adjust their lives in response to the pandemic and who, in the face of concerns and personal risks, has taken the steps to ensure that the food supply continues to arrive, that the fuel we depend on continues to arrive, that the lights are still on, and so on. I won't go through an exhaustive list, but I just want to acknowledge the fact that thousands of people in the Yukon and millions of people across the country have taken personal steps to try to ensure that society continues to function, but doing so in a way that reduces the public health risk.

I want to return to the key matters at hand in this motion, which include the fact that, in this motion — as I understand it, Mr. Speaker, from reviewing Motion No. 212 itself — it talks about calling persons, papers, and records. It talks about considering and identifying options for modernizing the *Civil Emergency Measures Act* and making recommendations on possible amendments. It would certainly seem, based on the wording of the motion, that officials from Community Services, including the deputy minister — who, as members know, serves at the pleasure of the Premier — would be called to testify before this committee. The minister sitting there is not going to make those people very comfortable to talk about the problems with what government has done and the actions they have taken.

I want to make it clear that I don't doubt that the Minister of Community Services has generally been trying to take

actions that he thinks are in the best interests of the territory with regard to these ministerial orders, but it has been a very top-down approach taken by this government. It has been an approach that assumes that the public, businesses, and other affected people don't have any answers regarding this. They assume that government knows best regarding the sweeping series of dozens of ministerial orders. Some would refer to it as a "father knows best" attitude. I would refer to it as somewhat casually autocratic, even if well-meaning. In its casualness, it is a bit of an arrogant approach to dealing with Yukoners and the public.

As we have stated throughout this through a series of press releases and other statements throughout this year, we do recognize that actions were necessary in response to the pandemic, but especially as we are now seven months into the pandemic — while government may have had to act quickly in certain areas at the beginning — the excuses for them failing to consult on ministerial orders are growing thinner and thinner. There is no reason why government — even after enacting a ministerial order that affected the lives and freedoms of Yukoners and the lives and freedoms of business owners — could not go out and ask for input on how well that is working, how well it isn't, and what should be changed.

Because it seems to be getting forgotten in the context of the pandemic, I would remind people that when rules are being made — when acts and regulations are being made that affect the lives of Yukoners, it has been the long-standing practice that there is consultation with the public and consultation with people who are being affected. Under ordinary, non-pandemic circumstances, if changes were being made that affected a workplace — if those changes were being made under the *Occupational Health and Safety Act (2017)* or its regulations or the environmental health act, to name a couple — there would be consultation normally with those who would be affected. They would have the opportunity for input on how those changes would affect them, where they thought improvements could be made, and what government should do.

While we are in a pandemic, it's not a dramatically different situation — the government may mean well, but the current Cabinet doesn't have all the answers, and officials — no matter how hard-working they are or how thorough the reviews are — do not understand every facet of how detailed regulations might affect someone in an area of Yukon society that they're not personally familiar with, no matter what someone's best intentions are. It simply is not possible to come from a place of infallibility in enacting regulations or ministerial orders of this type. It is possible to ask people.

As the minister noted, we're still in the middle of a pandemic and it does beg the question for some: Why, then, is government proposing doing a review of a piece of legislation that is subject to a Charter challenge while in the middle of a pandemic, while the minister who is being proposed to sit on the committee is also continuing to be the government's lead minister in responding to the pandemic and continuing to exercise ministerial orders and power under the *Civil Emergency Measures Act*? It may not technically be a conflict of interest, but it is certainly, in my view, a perceived conflict

of interest and a conflict of the ability of someone to be objective in reviewing their own performance. As the Leader of the Yukon Party has referred to it, it is effectively similar to someone being asked to give their own report card.

I will give the minister the benefit of the doubt that this may not be his intent through this exercise and it may not be the intention of the government, it certainly is going to turn into a de facto review of what has been done right and what has been done wrong under the *Civil Emergency Measures Act*, and that will directly relate to the actions of Cabinet and the actions of the Minister of Community Services, as the lead minister on behalf of Cabinet, in their collective decision-making.

It seems that — because of the timelines associated with it — the proposed changes also would take effect potentially after the pandemic is done, while people have ongoing concerns. So the proposal that is put before us in Motion No. 212 proposes that the Minister of Community Services be on the committee while some might think he would be very busy with other duties related to managing a pandemic — that the committee wait until August 31 of next year — which will either be after the next territorial general election or on the verge of it — and come back to the Legislative Assembly no later than the end of August of next year with those recommendations.

So that will effectively mean, under that proposed wording, that the recommendations will be too late for this government to do anything with them, and they may be too late for the pandemic itself, while Yukoners are being directly affected by the government's interpretation of what they believe is right and appropriate under the *Civil Emergency Measures Act*. Every Yukoner who is being affected by that interpretation — and what we believe is a misuse of some of those powers — every single person will have to wait almost a year from now before they see a report and even longer before they see action. That is not acceptable.

They are the same people whose lives and livelihoods are being directly affected and who are worried about that — and I am not understating the worry — I am not sure who the minister has heard from or what they have said or who his colleagues have heard from or what they have said in all cases, but I know that I regularly hear from people who are concerned about the impact of the pandemic on their business and who are concerned that their business — which was viable and doing well before the pandemic — may never recover from the pandemic and the restrictions related to it.

Some of those people are asking for public debate and changes now. Some of those people who feel that the government's actions have been inappropriate have gone so far as to take legal action against the government related to the *Civil Emergency Measures Act* and the actions of the Minister of Community Services. Others would like to see more opportunity for debate of the restrictions which are affecting their lives.

Again, I want to acknowledge — as we have throughout this — that we have heard from people who feel with any individual measures that too much is being done or too little is being done — that it's too restrictive or too open. There are people who are concerned about businesses being shut down

and not recovering from it. There are others who are concerned about the borders potentially allowing cases in through the changes that government has made such as pulling away some of the border enforcement staff and the specific wording around who is and isn't allowed into the territory.

Ultimately, while the opinions, concerns, and suggestions vary, the one common element — which almost every citizen can agree with — is that this should be subject to a public process, public debate, and public discussion of the decisions being made by government which are affecting their lives. There should be an opportunity for citizens, both directly and through their duly elected representatives — no matter which political party that democratically elected representative is a member of — to participate in decisions related to the government's response to the pandemic, including the health response and issues such as the ability of sectors of the economy to respond, as well as issues such as the impacts that some people are having due to mental health-related issues.

Ultimately, there are some people who feel that this approach taken by the government, rather than being a sincere effort to listen to the concerns of Yukoners and make changes during this pandemic and during the course of the next year or more that we anticipate we will probably be dealing with it based on current predictions — there are some who feel that this is just a political stunt by the Liberal government to try to deflect from the fact that they abused democracy and acted autocratically throughout the last half a year and have realized that some Yukoners are furious about the approach that they have taken and the autocratic nature of their decisions.

The Minister of Community Services, I should also note, should be focused on pandemic response — including listening to the feedback of Yukoners — and not focused on providing damage control for the Liberal government or political cover that makes it appear that they are listening to Yukoners through a committee of this type while not actually changing any of their actual responses to the pandemic.

I do want to take a brief aside, since I know that there have been government employees as well who have participated in — under the direction of their respective ministers — the development of the ministerial orders, and I appreciate that those who are tasked to do a specific job related to coming up with the rules that they think are most appropriate — I know that some of them have been working very hard and doing their level best, but ultimately the process is flawed — and again, I wish to reiterate the point that, no matter how hard-working or how well intended, no one can issue orders of this type from on high and be infallible in their approach. It simply is missing the basic elements of democracy that relate to the fact that democracy is not just a popularity contest or about government getting re-elected; it is also about listening to people and changing what government is doing, based on the input of the people who we are all elected to represent.

In reinforcing the points that I am making as the Official Opposition critic for democratic institutions, I do want to note that we are not the only ones saying this. I am going to quote from a few sources and others who agree with what we are saying. First of all, with regard to the question that some of the

decisions made by the Liberal government and this minister may in fact be unconstitutional — as the minister will know, the Canadian Civil Liberties Association wrote to the government in May with concerns that some of their decisions may be in violation of the *Canadian Charter of Rights and Freedoms*. The government was dismissive of that concern. In June, however, the Government of the Northwest Territories, with regard to their restrictions — which had been similar to decisions made by this Liberal government — issued a press release on June 10 wherein they noted that some of their restrictions may have been unconstitutional.

When we see that reference there — and I reference as well a CBC article: “N.W.T.’s previous travel restrictions may infringe on Charter freedoms, admits government” — when we see those references and, on the flip side, the Liberal government — presumably acting on the advice of the Attorney General, the Government House Leader — dismissing those concerns as ridiculous — that the orders may be unconstitutional — yet just over to the east, the NWT government said, through a statement issued by the Premier, that they acknowledge that the restrictions were unconstitutional.

The minister and his colleagues should be able to understand why Yukon citizens, whose lives are being affected by the government’s decisions, are upset that they are being told, “Don’t worry; we are acting within our constitution”, while just over to the east, the Premier of the Northwest Territories says something very different about similar restrictions.

I would note as well that some of the public discussion regarding this proposed committee includes feedback on social media from the former Clerk of the Legislative Assembly, Dr. Floyd McCormick, who, in his current role as a private citizen, has chosen to make some comments on his view of the appropriate approach. I will just quote from some of his comments, which are already out in the public domain on social media, if members wish to see them. I would note that the former Clerk, in his capacity as a private citizen, has said a few things, including this — all of these being from tweets on October 5: “Last Thursday Community Services minister...” — and he named the minister — “... gave the Legislative Assembly notice of a motion to establish a Special Committee on Civil Emergency Legislation. There are 2 good things about the proposed motion, 1 being the proposal to set up the committee... The government could have done an internal review and then introduced a bill to amend the *Civil Emergency Measures Act* to suit its preferences. Instead...” — and he named the minister — “... has proposed a process that allows the opposition parties, and perhaps the public, to participate in the act’s review... This should happen more often. So, kudos for that. The other good thing is that...” — again, he names the minister — “... is proposing a committee of just three members, one from each caucus. In my experience smaller committees work better. Fewer members mean fewer schedules to coordinate... But...” — again, he mentions the minister by name — “... should not be on the committee. The YLA has appointed ministers to small select committees before. It should

abandon this practice. It should only appoint ministers to committees where party balance is necessary. It isn’t necessary for a 3-member committee... Committees exist to (among other things) help the YLA hold cabinet accountable for its decisions and actions. This is harder to do when a minister is on the committee. A minister can’t — and shouldn’t — as a committee member, hold their fellow cabinet ministers accountable... The committee’s focus should be on the future, not the past. But it will have to consider govt actions so far, including the ministerial orders...” — and again, he mentioned the minister by name — “... has issued under CEMA. The committee can’t de-personalize its process if...” — the minister’s name — “... is on the committee... especially if the committee holds public hearings and...” — the minister’s name — “... has to face people unhappy with some of his decisions. Plus, the pandemic isn’t over and may last throughout the committee’s mandate...” — the minister’s name again — “... shouldn’t be in a position of exercising authority under CEMA... while participating in a review of that authority. The govt believes...” — again, the minister’s name — “... responsibility for CEMA means he should be the Liberal on the committee. But responsibility for the act and involvement with govt decision-making are reason to leave...” — again, he names the minister — “... off the committee... Over the years the YLA has appointed ministers to the Public Accounts Comm. Those ministers never participate in studies that involve the department for which they are responsible. They recuse themselves. Another caucus member replaces them. That thinking should apply here... When...” — again, the minister’s name — “... is debated it should be amended to remove...” — the minister’s name — “... from the committee’s membership. A Liberal private member should be named instead...” — again, he names the minister — “... views, experience and expertise will not be lost to the committee... The committee can invite...” — again, the minister’s name — “... to appear before it, in camera or in public, to discuss CEMA and his experience with it. That way the Liberal...” — government — “... member will not have to defend the govt’s actions under CEMA. This would best serve the YLA, Yukoners and...” — again, the name of the minister.

That’s the end from the quotation from the former Clerk in his new capacity as a private citizen. I would just say that he made some excellent points. I couldn’t say it better myself. The key factor here — and again, I want to again make it clear to the minister that I’m not disparaging his intent in this. I have no doubt that the minister has been working hard throughout this year and I have no doubt that, in issuing the ministerial orders, he’s trying to do what he thinks is best for society — but as I noted before, there is the fundamental flaw and fundamental autocratic arrogance of government assuming they have all the answers rather than consulting and listening to people.

Another point that I should note throughout this year is that the Member for Watson Lake requested that the Standing Committee on Rules, Elections and Privileges meet to review ministerial orders and orders-in-council. The Third Party agreed. Then the government member on the committee

refused to convene meetings for this matter after multiple requests.

I will touch on a few of the events from this year as they relate directly to the motion and also to our confidence in taking the Liberal government at its word when they talk about what their intentions are in a process, because we have been burned before.

However, before I forget to mention it, I want to mention that the government — in their casual, autocratic use of the *Civil Emergency Measures Act* — has extended to the point where — in legislation tabled today — the *Act to Amend the Environment Act (2020)* — the handout given to my colleagues who attended the briefing notes that — and I am just going to quote its reference to the *Civil Emergency Measures Act*: “If another public health emergency were declared in the future and the ban needs to be paused, the exemptions could be dealt with under the *Civil Emergency Measures Act*.” This is with regard to Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, which of course relates to the government’s commitment to ban single-use packages, products, and bags.

The fact that the government — rather than tabling brand new legislative changes that acknowledge and are adaptable to the fact that we are in a pandemic — where some products like single-use plastic bags, gloves, masks, et cetera, et cetera may be necessary for public health reasons, even if they are themselves somewhat wasteful from a waste-disposal perspective — the fact that, instead of tabling act amendments which acknowledge the reality that we are in a pandemic, their proposal is to pretend that everything is business as usual and propose that if their legislative changes — if they can’t enact them because they turn out to be tone-deaf and out of touch with the fact that we are in a pandemic, the government will just enact a ministerial order under the *Civil Emergency Measures Act*. That doesn’t make sense and that is an example of what I refer to as the “casually autocratic approach” that this government has taken to its use of ministerial orders under the *Civil Emergency Measures Act*.

I want to touch on a few of the things that have occurred throughout the pandemic that, again, relate to our sense of the government’s intent in this committee and whether this exercise is indeed intended to change anything or whether it may be, as some feel, just a cynical political exercise to deflect criticism from the government.

So as the minister will recall, we began the very short Spring Sitting in the Legislative Assembly as a global health crisis was breaking out across the world. After receiving the government’s budget — I believe it was on March 5, if memory serves, that they delivered that — we questioned the government’s claims that gross domestic product was going to continue to grow and the territory’s economy was going to boom this year — and particularly that the tourism economy was going to be growing in 2020 — in light of the fact that there was a global health crisis. As the minister will know, less than a week after that budget was tabled, the World Health Organization declared it a global pandemic.

Early in that time, we proposed an all-party committee to work together in responding to this pandemic and in helping to

guide the Yukon government’s response to it — especially as it relates to some of the economic response and restrictions. The Liberal government’s approach was to dismiss that offer and to spend a good part of that short Spring Sitting claiming that it was going to be business as usual for tourism this year and accusing opposition parties of being paranoid when it came to our concerns about the impact of COVID-19 on the economy.

Then we saw the government lurch from that to wanting to shut down the Legislative Assembly after they suddenly became aware of the fact that the situation was real and they hadn’t been paying as much attention to it as they should have. So then, following the adjournment of the Legislative Assembly in the Spring Sitting, the government kept issuing ministerial orders. We again proposed all-party collaboration. I’ll just cite from one of those releases — if the minister wants to find it, I believe he’ll find a copy of it on the Yukon Party Official Opposition caucus website, and of course it is in the hands of the media already.

May 4, 2020 — the “Yukon Party Proposes Special COVID-19 Committee and Return of Legislature” — “Over the course of the last month and a half, the Liberal government has brought in unprecedented powers and orders affecting daily life. These orders include mandated closures and restrictions, as well as limits on movement that affect how Yukoners live their lives. While some of these orders may be justified from a public health perspective, their passage was done without any democratic scrutiny or consultation with opposition parties, and not all are public health related.

“The Liberals have taken to using the extraordinary emergency public health powers they’ve given themselves to make changes in areas traditionally considered outside the scope of public health, such as taxes, suspension of regulatory timelines, and broad abilities to amend contracts. These actions represent an overreach on the part of the Liberals, and making these types of decisions without legislative scrutiny undermines our democratic institutions.

“Additionally, the Liberals have announced millions of dollars in new spending that has not been reviewed or even considered by the Legislative Assembly.

“Overall, this government has been an outlier in Canada when it comes to accountability to the public. Whereas other jurisdictions are holding daily public briefings with Premiers or Ministers, this Liberal government has now reduced the already limited briefings to only twice weekly, further decreasing government openness and accountability. While other jurisdictions have provided daily updates of data since the start, this government has sat on data related to testing and confirmed cases for days at a time. As well, briefings have a limited time for questions and in some cases members of the government flat out refuse to answer questions. Finally, since these briefings do not consistently feature anyone from the Liberal cabinet, those elected to govern the territory to avoid accountability for the decisions they are making that impact the lives of Yukoners.

“For this reason, the Yukon Party Official Opposition has written to the Liberals proposing that leaders from all three parties meet to negotiate terms for the creation of a special

select committee to consider any matter related to the government's management of COVID-19 and to report their considerations publicly to Yukoners. The Official Opposition has also proposed that efforts be undertaken to facilitate the safe return of the Legislature this month to allow for greater scrutiny by the territory's elected representatives over the government's decisions and spending.

"Please find attached the letter sent to the Premier."

That was from May 4, 2020, and here we are in October. How did the government respond to the Yukon Party's proposal to create a special COVID-19 committee — the second time we proposed an all-party committee dealing with this matter? Well, I think we all know the answer to that.

But, at the 11<sup>th</sup> hour, after spending months defending top-down decision-making, I think it's fair to say that government has finally realized that some Yukoners are fed up with their handling of the pandemic and especially fed up with the lack of public process around the decisions that are made.

Again, I want to return to the fact that for businesses that are directly affected by this and for children in the education system who were directly affected by this — the effects on people's lives from some of the decisions that are made may be serious. That does not mean that we are living in a situation where no restrictions are required, but the greater the potential impact on people's lives — including, if they own a business, their livelihood — the greater those impacts may be, the more they should have a right to be consulted on provisions that affect their lives — especially since Yukon has had so few cases during the pandemic.

It is not substantively different from the principle that has always been applied throughout the course of Yukon governments for decades — that when changes are being made that have a significant effect on businesses, citizens, and other stakeholders, they should have an opportunity to be consulted before those rules are put into place and government should have an opportunity to hear from those people about what they think is a good idea and what they think is a bad idea and to make improvements based on that feedback from the people whose lives are being affected by government exercising its powers. But that's not the approach that this Liberal government and this Premier took.

In fact — again, jumping back to May — the press release that was issued on May 4, 2020, by the Yukon Party caucus was followed up by another press release on May 12, 2020, entitled "No Response from Premier to Meet with Opposition on COVID-19 Response".

I'll quote from this as well: "On May 4<sup>th</sup>, the Official Opposition wrote to the Premier requesting that the leaders of all three parties meet to negotiate the creation of a special committee to review the government's response to COVID-19. This committee would allow elected representatives to exercise their democratic duty of scrutinizing government actions and spending. It could hear from Yukoners directly and report its findings to the Yukon public.

"On May 7<sup>th</sup>, the Official Opposition sent a second letter once again proposing that leaders meet before May 13<sup>th</sup> to discuss this matter.

"On May 11<sup>th</sup>, the Official Opposition sent another letter indicating that the Premier still had not responded. By that time, the Third Party had already accepted the meeting request.

"The Liberals still have not answered as to whether they will stop undermining democracy and allow legislative oversight of the government response to COVID-19."

So again, Mr. Speaker, when we've seen this pattern by the Liberal government throughout the seven months of this pandemic of an unwillingness to work together — when we see Motion No. 212 presented wherein they're professing a sudden eagerness to work together, the members will pardon us for being a little cynical as to their intent. Considering the actions that we've seen of the government to date in a number of other areas where we've seen the government playing games with processes, it is a little bit hard for us to be confident that there's any intention of this doing anything other than providing political cover to the government as they continue to act undemocratically.

I want to just turn as well to a report by the Samara Centre for Democracy. This relates to the Samara Centre — I'm not sure how it is pronounced — 2020 Member of Parliament survey — and for Hansard, as they're trying to find the quotes, I believe this would be available online, and we'll also be providing them a copy of our press releases that I was referring to earlier in my remarks.

This report by the Samara Centre, entitled *Representation in Isolation — the Samara Centre's 2020 Member of Parliament Survey*, talks about what has been going on in Canada and the context.

In this report, on page 33, it compares Canadian jurisdictions and their sitting days of the respective legislative assemblies — or provincial parliaments or houses of assemblies, depending on what the jurisdiction calls it — and compares how long they have met for in the period from March 16 to September 22, 2020: in Alberta, 47 sitting days; Prince Edward Island, 28 sitting days; Ontario, 29 sitting days; British Columbia, 21 sitting days; Saskatchewan, 17 sitting days; Northwest Territories, 17 sitting days; Québec, 17 sitting days; Newfoundland and Labrador, 15 sitting days; House of Commons, 14 sitting days, which, as members recall, they have been widely criticized for; Senate, 12 sitting days; New Brunswick, 11 sitting days; Manitoba, nine sitting days; the Yukon, four sitting days; Nunavut, two sitting days; and Nova Scotia, zero.

When we are talking about comparisons to other jurisdictions of how often the Legislative Assembly has met to debate the pandemic response and other matters of importance to the public, in that list of Canadian jurisdictions listing provinces and the federal government, where does the Yukon place? It is right down at the bottom, with only two jurisdictions sitting less to deal with the pandemic — again, this is according to the report by the respected Samara Centre for Democracy — yet the Liberal government seems set on issuing their excuses for why that has been the case.

We saw the case throughout the summer where, despite repeated requests, the Premier dismissed the value of the

Legislative Assembly meeting to discuss ministerial orders and to discuss restrictions and so on.

I want to move to another key finding from the executive summary of the Samara Centre for Democracy. It talks about the key findings from hearing from the political representatives in Canada on the democratic pressures caused by the COVID-19 pandemic. “Nearly 40% of MPs shared their experiences of the challenges they faced in their constituencies, how they thought Parliament was performing, and whether they believed an appropriate balance had been struck between oversight and expediency in the legislative process.”

It goes on to note a number of the key findings: “(1) MPs’ roles drastically changed during the first months of the pandemic. Parliament had adjourned and constituency work skyrocketed. As other workplaces closed, MPs and their staff took up many responsibilities that usually fall to the public service, and became broadcasters of real-time information for their communities.”

I would like to just take a brief aside from quoting that report. I know I found that, as did a number of my colleagues in the early days of the pandemic — especially when government was issuing new rules and restrictions from on high — in many cases, I was dealing with constituents and other Yukoners who were frustrated and in some cases desperate, wanting to understand what it meant in terms of its effect on their life. There was a wide range of casework issues, but people were reaching out for help. I know that I, along with a number of my colleagues, did our level best to help them with their inquiries. If they were running into situations where they were running into problems with government restrictions or other issues or the ability to have their issues addressed, we provided advice on how they could raise those matters and what they could do.

Jumping back to the report, on page 4 of this executive summary: “(2) MPs made new use of digital technologies to communicate with their constituents, stakeholders, and colleagues. The experience left many Members eager to continue to learn and experiment with digital tools, even beyond the pandemic.

“(3) More than 80% of MPs agreed that the House of Commons must find a way to meet regularly in order for Parliament to continue its important function of holding the Government accountable. But they also recognized that business as usual isn’t possible.”

So, again, jumping aside from the report — that relates to the fundamental issue that democracy matters, and democracy does not matter less during a pandemic. As people’s lives are being affected in new —

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

### Point of order

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

**Hon. Ms. McPhee:** I’m wondering about this line of the debate. It seems to me that it contravenes Standing Order 19(b)(ii) in that it is not speaking to the motion or to the amendment that the member brings forward. I have waited

quite a long time, and the member opposite seems to be discussing a number of other things than his position or information for the benefit of Yukoners regarding the motion.

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

**Mr. Cathers:** Mr. Speaker, first of all, to clarify for the Government House Leader, I haven’t proposed an amendment yet, which she has suggested I did. Pursuant to Standing Order 19(b), I believe that I am speaking directly to the matter under consideration. It relates directly to the motion itself, and I am speaking of excerpts from well-respected public sources that relate to it. I don’t believe that there’s a point of order, and it’s unfortunate that, after seven months of refusing to call the Legislative Assembly, the Government House Leader is so quick to try to shut down debate coming from other members.

### Speaker’s ruling

**Speaker:** The main focus of this motion or proposed motion appears to be the proposal to strike a parliamentary committee and the mechanics of how that committee would be constituted and the responsibilities that it might have.

The Member for Lake Laberge has proceeded to make his comments with respect to what one might anticipate — well, what any MLA might have — with respect to the specific subject matter at some point. However, the motion primarily, in my view, identifies the mechanics of setting up the committee and how it ought to operate and what it ought to be empowered to do.

I think that the Member for Lake Laberge was provided quite a bit of latitude, I think — providing some background information with respect to the specific subject matter — but he may wish to start returning back to his views on the constituting of the committee, the mechanics thereof, and any specific concerns that he may have therein.

**Mr. Cathers:** Again, in talking about Motion No. 212, I want to emphasize the fact that we are willing to participate in a review of the *Civil Emergency Measures Act*. In fact, we are very happy to do so.

Our primary concerns with the motion as proposed relate to several factors, including the fact that we have offered to work with the government in an all-party committee dealing with issues related to the pandemic on more than one occasion, and our past efforts, as I noted in some of my related remarks, were rebuffed and dismissed — often with disparaging remarks from the Premier in press conferences about the need for such a measure.

So when we see a proposal now, after seven months — that the government has apparently had a change of heart and claims that it wants to work with the other parties — we do question their sincerity in it, especially with the proposed timing of the committee reporting to the Legislative Assembly on its findings and recommendations by August 31 of next year. As I mentioned, we don’t know, of course, exactly the date when the government will choose to call an election, but the next territorial election may happen before August 31, 2021. If it hasn’t happened by then, we will certainly be right on the verge

of a territorial election, with government having little to no time to implement any recommendations that may emerge from a report of this proposed committee.

Our other primary concern, of course, is the fact that the committee, as I have noted — I have referenced the opinion as well of the former Clerk, Dr. Floyd McCormick, in his current capacity as a private citizen providing his views about the appropriateness of this motion and problems with it. His views are very similar to our own in terms of the inappropriateness of the Minister of Community Services sitting on a committee as well as the public perception related to it — just briefly recapping the fact of what the former Clerk noted — that the minister “... shouldn’t be in a position of exercising authority under CEMA... while participating in a review of that authority.”

Again, Mr. Speaker, I just want to touch on a few of the elements of the history from this year — the reason why there is a need for the review of CEMA but also directly a need for reviewing the government’s actions through the issuance of ministerial orders, which have primarily been issued under the *Civil Emergency Measures Act* — for which the Minister of Community Services is the lead minister — the decisions that have been made have been affecting the lives of Yukoners. While some restrictions are clearly necessary, that does not mean that any of the restrictions were infallible or that all of the restrictions were well-balanced or justified.

For a review of the *Civil Emergency Measures Act* as proposed by Motion No. 212 to be effective, it properly needs to consider when the act has been used in the Yukon, how it has been used — and that relates, of course, Mr. Speaker, to the use of ministerial orders under it as one of the manners in which it is used — and that by its very nature, whether or not it is the government’s intent, that leads to it becoming a de facto review by the public and by the committee on what the government has done under the *Civil Emergency Measures Act* throughout the course of the pandemic. This will, of course, result in people bringing forward their views on whether they think that those orders were justified or unjustified, the effects that it has had on them — whether they believe those effects were justified or unjustified — and it will, by its very nature — regardless of the intent that the government may have in proposing this — become in fact a review of the government’s actions throughout the pandemic in using the *Civil Emergency Measures Act*. The motion, as it is, is flawed.

There are a few other things I am going to touch on without reading the excerpts from all of our press releases throughout this year — because, in the interest of expediting debate, I don’t want to do that — but a few examples included a May 15 press release from the Yukon Party Official Opposition caucus: “Liberals Pick Winners and Losers Along Alaska Highway”. It notes — and I briefly quote: “This week the Liberal government released its list of approved businesses where people can shop, eat, stay, and gas up along the Alaska Highway as they transit through the territory.”

The issue at that point was, again, that government — though not in that case directly through ministerial orders, but in its actions related to both the *Public Health and Safety Act*

and the *Civil Emergency Measures Act* — made a decision that left some businesses out. This was problematic.

We saw as well — and this speaks directly to the issue of “Why now?” with this committee after the government spent seven months dismissing the need for a committee — that on May 19, we issued another press release: “Premier...” — I can’t use his name, but it is mentioned in the headline — “... Says Liberals Don’t Need Legislative Oversight”. It noted how the Premier said on CBC, when he was asked why the government “... continues to act undemocratically by forcing through unprecedented and broad new powers without allowing the Legislative Assembly to provide scrutiny. In response, he shockingly said, ‘we’re not in a situation where we need legislative oversight for any of the actions that we’ve done so far.’”

Our response from my colleague, the Member for Copperbelt South, noted that: “Democracy is an essential service and for the Premier to dismiss our democratic institutions like this is startling to say the least... Yukoners should be very concerned when our leaders start decreeing that their political party should be free to operate without legislative or democratic oversight.”

Again, the relevance of this, Mr. Speaker, is the fact that we have had seven months of the Premier and this Liberal government refusing to work with the other parties. Now, after they have taken a substantial amount of criticism from the public and are being sued right now by Yukoners who are so upset with this government that they took it to court over their exercise of powers under the *Civil Emergency Measures Act*, the government has proposed a committee — but conveniently, the committee’s report will be almost a year down the road. Action on that report will probably be over a year down the road, the territorial election will be over and done with before anything happens, and we may be out of a pandemic by the time that is done. But Yukoners who are upset with how things are being handled want to see change now, not see it delayed by a year.

I want to emphasize the fact that we do hear a broad range of concerns from people on this — people who think that restrictions have gone too far and haven’t gone far enough. But ultimately, what we will continue to stand up for as the Official Opposition is the fact that we believe there should be public consultation and they should have the opportunity to have their views heard. I firmly believe that there are areas where the government’s ministerial orders could be improved if that opportunity for public debate occurred and that it could balance what makes sense for Yukon citizens, Yukon businesses, Yukon schools, and so on and so forth because of considering that feedback from the people who are actually living with the rules, realizing where there is an opportunity for improvement, and then taking that feedback and improving those rules and orders that are in place. However, that’s not what this committee would do, as proposed in Motion No. 212. It’s too little, too late.

Mr. Speaker, again, a couple of the other highlights throughout the year include that, on May 22, we issued a press release from the Yukon Party caucus, “NWT Legislature



Reconvenes to Scrutinize Government Response to COVID-19". We noted the fact that: "The Legislative Assembly in the Northwest Territories will resume sitting on May 26<sup>th</sup> to allow elected representatives to provide democratic oversight of their government's response..." Then we quoted from a Legislative Assembly of the Northwest Territories press release that said: "The priority for the resumption of the sitting is to adopt the final 2020/21 budget, introduce and consider legislation necessary to respond to the crisis and hold the government to account for its response to COVID-19 to date and other non-pandemic issues of importance."

Meanwhile, the Liberal government was refusing to recall the Legislative Assembly. So, again, we see a real contrast between this motion here today and the actions over the last seven months by the Liberal government. It seems to be a state here — one of the points that we noted at the time is: "If legislatures across Canada, including the Northwest Territories, can find a way to safely meet to allow for democracy to continue, then the Yukon can do the same. Democracy is not something you can ignore because it's an inconvenience."

Again, we will be proposing constructive amendments to this motion. We would like to see a review of the civil emergency legislation occur, but fundamentally, there is a big problem in the entire process if the lead minister is asked to effectively participate in a committee where he's being asked to scrutinize his own actions, take public feedback that will end up being about his own actions — whether that's what he is hoping to hear or not — and then he is being expected to dispassionately participate in a report that will directly relate to decisions by himself, as a minister, and decisions by Cabinet, of which he is a member.

One of our other concerns is that this whole committee process may be just an excuse to continue what we believe to be an abuse of power for another year without actually changing the act, changing the process, and changing their behaviour

The fact that rules are necessary does not mean that these rules have to be autocratically imposed and that the Liberal government should be given the excuse of physically distancing from democratic oversight for another year.

Of course, we are meeting here today to discuss Motion No. 212 and other matters. We are operating in a way that has been approved by the chief medical officer of health with desks being spread out in a manner that is very strange to those of us who have served in the Legislative Assembly for a while — to have such a gap in place. We are entering, as you know, wearing masks, as per that approved plan, and it is fair to say that this workplace is probably as safe as most other workplaces throughout the territory. But what we saw across the country — while the Liberal government was refusing to call the Legislative Assembly, refusing to convene any of the all-party committees that we had proposed to deal with the response to the pandemic — was other legislative assemblies resuming sitting earlier because they had figured out solutions, such as on May 5 —

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

### Point of order

**Speaker:** The Member for Mayo-Tatchun, on a point of order.

**Mr. Hutton:** Standing Order 19(b)(ii) — again, he has strayed so far from the motion that there is no relevance at all.

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

**Mr. Cathers:** If the Member for Mayo-Tachun had been listening, I was just talking about the motion and made a brief reference to when other legislative assemblies were sitting — or started to make a reference to that — after I had talked about previous times this year when the Yukon Party had proposed other all-party committees related to the pandemic and that the government was not willing to deal with — so I don't think the member was listening. I don't believe that there is a point of order, and my comments certainly are intended to be directly relevant to the motion we are debating.

### Speaker's ruling

**Speaker:** As far as members' rights and privileges for however long the Fall Sitting is, members will have, I would anticipate, numerous opportunities to go into the subject area that the Member for Lake Laberge is going into — in the subject area for which he has quoted press releases with respect to sitting, sitting frequency, and how — in the Member for Lake Laberge's narrative — it ought to have unfolded. He certainly will have ample opportunity to exercise his rights and privileges in that regard over the course of, I anticipate, many days in the Fall Sitting.

The issue of sitting or not sitting — I'm scouring this motion to review any reference to "sitting" or "not sitting" in the Assembly. I'm not, at first blush, seeing it. I will once again emphasize that the Member for Lake Laberge, I believe, has been granted a fair bit of latitude to put some meat on the bones, as we might say, with respect to his submissions, but I would ask him, once again, to return to the substance of the motion as I'm reading it here and any additional concerns that he might have with respect to the motion that we are debating this afternoon.

**Mr. Cathers:** I will, of course, stay within the bounds of what has traditionally been the freedom of speech in this Legislative Assembly and my understanding of your ruling as well, but I do want to emphasize, in talking about this, that, in talking about a motion, it has been a long-standing practice for members to talk about the merits or concerns with establishing a committee.

A number of my remarks — I know that the Government House Leader didn't like what I was saying. It appears that the Member for Mayo-Tatchun didn't like the criticism of their actions as well, but it is directly relevant to the merits of forming this committee, because if we question whether the government has any interest in actually participating in a real and meaningful review related to their actions on the pandemic after seven months of them turning down proposals to create an all-party committee, it does call into question whether Motion No. 212 should be supported, especially as worded. That, for

members opposite, was the relevance of the points that I was making.

I want to note as well that democracy is important. Regardless of the merits of protecting health and safety, it's important for responsible governments to ensure that they are respecting the *Canadian Charter of Rights and Freedoms* and respecting democratic principles within our society. It should be noted as well that, even during wartime in World War II, the Parliament in the United Kingdom as well as in Canada continued to operate and to sit, even when there was a risk in the United Kingdom of Parliament potentially being the subject of German bombing attacks. The process matters. The sincerity of government in launching a committee matters as well.

In our view, the government has spent seven months physically distancing from accountability and now is proposing a motion that they claim will be about working together and making the act better, but because of putting the minister who has been their lead minister during the response to the pandemic on the committee and the end reporting date of the committee being potentially beyond the date of the next territorial election — and if not beyond it, then on the verge thereof — it really calls into question whether this committee is more than just smoke and mirrors and an effort of a government to deflect all criticism toward a new committee as a venue.

Some of the other comments, we would note, that were relevant to the motion — because the proposals — we would like to see the *Civil Emergency Measures Act* include more involvement of the Legislative Assembly and committees if an emergency were to be declared, which again directly relates to the motion at hand.

Mr. Speaker, I will shortly propose an amendment to this motion, but I do want to note the fact that, throughout this year, we have seen legislative assemblies across the country resume sitting. Newfoundland resumed sitting on May 5, Manitoba on May 6, Québec on May 13, Ontario on May 19, NWT on May 26, Alberta on May 27, the Saskatchewan Legislative Assembly on June 15, and British Columbia as well in mid-June. The sincerity of this motion, after months of this government refusing to agree to all-party committees proposed by the Official Opposition — it does call into question how sincere they are about this process and the fact that they have almost turned backflips throughout the year to find excuses to avoid calling the Legislative Assembly back before fall and it does relate to our underlying cynicism regarding this matter.

With that, Mr. Speaker, I think I have made most of the key points I wished to regarding this matter. I am going to propose an improvement to this motion that would address one of the most glaring problems with it, which is the inherent problem with not only having a minister on the committee, but also having the very minister who is the lead for the government's response under the *Civil Emergency Measures Act* representing the government on that committee.

Again, as I noted, it's not just me expressing that concern. The former Clerk, Dr. Floyd McCormick, in his current capacity as a private citizen, expressed — as I noted earlier in Hansard — his views very clearly on social media in a list of reasons why the committee, as proposed, was problematic,

including noting the practice of how, if there are ministers on the Public Accounts Committee, those ministers never participate in studies that involve a department for which they are responsible. They recuse themselves and another caucus member replaces them. Unfortunately, we haven't seen that approach taken here. We hope that the government will listen to the concerns that I brought forward as the Official Opposition critic for democratic institutions on behalf of myself, my colleagues, and Yukoners who have contacted us with concerns.

Therefore, I will begin by proposing an amendment that I am hoping, by this point, the government will consider a friendly amendment to follow the advice of the former Clerk and others and that will respect the parliamentary tradition that has been set here on the Public Accounts Committee — both under the current Legislative Assembly and in the past — by replacing the minister on the committee with a government private member in that capacity.

*Amendment proposed*

**Mr. Cathers:** I am pleased to move:

THAT Motion No. 212 be amended by deleting the words “the Hon. John Streicker” and inserting in their place the words “Don Hutton”.

**Speaker:** We have an amendment on the floor. If caucuses wish to discuss their positions on the proposed motion, I can give them two or three minutes to do that.

Is it time for a 10-minute break?

**All Hon. Members:** Agreed.

**Speaker:** A 10-minute recess has been called.

*Recess*

**Speaker:** I will now call the House to order.

The amendment is in order.

It has been moved by the Member for Lake Laberge:

THAT Motion No. 212 be amended by deleting the words “the Hon. John Streicker” and inserting in their place the words “Don Hutton”.

**Mr. Cathers:** In speaking to this again — as I noted, but just to recap — the point of this amendment is to address one of the fundamental and serious flaws with this motion, wherein the Minister of Community Services — after having been the lead minister for most of the Liberal government's response to the pandemic and being the minister named on most of the dozens of ministerial orders issued under that act without any public consultation — is then being, supposedly, thrust into a position where he would dispassionately listen to Yukoners about their concerns and come up with recommendations based on that, despite the fundamental bias based on his past experiences and the fact that, by its very nature, a committee of this type, proposed in Motion No. 212, will hear concerns from Yukoners about how the *Civil Emergency Measures Act* has been utilized this year, which primarily relates to the issuance of those dozens of autocratic ministerial orders and will, by it's

nature, result in the public wanting to do a review and provide comment on the government's actions under CEMA throughout this year. It will certainly not inspire public confidence to have the very minister who was the lead taking responsibility for it. As I noted, in citing the comments from the former Clerk, Dr. Floyd McCormick, of the Legislative Assembly, he noted, in his current capacity as a private citizen, his views on where this motion had value and also the serious flaws inherent in having the Minister of Community Services sitting on that committee, noting — as he did in part in his comments on social media — that, just as the practice exists of government ministers who are on the Public Accounts Committee recusing themselves from studies of departments for which they are responsible — that some other caucus member should replace them — therefore we are in keeping with that tradition.

In an attempt to fix this motion, we are proposing replacing the minister with another member of the government caucus. We have chosen a non-government member to suggest. The reason for selecting the Member for Mayo-Tatchun is that, in looking at the roles and the opportunities that the government backbenchers have to participate on committees on behalf of their constituents and other Yukoners, clearly the Member for Mayo-Tatchun currently has the least opportunity of any of the government private members to participate in these committees.

We know that, in fact, the Government House Leader proposed a motion that removed him from committees in a previous Sitting. We are not sure why that occurred, but I'm sure that his constituents would welcome him having an opportunity to serve on this committee and to participate on behalf of them and other citizens in this role. Again, in looking at the fact that, since the government chose in their motion to name a member by name, we have replaced it with naming another — suggesting another government member. The reason for us making that suggestion is the fact that, clearly, the Member for Mayo-Tatchun has the lightest load in terms of committee work, which also means that he has the least opportunity of any of the government private members to participate in a meaningful role on behalf of his constituents. So, we are proposing helping him out with that and giving him the opportunity to represent the people of Mayo-Tatchun and to provide a voice on behalf of rural Yukon on this committee.

**Ms. Hanson:** In rising to speak to the proposed amendment, I understand the intent of the amendment. I just think it's important to step back for a second here, because it seems to me that perhaps this whole debate has gotten off on the wrong foot. As I read the proposed motion, it is about a review of CEMA, but unfortunately, it was introduced by the minister responsible for CEMA and names the minister responsible for CEMA to preside on that.

I understand the intent of the proposed amendment from the Member for Lake Laberge because, in fact, it is in keeping with legislative precedence in terms of ensuring that we are not guiding the conduct of any committee — that having the

Cabinet minister responsible for the subject matter for the piece of legislation on that committee seems wholly unusual.

Unfortunately, I think the whole conversation this afternoon got off on that tack because the minister responsible for CEMA referred to actions taken under the aegis of his responsibilities for that act, talked about the challenges, and talked about CEMA and so it gave a platform for many of the concerns that Yukoners and members of this Legislative Assembly have expressed since March 19.

As difficult as it may have been to hear some of the comments made this afternoon, I think that the motivation to suggest that a member — and I heard repeatedly from the Member for Lake Laberge that he and his colleagues, as do we, support the idea of a review of a very outdated piece of legislation. The concern being expressed is that, as the minister responsible for CEMA has already put forward to this Legislative Assembly, the pandemic is not over. He has ongoing responsibilities under that existing piece of legislation.

So, I think it was perhaps a bit misguided for the Liberal caucus — or perhaps the minister, in his eagerness, given his experience, to put forward his own name — but perhaps now the idea that has been put forward by the Member for Lake Laberge — that he stand down from that committee and have another member of the Yukon Liberal caucus participate, I think, would certainly make sense.

**Hon. Ms. McPhee:** I don't agree that there is any flaw in the motion that has been put forward, and I am happy to tell my colleagues here in the Legislative Assembly why that is. I certainly don't see it as a fundamental flaw, as it has been characterized by the member opposite for the opposition caucus.

I should also note that I appreciate that it has been characterized as an improvement, maybe, rather than an amendment. I think it has also been characterized as a friendly one. I think it should be clear that this was not brought to our attention prior to just a few moments ago, so it is not, in my estimation, considered friendly.

I also think, unfortunately, it's a bit presumptuous not only in the way it's written, but on the basis of the comments that were made in support of this by the Member for Lake Laberge regarding the personal and professional workload of the Member for Mayo-Tatchun. I appreciate that might be his opinion, but as far as I'm aware, the Member for Mayo-Tatchun was not approached about whether or not this was something that his workload could support.

I can also indicate that we have brought forward this motion based on a number of past practices and a review of how those special committees were formed and formulated. I can stress that and give a number of examples, Mr. Speaker.

On April 9, 2008, the then-government — the conservative Yukon Party — brought forward a motion for a special committee on the Human Rights Commission. That committee was proposed to be the then-Justice minister Marian Horne, MLA Don Inverarity from the Yukon Liberal Party, and MLA Steve Cardiff from the New Democratic Party. During the debate of that motion, the information that I have is that the

NDP did not speak to that motion and certainly no concerns were raised or expressed by the government or any party during that period of time. Of course, any review of the Human Rights Commission and the work that it does would be under the responsibility of the then-Minister of Justice and clearly of concern if the reasoning that was being brought forward to this Legislative Assembly today was applied in that case.

I can also indicate that, back in 2013 — in fact, the now-leader of the conservative Yukon Party, Currie Dixon, was the Minister of Environment. He was named —

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

### Point of order

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

**Mr. Cathers:** Either the Minister of Justice is doing a really bad job of fact-checking or she's inventing new party names that don't exist. Either way, I am not sure if she is deliberately mischaracterizing something or whether she's just really sloppy in her research. I would hope that the Minister of Education would do a better job than that. I would ask her to refer to the parties by their proper names in this Legislative Assembly.

**Speaker:** The Minister of Justice, on the point of order.

**Hon. Ms. McPhee:** I am sorry; I didn't hear at least half of what the member opposite said.

**Speaker:** If the console operator could ensure that all the mics for all MLAs are at the appropriate levels and then could the Member for Lake Laberge repeat himself, please?

**Mr. Cathers:** Thank you, Mr. Speaker. I will repeat myself as per your request. I am not sure whether the Minister of Justice and Minister of Education was, through poor research, incorrectly referring to a party's name or whether that was a deliberate mischaracterization. I would hope we could expect better from the Minister of Education in terms of her research. Either way, I would ask you to instruct her to refer to parties by their actual name here in the Legislative Assembly, not inventing names or misusing terms due to poor research on her part.

**Speaker:** The Minister of Justice, on the point of order.

**Hon. Ms. McPhee:** I have no comments on the point of order except that I appreciate the opportunity perhaps for corrections to be made. But I would also appreciate it if the insults could stop from the member opposite during his arguments on a point of order. They confuse me, Mr. Speaker.

### Speaker's ruling

**Speaker:** This point of order has not been raised during the 34<sup>th</sup> Legislative Assembly in my recollection. Of course, I may be mistaken. I will take this under advisement and report back to the House, if required. I will leave it at that.

**Hon. Ms. McPhee:** I think I was at the point where I was making note of a situation back in 2013 when the Leader of the Official Opposition, as he is now, Mr. Currie Dixon — at the time, he was the Minister of Environment — in fact, it was a motion brought forward in this Legislative Assembly by the

member who is representing Lake Laberge. He brought forward a motion for a committee on hydraulic fracturing. The then-Minister of Environment, Mr. Dixon, was the nominee for that committee and he in fact participated in that committee, despite the fact that, again, if the reasoning that was being used today was applied, he would have been by all accounts — according to the opposition — inappropriately named as a member of that special committee.

Mr. Speaker, it is lastly unfortunate that efforts have been made to try to work going forward for the purposes of this work going forward — so I appreciate the comments of the member of the Third Party, but this is about a matter going forward, looking to hear from Yukoners about how this piece of legislation could perhaps be improved. We have brought forward this motion naming the honourable minister on the basis that he is the person who has the most working knowledge and experience with this piece of legislation — frankly, something that very few people have. In this Legislative Assembly or even in former governments, it has not been used very often.

Lastly, an attempt as I've noted to choose our member is not appropriate. We have brought forward the concept that every party should choose the member who they want to have participate in this work on behalf and for Yukoners. We look forward to that debate continuing.

**Mr. Kent:** I rise in support of this amendment being proposed by the Member for Lake Laberge. I appreciated the intent.

I do have to speak to a couple of the things that the Government House Leader mentioned. Of course, the Member for Lake Laberge did characterize this as a "friendly amendment" and the Government House Leader went on to say, "Well, if it was so friendly, why didn't we see this before it was tabled?"

But I'll remind the Minister of Justice — the Government House Leader — that we never saw the original motion until it was read into the record in this House. I mean, for her to say stuff like that is disappointing to say the least when she knows very well that the wording of the original motion was not shared with members of the opposite side of this House prior to it being tabled in the Legislative Assembly — or I should say that it was not shared with the members of the Official Opposition prior to it being tabled in this Assembly. I won't speak on behalf of the Third Party.

Another issue that she brought up with respect to a previous committee was the committee on hydraulic fracturing and the appointment of the then-Environment minister to that committee, but I will remind the minister — perhaps the minister doesn't realize this as she wasn't a member of this House at that time — that the responsibility for responding to that report was for the Minister of Energy, Mines and Resources — and that minister at the time, I believe, was the Member for Lake Laberge, or perhaps it was me, but I was not on that committee. I did respond to the report of that committee once it was tabled in this House.

Mr. Speaker, a committee that I was on during the 33<sup>rd</sup> Legislative Assembly was the Public Accounts Committee, and I was on that as a sitting minister. I know that my colleague, the Member for Lake Laberge, read some of the comments that were made by the former Clerk of the Assembly in a series of tweets that he put out, but I wanted to specifically reference one of those excerpts. It goes on to say — and I quote — that over the years, the YLA — the Yukon Legislative Assembly — has appointed ministers to the Public Accounts Committee. Those ministers never participate in studies that involve a department for which they are responsible; they recuse themselves. Another caucus member replaces them, and that thinking should apply here.

The Clerk goes on to say in the next tweet that when — he names the Minister of Community Services — the minister's motion is debated, it should be amended to remove — again, that minister — from the committee's membership. A Liberal private member should be named instead. The Minister of Community Services' — who he names here — views, experience, and expertise will not be lost to the committee — as, of course, he goes on to say that we could have him provide expert testimony to the committee or testimony to the committee at some time.

Again, focusing in on this amendment alone, we believe that it strengthens the work of the committee. As I mentioned, as a former minister who sat on Public Accounts — it was chaired by the Member for Whitehorse Centre, the Leader of the Official Opposition at the time. I remember specifically having to recuse myself from specific hearings that had to deal with one of the portfolios that I was responsible for. I think that the logic that is put forward by Dr. McCormick, in his role as former Clerk of this Assembly and a private citizen now, should bear out with the Liberals' consideration of this.

Again, we decided in this amendment to name the replacement because the Liberals decided in their original motion to name the member who was being put on there rather than having the membership discussed among the leaders of the various parties as we move forward.

I think those are important points that I just wanted to highlight before we move on to vote on this amendment.

**Hon. Mr. Pillai:** Mr. Speaker, I think I would just like to correct the record on a few points.

First and foremost, the Member for Copperbelt South just identified the fact that there was some concern about the fact that the motion had been tabled and that there wasn't a lot of discussion previous to that. I think I would just like to point out that we have seen motions tabled by the opposition over the last two days, time and time again. We have a number that have been associated with them, but we actually haven't even had an opportunity to hear them read into the record what the motions are — so, really, pot see kettle.

The other point I think I would like to make is that today is a great example of a situation where — what we heard publicly was that we were all coming in for the longest Sitting ever. We were going to get down to work. I have sat here for three days and listened to, in most cases, the Member for Lake

Laberge touch on the fact — using words such as “holiday” and saying that people weren't at work. That is a disservice to all 19 members of this Legislative Assembly. The Official Opposition, I know — and even the Member for Lake Laberge — has represented their ridings, they have worked hard — whether in Watson Lake or in Riverdale — and everyone has come together. When someone comes in to gain political points and tries to characterize the work of the entire Assembly as —

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

#### Point of order

**Speaker:** The Leader of the Official Opposition, on a point of order.

**Mr. Hassard:** Mr. Speaker, I don't believe that I have heard the Minister of Economic Development refer to the amendment at all in this speech, I guess, that he's giving us.

**Speaker:** The Minister of Energy, Mines and Resources, on the point of order.

**Hon. Mr. Pillai:** So, again, here we are at a point where — you know, I think —

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

**Hon. Mr. Pillai:** It's on the point of order.

It was the starting points. I will speak to the amendment. As was stated by the Member for Lake Laberge, I'm using nothing other than standard practice of the Legislative Assembly as we've seen.

Again, Mr. Speaker, it is hard to hear — the disrespectful Member for Whitehorse Centre continues the activity that we've seen for the last three days.

Again, there's no point of order here. I will get to the point on it — just the original piece, Mr. Speaker.

#### Speaker's ruling

**Speaker:** Order, please.

Members will know that Standing Order 35(b) is a modifier, which, with some degree of — by parliamentary standards — surgical precision, limits debate on amendments, and it's fairly prescriptive. It says, “When taking part in a debate on an amendment to a motion... (b) a member, other than the mover, shall confine debate to the subject of the amendment.”

This amendment is pretty discrete. It has a fairly specific purpose. So, although there could be some background commentary which a Chair might see as being somewhat irrelevant, in this case, the amendment is fairly specific. So, I would ask the Minister of Energy, Mines and Resources to be fairly confined in the comments with respect to the motion that we're currently debating, which is, as I understand it, to substitute one Member of the Legislative Assembly on a committee in favour of another Member of the Legislative Assembly.

**Hon. Mr. Pillai:** With respect to the amendment and also to the argument put forward by the Member for Copperbelt South, I would say that the prerogative or the perspective of the opposition in the particular case that they used as an example — be it the standing committee around fracking — was that the

minister of the day of Energy, Mines and Resources did not have a particular position within that structure because they felt that they were the lone minister who had the responsibility for that particular activity.

I would say, again, that is a prerogative of the opposition. I think most Yukoners who you spoke with — if you said that a particular activity also would fall under the guise of — the work and the responsibility of — the Minister of Environment — it's just the prerogative of one particular party. We know strongly what the view is there.

So in this particular case, I would say that having the Minister of Environment sit and oversee that select committee is no different from what has been put forward here today. Again, I would say, with response to this — really, you know what, I will limit it. The opposition is getting excited about this — and really, very simply, I think we want to — let's just get to work. I don't think anybody — no, we appreciate it. We appreciate two to three hours of a speech — you want to hear a speech — we heard the speech, is what I would say to the Member for Pelly-Nisutlin. Let's just get to work. Let's get back down to the budgets. That's what we heard for two or three months: "Let's get to work." Well then, let's get to work. I think anybody listening today — the public servants know — that again, political ploys. Let's get to work. Let's get the questions going.

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

### Point of order

**Speaker:** The Leader of the Official Opposition, on a point of order.

**Mr. Hassard:** I think this is the second time now that the Minister of Economic Development seems to be off on some tangent a long way from the amendment.

### Speaker's ruling

**Speaker:** He's finished, but I take the Leader of the Official Opposition's point that the minister was beginning to stray as he finished his comments.

Is there any further debate on the proposed amendment?

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:** Disagree.

**Hon. Ms. McPhee:** Disagree.

**Hon. Ms. Frost:** Disagree.

**Hon. Mr. Pillai:** Disagree.

**Mr. Adel:** Disagree.

**Mr. Hutton:** Disagree.

**Hon. Mr. Mostyn:** Disagree.

**Hon. Mr. Streicker:** Disagree.

**Hon. Ms. McLean:** Disagree.

**Mr. Gallina:** Disagree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The nays have it. I declare the amendment defeated.

*Amendment to Motion No. 212 negatived*

**Speaker:** Is there any further debate on the main motion?

**Ms. Hanson:** This has been a protracted and kind of disappointing turn of events in terms of what could be and what should be a constructive discussion about how we, as a Legislative Assembly, review a piece of legislation that, over the course of the last seven months, has had a significant impact on all Yukon citizens — not just Yukon citizens but Yukon businesses and people who wanted to come and visit and to enjoy our territory.

I understand the intent of the Minister of Community Services — the minister responsible for the *Civil Emergency Measures Act* — in his putting forward this motion, because he is experienced as the minister responsible — as he said repeatedly in the many public statements in conjunction with his Cabinet, with the obligations and responsibilities that fall to the minister under the current *Civil Emergency Measures Act*.

I think what we've heard this afternoon, Mr. Speaker, is that there is and has been an expression of significant frustration with the fact that the way the interpretation — the way the act has been invoked and acted upon has effectively excluded the voice of all members of this Legislative Assembly by saying that it was solely the purview of the Yukon Cabinet with respect to making decisions that affect all Yukoners, when in fact it is the responsibility — without any legislative oversight — without any legislative oversight on the many orders-in-council pursuant to CEMA that have been passed and the many, many, many millions of dollars that have been expended. That's part of our duty — that's our responsibility and our duty — to hold government to account.

I heard the frustration being expressed by the Member for Lake Laberge with respect to efforts that were made by — whether it's the Official Opposition or the Leader of the Yukon New Democratic Party or me as an MLA — a member of SCREP — to get that committee to meet — because we had taken to heart some of the language and some of the suggestions made by the former Clerk of the Legislative Assembly when he wrote to us all in April, when he said that this is an incredibly important time and that you have an obligation and a responsibility as Members of the Legislative Assembly — all of you — to hold government to account.

He gave us a number of ideas and a number of suggestions. He reinforced every time, Mr. Speaker, that — as we've heard here and we've heard over the last number of months — these are unprecedented times. That's very, very true. But he also pointed out that, because these ministerial orders are being put forward pursuant to CEMA, the orders-in-council and the ministerial orders are not publicly debated before they take effect. But the Standing Committee on Statutory Instruments, or SCREP, have the authority to examine those orders-in-council. He urged this Legislative Assembly — all members — he said that you have the power. If you say the rules aren't there now, you have the power to change those rules. That's where the frustration and anger I think I've heard expressed this afternoon was coming from — it was because there was absolute unwillingness to have that discussion — even to have the discussion — as to whether or not it was advisable for us to change those rules as Members of the Legislative Assembly — as members of those duly constructed committees of this Legislative Assembly — to consider it.

Mr. Speaker, I truly do believe that we do need to review this legislation. But I think, as I said earlier, that there has been a conflating of the kind of issues that we're talking about. On one hand, it's almost a hearing on how the government has performed under CEMA — and I don't think that's what the minister intended to put forward here. I think that probably will happen at some point, but as we all know, the pandemic is not over. The minister is responsible until —

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

**Ms. Hanson:** If the Premier doesn't agree with me, that's fine. He can say so. But I am trying to make a point here with respect to the motion that was put forward by his minister with respect to setting up a special committee on the *Civil Emergency Measures Act* — the legislation.

I have said that I do support this. But I want it to be done in the most democratic way. I want Members of the Legislative Assembly to feel that they are empowered to lead this. It's not Cabinet leading this. That's the challenge that I think we have faced. In any conversation that we have — if we raise a question, Cabinet is making this decision. Well, yes — but you know what — there is a need for oversight.

So, Mr. Speaker, I think that there's an opportunity here to achieve the objectives that the minister has set out and to provide that broader democratic process. Therefore, Mr. Speaker, I would like to propose an amendment.

*Amendment proposed*

**Ms. Hanson:** I move:

THAT Motion No. 212 be amended by:

(1) deleting the words “the Hon. John Streicker” and inserting in their place the phrase “a private member from the government caucus”;

(2) deleting the phrase “THAT the Leader of the Official Opposition and the Leader of the Third Party” and inserting in their place the phrase “THAT the leaders of each caucus”; and

(3) inserting the phrase “THAT the Hon. John Streicker appear as a witness before the committee;” after the words

“THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods”.

**Speaker:** There is a proposed amendment on the floor by the Member for Whitehorse Centre.

Do members wish for some time to discuss the proposed amendment?

**All Hon. Members:** Agreed.

**Speaker:** There will be a 10-minute recess.

*Recess*

**Speaker:** I will now call the House to order.

There is a proposed amendment on the floor by the Member for Whitehorse Centre.

It has been moved by the Member for Whitehorse Centre:

THAT Motion No. 212 be amended by:

(1) deleting the words “the Hon. John Streicker” and inserting in their place the phrase “a private member from the government caucus”;

(2) deleting the phrase “THAT the Leader of the Official Opposition and the Leader of the Third Party” and inserting in their place the phrase “THAT the leaders of each caucus”; and

(3) inserting the phrase “THAT the Hon. John Streicker appear as a witness before the committee;” after the words “THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods”.

I am looking at the main motion and I think I see where numbers (1), (2), and (3) would respectively go. Are members satisfied that they know where they would go so that I will not be reading the motion as it would read if amended?

Are you agreed?

**All Hon. Members:** Agreed.

**Speaker:** The Member for Whitehorse Centre, on the proposed amendment.

**Ms. Hanson:** I believe I had set out, in moving the motion, my rationale for doing so. I do it with respect for the fact that the minister responsible for CEMA — as well as in his other role as Minister of Community Services — has had significant experience over the last seven months with respect to the operational difficulties and inefficiencies — challenges, perhaps — I don't know what they are because I am not the minister, nor have I had to deal with CEMA. But I understand that, when you have any piece of legislation that goes back 50-plus years, there are going to be changes that we need to do and that we will learn from the experiences of the past seven months and from other jurisdictions — again, because the body of this motion remains the same in terms of being able to call expert witnesses, being able to address matters with respect to modern forms of civil emergency legislation across this country that would inform the operations and the work of this committee.

I think that the fundamental difference that we are proposing through this amendment is that we are empowering Members of the Legislative Assembly, as opposed to Cabinet, to guide the work of the Legislative Assembly — which, for

wont of a better word, empowers members as opposed to neutralizing them.

Secondly, it does recognize — as I have alluded to — that the minister responsible for the *Civil Emergency Measures Act* will have developed — through his experience in being the one ultimately accountable for that legislation — information, views, and suggestions as to how that legislation could be most effectively amended or changed — substantively, perhaps — maybe it is not simply an amendment — with respect to the future — because I think that is the issue here, Mr. Speaker. We are not talking about how CEMA is operating right now. That is not going to be the outcome of this special committee of this Legislative Assembly.

We're talking about the CEMA, the Yukon civil emergency legislation for the future. The minister is going to have ongoing responsibilities during this pandemic for the current legislation — that's a given — so the committee will benefit from his expertise as a witness, but I think it would be highly inappropriate for the minister to be on that committee. As I said before, the Legislative Assembly is Members of the Legislative Assembly. The minister has a special role in that; that's great. He can be an expert witness.

I really do hope that the government side will support what we're trying to do here, which is to facilitate getting this going. To quote the Minister responsible for Energy, Mines and Resources — to get to work on it. Let's do it.

**Mr. Hassard:** I would like to thank the Member for Whitehorse Centre for her amendment as I certainly agree with the importance of what she has proposed here.

In my mind, if it's a Liberal minister on this committee and especially if it's the Minister of Community Services who leads this review of the *Civil Emergency Measures Act*, it essentially equates to the Liberals writing their own report card, and I don't believe that it would be scrutiny in any way, shape, or form.

To me, that's window dressing, and it's even cynical damage control by the Liberals who have been called out by hundreds of Yukoners for refusing to let this Legislature do its work.

Mr. Speaker, let's be clear. Despite the merit of any individual measures brought in by the government under the *Civil Emergency Measures Act*, they all deserve scrutiny and debate because that's how democracy works. We've heard the Premier on the radio where he in fact said that the Liberals don't need democratic oversight. Honestly, I was a little shocked to hear such comments come from a leader anywhere here in Canada, because that typically is the sort of thing that you would hear from a politician in a country that doesn't actually have a working or functioning democracy.

That again brings me back to the membership of this committee. It appears that they want to control and rig the process by putting the lead minister for the CEMA review in the hands of the government. They don't feel that they need to be questioned. In fact, it appears that they think they only have the right to question themselves.

We need to make sure that we can objectively look at these issues and not be influenced by the whims of the Liberal

Cabinet. You know, if the Minister of Community Services sits on the committee and refuses the decisions made by the Liberal Cabinet of which he is member, that will be tainting and undermining the whole process. It removes the legitimacy of the process and the work of the committee.

Mr. Speaker, in fact, not only should the Minister of Community Services not sit on the committee, he should appear as a witness to the committee, as the Member for Whitehorse Centre has said. I think that his input would need to be, and should be, considered by the committee.

Perhaps the reason that the Liberals have proposed the Minister of Community Services as a member of the committee, rather than as a witness is because they don't want him to be scrutinized or have to answer questions of the committee. This would certainly be consistent with their approach and disdain for democracy, but it really is wrong.

I too would like to quote from the former Clerk of the Assembly who, when he recently tweeted on this topic of the membership of the committee, stated that the Minister of Community Services should not be on the committee. He goes on to state that the Yukon Legislative Assembly has appointed ministers to small select committees before, but it should abandon this practice. He states that it should only appoint ministers to committees where party balance is necessary, and it isn't necessary for a three-member committee.

Now, it's interesting that the Premier thinks that this a joke, because this is democracy and this is how our country works. It's pretty disappointing to see that the Premier thinks that this is in fact a laughing matter or some sort of a joke.

Mr. Speaker, to continue with the former Clerk's line of thinking, he says that committees exist to help us, as legislators, hold the government and the Cabinet accountable —

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

**Mr. Hassard:** The Premier does have his own opportunity to stand up and speak, but he can wait until I'm finished and then I would be happy to listen to what he has to say.

Mr. Speaker, how can we do that if a member of the committee is actually a member of Cabinet? It simply won't work. I am sure that the government thinks that it is totally fine to hold themselves to account, but unfortunately for them, that's not how accountability works. In fact, the former Clerk talked about accountability in committees and said, "That is harder to do when a minister is on the committee. A minister can't — and shouldn't — as a committee member, hold their fellow cabinet ministers accountable..."

Again, he goes on to state that the committee will have to consider government actions so far, including the ministerial orders that the minister has issued under CEMA. The committee cannot de-personalize its process if the minister is on the committee.

Finally, the former Clerk made a really good point about whether or not this committee should have the minister on it, especially while the same minister is still out there making decisions under the *Civil Emergency Measures Act*. I think that they are really important points and speak to the importance of the membership of the committee and whether or not a minister



can be a member of this committee, which, of course, I believe he shouldn't be.

Again, I will just quote the former Clerk: "... the pandemic isn't over and may last throughout the committee's mandate..." The minister "... shouldn't be in a position of exercising authority under CEMA..."

Again — and I quote: "... while participating in a review of that authority, the government believes..." — the minister's — "... responsibility for CEMA means he should be the Liberal on the committee. But responsibility for the act and involvement with government decision-making are reasons to leave..." — the minister — "... off the committee..."

Finally, Mr. Speaker, as Chair of the Public Accounts Committee, I am in a unique position where I can speak with some expertise from that committee's perspective. Over the years, obviously, there have been many instances where ministers have been on the Public Accounts Committee and the committee has looked at issues regarding ministers' portfolios, but in those instances, every time, the minister has recused themselves. That is because of conflicts of interest. I have been on that committee for nine years now, Mr. Speaker.

We understand that it would taint the process, it would wreck the outcome, and it would wreck the legitimacy of the whole process of Public Accounts. In this instance, when we are talking about a review of the *Civil Emergency Measures Act*, it would certainly rig and taint the process as well. So the minister simply cannot be on the committee, as it would interfere with the legitimacy of the entire committee.

If I could just jump back to the former Clerk for a minute — he said — and I will quote again: "A Liberal private member should be named instead." That is exactly what this amendment has spoken to.

The former Clerk goes on to state that the committee can invite the Minister of Community Services to appear before it so as to discuss the review of the *Civil Emergency Measures Act*. If he were to do that, he could obviously explain why the Liberals refuse to recall the Legislature. When he appears before the committee as a witness, we would certainly welcome hearing that.

With that, I would just like to reiterate why I support this amendment. I think that it greatly improves the flawed, rash, and ill-thought-out original motion brought forward by the Minister of Community Services.

Thank you for the opportunity to speak to this amendment this afternoon. Again, thank you to the Member for Whitehorse Centre for bringing it forward. I will certainly be voting in favour of this amendment.

**Mr. Cathers:** I am pleased to speak in favour of this amendment brought forward by the Member for Whitehorse Centre. I would note on this that, although there are many areas where, philosophically, we see things differently from our friends in the NDP, when it comes to this issue, we are very much in agreement that some of the democratic principles at play with regard to the process of this need to be respected.

As I noted in my remarks — and as a number of my colleagues have noted — this is not simply a case of elected

representatives speaking but also a case in which the former long-time Clerk of this Assembly, Dr. Floyd McCormick, in his current capacity as a private citizen, has made his views known, with some very reasoned and reasonable comments on this committee, including his remarks that — as I think anyone who read them would agree — are balanced in nature. They acknowledge the benefit of the committee while criticizing some of the problems with the committee's structure — most notably in his remarks regarding the fact that the proposal to have the Minister of Community Services — the original wording of Motion No. 212 proposes to have the Minister of Community Services on this committee, which is a significant departure from past parliamentary practice with matters related to committees such as the Public Accounts Committee and the long-standing principle which until now has been unchallenged and undisputed by any party in this Legislative Assembly that, when ministers are sitting on Public Accounts, if their department comes up for review, they should recuse themselves to preserve the process.

This is a very similar matter where — and the amendment brought forward by the Member for Whitehorse Centre does nicely acknowledge the fact that the Minister of Community Services could provide insight that would be valuable to the process in the committee. Then, no doubt, if this amendment passes, having the Minister of Community Services appear as a witness before a committee will help the committee to understand why decisions were made regarding the dozens of sweeping ministerial orders, what the process was in coming to the decisions government made, and understanding what the inner workings were of that. It would no doubt — assuming this were to pass — place members of the committee in a better position to understand why Cabinet made the decisions they did, why the minister — as lead minister on this file — took the actions he did, but without being in the fundamental conflict that occurs when asking the minister to scrutinize his own actions and assuming that he be unbiased in doing so — or even having any member of Cabinet sit on this committee, since the decisions made regarding the pandemic — while of course I was not party to nor made aware of the Cabinet discussions that occurred, I would assume that many of the decisions made throughout the process were made by Cabinet collectively and that any member of Cabinet therein could face a real or perceived conflict between their oath of Cabinet confidentiality, the expectation that they support Cabinet decisions, and the expectation that sitting in a seat on a committee would place upon them to work on behalf of the Legislative Assembly in a manner that allows them to independently scrutinize and consider those decisions and make recommendations.

Again, as I've stated — as a number of my colleagues on this side of the floor have noted in their own words — there is in fact a situation that, regardless of the intention of this process, by the very nature of looking at modernizing the *Civil Emergency Measures Act* and making recommendations on the possible amendments, Yukoners who come forward are going to want to talk about what happened during the pandemic. They're going to want to talk about the impact of ministerial

orders that they disagree with. In some cases, I would speculate that they will probably bring forward their views on where certain decisions made by government may have been helpful. But we know already — based on what Yukoners have said publicly in letters to the editor, in comments on public forums, and most notably in the fact that a number of Yukon citizens are taking the government to court right now over the legality and constitutionality of the *Civil Emergency Measures Act* and the decisions made by this Liberal government under it — we know that there are people who have very serious concerns with the decisions that were made, and they will no doubt, if given the opportunity for public input, bring forward their views that will in effect amount to a review of the government's decision under the *Civil Emergency Measures Act*. Because without talking about what's working and what isn't working or what has worked and what hasn't worked under the *Civil Emergency Measures Act*, it's not really possible to have an informed discussion about where things can be done better going forward.

So, Mr. Speaker, fundamentally, in speaking to this proposed amendment to the motion, I support — as do my colleagues — the proposal brought forward by the Member for Whitehorse Centre. We agree that there is value in the Minister of Community Services appearing as a witness before the committee and hearing his explanation for why decisions were made will better inform the process.

We also — as members will recall, while I had proposed a different approach to replacing the minister — fundamentally, the heart of the intent that I had in proposing the previous amendment is not really different from what the Member for Whitehorse Centre is driving at through this one — that of moving the Minister of Community Services off the committee, replacing him with a government private member — who is, of course, not a member of Cabinet — and ensuring that the process is better for it.

We have seen, throughout this year, a number of cases where long-standing practices have been departed from by the current government. We have seen, as well, concerning behaviour which includes — when the Legislative Assembly wasn't sitting, the government — despite having previously promised not to seek an increase of the debt limit — doubled the debt limit —

**Speaker:** Order, please.

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

*Debate on Motion No. 212, and the amendment, accordingly adjourned*

*The House adjourned at 5:30 p.m.*



# Yukon Legislative Assembly

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Number 43

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 7, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, October 7, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

**Speaker:** We will proceed with the Order Paper.  
Introduction of visitors.

## INTRODUCTION OF VISITORS

**Ms. White:** I invite my colleagues to welcome the visitors in the gallery who are taking an active role in democracy. We have Kevin Greenshields, Michael Thompson, Emilie Baker, Mary Sloan, Lucas Taggart-Cox, Telek Rogan, and Aaron Greenshields. Thank you so much for being here.

*Applause*

**Hon. Mr. Streicker:** I am not sure if I heard the name read out but, just in case, I would also like to welcome Michael and — I'm not sure if it is Alexander, or Gwynne-Timothy — Michael Thompson, who is one of my young constituents.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Culture Days

**Hon. Ms. McLean:** I rise today on behalf of all Members of the Legislative Assembly to pay tribute to Culture Days. Culture Days is an annual celebration of the nation's arts and culture that aims to foster appreciation and support for artistic and cultural life, to promote interaction, and to affirm that every citizen is the guardian of the cultural life of his, her, or their community.

This year's theme, "Unexpected Intersections", encourages artists and audiences alike to reimagine as they reconnect. Typically taking place over the last weekend of September, the event, like so many others, was modified due to COVID-19 — but in this case, for the better. This year, Culture Days was expanded into a four-week celebration running from September 25 to October 25. Here in Yukon, artists and organizations coordinated and presented a fantastic range of events for all interests and ages from September 25 to 27. Events included concerts, literary readings, workshops, art exhibitions, children's performers, storytelling, bike decorating, a haiku walk, and even a parade.

I have to pause and acknowledge how incredible it was to attend in-person events during this year's 2020 edition of Culture Days. In Yukon, we are one of the very few places throughout the country to have the privilege of holding in-person events. Over the course of the day, I heard many people express just how blessed they felt to live in the Yukon and to be part of this territory.

I am very proud of our talented and resilient Yukon artists. There are no words to describe the joy of seeing our youth gathering to decorate their bikes for the Midnight Sun Moppet Children's Festival procession.

I paused to listen to Ryan McNally and Paris Pick playing solo music along the waterfront as if, for a very split moment, things were already back to normal. My Culture Days weekend ended with attending "Airings and Endlings: Readings with Joanna Lilley and Ellen Bielawski" where I travelled through their words and poetry. The Yukon Arts Centre truly took all measures to keep everyone safe, and it was just a start.

As I stated earlier, this year's Culture Days have been extended and it is wonderful to note that Yukon artists are featured prominently outside the territory in upcoming events. For example, on October 13, Jan Stirling will be giving a talk in Coquitlam about the book she wrote on Ted Harrison. It is being livestreamed so that people can take part from their homes. It is inspiring to witness the creativity and adaptation that went into the 2020 Culture Days celebration. The amazing array of in-person and online performances, workshops, and exhibitions offer us new ways to experience, collaborate, and connect across our nation. You can search virtual opportunities through #CultureDays2020.

Arts and culture play such an essential role in Yukoners' lives and in the health and well-being of our communities. Yukon's arts and culture organizations and practitioners do so much to innovate, inspire, and share with audiences the unique voice and talents of our north. In times of uncertainty, artists provide an important lens and outlet through which we can connect and find meaning. With the current global situation, an event such as Culture Days preserves our strong sense of community.

Our thanks go to the Yukon Arts Centre, the Kwanlin Dün Cultural Centre, Arts Underground, the Yukon Historical and Museums Association, and all the many community partners who contributed to this year's events. Please join me in recognizing all the artists, organizations, and venues who helped bring this event to life under these exceptional circumstances.

*Applause*

### In recognition of Energy Efficiency Day

**Hon. Mr. Pillai:** I rise today on behalf of the Yukon Liberal government and the Yukon NDP to pay tribute to the growing network of companies, government agencies, utilities, and many others who promote energy efficiency during this fifth annual Energy Efficiency Day.

We made special note of energy efficiency today, but of course this is a year-round commitment. Energy efficiency and the jobs it creates are key to the future of the Yukon. There are more than 436,000 Canadians who work in the energy-efficiency sector. These people are eliminating waste, reducing carbon emissions, and growing the economy. The recent release of *Our Clean Future: A Yukon strategy for climate change, energy and a green economy* is a milestone achievement in Yukon's commitment to fighting climate change and improving our energy efficiency. Energy, Mines and Resources

developed this strategy in partnership with Environment and Economic Development and will continue to lead by implementing 42 key actions from the strategy.

Energy efficiency is key to our clean future. Being more energy efficient is the first line of action in addressing increasing demands for energy. But even before the release of *Our Clean Future*, energy efficiency was a priority. The Government of Yukon enabled over \$120 million over four years — starting in 2019 — to implement energy-efficiency initiatives throughout the Yukon. This works out to an average of \$30 million annually.

Thanks to a joint investment with the Government of Canada, dedicated funding for energy-efficient retrofits for residential, commercial, and institutional dwellings was made available. Retrofit incentives are allowing Yukon homeowners, businesses, and institutions to upgrade insulation, improve window quality, and draft-proof their homes and places of business. This work saves money for home and business owners.

Good energy incentives also play a significant role in promoting the purchase of energy-efficient Energy Star appliances. These smaller changes continue to make a significant impact in reducing electrical loads and energy use in Yukon. To date, participants in our residential energy-efficiency rebate programs saved enough energy to power 4,273 average Yukon homes for one year. They saved \$13.8 million in energy costs and avoided emitting 55,000 tonnes of greenhouse gases. This is a significant accomplishment, and I want to acknowledge those homeowners and business owners who have stepped up and made these improvements. You are on the leading edge.

Heating accounts for 21 percent of Yukon's total greenhouse gas emissions. To help reduce Yukon's heating demands, we expanded our energy retrofit incentives to include commercial and institutional buildings. This means that good energy rebates are available to businesses, non-profit organizations, Yukon First Nations, and municipalities. As of August 2020, 32 commercial and institutional projects were completed through our energy retrofit program, significantly reducing their greenhouse gas emissions, and another 48 projects are in development.

Thanks to the Government of Canada's support, local government buildings are being retrofitted. This program focuses on improving energy use in larger buildings like community centres or main administration buildings in Yukon First Nation communities and municipalities.

These retrofit programs are delivering measurable benefits by relieving pressure on our energy-generation needs, reducing our collective greenhouse gas emissions, and creating green jobs that stimulate Yukon's economy.

Mr. Speaker, pursuing energy efficiency is a win-win for everyone. Our homes and workplaces will be warmer in the winter and have lower heating bills. We reduce our energy use and emit less greenhouse gases. We will create jobs and grow the economy in an energy-efficiency sector. We have a strong network of people in Yukon who are part of this movement —

homeowners, First Nation governments, communities, advocates, and the private sector.

Let's keep moving forward together in the name of energy efficiency for a healthy environment and economy for all.

*Applause*

**Mr. Cathers:** I'm pleased to rise on behalf of the Yukon Party Official Opposition to recognize today as Energy Efficiency Day 2020. This day focuses on sharing tips and tools with individuals and families in order for them to save energy and save money. Here in the Yukon and across the north, we have unique energy needs that set us apart from southern jurisdictions with respect to usage.

Canadian winters can range in severity from coast to coast, but here in the northern territories, we face limited daylight hours in addition to the cold temperatures, and we are not able to heat our homes any less than we do and still remain warm.

I would like to note that the minister — in talking about the government's new clean future initiative — we were pleased when they announced that they have continued forward with many of the energy-efficiency programs and initiatives that were started under the Yukon Party. I would like to also thank the government employees who, during our time, helped with the design of programs, including the good energy rebates and the microgeneration program, as well as changes made to the rural electrification program which allowed homeowners to install on-grid renewable energy programs and to borrow money to install those things — whether they be solar panels, wind, or hydro.

There are a number of programs that Yukoners can subscribe to here to help curb energy usage and promote efficiency. Initiatives such as the good energy program — which the minister has previously talked about the success of in this House; I believe he mentioned it again here today — began under a Yukon Party government when I was the EMR minister and am pleased to have seen these continued by the current government.

The rebates for appliances, home heating, renewable energy, home retrofits, and more have resulted in significant reductions in what would have been estimated for greenhouse gases without those programs being in place and helping Yukoners who made the personal choice to take advantage of them and reduce their own energy footprint.

The microgeneration program — as I touched on before — allows people who are interested to generate energy from their home and sell it back to the grid at a slight premium, and it's helping contribute to our green energy production here in the territory.

I encourage Yukoners to learn more about the steps they can take to conserve and even generate energy and the options that are available to them through programs such as this as well as taking other steps throughout their lives to reduce their energy use and become more efficient.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Mostyn:** I have for tabling a letter written to Xplornet.

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

Are there any reports of committees?

Are there any petitions?

## PETITIONS

### Petition No. 2

**Ms. White:** I have for presentation the following petition, with 469 signatures. It reads as follows:

THAT the classroom and shared learning spaces at Porter Creek Secondary School are inadequate to the diverse and unique learning needs of the Music, Arts and Drama program, also known as the MAD program;

THAT the spaces at Porter Creek Secondary School are small, shared and take away from how these students learn;

THAT the bells interrupt the flow of learning and MAD students are ridiculed by regular students and feel very unsafe;

THAT the MAD program has been taken away from a facility, the Wood Street Centre, that had a 150 seat black box theatre with state of the art sound and lights, costume and set construction room;

THAT at Porter Creek Secondary School MAD students have one classroom that can't accommodate 28 students and have limited access to a drama room which must be shared on and off with regular classes

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Minister of Education to either move the Music, Arts and Drama program back to its home of over 20 years at the Wood Street Centre at 411 Wood Street in Whitehorse, or move it to the Guild Hall at 27-14<sup>th</sup> Avenue in Whitehorse, or another suitable location such as the Yukon Arts Centre at 300 University Drive in Whitehorse for the remainder of the 2020-21 school year or until another suitable home is found.

**Speaker:** Are there any further petitions?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 17: *Enduring Powers of Attorney and Related Amendments Act (2020)* — Introduction and First Reading

**Hon. Ms. McPhee:** I move that Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 17 agreed to*

### Bill No. 15: *Corporate Statutes Amendment Act (2020)* — Introduction and First Reading

**Hon. Mr. Streicker:** I move that Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, be now introduced and read a first time.

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

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

## NOTICES OF MOTIONS

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

THAT the Legislative Assembly establish a seniors advocate as an Officer of the Legislative Assembly prior to the conclusion of the 2021 Spring Sitting.

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

THAT this House supports the paid sick leave rebates in response to the COVID-19 pandemic.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Wildfire management for Yukon communities

**Hon. Mr. Streicker:** Mr. Speaker, I rise today to highlight important work to make the City of Whitehorse a wildfire-resilient community. Yukon's 2019 wildfire season was one of the most complex and challenging in recent memory. Recent fires here and elsewhere made it clear that we need to be ready for longer and more intense fire seasons in the future. There is a national discussion about solving this problem and the Yukon is helping to lead that discussion.

In 2019, the Canadian Council of Forest Ministers developed proactive steps that wildfire management agencies must undertake. The Government of Yukon is supporting these recommendations by taking a new strategic approach to the challenge of how to create wildfire-resilient Yukon communities. We are proud of the work that we are able to do every year alongside our local government and non-profit partners through the \$850,000 FireSmart funding program, which has supported community-selected hazard reduction projects for over 20 years. We are committed to doing more.

This new approach includes the creation of proactive community wildfire protection plans. The government is making these plans a reality by investing in the FireSmart funding program, creating additional opportunities with \$1.27 million in new hazard reduction funding and by using an innovative new federal funding model to apply for new infrastructure projects, like fuel breaks. For example, the

Whitehorse south fuel break is contributing to wildfire risk reduction while also providing access to marketable fuels for Yukon's biomass and forest industries.

This summer, the Government of Yukon began work on the 400-hectare fire-risk reduction project south of Whitehorse. The Whitehorse south fire hazard-reduction project represents the launch of Wildland Fire Management's new strategic vision to create wildfire-resilient Yukon communities. Once completed in 2024, this project will leave behind a fireguard along the Copper Haul Road between the Mount Sima ski hill and the forests south of Mary Lake. The completed fireguard will provide firefighters with a defensive line from which they can better protect the city.

We know the risk to Whitehorse is a wildfire that starts south of town and is driven by our dominant south winds. A variety of fuel reduction techniques will be used in this area, including conifer tree removal, prescribed burning, and planting fire-resistant aspen saplings that will replace conifer forests. Our investment in this fireguard expands on the City of Whitehorse's hazard reduction work on the Copper Haul Road's right-of-way. Thanks to strong intergovernmental partnerships like this one, we have been able to develop a fireguard that will reduce the city's wildfire risk, invest in the local economy, and leave us with a valuable natural capital asset.

This project also presented an opportunity to further support and partner with Yukon First Nations Wildfire. Forty firefighters with Yukon First Nations Wildfire supported work on this project, helping to take advantage of the opportunity in a relatively low fire year. The crews treated about six hectares of the Mary Lake shaded fuel break and worked alongside Government of Yukon and First Nation initial attack crews. The project provided valuable work experience in fuel management for all crews. The forest fuels that are being removed during this project will also offer a major opportunity to support Yukon's developing biomass sector.

Mr. Speaker, opportunities like this to provide the biomass and forestry sectors with merchantable wood are positive steps to making quality product available to the broader community. Guided by our community wildfire protection plans, we look forward to similar fuel break projects around all of our communities in the future.

**Mr. Hassard:** I am pleased to rise today to respond to this ministerial statement on the government's wildfire risk reduction work. It also gives me the opportunity to say hello to Emilie Baker, who is here with the students from MAD today.

Mr. Speaker, Yukoners have always understood the very real risks that we all face from wildfires. Whether it was the wildfire that wiped out chunks of the newly created community of Faro in the late 1960s, the Haeckel Hill fire in the early 1990s which came within view of Porter Creek, or the most recent fires of 2019 that encompassed vast tracts of Yukon, Yukoners have always known that this threat exists.

While they may be a natural process that maintains the health and biodiversity of the boreal forest, when they occur near our communities, they can put our property and lives in

danger. Because of this, we know that the government needs to take proactive action and that Yukoners need to be vigilant and aware of the risks. FireSmart is one of the tools that we have to help residents manage the risks in our communities. It is a program that allows local groups to select areas for fuel reduction treatment, provides them with funding to manage the necessary contracts, and creates jobs for Yukoners at off-peak times of the year. It also gives local citizens access to harvestable firewood for their own use.

Another way to reduce the fuel loads in the forest is to allow wood product businesses to have increased access to wood. Over the years, my colleagues and I have advocated, along with groups like the Wood Forest Products Association, for increased access to wood for businesses that need it.

We are pleased to see the recent larger scale firebreak work occur in Whitehorse as well. We also agree with the general vision of creating more fire-resilient communities and support the work needed to get us there. It was great to see the Yukon government engage with Yukon First Nations Wildfire to conduct work throughout the summer. This offered steady work during the pandemic when a lot of other opportunities were closed. We did hear from some Yukoners who were disappointed that the leftover fuel would not be made available for local use.

In his response, I would like to hear from the minister about whether that was true and, if so, what the rationale was for not allowing citizens to access the wood like they have been accustomed to with FireSmart projects in the past.

As well, we are curious as to whether this engagement with Yukon First Nations Wildfire will be replicated in the future or even possibly expanded.

Finally, Mr. Speaker, we would like to hear if private sector businesses in the wood products sector will be provided with opportunities in this new plan. We would of course encourage the minister to consult with the Yukon Wood Products Association to explore this. It would be great if the minister could touch on these issues in a little more detail in his response.

In closing, we support efforts to make our community more fire resilient and safer for all Yukoners.

**Ms. White:** We all know how important it is to feel safe in our communities, and our Wildland Fire Management staff and staff across industry work extremely hard to provide us with that safety, so we want to recognize the work they have been doing each and every year toward that goal.

There are many professionals in Yukon who have worked long and hard to get us here, and I thank them for their dedication to a future free of wildfire risk. It's great to see Whitehorse south has a reduction project and is setting a precedent in creating both access and supply for forest fuels that can be used toward renewable energy. I hope we keep seeing this approach as Wildland Fire Management continues its ever-growing work of dealing with forest fuels. We hope we mirror the success in other Yukon communities, because all communities will benefit from increased firesmarting. Not only



will it make communities safer, but it will also provide work opportunities and local biomass sources for heating.

We have learned many lessons from other Canadian jurisdictions in crisis, and I look forward to Yukon setting an example that others can follow prior to a wildfire emergency.

**Hon. Mr. Streicker:** First of all, I would like to thank the Leader of the Official Opposition and the Leader of the Third Party for their supportive comments on this initiative to move more toward prevention. I'm glad to hear that everyone in the Legislature is supportive of this, and I will pass those comments on to the department. I thank them for their comments.

I will just answer a couple of the questions that were raised by the Leader of the Official Opposition. We have met with the Wood Products Association. The Minister of Economic Development, the Minister of Highways and Public Works, and I have met with them to talk about creating a supply chain and making sure that it is establishing this industry and is supported throughout. I think, starting several years ago, we began meeting with them to talk about this issue.

I will have to ask the technical question about the leftover wood. I know that there are times when that wood is definitely made a product and actually built into the RFP of the contract, thinking that we can then help to do more treatment area and also get low-cost wood into the marketplace so that we can help kick-start the biomass industry. But there are some places, for example, where we are doing prescribed burns, where that is obviously not going to happen. So I just have to ask the technical question of the department.

The last question I caught today was: Will the relationship with Yukon First Nations Wildfire be replicated or expanded? I'm happy to state that last year we entered into a three-year contract with them. That was the first time, since I've been here, where that has been the case. That helps give us both some stability and planning. We are working to replicate and expand this work in conjunction with them because it is a great tool. When we are lucky enough to have a year where there is very little wildland fire, it's a great thing to be putting those firefighters to work in a productive way that's going to help protect all of our communities.

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

## QUESTION PERIOD

### Question re: Wood Street School experiential programs relocation

**Mr. Kent:** The Liberal's school reopening plan has drawn criticism from many Yukoners — particularly the relocation of the Wood Street programs to different locations. Parents, students, and teachers — both past and present — involved with the music, art and drama — or MAD — program have started a Facebook group and they have organized protests and petitions against the plans to relocate their program to Porter Creek High School.

Can the minister tell us when the decision was made to relocate the Wood Street programs? Who from the school community was consulted on this move beforehand?

**Hon. Ms. McPhee:** I'm very pleased to be able to rise to address this important issue. I have spoken about it numerous times in the media and I met with representatives of the MAD supporters and on at least two occasions with officials from the Department of Education. Also, we have provided to that group and the superintendent responsible for that school and those programs in those schools their direct e-mail so they can have questions and issues addressed almost immediately.

As a result, the experiential programs — what Yukoners need to know, Mr. Speaker, is that the experiential programs are supported by the new curriculum in our Education department and our schools throughout the territory. They in fact should be expanded. They focus on student-centred learning and the expansion of experiential programs, and experiential learning is really the future of education.

I can happily note that the program — in particular, the MAD program, which is only one of the experiential programs — was maintained. It became a priority when the planning was being done during the summer of 2020 to determine how we would return some 5,700 students in the Yukon Territory safely to their classrooms.

**Mr. Kent:** The initiatives the minister announced I believe were after the decision was made — the meetings that she referenced and other activities.

The question that I asked though was: What consultation took place with that particular school community before the decision was made?

Mr. Speaker, with respect to the MAD program, there have been efforts made to have it relocated to the Guild Hall in Porter Creek. This initiative is broadly supported by those involved, but so far, the Education minister has refused this request.

Why won't the minister relocate the MAD program to the Guild Hall as requested, and will the minister assure Yukoners that the program will be moved back to the Wood Street Centre for the next school year?

**Hon. Ms. McPhee:** I think what is extremely important for Yukoners to know is that, as a result of the many decisions that had to be made over the summer of 2020 to safely return some 5,700 students to schools across the territory — the decision was made to move the students in the MAD program — and in fact, all the experiential programs that were located at Wood Street — to other locations, primarily at Porter Creek Secondary School.

There are 28 students in the MAD program this term and usually about that number every term. They're attending from grades 9 through 12 and they are attending full-day classes at Porter Creek Secondary School. Many of the students have contacted us to indicate that they are enjoying the MAD program this year — some first-time students and some returning.

Mr. Speaker, I certainly appreciate the passion of the supporters, and we agree — the supporters and the department and our government — about the importance of these programs. This type of learning is critical. As I've said earlier, it should

be expanded. We must protect the concepts of having individual learning programs benefit our students.

**Mr. Kent:** Mr. Speaker, our focus here in this question today is on that MAD program. It's not the overall 5,700 students that the minister has referenced. Consultations on the return to school this fall were supposed to begin in May.

So that's the question that I asked the minister: What consultations on the moving of the Wood Street School programs — and, in particular, the MAD program — took place with that school community? I haven't had an answer yet, so hopefully she gets to is in this final question.

This final question, Mr. Speaker — we saw on social media last night that the MAD program property was removed from a storage room that was agreed to by everyone without informing those involved. In fact, we heard this space was committed to at a meeting involving the minister herself.

Given the sensitivity of this file, when did the minister find out about this? Why didn't she instruct officials to communicate this decision before it was carried out?

**Hon. Ms. McPhee:** It may be that when the member opposite was the Minister of Education he had detailed interference, I will say, with the operations of schools as he is suggesting I might have done yesterday. I did not. In fact, Mr. Speaker, the health and safety of students and staff has always been our first priority.

The consultations that took place during the summer of 2020 were extensive. They were consultations, work and engagement, really, with individuals who would be responsible for the education of students, administrators, teachers, educational assistants, superintendents, individuals who work at the Department of Education, and our school councils. There was consultation with First Nation governments and with municipalities and our concept of our education partners throughout the territory.

Were the consultations and engagements that took place during that period of time speaking to everybody possible? Absolutely not. I think that it is important for Yukoners to remember that this is a serious matter. We are in the middle of a world pandemic and we all must do our part. Decisions have been made so that students could return to school safely. The majority of students are back in school full time in this territory in a safe way.

### **Question re: COVID-19 pandemic impact on education system**

**Mr. Kent:** For the minister, it would have just been common courtesy for her to reach out to the stakeholders that she initially met with and promised that storage space to.

I am going to move on. For the last month and a half, the Minister of Education has been unable to tell us where the over \$4 million from the federal government that was intended to assist with the reopening of schools will be spent. Yesterday, the minister finally relented and provided a large list of things where, in her words — and I quote: "... some of that funding will be spent initially."

This makes it sound like, over 40 days after the feds gave us the money, none of it has been spent. Can the minister

confirm for us: Has any of this money been spent, and if not, when will she actually start spending this money to support Yukon students?

**Hon. Ms. McPhee:** Again, Mr. Speaker, I appreciate the question. I certainly look forward to sharing more detailed information when the budget conversations come forward with respect to this funding.

I can indicate that the COVID-19 pandemic has resulted in additional needs and costs in order for schools to safely reopen. The Department of Education has been able to reprofile some existing budget resources to meet these needs. I think it is a misnomer in the question — and perhaps the member opposite just isn't aware that we don't have a cheque from the federal government for \$4 million. In fact, the indication was that some of those funds have come during the fall of 2020 — we have not yet received those funds — and the rest of it will come in January 2021.

I can indicate that, as I have said — I answered this question last Thursday; I answered it again yesterday — I am happy to go through the list again of the kinds of things that the funds are going to be spent on or have been spent on from our current budget that will be reimbursed when the funds come from the federal government. Those include cleaning supplies — I don't have to go through the list, Mr. Speaker; I have done that twice already. They do include the safe return of students to school.

**Mr. Kent:** So yesterday the minister stated that she had identified a number of areas to spend the federal money on — once the cheque arrives, I guess, or whenever the federal government gives us the money.

One of those areas was — in her words — and I quote: "... our top priority, which is returning grades 10 to 12 to school full time." We of course agree with the minister on this priority, but her statement is vague and does not actually tell us what that money is being earmarked for.

Can the minister provide a tangible action or thing that this money will be invested in that will get students back to school in full-time classes? When will this money be spent — and the most important part, Mr. Speaker — when will those students get back to full-time learning?

**Hon. Ms. McPhee:** This is not a usual school year. The first consideration for planning for the 2020-21 school year has been the health and safety of students and staff and ensuring that all schools remain low-risk learning environments for Yukon students, based on the advice of the chief medical officer of health. We have had to adapt programming in order to follow the health and safety guidelines for schools, including adapting the programming for grades 10 to 12 students at the three larger high schools in Whitehorse — based on the advice from the school administrators — in order to ensure safe spacing, manage traffic flows, and limit the mixing of groups of students.

They continue this work; they continue the work to review and assess how those programs are being taught at their schools, how we can abide by the world pandemic rules, and how we can abide by the chief medical officer of health's guidelines for the safe operation of schools. That work will

continue as we go through the fall to get the students back into school in grades 10 to 12 full time at those three schools.

**Mr. Kent:** Again, yesterday, the minister stated that she had identified a number of areas to spend the federal money on. One of those items was personal protective equipment, or PPE, for the schools. I had heard that some schools have been directed to purchase PPE from their existing budgets, but I will give the minister an opportunity to inform the House if this is actually the case.

That additional PPE — will it be covered by the federal funding, or are schools expected to cover it from within existing resources? When are we expecting this federal funding to arrive in the territory?

**Hon. Ms. McPhee:** No school will be required to provide PPE from its own school budget. There is support for the requirements for what students need, what students are required to have, what is safe for their return to the buildings with respect to personal protective equipment, with respect to increased custodial needs, with respect to increased cleaning supplies and services, and as a result, those requirements — those costs — will be and are supported by the Department of Education throughout the territory.

#### **Question re: Wood Street School experiential programs relocation**

**Ms. White:** In August, the Department of Education announced that the experiential learning programs at the Wood Street School would move into portables and classrooms at Porter Creek Secondary School. This news came as a surprise to staff and students. So we saw students, staff, and parents come out to protest the changes with rallies, but to no avail — the move went ahead anyway.

It's not surprising there are problems — inadequate space, interruptions, constant moving — and I guess the one big surprise is at least one mouldy portable classroom. To add insult to injury, the MAD program has now had their secure props, tools, scenery pieces, and memorabilia removed from a locked room at Wood Street School and placed behind dividers. No notice was given and no permission asked.

Why does the music, art and drama program continue to be treated as a second thought and not as the nationally celebrated program that it is?

**Hon. Ms. McPhee:** I am urging the members of this Legislative Assembly, the MAD supporters, and all Yukoners to hear my commitment — our government's commitment — to experiential programs. There is no second class anything, Mr. Speaker.

The experiential programs are supported by the new curriculum. They should be expanded. Please quote me: They focus on student-centred learning. The expansion of experiential programs is the future of education.

**Ms. White:** Today I presented a petition with nearly 500 signatures. An online petition has over 600 signatures. The petition is asking the Department of Education to move the music, art and drama program from Porter Creek Secondary School back to Wood Street or to a theatre setting such as the Guild Hall or the Yukon Arts Centre.

Students from across the Yukon have been attending this program for over 25 years. Three pages of today's petition were signed by Dawsonites. Students, parents, and staff are feeling like none of their concerns have been heard and their program is being subject to a death by 1,000 cuts.

What is this minister going to do to address the numerous concerns of students, staff, and parents that continue to be brought forward?

**Hon. Ms. McPhee:** I truly appreciate the opportunity to address this important issue. I also want to express our appreciation and my personal appreciation for the passion of the supporters of this type of learning. We agree on the importance of this type of learning.

I certainly understand that, while the supporters may not agree with the decisions or the current circumstances, it is important to remember that the programs are being supported, they are being continued, and they are being accommodated. Has there been an error, perhaps, yesterday with some equipment? Possibly — we will look into this.

In the midst of a global pandemic, Mr. Speaker, we have all had to adapt to the greater good. Yukon schools contain and serve some 5,700 students. Decisions have had to be made in an emergency situation quickly, to the benefit of Yukon students, and returning almost all of Yukon students to full-time classes with the exception of grades 10 to 12 in the three biggest high schools has been a challenge and a success.

**Ms. White:** Mr. Speaker, I guess we measure success in different ways.

It's unfortunate that students are missing out on many of the things that make the MAD program so great: the ability to create a community, a place where they feel safe to be who they are, and a place where they aren't bullied or ridiculed for not fitting in with the student body.

Mr. Speaker, I know all of this because I was one of those students. I'll ask again because I haven't heard the answer yet: How is the Minister of Education going to address the growing list of concerns — including location, inadequate space, loss of autonomy, and broken promises — of the music, art and drama program?

**Hon. Ms. McPhee:** Unfortunately, I don't agree with all of the preamble in that question, but I certainly agree on the importance of these programs.

Decisions have been made. Work has been done. Guidelines have been followed to protect the health and safety, safe spacing, and learning needs of every one of our 5,700 students in the territory. Not everyone is going to support some of those decisions, Mr. Speaker. I understand that. That's part of the job of making these decisions. But I think it is not appropriate to challenge the idea that the Yukon Territory having some 5,700 students return safely to classrooms across the territory — and objections by an important group of students — their needs must be addressed, and attention has been given to that and will continue to be given to that as we consider how to make adjustments over the next period of time to have all of our students safely return to classes — perhaps in spaces that they find to be more suitable.

**Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Istchenko:** It's pretty obvious that COVID-19 has devastated our tourism sector. Hotel occupancy has been nearly halved and hundreds of people are out of work. The Minister of Tourism's initial reaction was to say it was "business as usual". Unfortunately, the minister's refusal to accept what was happening around the world has slowed the government's response to protect this industry.

The summer tourism season is now over, but last week, when I asked the minister where the tourism recovery plan was, she said that they're still working on it.

Well, over 1,000 Yukoners are out of work and 100 businesses have closed — actually, some businesses didn't even open this year — so it's time for a little urgency.

When will this tourism recovery plan be ready?

**Hon. Ms. McLean:** Thank you for the question. As I stated last week, our government responded very quickly to the crisis situation that we found ourselves in by supporting local businesses affected by the pandemic. Again, as I stated a number of times, we are the envy of other jurisdictions in this country.

Our Yukon business relief program has provided \$5.1 million to 434 businesses in the Yukon, and 165 of them are tourism- or visitor-related. Again, this is a grant; this is not debt. I think that's really important for Yukoners to hear that distinction here.

Tourism businesses, out of that relief program, received \$2.5 million. We have also allocated \$1.2 million out of the tourism cooperative marketing fund. We are very actively working on a recovery plan. We tabled a supplementary budget that has dollars specifically related to relief and recovery. I would be happy to go into more detail. We are working with our partners as we go forward.

I look forward to other questions.

**Mr. Istchenko:** Last week, I asked the minister what tangible actions she has taken to protect the tourism industry throughout the pandemic. Her response was that they are working on it. The minister also stated that her government shares the grief of the tourism industry. She talked about a supplementary budget in her first response; yet, earlier this week, when we were briefed by department officials, they said that the supplementary estimates actually grow the size of the Tourism department by nine full-time equivalent employees.

Can the Minister of Tourism and Culture explain how growing the department by nine FTEs while the tourism industry is crumbling and forced to do layoffs is her government sharing the grief?

**Hon. Ms. McLean:** I would like to get down to talking about some of the tourism recovery plans that we have in place and that we are working on with our partners. Right now, we are finalizing a survey to get the current pulse of the industry. We are working with TIA on that. We have a survey out right now with the Bureau of Statistics looking at it. It was to wrap up on Friday. It's now been extended by another couple of days. We have heard from about a third of the businesses so far. It is really important to get the current state of where businesses are

at so that we can ensure that the new relief programs that are coming will meet their needs.

In terms of the nine FTEs — those are specific positions to work at the border in Watson Lake specifically and at the airport. This is part of our COVID-19 response. These are really important positions to be in place. They will be working with visitors as they enter our territory and they will ensure that they have the correct information. Again, I really want to thank my department for working in a one-government approach on our team — team Yukon.

**Mr. Istchenko:** The tourism industry is on life support. There are businesses that don't know if they are going to have any winter tourism and some of the businesses that didn't even open up are not sure whether they'll be able to open up next year. It's horrible.

The extent of the Liberal recovery package specific to this industry appears to be to just grow the size of the department. This is out of touch with the reality of the industry and what those who depend on it are facing.

On August 24, the industry wrote the minister and asked for the travel bubble to be expanded to ensure that the industry can make it through the winter. Last week, I asked the minister about this and her reply was — she did not answer, but said she would provide a copy of the response letter. I still haven't seen a copy of that.

I'm wondering — can the minister, in the House today, just tell us — in this House — what did they say to the tourism industry when asked for the travel bubble to be expanded?

**Hon. Ms. McLean:** We have had really clear discussions with the tourism industry around this. We've discussed this for the last several days in terms of where we are with COVID-19 throughout the country. There are thousands of cases every day that are being reported throughout Canada. We are currently working on our own plan around a path forward — Yukon's plan for lifting COVID-19. This is what I shared with the industry.

There are clearly six criteria that are recommended through this plan — through the chief medical officer — to consider as we consider opening to other jurisdictions. This is what we discussed. I did put all of this in writing.

We're currently in phase 3 of our plan, which is the new normal. This began on August 31, as the six criteria are constantly being evaluated based on what is happening in other Canadian jurisdictions, as well as in Yukon. The chief medical officer clearly talked to us about number 4 on that criteria list, which is importation risk. He was very clear on this and that it would be evaluated constantly as we go forward. I shared all of this in a letter and I am happy to provide that to the member opposite.

**Question re: Budget estimates and spending**

**Mr. Cathers:** Last week, the Premier tabled a supplementary budget increasing spending for the last fiscal year, which ended on March 31 of this year. The largest portion of the increased spending was in the Department of Health and Social Services, amounting to \$5.2 million in the 2019-20 fiscal year. That is \$5.2 million in unbudgeted spending that went

beyond what the Legislative Assembly had authorized. This means that government spent over \$5 million more last year than what it was legally authorized to spend.

On Monday, I asked the Minister of Health and Social Services to provide a breakdown of that spending. The Premier responded and the minister responded, but neither one of them actually answered the question, so I will ask again: Will the Minister of Health and Social Services please provide us with a breakdown of that extra \$5.2 million in spending in the last fiscal year?

**Hon. Mr. Silver:** Mr. Speaker, just because the member opposite doesn't like the answer that we gave, that doesn't mean that we didn't answer the question.

I will reiterate. We gave a breakdown of exactly what these topics are of the overspending. We also said, as the member opposite knows, that, during Committee of the Whole, any question on any particular dollar or value in spending will be addressed.

We know that the member opposite's new leader is out there saying that we broke some rules of the *Financial Administration Act*. I will remind the members opposite: so did they. The type of spending that is happening here for Health and Social Services is a very similar type of overspending that the opposition did when they were in power here as well.

Again, there are these situations that happen — whether there is a pandemic or not — where sometimes these things do happen. We are not happy that they happened, but at the same time, for the health and safety of Yukoners who are travelling abroad or travelling and have extenuating costs, that is one of the considerations. It is not all of the considerations — it is primarily related to hospital stays outside of Yukon. There are also extended family care agreements and increased demands for mental health services and those types of things because we are in a global pandemic, Mr. Speaker, and some of this spending happened because of that as well.

Again, Mr. Speaker, to correct the record, we did answer this question last time. We are answering it again now. There will be an opportunity to expand on every single dollar of overspending, and we will absolutely have that conversation when we get past general debate and into the specific departments on *Supplementary Estimates No. 3*.

**Mr. Cathers:** First of all, I have to remind the Premier that a non-answer is a non-answer. While the Premier dismissed his breaking of the law as "some rules", the *Financial Administration Act* is the law. This is the public's money, and so far we have received only a vague explanation for that \$5.2 million in increased spending. We do know that some increased spending associated with the pandemic was needed, but some of the increased spending in the last fiscal year had nothing to do with the pandemic.

I also have to remind the Premier again that the \$5.2 million in spending by Health and Social Services was contrary to the *Financial Administration Act*. Whether he likes it or not, the Liberal government broke the law. The public deserves accountability from their government and has a right to know how this money was spent.

So will the Premier or the minister please actually provide us with a breakdown of this spending today?

**Hon. Mr. Silver:** I guess it is too bad that I answered his second question in my first answer. The member opposite just kept to his notes.

Again, we have addressed the fact that we don't like the fact that we went against the FAA. This has happened roughly four times in the last decade. This is the first time that we have done it. It has happened under the Yukon Party a few times, including when the members opposite were over here. It is something that I am sure they didn't want to do either, but when it comes to medical costs that occur outside of the Yukon, sometimes it takes a lot more time for this money to show up — for this need to show up — and that is one of the considerations.

I guess that the other extenuating circumstance that we have talked about is the fact that we are in a global pandemic.

I will correct the record. It is more than the \$5.2-million increase. It is actually a \$7.6-million increase, and we are not happy with that, Mr. Speaker. The other \$2.4 million was with Highways and Public Works — but again, this was related to — it was a very heavy snowfall year which continued into the summer with a lot of rain, as well — but there were extenuating costs where we didn't think we were going to have those costs.

Again, we will allow every single opportunity for the members opposite to ask every single question of that total of the \$7.6 million in Committee of the Whole with these departments. It is a pretty short time right now to go through all of those costs, but we definitely have said what these are for. We have explained it a few times now, and I am happy to go into detail in Committee of the Whole.

**Mr. Cathers:** We still don't have a breakdown of those costs, and the Premier's excuse for breaking the law — now that he has finally acknowledged that the FAA is the law and not just "some rules", as he called it — his excuse for breaking the law is that someone else might have done it first.

The public always has a right to know how government is spending their money. The Liberal government has gone to great lengths this year to avoid democratic accountability, increase the debt limit, hand itself emergency powers, and hide from Question Period. They have also broken the law by directly violating the *Financial Administration Act*. The public has a right to know what this \$5.2 million was spent on and to get a breakdown of that spending, especially since the government spent it illegally.

Will the Minister of Health and Social Services or the Premier agree to actually providing us with a breakdown of this spending now?

**Hon. Mr. Silver:** We offered the members opposite a briefing on this, where the departments would answer any questions that they had on the specific spending. That happened already — so yes to his question. We have also said, when it comes to Highways and Public Works — heavier snowfall than normal, higher utility costs, and responding to COVID-19 on things like personal protective equipment and overtime to support demand for technical support and increased cleaning — again, I answered his question.

When it came to Health and Social Services, the \$5.2 million was primarily related to costs of hospital stays outside of Yukon, extended family care agreements, and increased demands for mental health services and social and community supports throughout the Yukon.

During Committee of the Whole, every single one of those categories will be broken down if the members opposite decide to ask those questions at that time. We have provided the members opposite with information. They know that the details of that information will come during Committee of the Whole; they know that we will continue with more information at that time; they know that they had a briefing on this particular topic; they know that we have answered the question. But the hypocrisy — saying that, again, now this overspending is something that's a huge concern to the members opposite when, three different times, they did the exact same thing.

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

## OPPOSITION PRIVATE MEMBERS' BUSINESS

### MOTIONS OTHER THAN GOVERNMENT MOTIONS

#### Motion No. 226

**Clerk:** Motion No. 226, standing in the name of Ms. White.

**Speaker:** It has been moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to increase the proportion of Yukon government jobs based in Yukon communities by:

- (1) implementing its own policy 1.9 entitled "Decentralization Policy";
- (2) supporting current employees who wish to relocate to a Yukon community through remote work arrangements;
- (3) relocating community-focused positions including but not limited to regional economic development officers and community advisors when these positions become vacant; and
- (4) working with First Nation governments and municipal governments to ensure lot and housing availability to support decentralization efforts.

**Ms. White:** In the last nine years that I have had the privilege of serving in this Chamber, I have debated more motions than I can count. Motions we chose to bring forward for debate are all important, but today's motion feels different. If adopted, this motion has the ability to support the people, the self-determination, and the economies of rural Yukon in a real and powerful way. This is all to say that I'm excited to speak to and hear the perspective of others on the motion that the Yukon NDP has brought forward today.

This motion highlights four key points: (1) the existence of government's decentralization policy; (2) supporting current employees who wish to relocate to a Yukon community through remote work arrangements; (3) relocating community-focused positions to communities when they become vacant;

and (4) working with First Nation and municipal governments to ensure lot and housing availability within communities.

Mr. Speaker, the dictionary definition of "decentralization" is: "... the process by which the activities of an organization, particularly those regarding planning and decision making, are distributed or delegated away from a central, authoritative location or group." This concept, or the core idea of moving away from a Whitehorse-centric job posting, is important for many Yukon communities. This idea wasn't just created out of thin air but after an involved consultation process by the NDP government of the day, a process that was entitled "Yukon 2000". It was a visioning exercise that included every sector and every community. It was a map of how Yukoners saw the Yukon of the future. It was what they hoped for. It was used as a guiding star of government direction in the early 1990s, so much so that a decentralization policy was created and added to the Government of Yukon's *General Administration Manual*. You can find it there as policy 1.9. That policy came into effect on May 12, 1994.

It is important to note that this policy still stands today, 26 years later. This policy applies to all Yukon government departments. The purposes and principles read as follows: "The Government of Yukon is committed to achieving a fair distribution of government jobs throughout Yukon — that is, a distribution in which the proportion of Yukon government jobs located in rural communities reflects the proportion of the total Yukon population that lives in rural Yukon — in order to: contribute to the development of stable economies in rural Yukon communities; improve the accessibility and delivery of government programs and services to rural Yukoners; and support the desire of Yukoners to live and work in their own communities."

Mr. Speaker, I am highlighting this policy because it means that the tool already exists in the Yukon government toolbox to facilitate the calls to action in today's motion. All that we need is the political will to make this action a reality.

The Yukon government is the largest employer in the territory, with over 5,000 employees. Rural Yukoners understand that YG staffing decisions have a big impact on their communities. Everyone recognizes that Yukon government jobs are essential to rural communities. Government jobs bring certainty to a smaller economy. These jobs come with a certainty that jobs within the private market aren't able to guarantee, and we have just lived through an example of this through the pandemic.

Even during the height of the pandemic, Yukon government employees were hard at work, earning their paycheques. Their employer did not need to shutter a business or cut hours to survive the crisis. Having Yukon government jobs within communities means that there's more money spent locally, more kids enrolled in schools, and more folks to volunteer in essential community organizations like rural EMS.

I know that folks still remember the devastation to Haines Junction and Dawson City when the federal government decided to cut Parks Canada positions in both of these communities. The loss of these jobs and the importance of

decentralization is so important for rural Yukon — so important, in fact, that the Association of Yukon Communities passed the following resolution in 2014.

Mr. Speaker, I'm going to read that now. The title of the resolution is "Rural Employment Opportunities Within YG". It reads:

"WHEREAS:

"Haines Junction and Dawson City have experienced significant job losses due to Parks Canada staff reductions; and Rural Yukon communities have experienced staffing losses Yukon Government positions to retirements in the past five years; and

"WHEREAS:

"Hiring and recruitment of several positions within the Yukon Government, including Emergency Medical Services supervisor positions are located in Whitehorse when a rural community would benefit from the position and the incumbent would better represent volunteer ambulance providers and services; and each position staffed or removed in a rural setting has tremendous impacts on the communities including housing sales, local spending, student population, education positions, and community volunteer hours.

"THEREFORE BE IT RESOLVED:

"That the members of AYC request that the Yukon Government undertake to develop rural Yukon staffing initiatives with the aim at decentralizing from Whitehorse, services and program positions that serve the wider Yukon.

"BE IT FURTHER RESOLVED:

"That the Yukon Government communicate regularly with communities on the needs and opportunities within each community to discuss functions that would be well-suited to be delivered within those municipalities."

Mr. Speaker, AYC lobbied the then-Yukon Party government and the then-Minister of Economic Development, Minister Currie Dixon, and they got nowhere, but it's important to know that, to date, there has been no definitive action on the issue by either the Yukon Party or the Liberal governments.

The issue of government jobs in communities is also a matter of fairness. Right now I'm thinking about First Nation citizens. In many cases, individuals might have to choose between taking a good Yukon government job and moving to Whitehorse, or not applying for that job and stay living in their community on their traditional territory. Mr. Speaker, that's an impossible decision, and wherever possible, we should try to avoid forcing anyone into making this choice.

I think it's important to note that we have just seen it initiated by the Yukon government for the next 18 months, where we will be encouraging indigenous citizens to apply for Yukon government jobs.

COVID-19 has shown everyone that there is an ability to work remotely when, in March, a large part of the public service was sent home to work. Offices were closed, and working remotely became the norm for many branches of Yukon government. What we saw was the exceptional ability of Yukon's public service to adapt and to deliver remotely. No doubt, the same kind of adaptation is possible to allow for more of our colleagues to live and work outside of Whitehorse.

So, where do we start? Well, the motion proposes two ways to go about it. We can support current employees who want to relocate and then relocate existing positions when they become vacant. This ensures that decentralization doesn't force anyone to leave the capital city, because I'm not talking about forcing anyone to move.

For employees who want to relocate when their job can be done remotely, my question is: Why would we stand in the way? Why wouldn't we encourage vibrant growth in communities outside of Whitehorse? This might mean making arrangements for this to happen, but we now know that this is possible. The public service has already tested this out this spring, and it worked. People could efficiently and effectively work from home, wherever that home may be located.

Decentralization might mean making some changes to responsibilities within a team so that it's more adapted to having multiple locations, but again, I look to the adaptability of the public service and I know that this is possible. The public service knows that this is possible because they have just gone through it. It might mean being flexible on scheduling to allow for travel to Whitehorse when it's necessary, but don't we already allow for this when sending regional positions out to communities? Don't we already schedule for travel in other circumstances?

I think everyone acknowledges that this will need to be on a case-by-case basis and that it may not always be possible, but we should strive to support folks to live in the communities of their choice. What rural Yukon communities and existing and future employees are looking for is the commitment to do what is possible.

When I talk about relocating positions — I want to be very clear — we're not talking about relocating anyone against their will, but when a position becomes vacant, government needs to evaluate if it would be better based in a community. This could involve speaking to communities that are directly affected by these positions. Some are obviously better based in communities: community advisors who work within Community Services, regional economic development officers who work in Economic Development, and, of course, regional superintendents who work within Education. Mr. Speaker, the list goes on.

It is actually hard to understand how these positions were centralized in Whitehorse in the first place since the very nature of the work involves working with people in different parts of our territory.

Many other jobs could be done just as well in the communities as in Whitehorse, so it would be great to see job postings indicate clearly that the position could be based in Whitehorse or it could be based in any Yukon community. This would send a signal to rural residents that they don't have to choose between living in their communities and accessing government jobs.

The last aspect of this motion is housing and lot development. These issues should not surprise anyone. I know that in every meeting that I have with a First Nation or a municipal government, the lack of lots and housing is always raised. I also know that suggestions are consistently brought

forward. So, Mr. Speaker, I think we should listen to the experts on the ground in their communities and work together to address the lack of housing outside of Whitehorse.

I really believe that we can make decentralization a reality in Yukon. I know that we have Yukon government employees in communities already, but I believe that we can increase that number to the benefit of all. If we set a goal of increasing that number by an additional one percent of the current 5,000-plus Yukon government employees, we are talking about getting an extra 50 government jobs into rural communities. Communities can tell you, Mr. Speaker, that this will make an enormous difference.

I look forward to hearing the perspectives of others, but I mostly look forward to breathing life into the Yukon government's already existing decentralization policy.

**Hon. Mr. Mostyn:** It is my pleasure this afternoon to rise to speak to this motion presented by the Leader of the Third Party. I am happy to speak to this motion this afternoon because it reflects a core value of our government. Indeed, it touches on matters in my mandate letter from the Premier.

As we have said on countless occasions, all communities matter. The well-being of our communities outside of Whitehorse is essential to Yukon's prosperity and well-being, and we consistently demonstrate our commitment to them through our capital budget as well as our busy legislative agenda.

Our caucus has excellent community representation through our Premier, the Member for Vuntut Gwitchin, the Member for Mount Lorne-Southern Lakes, and the MLA for Mayo-Tatchun. They all champion the needs and the desires of their communities on a daily basis.

When it comes to increasing the number of Yukon government staff based in communities, the MLA for Mayo-Tatchun has been especially tenacious in convincing and making us understand that Whitehorse is not the Yukon and that rural Yukon communities like Mayo are excellent communities for people to live in and they deserve a chance for expansion and for a bigger stake in the territory's economy. I thank him for keeping us focused on this goal of decentralization from Whitehorse.

Mr. Speaker, we support decentralization — empowering communities and First Nations and building local economies through all means necessary, including bolstering the presence of the civil service in rural Yukon. There's a lot packed into this motion, so I'll start by providing a little context.

I'm going to start with the decentralization policy in GAM 1.9. The Government of Yukon's decentralization policy is rather outdated. It was issued on May 12, 1994. Actually, that represents a revision of that policy. The actual policy dates to a few years before that. It precedes the conservative Yukon Party.

It is a revision of an earlier policy that attempted to fix many of the problems from the first effort, which was poorly thought out and poorly planned. That earlier policy, launched by the government of the day — back in the early 1990s or late 1980s — sent people out to communities. It resulted in job loss and uncertainty. People with permanent jobs were sent to

communities. They lost their permanent status and it resulted in job loss for Yukoners.

Some of those shortcomings of the earlier NDP decentralization policy were fixed in 1994, but there remain problems with the policy — not the least of which is its age. The purpose of the policy remains relevant; however, the world has changed rapidly since the early 1990s. Most of us did not have e-mail addresses in 1994, let alone a smart phone or a Zoom account. This policy is pre-devolution, Mr. Speaker, and was issued before the self-government agreements were in effect.

The intent of the policy is clear. To sum it up: The policy sets out to create more Yukon government in communities outside of Whitehorse in order to contribute to the development of stable economies in rural Yukon communities, to improve the accessibility and delivery of government programs and services to rural Yukoners, and to support the desire of Yukoners to live and work in their communities. Mr. Speaker, I am going to repeat that — to support the desire of Yukoners to live and work in their own communities. It is important because all communities matter.

Now, these objectives, of course, remain relevant today and are priorities for this government. Our enduring priorities continually guide our efforts in this regard. As you are aware, our enduring priorities include a commitment that our strategic investments build healthy, sustainable communities.

We have also committed that our diverse, growing economy provides good jobs for Yukoners in an environmentally responsible way. We will continue to implement initiatives across government as we meet these commitments and continually strive to ensure that Yukon communities thrive. As of yesterday, nearly 16 percent of Yukon government employees are situated in communities outside of Whitehorse. According to a March 2020 population figure from the Yukon Bureau of Statistics, roughly 21 percent of working-age Yukoners are based in rural communities. So there is definitely a gap there. We know that the Yukon government workforce is not an exact representation of the territory's rural demographic.

While consideration of the proportion of Yukon government employees based in communities is an important part of this equation, what we also need to consider is the number of public servants working for Yukon First Nation and municipal governments. This has changed dramatically since 1994. An outcome of future work to support vibrant communities must include support for other public service organizations, including their need to recruit and retain a strong local workforce. It bears a little bit of focus here, because our municipalities and our community governments have grown in their strength and their ability to take on tasks — as have our First Nation governments. They are more sophisticated and they are actually starting to employ and work in their communities in ways that were merely a hope to early governments in the 1990s. So we have come a long way since then and we have to recognize that decentralization has happened throughout the territory and it is something that this government supports wholeheartedly.



What that 16-percent figure shows is that we are close to meeting the policy's target, and we are seeing the distribution in which the proportion of Yukon government jobs located in rural communities reflects the proportion of the total Yukon population living in rural Yukon.

The decentralization policy in its current form does not take into account all of the technological change that has occurred over the last 25 years. I touched on that earlier. Really what we are talking about, Mr. Speaker, is another policy in there — telework. We are talking about a program to support government workers in rural Yukon that was based on rotary-dial telephones and the mobile network that was used — like a CB radio — to contact people who were living in rural Yukon. That is no longer our reality.

As I said, it also does not factor in the First Nation and municipal governments that have evolved and that are well-established and providing more and more services throughout the communities.

We had a debate about the ATIPP act. The members opposite wanted us to force them to adopt the ATIPP rules. We said no. They are responsible governments, and they can actually take on that responsibility themselves. That is part of decentralization. It is part of allowing duly elected governments to make decisions on their own behalf and not adopt a “father knows best” approach to those municipalities.

The pandemic has certainly shone a light more broadly on what the future of the workplace could look like. In our conversations with other jurisdictions across the country and looking at the experience of organizations around the globe, we know that this is an issue that everyone is grappling with. Everyone is thinking about what our workplaces will look like post-pandemic and, in particular, how remote work will factor into our operations. There will be many lessons learned once this pandemic subsides, and I would like to take a minute now to talk a little bit about the evolution of remote work in the Yukon government.

Since 2009, remote work arrangements have been governed by Yukon government's telework policy and guidelines that outline the criteria and rules for working remotely. Over late 2019 and early 2020, the Public Service Commission reviewed its human resource policies and identified the telework policy as a priority for review and update. The intent was to look at remote work more broadly across government — the Government of Yukon public service — and explore ways to be more expansive in the use of flexible work arrangements.

While there are many challenges in working from home, as we have learned throughout this pandemic, there can also be many benefits. Before work to revise the telework policy could get underway, the COVID-19 pandemic began and soon touched Yukon. Because the existing telework policy had too many requirements and a complex approval process to support such a large-scale shift to work from home, on March 18, 2020, the Yukon government issued a human resources directive intended to authorize and support as many employees to work from home as possible, taking into account operational requirements.

We quickly shifted many Yukon government public servants into work-from-home arrangements. This was an important first step in supporting physical distancing and preventing the spread of COVID-19 in the Yukon — critical to public safety.

Before the pandemic, there were relatively few employees with remote work arrangements. In a matter of days, many employees moved from their regular work site into homes. By late March 2020, about 50 percent of our Yukon government public service was working from home. Since that time, many employees have gradually returned to the workplace. Although the transition was sudden, employees working from home have done an exceptional job of adapting to this new environment.

There are stories there, Mr. Speaker: Public servants working in this really disruptive work environment and still getting incredible supports out to Yukon businesses and Yukon people in record time, despite the turmoil and tumult of this — pushing people from their offices into their home. That's an absolutely incredible story that deserves to be celebrated — how these civil servants across government supported this community through a once-in-a-hundred-year crisis.

To support our employees working from home, the Public Service Commission has taken a number of steps, including adopting new technologies and training supervisors on leading remote teams. These measures are intended to help us to stay connected, work safely, and continue to perform effectively.

While it does come with some challenges, we have learned that there are many benefits associated with working from home. In fact, the survey of Yukon government employees this past June saw many employees express support for continued work-from-home opportunities, either full or part time. In the months ahead, we will incorporate our ongoing learning into a revised telework policy and a long-term approach to the Yukon government workplace. It will not be called “telework”, Mr. Speaker.

We are not undertaking this work in isolation. Across the country, jurisdictions are working collaboratively to determine what the post-pandemic workplace of the future will look like.

While working remotely may not suit every position or every individual employee, we continually strive to find new ways to support employee well-being while continuing to provide exceptional services to Yukoners.

In *Our Clean Future — A Yukon strategy for climate change, energy and green economy*, we have committed to implement new policies to enable Government of Yukon employees in suitable positions to work from home for the longer term by 2020. As we undertake this work, we will certainly explore the possibility of facilitating more Government of Yukon employees to work remotely from communities across the territory.

In doing this work, we will work collaboratively with our First Nation and municipal partners. I cannot stress how important those partnerships and working with our communities and First Nation partners are.

We will continue to work collaboratively with our union partners as we develop a long-term approach to remote work for the Government of Yukon that supports ongoing service

delivery to Yukoners, employee well-being, and ultimately contributes to the vibrancy and resiliency of all Yukon communities.

Staff housing is also part of this motion. As it suggests, housing availability is essential to support employees in Yukon communities. We are proud to have taken significant steps in modernizing our program for Yukon government staff in rural Yukon communities. Our new approach aims to decrease rental housing cost disparities in our communities to incentivize private sector investment in rural housing and to prioritize housing for employees considered critical for community well-being. We continue to implement the policy and collaborate with our partners in communities and with both unions to support the development of affordable housing options and private market opportunities in Yukon communities.

Mr. Speaker, I cannot state strongly enough how important these measures for supporting our Yukon communities are — the decentralization — to this government and to my colleagues on this side of the House. I think I have made my point, which is that, really, policy 1.9, the decentralization policy of the Yukon government, needs to be modernized to make more than token movements, despite our best efforts in other areas that I have mentioned. We have to make sure that it reflects the world today, not the world of 26 years ago or before.

I believe that we are on the same page as the Third Party on the intent of this motion and even most of the wording. I am, however, going to propose a small, friendly amendment that I think the Third Party will support and, who knows, maybe even the conservative Yukon Party will.

*Amendment proposed*

**Hon. Mr. Mostyn:** I move:

THAT Motion No. 226 be amended by:

(1) deleting the phrase “implementing its own” and inserting in its place the phrase “modernizing the 1994”;

(2) inserting the word “and” after the phrase “through remote work arrangements;”;

(3) deleting the phrase “(3) relocating community-focused positions including but not limited to regional economic development officers and community advisors when these positions become vacant; and”;

(4) renumbering the listed items accordingly.

**Speaker:** We have a proposed amendment on the floor.

The amendment is being distributed to MLAs for their review. I will review it and discuss the same with Mr. Clerk as to its orderliness.

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

**Speaker:** There’s a request for five minutes. Is that sufficient?

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

**Speaker:** Ten minutes is requested. Do you agree?

**All Hon. Members:** Agreed.

**Speaker:** The House will recess for 10 minutes.

*Recess*

**Speaker:** I will now call the House back to order.

I have had an opportunity to review the proposed amendment with Mr. Clerk and can advise that it is procedurally in order.

It has been moved by the Member for Whitehorse West:

THAT Motion No. 226 be amended by:

(1) deleting the phrase “implementing its own” and inserting in its place the phrase “modernizing the 1994”;

(2) inserting the word “and” after the phrase “through remote work arrangements;”;

(3) deleting the phrase “(3) relocating community-focused positions including but not limited to regional economic development officers and community advisors when these positions become vacant; and”;

(4) renumbering the listed items accordingly.

**Hon. Mr. Mostyn:** The changes that we are proposing are intended to strengthen the motion and make sure that, in the end, it better reflects the times in which we live. Continuing to use the decentralization policy as it was revised in 1994 — it really does need to be updated to reflect today’s life and times, so we propose that this GAM policy be reviewed and updated to reflect the modern era in which we live.

Of course, we want to support current employees who wish to relocate to a community through remote work arrangements. We think that’s important, and we think that, by improving and updating the decentralization policy, we will actually cover relocating community-focused positions and all government positions that could be pushed to a community in a methodical and thoughtful manner to continue with the efforts of this government that we have been pursuing, as have other governments, for a very long time.

We acknowledge that the current decentralization policy has to be modernized, and we support the goals contained therein, but once they are updated, we will continue and it will improve the whole process for all of us.

I have already gone through many of the issues and some of the background that we have faced and tried to foster through our decentralization policy and the work therein since being elected in 2016.

So I mean, really, Mr. Speaker, the pandemic, as awful as it has been — the territory has made enormous sacrifices in fighting and stopping the spread of this virus in the territory, and we have done that relatively successfully, and we have done it because of the sacrifices that Yukoners have made. They have been extensive, and the hardship has been incredible.

That said, some of the good that has come out of that pandemic has been an adaptability in a society that will stand us in good stead going forward, such as our ability to work remotely. I have been on this kick for a long time — the need to modernize and improve the way this government works for the modern times — the data-driven economy that we live in, with data-driven decisions, getting more government services online. The redundant fibre line that we’re going ahead with will actually provide the backbone through which a decentralized government process — with First Nations,

municipalities, or the Yukon government — can actually operate online with a lot more certainty.

The other day, we talked a little bit in this House about the fibre-to-the-home project that the CRTC has recently approved. Our government supported that project in writing and with money to help Northwestel in its bid to get that project. We did it because it was very similar — I've called it Connect Yukon 2.0 for a long time — that is, it will take this territory to the next level when it comes to Internet connectivity. Bringing fibre to every single home in the territory will allow us to provide not only better access to the Internet to all of our citizens, but also will give us the tools to actually have —

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

### Point of order

**Speaker:** The Leader of the Third Party, on a point of order.

**Ms. White:** Although I appreciate the Minister of Highways and Public Works and his thoughts, I believe that, right now, in not speaking to the amendment, he is contravening Standing Order 19(b), either (i) or (ii).

**Speaker:** Any comments on that? Minister responsible for the Public Service Commission.

**Hon. Mr. Mostyn:** Yes, I do. I have been talking about modernization of the decentralization policy to reflect the world in which we live, and actually improving Internet connectivity is part of that improved world in which we live and which would be reflected in our decentralization policy.

### Speaker's ruling

**Speaker:** I have been listening closely to your submissions on the amendment, and I believe you are still likely within the confines of the subject matter of the amendment — modernizing the 1994 policy 1.9, entitled “Decentralization Policy”.

I will keep listening, but you have a bit of latitude to continue your comments in that direction with respect to the amendment.

**Hon. Mr. Mostyn:** As I was saying, we have supported that for many, many reasons. Number one, Mr. Speaker, was to bring better bandwidth to everyday Yukoners and businesses, but it also supports our goal of a decentralized government that allows us to provide better bandwidth, more reliable bandwidth, and greater access that knits our communities together. Mr. Speaker, when this policy was developed back in 1994, you could not imagine the territory at the time — as I have said many times, *The Globe and Mail* arrived a day or two late, and that was the only access to information that we had. It flew up on the aircraft, and sometimes it was bumped because we had too much cargo.

That is the decentralization policy that we are currently working under, so we need to bring it up to speed. We need to improve that policy so it actually reflects the world in which we live today. Part of that is this fibre-to-the-home project. That is another way that we are supporting the decentralization policy. I have mentioned the redundant fibre line up to Inuvik.

We are already working to strengthen rural Yukon communities, including the mental wellness hubs in rural Yukon. Modernizing this will help us support those 22 mental health workers in our four hubs across rural Yukon, which has added more capacity and more good-paying jobs in those communities — and, not only that, but providing services that Yukoners demand, especially during this pandemic.

Really, Mr. Speaker, with this amendment, we are trying very hard to improve it because we believe in it. Supporting our rural Yukon communities is a hallmark of this government's priorities. We have fought very hard to expand those services and to improve our rural Yukon communities. I hope that the members opposite will support this amendment proposed this afternoon.

**Ms. White:** I am going to quote from Hansard from yesterday. It says: “I think it should be clear that this was not brought to our attention prior to just a few moments ago, so it is not, in my estimation, considered friendly.” That was, of course, from the Minister of Justice.

Had I had the opportunity to have a conversation with the Minister of Highways and Public Works prior to this, I would have said, “Great. Amend it to modernize.” I'm glad I was able to highlight this policy here so that government could say that they were going to modernize it. I don't disagree; things have changed a lot since 1994. My question would be the timeline.

But I am going to be insistent that I believe (3) is important, because within the wording of (3), it talks about specific positions that have the language of “regional” — so the regional economic development officers and community advisors. It talks specifically about jobs that talk about regionalization. I wish we had the opportunity to speak about this before. We heard yesterday that government would like that. I think I would appreciate the same.

Although I support the first part about modernizing policy 1.9 in the *General Administration Manual*, which of course government has the ability to do — this government that won in 2016 — so four years ago, just about. I'm glad it's going to happen now, but I won't be supporting the amendment just because of section (3), because I believe that it's really important that we specifically talk about regional economic development officers and community advisors.

With that, I look forward to more thoughts on the amendment.

**Ms. Hanson:** I was listening to the minister's comments as he rose in response to the motion put forward by my colleague, the Leader of the New Democratic Party. It was interesting to hear him make the argument that somehow because the policy — the way he said it was that the intent of the policy is dated because it predates the DTA and self-government agreements. Well, I would probably think he also means First Nation final agreements.

But you know, Mr. Speaker, if you actually look to the history of this, it anticipated the conclusion of a successful devolution agreement ultimately with Canada and the conclusion of final and self-government agreements.

It was developed as a result of a government going out and participating in a territory-wide — every single community — Yukon 2000. It was a consultation about what the Yukon would look like in 2000 when we had successfully completed land claims and self-government agreements and we had negotiated with Ottawa for the transfer of federal programs and responsibilities. Keep in mind that in the 1990s those kinds of things were being done; in the 1980s, they were starting. Yukon 2000 in the mid-1980s was actually — and has been studied around the world — an exemplar of that kind of consultative process.

The notion of decentralization and what the government of the day heard was that we need real government jobs that pay decent wages, but not just in Whitehorse. When I got involved in politics, one of the things that echoed what I heard in my previous life working for the federal government was that so many of the jobs were centralized in a capital.

Just before I get into what I heard as a politician, let me explain a little bit of my experience and why I echo the sentiment expressed by the Leader of the Yukon New Democratic Party about the importance of retaining those examples with respect to functions of regional economic development — community services. My experience in a phase of my career when I became involved with negotiations on behalf of the federal government for self-government — it was on the tail of a failed attempt by governments — territorial and federal — to negotiate agreements with Yukon First Nations. One of the issues was, notwithstanding some of the substantive matters of that agreement, the fact that the people who are representing the governments didn't live here. They had no vested interest. First Nations and the Yukon government — speaking as a fed — were a little dubious and a little skeptical. So, the federal government said, "Fine, we will base our teams in the Yukon."

I understand how challenging it is to be a regional staff person leading a set of discussions when your headquarters are somewhere else, but as the minister so aptly outlined, 1989 and 2000 are very different from 2020. The technology that we have today — we are not exchanging faxes. We can actually Zoom in, as he understands from having worked in that environment over the last seven months, as we all have.

So, Mr. Speaker, one of the issues is that when we treat people — and it takes the maturity of management, which I'm hoping that the minister is hoping to reflect in his modernization policy — a maturity of management to trust employees to work at a distance. I can tell you that it is a challenge when you are hearing things that are being said in your work context in your region — whether that is a region that is 3,500 miles away from Ottawa or it's a region that is 500 miles away from Whitehorse. The reality on the ground is different, and you see and you live it differently than you do in that capital, and that helps inform and make more effective government policy and more effective government decisions. I can guarantee that the innovations that First Nations and the Yukon government forced the government into, in terms of the final and self-government agreements, would not have occurred if we had continued the approach that the Yukon government

continues to use, which is to drive in or fly in to the communities. It is not sustainable, and it is not respectful.

So, Mr. Speaker, when I became a politician, it was no surprise to me — from every single community that I went to — those examples, in addition to the regional economic development positions — and we call them that. We call them "community" advisors. We expect them to spend a couple of hours in a community and to understand fully what is going on. I can tell you that, having that experience as a regional social worker, that is impossible. You have to live it in order to understand it, and your bosses have to trust and be willing to hear you. That comes from the very top in terms of the Public Service Commission and the minister responsible for that.

In addition to the regional economic development advisors or the community services, I have been told over and over again that, when there were regional voices for tourism, it made a difference. When there were regional superintendents of education, that made a difference.

I'm not sure what the reluctance is — and I hear reluctance from the minister. I don't understand his resistance to including that language in paragraph 3 of this motion, as put forward by the Leader of the New Democratic Party. They are illustrative only — illustrative; they are not declarative. They are not saying that they are the only ones. They are given as illustrations. There are others that I would count on in modernizing this policy — to open up other options — but these are given as illustrations.

They are given as illustrations because they are respectful of the kinds of feedback that have been given not just to the Leader of the New Democratic Party and me, as an MLA, but to many of the people in this room. If they are honest about it, they have heard this.

The Minister responsible for Economic Development has heard me raise this. This current Minister of Economic Development has heard me raise this many, many times in budget debate about regional economic development officers. How many are in the communities? I did it with the previous ministers of Economic Development because I believe this. I think it's important.

Mr. Speaker, I'm pleased to see that the government is intending to modernize the decentralization policy. I have spoken to many senior officials in the public service who have been pleasantly surprised at the fact that they can make some of the extraordinary measures that had to be put in place over the last six to seven months in terms of working through the pandemic. As we said yesterday, we're not through this yet. I would hope that we would need to put an emphasis on hastening the work on modernizing the decentralization policy — but not limiting it, as I'm hearing from the minister in his language of resistance. I guess we'll see how long it takes for this minister to give direction to see that kind of work begin and what the product will be.

We'll see whether or not it results in, yet again, additional concerns being expressed by the Association of Yukon Communities about the importance and the need to put real government jobs — I just want to come back to one other point. It does not obviate from the growth of First Nation or municipal

governments. That's good, and that's quite separate from the motion that we're talking about here today. I would hope, in the context of the modernization policy that this minister is speaking about, that we actually might see some modernization of some of the arrangements with respect to interchanges between levels of government so that we can facilitate the growth of our public service writ large in this territory, because this is a huge opportunity. With the four levels of government in this territory, we have a significant opportunity to grow and to deepen the expertise in our public service, but we need to develop the tools to make that really happen.

Given the fact that we're now only talking about a pilot project to begin to look at employment equity with respect to chapter 22 obligations of the First Nation final agreements, I'm not going to hold my breath on that right now — but I would hope that the minister will commit on the floor today to the modernization of the decentralization policy within a time frame. That would be useful to have on the record.

Again, I don't hold my breath on these, but I have hope — because I always have hope that ministers — and I know the officials are there. The officials get this, but they need to know that their ministers are going to support them.

Thank you, Mr. Speaker, and I look forward to the next steps in this debate. I of course echo the Leader of the Yukon New Democratic Party — we appreciate the support with respect to modernizing the policy on decentralization of the Yukon public service, but we think it's important that we not keep it so banal as to not highlight some examples to guide that discussion.

**Hon. Mr. Streicker:** I would like to rise today to talk about how important I think this motion is and the idea that we're trying to achieve here. I will acknowledge that I was one of the members of the Association of Yukon Communities when we put forward that resolution in 2014. In almost all of my community visits — I can't say almost all of them; in many of my visits to communities — we get into this conversation about how critical jobs are within those communities. Even a single job in some communities can turn a lot of critical issues.

It is a conversation that we get into often. It's hard for me to see the upside of the pandemic. It has been very challenging for all of the Yukon, but we have had these conversations about trying to learn from and through it, and one of the ways in which that is the case is about how people have been working more remotely.

Just on the specifics of the amendment — just a couple of small points — first of all, I hear the member opposite, the Member for Whitehorse Centre, suggesting that this is reluctance when it comes to naming. I appreciate that is the perspective that she has; however, first of all, with regional economic development folks — I know that the Minister of Economic Development could stand up and talk about positions that he has put in the communities — and fostered and encouraged them. I have had conversations within my own department about various jobs.

What I want to say is that the resolution we brought forward that day back in 2014 was more about jobs like EMS

— at least in my recollection — than it was about the community advisors. The community advisors are a great group of folks. They work super hard and have been so instrumental during this pandemic because they have been the main liaison with so many of these communities.

The truth of it is that we have five of those positions. It depends on how you count the number of communities in the territory. You can call it 18 or you can call it 20 — whatever the number is. Every one of those advisors covers off a range of locations. Can we arrange it so that they go into a region and work that way? Absolutely. We are supportive of that, but that is not the first place I'm looking with respect to jobs. In terms of a specific — it's not one of the ones where we have been striving.

That said, what I really want to do is stand up and say that the principle I hear all of us agreeing with is the importance of getting jobs into our communities. As much as we love Whitehorse — and with all due respect to the MLAs from Whitehorse — let me acknowledge the Mayor of Whitehorse, who often stands up and talks about the importance of our communities. I think we should all be working on this together.

**Mr. Hassard:** I feel that I need to get a couple of things on the record here regarding this amendment put forward by the Minister of Highways and Public Works.

I think that the part that probably concerns me the most is when he talks about modernizing the policy from 1994. I think that is probably concerning to a lot of folks in the Yukon. If we look back at the track record of this government over the last four years, one of the things that this minister in particular did in terms of modernizing things was closing down Central Stores. That's kind of an interesting way of modernizing things and I think that there are a lot of government employees throughout the Yukon today who don't think that the word "modernize" would be a very good example or a very good adjective to demonstrate what that actually did.

Let's look at other things on this government's track record over the last four years. The Financial Advisory Panel — we had a government that couldn't make any decisions so they put an advisory panel in place, yet they've done nothing with the recommendations from that panel.

There was a health care review. Out of that health care review, there was talk of medical travel. So, they had to do a review on that, and the review on the medical travel indicated that there should be another medical review — or health care review. The government put in place a tourism panel. Now the tourism panel has to come up with a recovery plan. Just a few days ago, the government came out with a climate change strategy.

These are all important things, Mr. Speaker, but let's look at the track record of the government getting it done. The climate change strategy comes out a year late, and lo and behold, what does it say? Well, we're going to get this done in 10 years. Another example from this minister — let's go back to the early days of this government —

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

**Point of order**

**Speaker:** The Member for Porter Creek Centre, on a point of order.

**Mr. Gallina:** I'm just struggling to make the connection between the members opposite's comments and the amendment that is on the floor. I'm referring to Standing Order 19(b)(ii).

**Speaker:** Leader of the Official Opposition, on the point of order.

**Mr. Hassard:** I think that it's quite clear that I've been talking about the government modernizing something and the fact that their ability to actually modernize anything leaves a lot to be desired. I'm just trying to show where I don't believe that this could happen.

**Speaker's ruling**

**Speaker:** Yes, I've been listening to the Leader of the Official Opposition. I understand the analogies you're drawing and I think you are allowed some latitude on that.

Of course, the proposed amendment is specifically modernizing the 1994 policy 1.9, entitled "Decentralization Policy", which, of course, is a discrete and specific policy, but as I said, I am listening, and I have heard that you are, by analogy, providing your comments as to why you have some scepticism about this modernization attempt, so you have a bit more latitude.

**Mr. Hassard:** I shouldn't be long anyway, but as I was saying, let's go to something that happened early on in this minister's mandate, and we can talk about the airports act. There was a boondoggle, if ever there was one. Then, at the end of it, it came out that we were going to get regulations on the airports act. We still haven't seen those regulations, so it is just another example — this government, modernizing this policy from 1994. It's quite clear that we'll all be a lot older and a lot greyer before we would ever see it.

We have yet to see the regulations on the ATIPP act from this exact minister. The electoral reform — there were big promises on the modernization of electoral reform, but what has become of that?

The latest one, I guess, was fixed election dates. That was a campaign promise by this government. So, here we come, in the final year of the mandate, and guess what? Yes, we're going to have that in 2025 — so, no accountability for this government, just accountability for governments in the future.

We have seen the government not be able to fulfill their commitments on the Dempster fibre, and the minister just spoke of it. The Gateway project — again, delays, delays, delays.

I guess, at the end of the day, paralysis by analysis is an analogy that has been used to define this government. I guess I just have a lot of trouble voting in favour of an amendment where I'm going to have to rely on this government to modernize anything.

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

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

**Speaker:** In my opinion, the yeas have it.  
*Amendment to Motion No. 226 agreed to*

**Speaker:** Is there any further debate on the main motion as amended?

**Hon. Ms. Frost:** I would like to pick up on perhaps some of the themes that we are speaking about today. When we look at decentralization, I think we need to look at the growth of Yukon. We need to look at our relationships. With respect to the motion as proposed, it speaks about modernizing and looking at arrangements — arrangements in remote settings, arrangements in our communities with respect to the *Umbrella Final Agreement* and with respect to the land claims agreements and the obligations that we have devolved. The Member for Whitehorse Centre speaks about devolution and clearly defines the purpose of why we settled and ratified claims agreements. The specifics of chapter 22 when it refers to essentially ensuring that services are provided within the communities — local services that meet the needs of communities, respectful of the government, respectful of the community that we represent.

When the Leader of the Official Opposition speaks about accountability — perhaps talks about modernization in such a way that we have no regard for legislative drafting to essentially reflect our modern approaches to relationships, to collaboration, to reconciliation — I know for a fact that, as we look at legislation in the Yukon, we look at relationship building, we have made, in the last six months, almost 100 trips to Yukon communities, speaking with the First Nations, speaking with municipalities — working very closely around arrangements, collaboration, and arrangements of essential services and looking at perhaps decentralizing in a way that reflects the needs of the communities. We did that very effectively.

The member opposite seems to think that we are not doing a very good job. I absolutely disagree with that. I disagree with that as an MLA for Vuntut Gwitchin.

Suggesting that the Financial Advisory Panel — that we did nothing with that. The recommendation was to look at some decentralization approaches around bringing supports to rural Yukon communities in such a way that it better reflects — adequately reflects — the needs of the communities.

We went ahead and put forward the *Putting People First* initiative. Out of that, there were specific requirements to look at health care and health care models. We've expanded the scope of practice to allow implementation of nurse practitioners in our communities and mental wellness hubs in four communities. If that's not decentralization and bringing supports to the people where they reside in rural Yukon communities, then perhaps the member opposite is not very informed or connected to his communities — to the community of Ross River, to the Teslin-Nisutlin area. In terms of full commitments to legislative approaches as we look at modernizing, certainly we want to engage with our communities. We certainly want to look at the models that we put forward and we look at devolution of positions through

local service delivery models. We have done that very effectively.

In fact, we're having those discussions right now with some of our communities around local service delivery. Wildland fire is one good option that we proceeded with. You look at water/sewer delivery in our communities. We're looking at expanding those services. We have a social worker now in every community. Was that there historically? No. But we also recognize that there's a need to look at modernizing and adapting, of course, our approaches to meeting the demand and the pressures in our community for housing and we're doing that very effectively with our communities — the landowners of the communities, the municipalities, and the First Nations. We're currently having those discussions in the Member for Mayo-Tatchun's riding to look at options. We are looking at implementing a representative public service plan across the Yukon — we just recently modernized the legislation to reflect First Nation obligations.

That has not been reflected historically, I can assure you, Mr. Speaker. I don't believe that the members opposite, in 14 years, ending up in litigation on legislative drafting, met the needs of Yukoners in a way that was respectful. I see this as a way forward in terms of looking at our checks and balances — what we can do and what we are capable of doing as a government. That will only happen with true collaboration and cooperation rather than coming in and having debates about specifics — “well, I agree with that, but I disagree with that word” — well, we have a commitment to look at ensuring that services are delivered to rural Yukon communities.

**Mr. Istchenko:** I do rise today in this House in support of Motion No. 226. I would like to thank the Leader of the Third Party for bringing this motion forward. It includes many points that would benefit our community.

I would think it would be very difficult for any member, actually, not to support this motion here today. A decentralization policy — whether it's a friendly amendment where people promise that we would let you know when we were going to do something, saying that it's implementing or modernizing it from 1994 — but the policy would not only support our communities, but it would also help take some of the strain off of Whitehorse in many areas.

We have seen what effects an inflated real estate market can have on a community. High mortgages lead to high rental prices. We have seen that here. Families struggle to make ends meet and there is a constant demand for affordable housing, especially in Whitehorse. By moving positions and driving the economy to our Yukon communities, we may in fact be able to create more opportunities for areas outside of Whitehorse.

As the MLA for Kluane, I represent a number of these small communities. As a resident of Haines Junction, I can sure tell you how many times I have heard from individuals in Whitehorse about how much they would love to move to our town, how much they would love to slow down their busy lives, relax, and of course enjoy our beautiful outdoors. But there are no jobs, so without the prospect of gainful employment, there is just no way.

By supporting current employees who wish to relocate to Yukon communities through remote work arrangements, we could see some of our smaller communities flourish. I am not talking about growing government, Mr. Speaker; I am just talking about — as the Leader of the Third Party said — moving some of these positions that already exist and are able to function remotely in the communities where employees would love to live.

This is where communities would benefit. They would benefit from drawing individuals and families to our communities, and we would be able to see our communities grow and succeed. Schools could grow and provide bigger and better opportunities for our students. Imagine, with school growth, the recreational opportunities for children would also grow — sports teams could thrive.

A few years ago, I was driving with my kid and her friend, and there was a proposed subdivision being built in Haines Junction. The friend says, “We don't want that.” I said, “What do you mean, you don't want it?” I was taking him to hockey practice. “What do you mean, you don't want it?” “Well, we don't want anybody else.” I said, “There are six kids on your team. How can you compete against the Whitehorse kids? If we get a few more families moving in here and a few more kids show up, hey — you'll have a better hockey team.” “Well, I never thought of that. Yeah, we want people to move here.” Good, there you go.

There would be more opportunities for those people who move here to volunteer for some of the organizations — like our local Lions Club or minor hockey. Something that I think is incredible to see — every time we get a new RCMP officer in our community, they always volunteer as a coach at minor hockey, for some reason. A friend of mine who just moved there knows nothing about hockey and doesn't want to do anything, but he said, “I want to volunteer.” He says, “I want to join the Lions Club.” I said, “Well, I'll nominate you for the Lions Club.” He's a proud member and working hard in the community.

So I am in full support of the government working with First Nations and municipal governments in order to support lots and housing development. I'm very proud of the Champagne and Aishihik First Nations right now for developing 50 lots in the community. With lot development, we can get our — there's a memorandum of understanding to look at the area between Haines Junction and Whitehorse to see if we can't do local area planning there — maybe get a few more lots out that way. That's tax revenue that can go toward the municipality and the First Nations for infrastructure upgrades and for general maintenance and stuff like that.

Perhaps decentralization is the driver it needed to kick lot development into gear. Communities like Watson Lake — I'm sure the member will agree — have been requesting lot development and may have the opportunity to have their needs heard by government. I'm a believer that, when you reside in a small community, you develop a good sense of pride in that community. I have been in my community for, oh, I could say, 50-some years, except for the time I spent in Europe in the military and in other parts of Canada — but by moving some

public service positions into a community, we will see just how much pride we can inject into our rural Yukon.

Yukon government already has a number of positions located in our community, and it's crucial to ensure that those positions remain filled and the positions are kept where they are.

We have some vacant positions in my riding. One of the positions that we have in my riding right now is a mechanics position. Back in the day, we had two mechanics who used to work in Haines Junction. They would service the highways camps and Haines Junction, Blanchard, Destruction Bay, and Beaver Creek. The mechanic we have right now does not live in the community and it would be great if he would come to the community.

I know that it might be touched on later — and it was brought up earlier — that the marine and aviation branch came out to Haines Junction and that created jobs. I have spoken to the benefits to the community. I know with marine and aviation, a few jobs have moved back to Whitehorse and I remember having to have that conversation with constituents. Sometimes not every job can be left in the community. When marine and aviation moved out to Haines Junction, our three busiest airports — Whitehorse, Watson Lake, and Dawson — were the responsibility of the federal government and now are the responsibility of the Minister of Highways and Public Works and aviation. Now we are an international airport, so you have to understand where maybe a director's position like that might have to move to Whitehorse where we have Condor landing and other planes. You can see that.

I hope the government intends to fill some of these positions soon in our community and that it looks at that — if there is no interest locally, to generate some interest to draw in new people and new families to Kluane. If someone doesn't want to move out there and that job position is there, maybe we can post it.

I look forward to hearing remarks from other people on this motion.

The only other thing that I wanted to add a little bit — and I think it was touched on earlier today — the pandemic has showed how working from home — so if a position moves from Whitehorse to Haines Junction, to Mayo, to Watson Lake — through technology, through Internet service — through things like that — it's something we have to look at to make sure that it's at the top of it's game, but you know what, you can work in the community and work with your other branch that might be located in Whitehorse. That takes away from travel, that takes away from per diems back and forth, and that actually gives them more time in the community to focus more on the job they have to do.

We saw a hit when Parks Canada re-jigged itself; we saw some job losses in Parks Canada. But when both First Nations — Champagne and Aishihik First Nations and Kluane First Nation — settled land claims, there was an increase in jobs in our community.

I know that I heard it at an all-candidates forum — “You need to keep the jobs here.” I know that the First Nation politicians have heard the same thing — “Let's keep them in

our communities.” We need our communities to grow. If our communities don't grow, first of all, we are not going to see opportunities. We are not going to see opportunities if our communities don't grow — for private sector opportunities and jobs to move forward.

Of course, I will be supporting this motion today. I thank the members opposite for my time, and I will leave it to the next person.

**Ms. McLeod:** I want to thank the Leader of the Third Party for bringing this motion forward today.

Being a resident of and a MLA for a small Yukon community, I notice how much even one public service job in a small community contributes to the economy of the whole town. When people have the ability to move willingly into a rural community, support trickles down to reach different parts of that community. Small businesses receive that much more support, and children attend local schools and attend local daycares. Municipalities increase their tax base. This is how communities grow and flourish, and I think that some members of this government know this. The government has 88 new FTEs coming into the workforce this year alone, and I am interested to see whether any full-time and permanent employee positions will be relocated to rural Yukon, and I'm guessing none of them.

When positions are moved to a community or a position becomes vacated, there is also the opportunity to tap into the local workforce to fill that position, and often there are individuals who possess the skillsets but not the opportunity to put them to use. I thought we were beyond thinking that everyone who comes to Yukon wants to be located right here in Whitehorse. In fact, I know many people like the communities outside of Whitehorse, and the communities like the new people with their ideas and their energy. We have a number of vibrant communities — so much to see and do, outdoors to explore, lovely people to meet.

If this COVID epidemic has taught us anything at all, it is that work can be done remotely. Surely the government can agree with that, as so many civil servants did work from home or other sites, and some still do. They were at home in their communities and, indeed, in other provinces.

Every person in this room has had to work remotely to some extent, so it seems an opportune time for the government to give this a chance so that all Yukoners can benefit. It seems a shame for an employee to have to terminate their employment because they want to stay in a community, especially, as I have said, given that we have evidence that this can work and, even further, it's possible to allow employees to relocate from Whitehorse to a community. This contributes to the general health of all our communities. Healthy and vibrant communities contribute to a healthier and more vibrant Yukon.

With the government's amendment today, I am a little concerned about those employees who are now caught in the loop. When is the government going to start supporting those employees who wish to remain in communities? Will it be now or will it be after the grand modernization that could be years into the future? Now, there are employees right now who need



to know these answers. I hope someone from the government side will let those employees know what their future employment is going to look like or whether or not they have any employment.

**Hon. Mr. Pillai:** Mr. Speaker, maybe I'll begin by touching on a few points that were made by different members of the opposition — both the Third Party and the Official Opposition — and then touch a little bit on the language and information that was provided by the Minister responsible for the Public Service Commission.

First, I think it's important to state — just after hearing the comments from the Member for Watson Lake — that I don't believe in any case here — nobody is talking about positions being removed. It's about looking for the stability in the positions that are there in the communities. I think the overall concept is about trying to positively impact all Yukon communities and doing that through the process of having positions move to these communities, but I think it's also a larger conversation, because inevitably — just as the Member for Kluane has touched upon — it is so much more than a few or a number of government positions going to that community; it's getting those individuals, increasing the population, having people to volunteer in the many important things that happen to increase the strength of the fabric of those communities.

I think that, with this motion as amended — there were comments that the Minister responsible for the Public Service Commission was trying to constrict the scope of what was here. I have to clarify this on his behalf. That is not the case at all what was being stated. It was actually trying to broaden the scope of this motion with the amendment. I will delineate what the aspects of that are to broaden it.

I think that it is also important to touch on the fact that the Member for Whitehorse Centre did delve a bit into chapter 22 as it relates to not only the *Umbrella Final Agreement*, but also as it relates thereafter to self-government agreements and spoke on the representative public service. I think that this is a key point, but I would also like to share maybe some other aspects of chapter 22 that are just as important to get to the same goal, which is to ensure that we have vibrant communities and that there are more individuals moving to those communities and living in those communities.

One of the comments that struck me was that the ministers don't get it. That was a comment that was made from across the way. First of all, that is not accurate; we do get it. We have sat down — at least in my case — with staff in Economic Development early on. We have sat with the deputy minister, the assistant deputy minister and others, and said that, when we have the opportunity to have positions — specifically in Regional Economic Development, please make sure that we are taking into consideration that these positions will be more effective if they are actually in those communities.

I would like to have seen over the last three and a half years more of those opportunities, but I am happy that, in the case of the area in south Yukon — Teslin and Watson Lake — we have had the opportunity to move somebody from Regional Economic Development to that community to live there. I think

that the Member for Watson Lake would probably say that it has been, in many cases, a benefit to not just the work but to the community as well.

I agree wholeheartedly with the Leader of the Third Party that this is something that we really should be continuing to support. The individuals living in those communities are going to have a much better understanding of the particulars that have to be taken into consideration — the relationships, the nuances, the challenges, and the opportunities.

I also believe that we have to take into consideration other aspects of employing a public service. It was stated that there is a real opportunity to ensure that we have all levels of government working in a cohesive manner — to paraphrase — and that we can train individuals of all different levels of government to understand the work of their colleagues and then to increase that, but nothing has been done about that.

Well, no, that's not correct either. As you saw, this spring — we didn't get to celebrate as a territory the way we would have wanted to — but we have a university. In that university, the first degree granted was in First Nation governance, and that was open to all individuals. That was an extremely important step forward. It was about building capacity not just for individuals who may work in First Nation governments, but for individuals who work in the Yukon government or others. It's the first degree of its kind in the country.

There has been significant work done. I know that the university is going to build on that; I know the Minister of Education is fully supportive of that. We have had our first cohort graduate, and that's just the start of levels of government beginning to work together and for others to understand the work that they do.

It's also important to understand that there's a very fine line to walk when we talk about the opportunities for First Nation individuals who are moving into the public service. As a government, you have seen that our actions have been that we want to implement chapter 22 in the appropriate manner. We know, going back to 2010, that there was supposed to be a review that has really been stalled for a number of years, and now we're in a position where we're seeing some real action and opportunity. But I have heard the Premier state this before — you have to also understand that we want to ensure that exceptional public servants who work in communities — whether they stay in their community and work for their First Nation or not — we don't want to lose, in some cases, and First Nations don't want to lose and we don't lose those individuals working in those positions, because they become great partners in the work we do.

It's important to walk that fine line. Individuals will define that journey on their own. That is their self-determined destiny as they make a decision about what they want to do with their professional career.

But the reason I think that it's also important to talk about the modernization of this is because, when you go into chapter 22, it's not just about providing opportunities and jobs within the Yukon public service, but it also talks about the contractual opportunities and economic development opportunities that are key. Those are really just additional opportunities that we want

to make sure are taken into consideration. When we start to potentially look at opportunities or work that the Yukon government is doing and we are in dialogue with First Nation governments or development corporations and they make decisions to take on particular responsibilities — that then becomes — we're still meeting the same goal, as we've touched on with the jobs. What we're doing is — there are funds that are then flowing to those First Nation governments, they're creating jobs, and that's all within the same portion of the *Umbrella Final Agreement* within chapter 22.

I think what we're really trying to do — and why this actually does all interconnect, Mr. Speaker — it's because this is a comprehensive approach to ensuring that our communities are as strong as they possibly can be. So just by picking one particular policy point — that, as we stated, needs a lot of work — why is this relevant now? It's relevant now because we've all gone through this process of learning. Everybody has — government has; opposition has.

If you asked somebody in January 2020 what their confidence level was in taking the entire public service, for the most part, and having them work remotely, I think you would get a different answer than you do today. Why? Because our public service rose to the occasion. This public service led the way in many policy points in the entire country and did it quickly and effectively. That's why we're the situation that we are now — because of that good work.

As we hear over and over again from the opposition — and I know there will be lots of time to talk about it — that's why we've just gone through a pandemic and we still — moving through it — good point, that we're still moving through it — but, you know why? Because of our public service working with the private sector remotely, we have less people unemployed today than the last full year that the Official Opposition was in government — and we're in the middle of a pandemic. I'm going to thank the public service for that work. We'll make sure we reiterate that to Yukoners over and over again when we hear about unemployment numbers.

So with that, again, it's very important that we've seen the effectiveness of our public service under these particular cases. I think, if we're going to look at the fabric and opportunities of our communities, it will be very comprehensive and the modernization of that should take into consideration all elements of the agreements.

I think we also heard: "Give us a date right now." Well, as we just spoke about, I think this is about working with other levels of government. For us today — as the Member for Whitehorse Centre said, "Give us a date today." So if we give a date today of when this was going to be completed without talking to the other individuals who are going to work with us on it, we would be told, "We weren't consulted." That's a fact.

So let's get this motion passed. Then we can do the good work in the future of bringing in our partners. Part of the reason is — we've been looking at these opportunities without previously — as I stated — looking at the framework, but I think now what has come to light — which has been a learning experience for all of us — has been this remote work. I

appreciate the Leader of the Third Party for bringing this forward because it's quite an important piece.

I also would like to just reflect on some of the work that First Nation governments have done. I know that in my previous work, working for Champagne and Aishihik First Nations, one of the mandates of the current chief when he was elected was to ensure that positions that were coming up in their First Nation — first and foremost, that those positions should be placed in Haines Junction — not just because it would strengthen the fabric of the First Nation but because the nation understood that they were partners in that community and any position that went to that community — if that salary was being spent, that person was volunteering, their children were part of that community — that would all build a stronger community. We've seen leadership even within First Nation governments as well. Of course, implementing those policy points, you come to learn how important they are.

Just to touch on a few other items before closing, as you can imagine with my colleagues — when you have the colleagues I have, who represent the communities they do — we are always focused on ensuring that our communities are taken into consideration as we make our decisions — whether it be on regulations, legislation, or policy items. I appreciate the members who represent rural ridings for continuing to keep us focused on a very balanced approach — even if we have a large portion of the population here in Whitehorse — about the importance and of course as we focus on how all communities matter.

We've made a priority to work in partnership with First Nations and municipal governments across the territory to improve program and service delivery in Yukon communities. Increasing the proportion of all jobs across a variety of sectors based in Yukon communities, including Yukon government jobs, has a number of benefits from a community-based and economic development perspective. This most certainly includes supporting regional economic development opportunities and a diversification of our economy. It is important to note that we have been actively working toward this goal.

In the Department of Economic Development, for example, we have already shown that having regional economic officers living and working in the communities that they serve can be effective. This has already happened in Watson Lake. We will continue to look into opportunities for this kind of approach going forward across the Government of Yukon.

A number of jobs within the Department of Energy, Mines and Resources are also already located in communities, including several mineral resource, forestry, and land-related positions. These roles support the needs of the communities, and I want to thank the members who do work in our communities for their very important perspectives, local knowledge, and relationships as they work with a number of different industries.

One of our Liberal government's core priorities has been working to develop respectful and cooperative government-to-government relationships for the benefit of all Yukoners. This

includes all levels of government. I want to thank the Minister of Community Services, who tracks each and every one of us on when we are going to a community and how many visits there are so that we have our data to show that not only we are getting to those communities, but also who we are meeting with and ensuring that we have the important conversations that we need to have in those communities.

While I do believe that it is important for the Yukon government to have a representative portion of our employees located in rural Yukon, I don't believe it is the end-all and be-all of the opportunities and tools at our disposal. This is a key piece that I am seeing. That is part of the reason that we supported the amendment to this motion.

I would like to highlight as well, again, the significance of the *Umbrella Final Agreement*, and the economic impact of that, of course, is significant and untapped potential to get us to the goal that we have identified today.

To speak specifically to chapter 22 — economic development measures — I think that is important. This chapter outlines how we can collectively work together to ensure that Yukon First Nations are provided economic opportunities, which undoubtedly leads to money staying in the communities where citizens reside. Our government has been seeking opportunities to ensure that we are achieving these goals.

One such example is our Panache deal, which saw seven Yukon First Nations, Yukon government, and Panache Ventures come together to invest in the future of Yukon's innovation in the knowledge economy by increasing access to equity financing and capacity development to support Yukon tech companies.

This advancement strengthens entrepreneurial opportunities for Yukon First Nation development corporations by opening up a new avenue in their investment strategy, returning benefits to Yukon communities.

When we talk about land, we absolutely support calls to work with First Nations and municipal governments to increase land and housing availability in Yukon communities. As the Leader of the Third Party identified, this is a very important piece of the puzzle — not just the jobs but those opportunities for a place to call home and to personally invest in those communities. We have already been doing this work, and we will continue to do this work.

Over the past few years, we have seen increased demand for land in our territory. We have been working with our partners across the territory to meet that demand. In the 2020-21 budget, we included \$27 million to develop residential lots in Yukon communities. This includes money for the Champagne and Aishihik First Nation Marshall Creek subdivision development in Haines Junction.

Mr. Speaker, I just want to clarify — I have heard from across the way from the opposition that this conversation pertaining to land doesn't have anything to do with the motion. The fourth item on that was working with First Nation governments and municipal governments to ensure lot and housing availability to support decentralization efforts. My interpretation of that is that the information I am providing on

lots directly leads to that. Maybe the member just wants to take a look at the motion again that came from her party.

Again, the 2020-21 budget — of course, \$27 million there. The Marshall Creek announcement was also something that was very significant. It was great to hear the Member for Kluane talk in such a respectful manner but also in a passionate manner about those 50 new lots that are coming into existence in Haines Junction.

As the territory grows, so does the demand for housing. I am happy to say that, as we went through this motion, we are now in a position where there are those lots. Those lots are in Teslin; those lots are in Mayo; those lots are in Watson Lake. We have seen good work done. We know that there are opportunities for individuals to invest in those communities. You have seen action already, whether through financial relationships such as contracts or actually moving particular positions to these communities. I think it is very clear that this side of the House believes in the importance of this particular work. Also, if you're going to undertake it, do it in a comprehensive manner not just on one policy point. Understand all of the relationships and obligations that we have, based on the agreements that were signed so many years ago.

**Ms. Hanson:** I will just be brief. I had just a couple of thoughts in response or in the context of what the Minister of Economic Development had pointed out. I would say that the minister, although he was very praiseworthy about how effective these relationships can be, may want to check with his officials, because, in fact, the position that he has just lauded as being so effective in Watson Lake has been denied the opportunity to stay there — told that they must relocate to Whitehorse.

So, you need to have teeth and the commitment of senior management and the minister to actually see, when those good relationships are happening, that they're carried out. That's difficult. It's difficult to see the consistency between the words that I heard the minister speak and the actions of the government. It's one thing to say that we're fully committed to these relationships in the communities and that we really want to have regionally placed staff; it's quite another to make it work.

That's unfortunate.

I also think there's a conflation or confusion here with respect to the notion of what was being proposed here. I understand — and I think all people who have been involved with management of any kind — government or private sector — understand that you don't want to be poaching people. I mean, sometimes you do, but in the context of the intergovernmental relationships that we have in the Yukon, that's not a healthy thing to be doing.

What I was trying to get at was the opportunities that we need to seize — and that I was hoping that the minister would be articulating with respect to this decentralization policy — or will build into it, offering the idea of more effective utilization of interchanges. They're used internationally. They're used

intergovernmentally in every part, and we know that there are one or two at any given time in this territory.

I have had the privilege of serving on one of the international interchanges between Canada and Australia. At any given time, the governments of Australia and Canada have 11 different people doing that. It's a way of getting the benefit of other governments' perspectives in an in-depth and intense way, but you go back to your own job, to your own government, enriched, and that's how we can grow our relationships and depth of understanding in the public service of Yukon, First Nation governments, the municipal governments, and I would think the federal government would benefit from some of these, too.

I only offer those. I stand with the Member for Takhini-Kopper King, the Leader of the Yukon New Democratic Party. I feel obliged to vote against the motion as amended because of the fact that the government is not willing to offer even these illustrative positions and the minister's comments run contrary to the facts with respect to the support for that kind of a position in the community.

It has been a very interesting debate. I do look forward to seeing in some near future a modernized decentralization policy that reflects the realities of the 21<sup>st</sup> century in the Yukon and builds on the opportunities that are really there.

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

Does any other member wish to be heard on Motion No. 226 as amended?

**Ms. White:** I am forever an optimist, so I'm going to focus on the fact that we agree that decentralization is important, getting positions within communities is important, supporting rural economies is important, and rural schools and rural housing are all important.

I'm hopeful that I won't ask in multiple months or in the next Sitting about where that policy of modernization is, because I hope it happens and I hope it happens sooner rather than later, because we've all acknowledged just how important this is and how important it is for rural communities.

The wording is different than how I put it in, but I believe that we're all behind the intent, which is that we need Yukon government jobs in Yukon communities outside of Whitehorse. I'm going to consider that a win. I thank people for their thoughts. I'm happy to say that I have just changed the mind of the Member for Whitehorse Centre, and so happily, the Yukon NDP members will both be supporting this motion during the vote, which I am grateful for because that was going to be an awkward conversation for me afterwards.

What I'm trying to say is that we come at this from different angles and different perspectives, and it's true that lots of things have changed since 1994. I can't even imagine — when my colleague talked about having to communicate with Ottawa in faxes — what that would have been like.

Sometimes when I get told right now by people that I can send them a fax, I'm just like, "I don't know how to send you a fax." So times have changed since 1994; I don't disagree. But

really, let's focus on the intent that everyone in this House has said: that decentralization is important and Yukon government jobs in communities are important.

With that, I look forward to the vote.

*Motion No. 226, as amended, agreed to*

### Motion No. 230

**Clerk:** Motion No. 230, standing in the name of Mr. Hassard.

**Speaker:** It is moved by the Leader of the Official Opposition:

THAT a Special Committee on Mental Health and Education Supports During the COVID-19 Pandemic be established;

THAT the membership of the committee be comprised of one member from the Government caucus selected by the Premier, one member from the Official Opposition caucus selected by the Leader of the Official Opposition, and one member from the Third Party caucus selected by the Leader of the Third Party;

THAT the Leaders of all three parties inform the Clerk of the Legislative Assembly of the names of the selected members from their respective caucuses no later than seven calendar days after the adoption of this motion by the Assembly;

THAT the Chair of the committee have a deliberative vote on all matters before the committee;

THAT the committee:

(1) review the mental health and student supports that are and have been available to Yukoners during the COVID-19 pandemic;

(2) give specific consideration to the unintended consequences of the COVID-19 pandemic economic restrictions, travel restrictions, and isolation measures; and

(3) make recommendations for improvements and changes to the mental health services available to Yukoners throughout the COVID-19 pandemic;

THAT the committee be empowered to conduct public hearings for the purpose of receiving the views and opinions of Yukoners;

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods;

THAT the committee report to the Legislative Assembly on its findings and its recommendations no later than 60 calendar days after the adoption of this motion by the Assembly;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the Chair of the committee shall transmit the committee's report to the Speaker, who shall transmit the report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly shall be responsible for providing the necessary support services to the committee.

**Mr. Hassard:** It's a pleasure to rise today to speak on Motion No. 230. Since you did such a great job of reading it all

into the record — and it is rather long; I won't re-do that — save the good folks at Hansard having to re-write it all one more time.

Mr. Speaker, I just want to start by saying that I believe that this is an important motion. I think that, if passed, this will improve the lives of Yukoners. I certainly hope that we're able to get support here this afternoon so we can come together as leaders in the territory for the betterment of Yukoners. I don't think that this is a partisan or political issue; I think it's a people-based issue.

I really hope that today's debate and today's comments stay focused on the people who have suffered and are continuing to suffer throughout this pandemic rather than on personal or partisan attacks.

When COVID-19 first hit us, the government-imposed restrictions and direction came for Yukoners to isolate, to avoid people, and to stay at home. I want to start by saying that's not intended necessarily as a criticism of those restrictions. It's intended as a recognition that we as leaders need to recognize and come up with plans to deal with the side effects, or the unintended consequences, of these actions.

I think that everyone here recognizes that the public health direction was intended to protect public health while those public health officials worked to address the virus, and I think that everyone here recognized the importance of that work and certainly would agree with the intent.

Mr. Speaker, just like when you take medication, for example, sometimes there are side effects. That doesn't necessarily mean you don't take the medication, but you need to be prepared to address those side effects. In the case of the social and economic restrictions, the side effect, unfortunately, was significant declines in mental health for many Yukoners. In fact — as I mentioned in this Legislature a few times over the past four days — a recent Statistics Canada survey found that 52.4 percent of Yukoners felt that their mental health was worse now since physical distancing rules were implemented. That is a majority of Yukoners reporting that their mental health is worse due to the restrictions.

Again, Mr. Speaker, this is not a criticism of the restrictions, but such significant declines in the mental health of Yukoners is certainly scary. I think that it is an important piece of evidence, and any commitment to evidence-based decision-making must, of course, take into account this evidence. So we can't dismiss it. We certainly need to recognize it, get to the root of it, and try as best as we can to solve it. It needs to be part of the discussion and the decision-making process, but I think it also needs to be de-politicized, because people are actually suffering.

Sadly, as people were isolated and we saw a decrease in supports or services, we saw an increase in drug and alcohol abuse in our communities. In particular, we saw the amount of deaths this year related to opioids double as compared to the previous year. This is a tragedy and a crisis. For us not to do something would be wrong. It is for precisely this reason that last week, and again this week, we asked the government if they were monitoring the relationship between the COVID-19 restrictions and the increase of drug and alcohol abuse in the

Yukon. If they weren't, we certainly asked if they would please start. I think it is important for all of us to tackle this issue because if we continue to let mental health decline, we are certainly going to end up in a very bad situation.

This is a problem, because if you don't have healthy coping mechanisms or strong supports, then people may tend to move toward unhealthy or dangerous alternatives. I honestly don't believe that anyone in this House wants to see stories come out about increased drug and alcohol abuse or increased domestic violence or increased financial burdens for mental health supports due to the pandemic.

Again, this is why I asked last week and again this week what the government is doing to address these issues. How much has the government increased the budget to address this? How many new counsellors have been hired? These are important questions. We are not just asking these questions for something to do. They are important for us to understand the problem and to review the solutions and to make a determination of whether or not what we are doing is adequate. That is why we have asked about wait-lists at Sarah Steele or how many people are being turned away from Sarah Steele, because the questions and the answers will help inform us as we provide constructive feedback and advice to the government.

Again, like I said, they are not political questions. They are policy questions, and I certainly hope that the government wouldn't be defensive about answering them. I guess, for example, if more people are having to rely on Sarah Steele due to the pandemic restrictions, or people have had to be turned away, then what do we have to do to address the issues? If people aren't, then we can look at other issues, but we simply aren't doing our job as legislators if we aren't asking these important questions, because the questions really do help inform Yukoners and help to make better decisions in programming for Yukoners.

Our students have been particularly negatively impacted by the pandemic and restrictions on groups and with isolations, the cancellation of classes, the difficulties and uncertainty created for plans to go to post-secondary school, and plans for careers. All of this is certainly upsetting and very difficult for our young Yukoners.

The constant hammering of negative media, whether that be news media or social media, certainly doesn't help the cause, either. It's difficult, even for adults such as us. At the height of things in the spring, the constant reporting of daily cases and the deaths — it takes a toll on a person and can get depressing at times, and you don't necessarily want to read or hear about it. So, imagine how a teenager would respond to that.

Many of us have received comments and concerns from our constituents worrying about the mental health of their children as a result of this. It's no surprise that we have also seen an increase in the number of students requiring or seeking mental health supports. In many cases, we have heard from parents and families who have had to pay out of pocket to ensure that their children receive the support that they need, and that's why, this last week, we asked the government what its plans are to help alleviate the cost for those parents.

Again, I don't for one second think that it was the government's intention when these restrictions came into place to negatively impact or financially burden families, but we can't ignore these unintended and negative consequences of the actions, which is why we continue to ask this.

We are hearing from families, students and parents and even teachers who are concerned and worried about the students. As I said before, these questions come to us from Yukoners. This isn't something that we're dreaming up. I think they are important questions and need to be asked, and they deserve to receive well-thought-out answers.

This truly is a real opportunity for us to come together here in this House and come up with some solutions, and that's why I proposed this motion to create a special committee with a representative from each party. As I said, this committee could look at the current supports that are in place, review them, gauge their effectiveness, and then provide recommendations on how to improve the effectiveness.

This issue is urgent. I don't think it is something we can delay. We also, therefore, have an ambitious timeline. We have recommended that this work be done within 60 days of the motion passing. This allows us an appropriate amount of time to look at the issue while also understanding and recognizing the lived reality of many Yukoners who need our help today — not six, 12, or 18 months down the road.

I think that having the Legislature focus on this and put energy and time into this — a real, tangible issue that will make a difference for Yukoners who are suffering today — certainly is a good use of our time. As I said, it's about improving the lives of Yukoners. It will do so in a timely fashion without extended delays over long periods — you know, unfortunately, this has become more and more common over the last several years with how we do things. I certainly think that having us focus on making improvements to mental health supports for Yukoners and Yukon students in an expedited fashion is a much better use of our time than spending a year to review the *Civil Emergency Measures Act* only to provide a report on the eve of an election, I guess you could say.

If you ask Yukoners right now what we could do to improve their lives, they would say that we should find solutions to address the here and now. I think they would say that we should find solutions to the issues that people are struggling with right this minute, which are, as I have pointed out, growing issues from the mental health decline in the territory. I think that Yukoners would be happy to see all three parties put their differences aside to look at this issue. At the end of the day — it has almost become a cliché, but we are all in this together.

I hope that I have explained my position adequately. I think that this is a great opportunity for us to work together collaboratively. I know that — given the importance of collaboration and the government's insistence that, in the spirit of collaboration, amendments to motions should not be tabled without consultation with the other parties, as we've seen already today. Because we haven't seen this, I guess I know that there won't be any amendments to this motion today.

I look forward to what others have to say and I hope that we can come to a favourable vote in regard to this motion.

**Hon. Ms. Frost:** It's a pleasure to rise today. It is interesting — it is certainly an interesting debate on the motion and comments from the member opposite with respect to mental health.

Mental health services were not a priority for the Yukon government during their 14 years in office; it sure wasn't demonstrated. In 2016, we were one of two jurisdictions in Canada without a mental health strategy. On the eve of the last election, the previous government released its strategy with no money attached to it. There were two mental health nurses in all rural Yukon communities.

In 2016, a new government was elected, and I was given the task of revamping — and in some cases beginning to build — mental health services in Yukon with a very clear mandate to look at rural Yukon communities, ensuring that we brought the services to the communities that had been long forgotten.

Mental health and well-being have been a focus for this government from its inception. We are committed to ensuring that Yukoners have access to the programs and services that they need. We know that there are increased demands since the pandemic began and those demands will continue for some time. Prior to and during the pandemic, this Liberal government has been expanding mental health services and improving access in the communities to provide Yukoners with high-quality, accessible, and consistent access to care.

First, I want to take a moment to thank the many public servants who work tirelessly to ensure that Yukoners have access to essential services, especially over the last eight months. I know that the wellness of Yukoners is of the highest priority for Health and Social Services, particularly as we deal with the added stress of COVID-19.

Guided by the *Putting People First* report, enhancing mental wellness and substance use services will continue to be a priority as we navigate our new normal. The programs delivered by the Department of Health and Social Services will always remain client-focused.

As an indigenous woman from a remote isolated community affected by the devastating legacy of colonialism and residential schools, I understand what it means to be impacted by being removed from your community at a very young age. I understand the critical need for high-quality mental health supports.

Four years ago, when I came into my role as the Minister of Health and Social Services, there were two rural mental health support workers. This government has been working very hard to ensure that those struggling in our communities do not face additional hurdles in accessing services. I am pleased to say that we now have 22 mental health support workers providing services out of our four mental wellness and substance use hubs located in Dawson City, Watson Lake, Carmacks, and Haines Junction. In addition to that, we have social workers in our communities. We have psychologists and supports in our communities. We are working closely in collaboration with the Department of Education, our education

support workers, and our First Nation partners in all of our communities.

Resources and supports are available for youth and their families across the territory through the extended family care agreements. Counsellors are available through the hubs and our NGO partners, public health nurse supports, as well as enhanced services through our Family and Children's Services branch. In Whitehorse, counselling services continue to be provided by the Mental Wellness and Substance Use Services branch, along with the Canadian Mental Health Association, Yukon division, and All Genders Yukon society.

I am proud of the commitment of this government and our partners to provide support to families and seniors across the Yukon. We are constantly reviewing, adapting, and learning as our knowledge of COVID-19 grows.

When the chief medical officer of health declared a public health emergency in response to COVID-19, service providers quickly adapted to continue to provide critical services while working within the guidelines. Through the Mental Wellness and Substance Use Services branch, mental health supports are available to children, youth, and their families. Mental wellness support units quickly moved to provide all services by phone or through a virtual platform, with the exception of critical programs, including withdrawal management, which remained open at half-capacity — referred care clinics and opioid treatment services, which continue to provide critical services to Yukoners with complex mental and physical health care concerns. The psychiatric outreach program and early psychoses intervention provides critical services to clients with severe, persistent mental illness.

It is worth noting that these harm-reduction strategies were in place prior to the pandemic. With COVID-19, people with substance abuse issues, in some cases, were not able to maintain physical distancing or attending in self-isolation due to their addictions. We had to adapt — we had to adapt programming to support the needs of all of our communities. This is a key reason why we are exploring the possibility of a managed alcohol program.

When schools were closed due to COVID-19, the Child, Youth and Family Treatment Services team quickly remodeled and maintained contact with clients through phone supports and outreach counsellors being made available to meet in person, if needed. The child, youth, and family treatment team continues to offer scheduled or drop-in counselling services on a weekly basis, while also providing psycho-educational presentations, school consultations, and meetings with staff to build support plans.

I know that my colleague, the Minister of Education, will also be speaking later on this motion — specifically on the work that we have done within our schools and in collaboration with Health and Social Services.

In addition to increased supports for children and youth in schools, we have increased residents' psychiatric support in Yukon to improve access to care. We introduced a holistic and multidisciplinary model of care, which provides services in Whitehorse at a private clinic, treatment services at Mental

Wellness and Substance Use Services and at the Referred Care Clinic.

Finally, Canada's Premiers agreed to hold a national symposium on mental health and addictions, which was scheduled for May 2020, modelling the Yukon care model. Unfortunately, this event was postponed due to the ongoing COVID-19 pandemic. Our Premier has been working very closely with the Premier of Saskatchewan, Scott Moe, who is a co-host for this event, along with ministers of health to determine how to proceed with this important work. Our government looks forward to bringing the provinces and territories together in some capacity along with experts across the country to learn from one another and to further spur innovation and collaboration on this most important issue. It is particularly timely given that we are in the midst of a pandemic, so we have learned a lot about services and the innovation of modelling and changing like we have experienced here in the Yukon.

It is our hope that, through the sharing of promising practices and innovation, we will continue to promote wellness that helps Yukoners and all Canadians thrive. Ensuring that Yukoners have access to high-quality mental health services is a key priority for this government.

Mr. Speaker, the federal government committed a total of \$19 million toward the Safe Restart Agreement across the country. Under the Safe Restart Agreement, Yukon received \$13.5 million across six areas: health care capacity and mental health; testing, contact tracing, and data management; PPE; childcare; vulnerable populations; and municipalities. We are happy to see this support from Canada. It is an indication that we certainly have to put our efforts where they are needed, which we will continue to do.

Mr. Speaker, the transformation occurring within Health and Social Services has led the Yukon to the forefront of innovative health and wellness approaches. Our Premier is committed to a national working group on mental health and wellness, using the Yukon model as a framework.

As the suggestions in the member opposite's motion have already been considered or are currently underway, I believe that supporting this motion undermines — this is a very important and valued work that Health and Social Services is doing right now. There is a team of professionals working on this.

The member opposite, as he presented the motion, stated that we need to form partnerships, we need to look at COVID, we need to look at emphasis on drugs and alcohol and the impacts of that around COVID. Well, I can say that *Putting People First* is a priority of this government. It certainly aligns well with the work that we are doing in the health care reform model, looking at the recommendations from the Financial Advisory Panel to go ahead and proceed with the Putting People First health review, essentially looking at many of the recommendations and looking at what can be achieved.

I'm happy to say that a lot of the recommendations have been accomplished in a very short time. It didn't take us 14 years. We move quickly with Yukoners. We move quickly to adapt and change and look at the obstacles.

We looked at collaborative care. We looked at rural Yukon supports, mental wellness supports, nurse practitioners, and the *Child and Family Services Act*. We aligned our supports, not based on the apprehension of children. We aligned it based on services and supports to children in our communities. We don't have 400 children in care, Mr. Speaker. We have put, through our extended family care agreements, children back into their communities, into the homes of their grandparents and their extended families to allow them to be well supported, to grow into successful young people rooted in their culture and rooted in their place in their community and their society. That means ensuring that they have mental wellness supports, that they have counsellors, and that they have family supports around them, and we did that through our family support program. We have done that through the merging of the seniors programming — the elders programming — with that of youth programming, and that was highlighted in the aging-in-place submissions and the direct feedback from our seniors.

We have invested in a manager of indigenous services and relations in Continuing Care. We have looked at guidance and leadership of senior management as we look at an indigenous perspective during decision-making processes. That's critically important as we look at the proposal and at the services that we're providing to ensure appropriate stability in all of our communities.

As we also look at stabilizing communities, we want to make sure that we bring health care and health supports into our communities, meaning that we no longer take our elders out of our communities when they are near the end of their long life on this earth. We share in the celebration through our communities. That's a holistic approach to community wellness.

Caregivers in our communities and capacity development around that care is what this government has done. We have done that in collaboration with our partners through our indigenous communities, we have done that through our health commissioners, and we have done that through our leadership. We have commitment from our communities to look strategically at grief management within our communities and at the financial supports.

A year ago now, we put in place resources to look at wellness and wellness planning within our communities. We had in excess of \$600,000 assigned to support indigenous communities, to look at community wellness models, and to look at pre- and post-care supports within the communities. That means enhancing the doöli process, enhancing the models of aboriginal indigenous perspectives when it comes to healing and wellness within our communities. We are certainly not going to see that resolved in a motion with a political committee assigned to look at mental wellness as it relates to COVID-19. I think that's inappropriate. I think we put the responsibilities where they belong, and we have clear instructions to do that from our communities.

They're asking that we support them, and we'll continue to do that in good faith and very proudly say that the ownership does not reside in this government; the ownership of services and mental wellness and well-being resides with the people.

They need to be involved in the process. In first-hand experience, I think we have learned that — first-hand experience with COVID and the COVID pressures that we are seeing in our communities. You can only imagine having someone arrive in my little isolated community all the way from Québec, wanting to escape COVID because they are paranoid and afraid — and they show up in my community. I received the call at 10:00 at night to say, "Hey, we are extremely stressed. We don't know what to do. Can you help us?" That connection needs to happen in every one of our communities when circumstances are presented in such a way — in-time supports during stressful times, during times of grief, during times of healing are necessary. The services need to be on the ground.

We have a critical incident support team that is called upon to go into many of our communities. Sure, the member opposite speaks about — the earlier mention of the correlation between the opioid overdoses with that of COVID. From January to July, we had 13 overdoses. Half of those happened prior to COVID, and one would make the correlation to say that the crisis is here in our community. It is in BC and it has been here for a while.

That is why this government, in collaboration with our chief medical officer of health, put in place an opioid strategy to look at options — to look at options here in our community — so that we can look at a safe consumption site — to look at options that are presented to us as we see the crisis upon us. Sure, we obviously see a lot more stress in our people and we see a lot more use of alcohol, but the programs are there, and as communities we need to work together to clearly align the supports that are required.

I want to kind of bring us to a place where — I think, as we talk about mental wellness and substance use and the expanded services provided to Yukoners — of course it's high quality, it's accessible, it's consistent, and it's here. We have to make adaptations and quickly change — on the fly — the services that are needed to align with the recommendations of the chief medical officer of health to always keep Yukoners safe. At the same time, we had to get the services out to the communities.

With respect to expanding the scope of services — including counselling services and supports for children, youth, and families, substance use counselling, relationship counselling, trauma counselling, group counselling, community supports, outreach supports — those were all provided to the communities. We were able to stay connected to the communities. In some circumstances, we had folks on the ground in the communities who were isolating within their community bubble. The supports were there.

Circumstances in our urban setting were a little different, so we had to adapt. We had to look at increased harm reduction within our education system. We had to work very closely with our partners and First Nation governments. We had to work with the Department of Education and ensure that all of our students were safe, that they had the timely services and supports they needed.



I would suggest that some of the recommendations that speak to the actions of opioid use and what we're doing here have some correlation. I want to just say that, through these unprecedented times, we have looked at our supports — increased naloxone kits in our communities, working with our partners, working with Blood Ties, working with the referred care clinic. We have worked with the Whitehorse Emergency Shelter. We have worked with our partners to get the supports out to our vulnerable population.

Of course, it's tragic when we lose someone: It certainly is. I know for a fact, in my community, when one person passes on, it affects everyone, and we have had circumstances where individuals had unfortunate passings. We speak openly about it. We speak about the supports that are required — the wrap-around supports for the family and the community, the critical incident team and the interventions, and how quickly we can bring program and supports to the community. That has been demonstrated to be successful.

As we look at exploring our safe testing sites — those are some of the conversations that we're having right now with our chief medical officer of health so that we can ensure that those individuals are not stigmatized or blamed or labelled and that, if they so choose — if their lifestyle is such that they are going to use illicit drugs, then we want to make sure it's safe.

We've worked through Blood Ties Four Directions and we work with the chief medical officer of health so that we can expand the scope of the testing to look at doing that through our Whitehorse Emergency Shelter or perhaps through the Referred Care Clinic or, in some circumstances perhaps, we bring it into some of our other communities. Those are some of the very difficult conversations that we're having. Mitigating, of course, the affect and looking at the initiatives as we proceed along our journey and realizing that — what I've learned, anyhow, in my term in working with our communities — the services that were not there before — we have moved mountains to get the supports to them.

We just went through a review with Little Salmon Carmacks First Nation just last week around the Blackjack inquest — the implementation and the obligations there and how quickly we're bringing the nurse practitioner into the community, moving there very quickly with the supports in their community really to address critical pressures that we were seeing there and that they saw. They provided some input to the hub staff in terms of services and supports they needed.

I want to just conclude on that note to say that we are moving in the right direction. We have all the supports on the ground. I think that we've learned a lot. We've certainly learned a lot from COVID. But prior to COVID — I'm pleased to say that a lot of the supports were in the communities and on the ground already. We had to adapt certainly, like everything else, to meet the needs through changing times. I'm very pleased and I want to just give a *hai'choo* — that means “biggest thank you” — to all of the members of our communities who have stepped up and who have provided and lent support and to our staff for doing such an exceptional job in getting mental wellness supports, social supports, and health supports into our communities in a very timely fashion.

I know that we certainly have a system in the Yukon that is not very fair or equitable. We have a service through the non-insured health benefit model and then we have service through Yukon's health services. The inconsistency in unprecedented times has to be addressed. These are some of the things that have been identified and addressed through *Putting People First*. As you look at the health care models, we have to adapt, adjust, and move with the times. Clearly, that is the instruction. That is the input that we have received in our communities.

I just want to say how honoured I am to stand here and say that all of these supports are available. I certainly don't think that we need the help of the Official Opposition in looking at oversight, because I think that we are doing quite well on our own.

**Ms. McLeod:** I am sure Yukoners will be quite comforted by hearing from the Minister of Health and Social Services that she doesn't need to hear from the people who the Official Opposition represent. I am sure that they will be surprised to hear that they don't form part of the Yukon public. Clearly, the government is not prepared to engage in any sort of a dialogue. After all, the minister just confirmed again that they don't require any oversight over their programs and actions.

I appreciate the fact that the Member for Pelly-Nisutlin brought this motion forward. I think that it is an important one. I think it is a conversation that would benefit all Yukoners. I am sure that the members of the minister's community who are able to phone her at 10:00 p.m. at night are quite happy about that. I am pretty sure that if I handed out her cellphone number to my constituents, they would be pretty happy about that too. Maybe they could phone her at 10:00 p.m.

Throughout the course of this pandemic, health guidelines have been issues which, through interpretation and implementation, have manifested into policies created by this government — policies on social distancing, policies on indoor and outdoor gatherings, bubbles, and border restrictions.

Schools have had to come up with their own operational plans to interpret the guidelines in a way that works for them in order to get kids back to school. Some schools have created their own bubbles, or cohorts, within the school. Some schools have limited playground time in the mornings and after school. Some schools have banned the use of water fountains. Many decisions made around schools were operational, with direction from the minister. Grades 10 to 12 went to part-time in-person learning. Students are expected to learn what they can in that time that they are given and pick up the slack on their own. Others have been moved from their school and from their safe place.

Though these are meant to protect public health, they do have negative impacts on the mental health of Yukoners, and I think it's important for us to recognize this. We have seen this borne out in the data from Statistics Canada. The majority of Yukoners are reporting that their mental health has gotten worse during this pandemic. Unfortunately, it does not appear that the current supports are sufficient.

People are making do, but some have turned to less than healthy coping mechanisms, and we also know that families are having to turn to private options for mental health supports. These students need support.

It's not sustainable in the long term for families to pay out-of-pocket for these supports, so we need a plan. A committee of this nature could help provide the support required for these students. We have heard the Minister of Health and Social Services speak several times during this Sitting about how she believes that the supports that were in place prior to the pandemic were sufficient to meet the needs of Yukoners. I don't think this is the case. There would not be such an increase in alcohol and drug abuse or in people reporting deteriorating mental health if current supports were sufficient.

So far, the government has not been able to articulate whether or not supports have been enhanced since the pandemic and the state of emergency the government has declared. Instead, we have heard repeatedly that the supports were good enough before and they're still good enough. People were by and large quite happy with receiving mental health services from Many Rivers Counselling. I know that was the case in Watson Lake, and I'm sure it was the same elsewhere that services were provided by them in the Yukon.

I know that people attended Many Rivers. They sought services from reliable, discreet professionals. They grew to know and trust their support workers. Then, one day, they had no support worker. Unfortunately, we saw the government unable to work with Many Rivers to address their problems and allow them to continue to provide Yukoners with the valuable services. The government decided that government would be a better service provider. This is certainly not the way individuals who utilize these services felt.

We still do not have clear answers on how the mental health hubs would be successful and if they are actually meeting the needs of Yukoners — and I don't think they are meeting those needs. The people whom I have spoken to do not think that they are meeting the needs. I was assured that statistics would be gathered and that the appropriate reports on these hubs would be made available for review. I have not seen any such report or statistic, but it has been suggested that this could be something that the committee could look at.

I care about the mental health of people, and when the government puts into place a new program, I believe that the government has a duty and obligation to provide the evidence that the program is working and that it is beneficial to Yukoners. By organizing a special committee on mental health and educational supports during the COVID-19 pandemic, we as legislators would be able to investigate whether current supports are adequate. We have seen unintended consequences of COVID-19 measures throughout the territory, and these consequences resonate through the communities. We need to delve into the reasons behind these consequences and figure out ways to stop them from happening.

We know that opioid deaths are at an all-time high in the territory. This is no secret. The Minister of Health and Social Services has suggested that, of the 13 deaths between January and July, there is an opioid strategy in place. Given that the

numbers are at an all-time high, I have to question whether or not that strategy is having the desired effect.

We need help to get mental health care back on track in the Yukon, especially during this pandemic. We need to reach out to Yukoners to incorporate their views into our findings and work together on this. I don't think that this is a partisan issue, although — I am just going to leave it at that.

We, as MLAs in this House, each represent an area of the Yukon. We represent the people within that area, and those people in ridings that are not government-held deserve to be heard on an equal basis. The mental health of Yukoners has been challenged and tested in these times and we need to get in front of this situation before it causes more damage.

I fully support this motion and would encourage all members here to lend their support today, although the government has indicated that they will not support it. Thank you very much, Mr. Speaker.

**Mr. Kent:** I am going to be brief in my comments here today on this particular motion. I do want to thank the Member for Pelly-Nisutlin for bringing it forward, and thank you, Mr. Speaker, for reading it into the record off the top. I know that it is a lengthy motion, but I'm going to narrow my comments today with respect to this large motion to the education supports and the fact that this motion asks that the committee itself, number one, review the mental health and student supports that are and have been available to Yukoners during the COVID-19 pandemic. Mr. Speaker, as members will know, I asked this question of the Minister of Education earlier on in this Fall Sitting; I think it was last week. I asked the question about what additional resources she had put into Student Support Services since the start of pandemic to provide increased mental health support to our students.

A number of students have been adversely affected. The ones who I have heard from directly are those who are attending high school here in Whitehorse and are struggling with the new reality and the new schedule of being in class or with their teachers for part of the day and then having to do the balance of their learning remotely, either in a study hall or at home, as the case may be. Not only is that causing stress for students, but it is also causing stress for their families. It is a real challenge that many are facing. Some have sought additional counselling and additional mental health supports outside of their home through individuals who are in private practice. Some of them are having trouble affording that additional service, so it's not something that is sustainable. I was hoping that, should this committee be established, it could look into those aspects.

The minister, when I asked her that question, mentioned that the Student Support Services program is under review. Obviously, we are still in a pandemic and the school situation has changed so that it has caused additional mental health stresses on students who are attending those schools.

Some of the comments that I have received on social media or through e-mail from constituents and others who care about this particular issue relate to counsellors and the training provided to counsellors in the schools. I'm not sure if the Minister of Education was planning on speaking today — and

if she doesn't speak to this motion, I will follow up with her in Education debate as we move through the 2020 Fall Sitting — but I do want to get a sense for what the current situation is for counselling and student support services and the additional professionals who provide mental health supports for students — what that is currently and if there have been any enhancements to it as a result of COVID-19.

That's just a quick snapshot of the interest that I have as the Education critic and as the MLA for Copperbelt South and hearing from not only my constituents but from Yukoners across the territory on this important issue. It's my understanding that it doesn't sound like the government side will support the establishment of this committee, which is too bad. We have only heard from one government member so far, so perhaps others will weigh in with their thoughts on this.

That said, Mr. Speaker, that is the focus that I started this session with during Question Period, and it will continue to be a focus of mine as we move through this pandemic and hopefully get to the other side of it sooner rather than later so that some normalcy can be returned to the school calendar and how the learning is done. Not only is it this fall that we're grappling with, but we're also dealing with the closure of in-person learning at the end of last school year and the difficulties that it created for a number of families. Some of their children weren't successful in moving on in certain courses, and I know that created quite a lot of stress for many of the families that I talked with.

That said, I'm hopeful to hear from other government members on their decision not to support this motion here today for the establishment of this committee, but I will cede the floor to others at this time as we move through the balance of the day.

**Mr. Hutton:** I rise today to speak to Motion No. 230.

Mr. Speaker, quite frankly, I find this motion insulting not just to this government but to Yukoners as well, especially those living in rural communities. The rural communities in Mayo-Tatchun, in terms of mental health supports, were absolutely abandoned by this previous government. The Official Opposition, on the eve of the last election, delivered a mental health strategy with absolutely no dollar figures attached. This is akin to a plane being built with no wings — difficult indeed to get passengers on board, much less to get it to fly.

During their previous 14-year mandate, they maintained two mental health workers for all 14 Yukon rural communities. For 14 years, it stayed the same. Now, apparently because of COVID-19, there has been some kind of epiphany across the floor and mental health, all of a sudden, is an issue. It's amazing.

I have family and friends, Mr. Speaker, who have been suffering for years from mental health issues and no supports available out there. The situation has become dramatically worse in every one of my communities. The alcohol and substance abuse, depression, suicide — all these mental health issues linked to alcohol and totally ignored by the previous government.

I don't see any evidence to suggest that members from the Official Opposition take mental health seriously. Mental health problems didn't just begin to emerge because of the COVID-19 pandemic; they were amplified by it.

We've been suffering from a mental health crisis in Canada and in the Yukon for decades. In 2015-16, there were 77,000 admissions to hospital from conditions that were 100 percent caused by the harmful consumption of alcohol; 25 to 30 percent of suicides that occur are linked to alcohol. Alcohol has had a far more devastating impact on all of our communities than COVID-19 will. I'm not underplaying the significance of the number of people who have died from COVID-19, but if you compare it to the number of people who die every day from alcohol and substance abuse, the numbers would shock you.

It is also interesting that the federal Conservative candidate in the last election made a comment in the *Whitehorse Star*, May 1, 2020, where he stated — and I quote: “Humanity has not faced a challenge like this pandemic in generations, so politicians are taking direction from medical experts — ordinary professionals in extraordinary circumstances doing the best they can, but public confidence wavers when their advice changes daily. And while doctors may be experts in health, they are not experts in financial or cultural health...” I would like to point out that this individual remained on the Yukon Party payroll throughout the summer, and the first reaction — both locally and federally — to the governing party's response to the COVID-19 pandemic was to discredit chief medical officers of health across our country.

Mr. Speaker, the members opposite would have you believe that strong and resilient mental health comes from a strong and resilient economy. In fact, it is the opposite. When you invest in Yukoners, when you treat them like assets rather than liabilities, when you provide the care and services that they deserve, and when you rise to the challenge of meeting those requirements for health services, your economy thrives.

The members opposite question this government's decisions based on the recommendations of the chief medical officer of health to manage the COVID-19 pandemic. Their representatives don't seem to understand the basics of science-based decision-making. When you are presented with new evidence that redefines your narrative and scope, you change your narrative and scope. It is no wonder why this government has been so heavily focused on the health and wellness of Yukoners over the past three years, because nothing significant happened for the previous 14 to address these gaps — because there was, and there remains, a lack of understanding around science-based decision-making within the Official Opposition.

The Hon. Minister of Health and Social Services has been working diligently since this government took office to provide increased services for mental health and wellness across the Yukon Territory. We have increased mental health representation by over tenfold — a thousand percent, if you want to hear it another way. We went from two mental health workers to support all the rural communities to 22. That is fantastic. That is great news for all our rural communities.

Mental wellness and substance use services are continuing to expand and are providing rural Yukoners with high-quality,

accessible, and consistent care — something the previous government couldn't and wouldn't deliver on. We have expanded the scope of services provided by the hub staff to include counselling for adults, children, youth, and families, relationship counselling, trauma counselling, group and community support, and outreach support. None of these supports were there for the previous 14 years.

We have increased resident psychiatric support in the Yukon to improve access to care for patients and introduced a model of care that provides services in Whitehorse at a private clinic. In November of last year, this government saw three psychiatrists open private practices in our territory.

I would like to draw attention to the mental health of our First Nation communities. COVID-19 wasn't the beginning of mental health issues for First Nations in the territory. Believe it or not, when white people came along and introduced alcohol to our Yukon First Nations as another tool of colonization, that was really the beginning of the mental health crisis for First Nations in all the communities in this territory; it didn't start last March.

My communities — and all Yukon First Nation communities — have been decimated over the last century due to the imposition of residential schools, yet the members opposite would have you believe that COVID-19 is solely responsible for the decline in mental health across this Yukon. The legacy of residential schools and intergenerational trauma have seen a downward spiral of mental health in every Yukon First Nation for decades; it didn't start last January.

This government is working hand in hand with First Nation communities and those negatively impacted by the long-standing negligence of the Official Opposition to shape Yukon into a territory that we can all be proud of. I'm very pleased to be part of a government that negotiates respectfully with First Nations, as opposed to looking to litigation for solutions — one that's healthy, nurturing, and caring for all.

Programs — such as Honouring Connections and steps toward reconciliation — work to return children to the care of their parents and extended families so they can reconnect with their culture and their people, rather than being forced into assimilation. As a parent and a grandparent, I can tell you that this is a wonderful thing — to get these children out of these residential institutional settings here in Whitehorse and back to their families, back to their parents and their grandparents, and then provide those parents and grandparents with the supports they need to help us raise the future leaders in our communities, which are struggling right now with alcohol and drug abuse — the legacy of residential schools and the lack of caring from the previous government. For 14 years, there was no mental health support for our rural communities.

Twelve Yukon First Nations have endorsed the Honouring Connections initiative because they recognize the significance of this in their communities and the positive mental health aspects that programs such as this bring to their people. Mental health support is not one size fits all. A government party that doesn't believe in science-based decision-making should not be responsible for shaping the future of our medical industry or the mental health of Yukoners.

Mr. Speaker, you may have assumed that I will not be voting in favour of this motion. That assumption would be correct. As we move forward, we will continue to get advice from health professionals regarding supports that help meet the needs of all Yukoners. I see very little advantage to seeking advice from a committee of three politicians to provide those same health supports to Yukoners.

**Hon. Ms. McPhee:** “Be Heard” — an expression that members of the opposition often mock in this Legislative Assembly but one we truly believe in with relation to our relationships with Yukoners. Putting people first, all communities matter — how can we work to make Yukoners' lives better? These have been, they continue to be — and I daresay on into the future, they will be — the focus of this government with our one-government approach.

Mr. Speaker, this motion contemplates reviewing mental health and student supports, and notes — I think a bit curiously — what are and have been available to Yukoners during the COVID-19 pandemic.

As my colleague has mentioned very eloquently, this has been a concern, and those approaches that I have just noted are how this government works on behalf of Yukoners to make Yukoners' lives better.

It's important to remind us all that we are still in the midst of this crisis — this emergency. It's not likely to subside anytime soon, despite our best wishes, despite our interest, despite what I've heard here in the territory but really around the world — people saying, “I just want to go back to normal.” If wishes were horses, Mr. Speaker — it is simply not going to happen.

The Leader of the Official Opposition, in bringing this motion forward — I appreciate the opportunity to speak to it — listed numerous impacts of COVID-19 and the world pandemic. It won't surprise anyone, perhaps, that I strongly agree with the Member for Mayo-Tatchun and his very heartfelt submission here to this Legislative Assembly today that these are not aspects of people's lives that are new. They are situations that have been increased, or situations that have been exacerbated, but in the submission from the Leader of the Official Opposition, he has failed to remind us that these are issues and concerns that have been long-standing. I think that unfortunately calls into question some credibility of the entire motion.

I think it's critically important to note that — I cannot speak for my colleagues — I do not recall having received a single letter over the summer or an e-mail or phone call from any member of the opposition asking me about any of these provisions. What are you doing for students? What is happening for students' mental health? What is the focus for students, schools, the other people who are in schools — the teachers, the education assistants, the administrators — all feeling stress over the current situation in this world? Not a single one.

They haven't asked about any of these provisions — certainly not to me. They haven't asked what's in place; they haven't asked what changes have been made. I will reference

the Opposition House Leader who, last Thursday, asked me in particular about mental health supports. Frankly, I question whether that's an actual serious interest. I had one minute and 30 seconds in which to —

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

### Point of order

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

**Mr. Cathers:** The Government House Leader, I believe, has contravened two points of order, actually — under 19(g), imputing false or unavowed motives to another member in questioning the sincerity of my colleague in bringing forward those concerns about mental health — and also has certainly fallen into the gutter with 19(i), with use of abusive or insulting language regarding a very serious issue that my colleague asked the minister a question about. For her to dismiss those questions on behalf of Yukoners is insulting not just to my colleague but in fact to the Yukoners who raised those issues. I would ask you to have her retract her remarks and apologize for both of her remarks and the flippancy with which she delivered them.

**Speaker:** The Minister of Education, on the point of order.

**Hon. Ms. McPhee:** I don't believe I've contravened any of those sections of the Standing Orders. My question, if I had been permitted to continue it, was whether or not the question — not on behalf of Yukoners — was serious in that I have never been asked it before and that I had one minute and 30 seconds to respond.

### Speaker's ruling

**Speaker:** Questioning the sincerity — I'll review Hansard, but my initial reaction is that questioning the sincerity of another member's submissions or speech is not very nice, but it may ultimately just be a matter of debate — of heated but hopefully some sort of principled discussion — between members in this parliamentary forum.

I'll review Hansard. I'll come back if required, but that's what I heard at first blush.

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker. Perhaps I'll just state the facts. I've never been asked about these things. I've never been asked what's in place for students. I've never been asked what changes have been made by the members of the opposition. I have not been asked, outside of this Legislative Assembly, any of those questions.

In my submission, that is problematic. It's problematic for this motion. I'm going to use my time today to describe the current situation and the responses within the Department of Education and the focus that has been there on providing service and support to our Yukon students.

I don't disagree with the Leader of the Official Opposition that there have been consequences to dealing with the world pandemic and all of its complexities. None of those consequences could have been foreseen — again, despite the wording of this motion — because we have never had to face such a situation.

Consequences are something that my colleagues and I and our very talented public service and administrators across this territory have been wrestling with on a daily basis in relation to schools, in relation to hospitals, in relation to medical services, in relation to tourism, in relation to economics, in relation to the business community — and I can go on — every day since COVID-19 came to the Yukon doorstep.

This is a challenging time for everyone, including for Yukon students, families, and school communities. The first consideration for education during the pandemic has been the health and safety of students and the staff and ensuring that student learning continues over the course of the pandemic. It is with patience, kindness, and mutual support that Yukon communities are working to keep us all safe and resilient.

Thanks to those conscious efforts, we have been able to adapt and resume classes in schools for students following the advice and the guidelines from the Yukon chief medical officer of health. The priorities for Education during the ongoing pandemic include ensuring the health and safety of students and staff. One way to do this is with sanitization and cleaning supplies for schools and buses — the provision of those and the practice — the PPE — like masks and hand sanitizers — increased custodial services, and health and safety training for teachers and teachers on call.

We have been ensuring that learning continues for all students by adapting field trips, adapting learning spaces with additional desks and whiteboards, and relocating the F.H. Collins grade 8 students and the experiential programs to other sites.

I would like to take a moment to thank the teachers, the educational assistants, the educators, and the administrators in our schools who have really risen to the occasion. I know that we all know stories of individuals, classes, and students who have come up with great energy and innovative ideas on how they might do a field trip, how they might learn something outside, or how they might change the way that they have done learning in the past in an exciting way. Many of those students are excited about that, and this has presented this world pandemic in a way that we have had to re-think how we are going to manage — not only now but in the future — and perhaps change things for the better. There are truly amazing ideas there and there is evidence of it everywhere. It is so critical that our communities — and us, as leaders in this Legislative Assembly — hold up those ideas, those educators, and those students because to do otherwise, I think, falls into the negative situation that was described by the Leader of the Official Opposition and how destructive that can be for us all — and certainly for students who are looking to adults in their lives to provide reassurance and compassion.

Supports for students, Mr. Speaker, with diverse learning needs and those in need of additional supports such as study halls for students in grades 10 to 12 and supports for students and teachers and support staff for flexible learning — including access to technology, tools, and training — have been part of the response. Another example is additional IT and cyber security resources for school technology and blended learning. The department has worked to relocate existing funding and

resources based on these priorities to support learners of all ages in the territory.

With respect to the mental health supports for students — getting students back into schools with their teachers and their friends and back into routines is one of the best ways that we can support children and youth during the pandemic. This supports their learning success and their overall well-being. This is not only supported by our own medical experts but by those across Canada and those across the world and by the research that is being done as fast as it can be throughout the world to figure out what the best possible response can be.

Keeping students out of school, as we know, can have negative impacts on their mental health — not to mention the students, the teachers, and the other learners and staff who work in the school. I know of stories where teachers who have their own health issues or health issues in their families are still taking up the head of their classroom every day, putting themselves and their families at risk because it is so important for them to be there and to lead their students. I know of teachers who have had to retire after a 30-year career last spring without seeing any of the students who were in their class or without having any participation in their graduation in a way that would usually be the case. There are hundreds of thousands of stories. Those are just two small examples of how teachers have also been affected.

Yukon's modernization and modernized school curriculum includes developing competencies for well-being and resilience. Those are built into the curriculum — not something that needs to be a response to a world pandemic — although, goodness knows, who knew this was coming? Great forethought, great development, great future of education — because it does need to respond. As my colleague has said, these are not new problems. These are things in Canada that have been recognized to be necessary responses to providing a better and more holistic education for students.

Through Yukon school curriculum, Mr. Speaker, students learn about socio-emotional skills, decision-making about their health and safety, and strategies to strengthen their resilience and well-being. We would do well to follow them. One example is that physical and health education promotes positive well-being through four competencies: physical literacy; healthy and active living and healthy relationships; social and community health; and mental well-being. We are working to support those students who are still developing their independent learning skills and to help build resilience in all learners.

Mr. Speaker, during the pandemic, resource programs for students with disabilities, transition programs and other programs for students needing additional support, including those with mental health needs or related independent education plans — or individual education plans, as they are sometimes called — are continuing at school all day, every day.

We are working with partners to ensure that mental health supports and resources are available for young people at school and in the community, including to support their needs during the ongoing pandemic. School administrators —

**Speaker:** Order, please.

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

*Debate on Motion No. 230 accordingly adjourned*

*The House adjourned at 5:30 p.m.*

**The following document was filed October 7, 2020:**

34-3-31

Loss of Xplornet satellite services, letter re (dated October 6, 2020) from Hon. Richard Mostyn, Minister of Highways and Public Works, to Allison Lenehan, CEO Xplornet (Mostyn)



# Yukon Legislative Assembly

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Number 44

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Thursday, October 8, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

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Hansard Administrator	Deana Lemke



**Yukon Legislative Assembly  
Whitehorse, Yukon  
Thursday, October 8, 2020 — 1:00 p.m.**

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

*Prayers*

**In recognition of Ombuds Day**

**Speaker:** The third annual Ombuds Day is today, October 8, 2020. This international event seeks to improve public awareness of the Ombuds and their work. I know that a number of the staff at the Office of the Ombudsman wanted to attend today, but they are instead listening on radio due to COVID-19-related restrictions.

The theme for 2020 is “Ombuds: Unusual name. Important service.” The Office of the Ombudsman in Yukon was established in July 1996, when the *Ombudsman Act* was proclaimed. The Yukon Ombudsman is an officer of the Yukon Legislative Assembly and operates independently of government.

The role of the Yukon Ombudsman is to take complaints from citizens who feel that they were treated unfairly when accessing the services delivered by government or other public authorities, and to carry out confidential, neutral, and impartial investigations of such complaints free of charge.

The Office of the Yukon Ombudsman provides significant value to Yukon citizens and society. Ombuds Day is an opportunity to increase awareness and understanding of the value an Ombudsman brings to facilitating good government. Yukoners can learn about the role of Yukon’s Ombudsman by visiting the office’s website or by contacting the office directly.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Silver:** There are a couple of DMs in the gallery today. I will introduce one. I am sure that they are both here for Elder Frost’s tribute. We have Deputy Minister Stephen Mills in the gallery.

*Applause*

**Hon. Ms. Frost:** I would like to ask my colleagues to please help me in welcoming my very dear Auntie Bertha Frost, Stephen’s younger sister, to the gallery today, and of course my Deputy Minister John Bailey, who is a long-time friend of Stephen’s as well. Thank you for coming today.

*Applause*

**Speaker:** Tributes.

**TRIBUTES**

**In remembrance of Stephen Frost**

**Hon. Ms. Frost:** Drin gwiinzii, Mr. Speaker. I rise today on behalf of all Members of the Legislative Assembly to pay tribute to the late Stephen Frost Sr., a Vuntut Gwitchin legend born to Clara and Harold Frost of Old Crow on April 5, 1932. Sadly, on September 6, at 8:50 a.m., we lost this amazing man.

In his earlier years, most Yukoners will remember Stephen as a good-looking, larger-than-life personality who arrived in Whitehorse from the far reaches of our Yukon’s north. Old Crow and the Vuntut Gwitchin were well represented when he arrived, decked out in his best traditional regalia lovingly crafted by his wife Ethel to race in the Rendezvous dog races.

It was at this time that he met his lifelong friends Wilfred Charlie and Sam Johnston, both fellow dog mushers. Our respected elder grew up among a large family of 10 children, while living a simple life on the land during a time of extreme hardship. It was during this time that he learned how important it was to work as a team and to let his silly personality get him through the harshest of times.

Donald, Stephen’s eldest brother, speaks affectionately about his little brother as the mischievous one. That twinkle and spark never left him. He carried that mischievous, flirtatious behaviour with him until his passing.

Stephen’s involvement in the aviation industry goes back many years, well before Air North was established and well before the airport was built in Old Crow. He had connections as an employee and as a volunteer to Trans North, Connelly-Dawson Airways, Great Northern Airways, and Northward Airlines. This was the connection that he took an honour in.

He saw a need to welcome you to Old Crow. You were never left to feel like an outsider or a foreigner while in our community. Stephen made many friends the world over, welcoming those who arrived in Old Crow with open arms, a hot cup of tea, and a caribou roast, while saying, “We all need you to know that you are appreciated.” Many of you will have been greeted at the airport in Old Crow and immediately invited for tea or a bite to eat.

Doug Phillips, one of his very dear lifelong friends, describes him this way: “His gift to his family, friends and community was that he cared so deeply for everyone he met. He made us all feel at home.” A life fully lived and led — it’s hard to find words to match the stature of this patriarch in the Frost family, and it’s hard to imagine Old Crow without Stephen. He was an avid storyteller, an excellent trapper, an amazing baker, an entertainer, and — most of important of all — a keeper of our legends, our culture, and our Gwich’in teachings. There are so many wonderful memories and collections of stories from those who had the honour of crossing paths with this wonderful, spirited elder. He loved his community and was a true ambassador of Old Crow but, more importantly, of Yukon.

Assembly of First Nations of Canada National Chief Perry Bellegarde stated — and I quote: “It is always tragic when family and friends lose an Elder, but a man like Stephen Frost... had an impact that reached farther than most...”

Stephen Frost was a leader — a leader within the community and a person of great influence. He accomplished so much and influenced so many in his 88 years. His presence will be missed at all community gatherings and meetings. He always started off his presentations by stating, “I am 80-something years old, and that don’t make me any better than no one. It just means I’ve seen a lot in my years.”

He lived through many world changes, but through his time, he remained steadfast in his commitment to our youth. He often spoke of how the Gwitchin are seeing evidence of climate change on the land and in the animals, with emphasis on the Porcupine caribou herd. “It is so important to merge traditional knowledge with science,” he said.

Stephen would often drop by the school unannounced for tea and stories just to see how everyone was doing and to spread some cheer and good energy among our youth. He had high expectations of everyone, especially when it came to cultural integration and teachings. He committed his time to climate change, his teachings, words of advice, and unwavering support will have profound impact on his people.

Premier Silver said — and I quote: “We lost a legend.” It’s true. He was to all of us legendary and larger than life. As his niece, I was often reminded by him, “Life is good and others have it worse off than we do, so keep doing your best every day, dearly beloved.” That’s what he said to everyone who he spoke to from his heart. We are millionaires. We have everything we need here and the land provides for us.

I will miss his kindness, his openness, his words of wisdom, and his guidance. We are all richer for having Stephen in our lives. Hai choo for the inspiration, and most of all mahsi’ to the community of Old Crow for sharing this special man with the world. Thank you.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Ms. McLean:** I have for tabling, pursuant to section 12(3) of the *Arts Centre Act*, the 2019-20 Yukon Arts Centre annual report.

Further, pursuant to section 103(1) of the *Workers’ Compensation Act*, I have for tabling the 2019 annual report of the Yukon Workers Compensation Health and Safety Board.

Further, I also have for tabling the response to a Tourism Industry Association of Yukon letter, received on August 24, 2020.

**Mr. Cathers:** I have for tabling a letter dated September 9, 2020, addressed to the Hon. Navdeep Bains, the Minister of Innovation, Science and Industry for the federal government, from Yukon Party leader Currie Dixon regarding the issue of XplorNet service, urging the federal minister to seek a solution with XplorNet so that Yukoners can continue to receive this Internet service.

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

Are there any reports of committees?  
Petitions.

### PETITIONS

#### Petition No. 2 — received

**Clerk:** Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 2 of the Third Session of the 34<sup>th</sup> Legislative Assembly, as presented by the Leader of the Third Party on October 7, 2020.

The petition presented by the Leader of the Third Party meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 2 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 2 shall be provided on or before Thursday, October 22, 2020.

Are there any petitions to be presented?

Are there any bills to be introduced?

### INTRODUCTION OF BILLS

#### Bill No. 16: *Act of 2020 to Amend the Condominium Act, 2015* — Introduction and First Reading

**Hon. Ms. McPhee:** I move that Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 16, entitled *Act of 2020 to Amend the Condominium Act, 2015*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 16 agreed to*

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

Are there any notices of motions?

### NOTICES OF MOTIONS

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

THAT this House supports the current state of emergency. This allows for the continued assessment and management of Yukon’s response to COVID-19.

**Mr. Gallina:** I rise to give notice of the following motions:

THAT this House supports meeting or exceeding the targets laid out in *Our Clean Future*, including the greenhouse gas emissions and renewable energy targets.

I also give notice of the following motion:

THAT this House supports the Yukon business relief program in response to the COVID-19 pandemic.

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

THAT the chair and president of the Yukon Development Corporation and the chair and the president of the Yukon Energy Corporation appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

I also give notice of the following motion:

THAT the chair of the Yukon University Board of Directors and the president of the Yukon University appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

**Ms. McLeod:** I rise and give notice of the following motion:

THAT the chief medical officer of health and the deputy chief medical officer of health appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

I also give notice of the following motion:

THAT the chair and panellists of the *Putting People First* report appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

I also give notice of the following motion:

THAT the chair and the CEO of the Yukon Hospital Corporation appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

I also give notice of the following motion:

THAT the chair and the president of the Yukon Workers' Compensation Health and Safety Board appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

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

THAT this House congratulates Jamena James Allen as the new chancellor of Yukon University.

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

THAT this House urges the Yukon government and the federal government to work with Xplornet on a solution to prevent Yukoners from losing Internet service.

I also give notice of the following motion:

THAT this House urges the Yukon government to improve communications in rural Yukon by working with the private sector to expand cell service.

I also give notice of the following motion:

THAT this House urges the Yukon government to disclose the true cost of implementing tipping fees at its solid-waste facilities, including increased costs related to:

- (1) staffing;
- (2) brushing and clearing;
- (3) installation of power lines;
- (4) installation of phone service;
- (5) monthly charges, including phone and point-of-sale terminal fees; and
- (6) installation of the dirt berms that have been placed across the entrance to numerous roads, old gravel pits, and pull-off areas.

I also give notice of the following motion:

THAT this House urges the Yukon government to disclose the true costs of operating the Whitehorse Emergency Shelter, including increased operational costs, capital costs, and costs associated with Yukon Emergency Medical Services and RCMP responses to problems or emergencies at the facility.

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

THAT this House recognizes and congratulates those Yukon citizens who put their names forward and were elected or acclaimed to school councils.

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

THAT this House urges the Government of Yukon to work with parents, students, and the MAD program community to find space adapted to their needs for the remainder of this school year.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to return the experiential learning programs to the Wood Street School as soon as restrictions related to COVID-19 are lifted.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Marshall Creek subdivision development

**Hon. Mr. Streicker:** I rise before the House today to highlight an important partnership with the Government of Yukon, the Champagne and Aishihik First Nations, and the Village of Haines Junction. As the territory grows, so does the demand for housing, so we are very pleased to partner with the Champagne and Aishihik First Nations as they expand municipal infrastructure to the Marshall Creek Road in Haines Junction and prepare for future growth of the Marshall Creek subdivision.

The extension of water, waste-water, and sewer services to the Marshall Creek subdivision will assist in meeting their citizens' growing housing needs for years to come. The expanded service will provide services for 38 or more future

homes for Champagne and Aishihik First Nations citizens and improve services for some of their citizens already living in the area.

Funding for this project is flowing through the Investing in Canada infrastructure program. The federal government is providing \$7 million, the Government of Yukon is contributing \$1.9 million, and the Champagne and Aishihik First Nations are investing one-half million dollars. Mr. Speaker, I was very excited for Steve Smith and council when they were awarded funding for the project.

The Yukon government's Land Development branch managed the initial stages of the project with a custom-built collaborative design agreement with the Champagne and Aishihik First Nations and then turned the project over to the First Nations. The Champagne and Aishihik First Nations are completing the project through a transfer payment agreement. As well, the First Nations and the Village of Haines Junction have updated their water and sewer agreement to include service for the new lots and lift station in the Marshall Creek subdivision expansion. This will bring the regional system together while the new agreement provides an equal fee structure for equal service between the municipality and the First Nation lots.

Mr. Speaker, I would like to take a moment to provide a snapshot of the project. It includes installation of 2,000 metres of water mains, 1,500 meters of sanitary waste-water pipes, a one-kilometre extension of Johnson Street, and one lift station to pump waste water from the new sanitary sewer system into the lagoon.

Work is well underway. Champagne and Aishihik First Nations crews cleared and removed trees around Johnson Street. Castle Rock Enterprises, the civil contractor, have done additional clearing and tree removal for the new roadway near the Marshall Creek Road, as well as Johnson Street and Jackson Street. Work to extend the sanitary sewer mains has begun and installation of water mains is scheduled to begin next week. This project is slated for completion in October 2021.

We recognize the economic growth opportunities provided by such projects and we look forward to future opportunities to partner with First Nations and municipalities to provide dedicated support for the development of land in their communities.

Mr. Speaker, our government is committed to building healthy and vibrant communities and the Champagne and Aishihik First Nations' expansion of municipal infrastructure to the Marshall Creek subdivision is a tangible example of this commitment.

**Mr. Istchenko:** Thank you for the opportunity to rise in response to this ministerial statement today. I want to congratulate Champagne and Aishihik First Nations on moving forward on this project. They worked hard on this and it's good to see them get credit for this important initiative that will help more people get homes.

As you know, Mr. Speaker, we've seen the issues of housing availability, land availability, and of course affordability increase significantly in the past four years.

According to the Yukon Bureau of Statistics, the average price for a single detached home was \$546,000 this summer. This is an increase of \$123,000 compared to 2016.

As a result, many Yukoners have seen their dreams of home ownership disappear over the last four years. Obviously, a big contributor to this increase in prices is the lack of land available for housing.

With this project, this provides services for nearly 40 future homes, and I sure look forward to seeing it help alleviate these issues by ensuring that more people can achieve the dream of homeownership.

I also wanted to say that having Castle Rock Enterprises doing the civil work is a much-needed economic boost for our community in these trying times with the crash of our economy due to COVID-19.

Thanks to Kaaxnox Chief Smith and council for their vision and hard work getting this project up and running. Günilshish, günilshish, günilshish.

**Ms. White:** The project that has been highlighted by the minister is indeed good news — good news for the municipality, the First Nations, and Haines Junction citizens. I'm sure this type of good news would be welcomed in communities across the territory.

Yesterday, when we all discussed the importance of decentralizing Yukon government jobs, it was acknowledged by all that housing and lot availability remains a challenge in Yukon communities. When I looked to see the availability of lots in other Yukon communities this morning, it was eye-opening — none that I could find in Dawson City, two in Carmacks, two in Grizzly Valley, and six in Watson Lake. There are 12 country residential lots in Mayo, averaging between \$50,000 and \$90,000, but it's well known that this type of lot isn't ideal for everyone.

I know from conversations with the Little Salmon Carmacks First Nation and the Village of Carmacks that there's hope of developing housing lots along the proposed bypass road. Like many ambitious ideas, this new subdivision will require the support of the Yukon government.

Mr. Speaker, there are examples across the territory of good ideas from those with first-hand knowledge on the ground, and I look forward to the success of the Marshall Creek subdivision being replicated in other communities.

**Hon. Mr. Streicker:** I thank the members opposite for their comments and their support.

I'll be happy to highlight that we have work going on across the territory — for example, in Dawson, Teslin, Watson Lake, Carcross, and in Carmacks, along with the Gateway project. We have been in conversation with Little Salmon Carmacks First Nation and the Village of Carmacks. I think that there is a great amount of work happening across the territory.

What I want to say is that when I looked at how much we're investing in lot development — I'll check the numbers for this year, but last year, when I stood up in this Legislature to talk about this, we were investing as much last year as happened in the final three years of the previous government.

That's a significant increase. It means that we are investing in our communities.

When I say we're investing in them — it's not typically us, the Yukon government — the dollars flow through us, but our ideal is when it is a transfer payment agreement; we're very happy with that — but at the very least, it's a tendered project which happens right there in the community.

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

## QUESTION PERIOD

### Question re: Diesel energy generation costs

**Mr. Kent:** Last year, the government announced that they had cancelled their plans for a 20-megawatt thermal power-generating facility. The lack of a reliable long-term source of power generation to support a growing Yukon has put us on the brink of an energy crisis. We need to have enough energy in place in case of an emergency, especially during our cold winters.

The government's solution to this energy crisis is to rent diesel generators. In 2017, the Yukon Liberals rented four diesel generators. A year later, that went up to six diesel generators. Last year, they rented nine diesel generators. This year, they are renting a whopping 17 diesel generators. Last year, the cost of the rentals was \$2.2 million, and that didn't include the fuel.

Can the minister tell us what the cost of the rentals for the 17 diesel generators is this year?

**Hon. Mr. Pillai:** Mr. Speaker, I think the first part of the question was asking what our go-forward plan is as a territory. As Yukoners will remember, upon coming into office, the plan was to build an \$85-million to \$100-million diesel plant. That was the solution going forward. We heard loud and clear that Yukoners wanted a different solution and that is why we embarked on our 10-year renewable plan.

And that sets Yukon up to be a Canadian leader in sustainable electricity. It aligns completely with the plan that we have just rolled out, which is our climate change, green economy, and clean energy plan. Projects in the plan are needed, of course, to meet the growing needs of electricity in Yukon and to support this government's actions to reduce carbon emissions in the territory.

When complete, projects in the plan will supply, on average, 97-percent renewable electricity to Yukoners connected to the grid by 2030. Projects in the plan also account for 46 percent of Yukon government's emission reduction targets in 2030. We will all remember the damning Auditor General's report that we had to work to address, and of course this is part of that.

This will, again, be helping to reduce our emissions — and, of course, all of this is in collaboration with our communities and our First Nation governments. I look forward to question 2.

**Mr. Kent:** The record will reflect that the minister didn't answer the question. The question that I asked is: What is the cost of renting 17 diesel generators for the upcoming winter?

With winter at our doorstep, Yukoners want to know that we are going to have the power available if it is needed. A

number of houses in Yukon, especially those in the community of Whistle Bend, are heated entirely by electricity. No one wants to be in the situation where it is minus 35 in the middle of January and they can't heat their home. Of course, we saw this situation occur in January of this year with a nine-hour outage, and it was a real problem.

It is becoming more and more clear that our territory is facing an energy crisis. So can the minister tell us how much was spent on diesel for the nine generators last year and how much is budgeted for fuel for the 17 generators this year — and, of course, answer the first question as to the cost of renting those 17 generators?

**Hon. Mr. Pillai:** Mr. Speaker, I was just trying to be respectful and answer the first part of question 1. The total cost this year — this winter, Yukon Energy will be renting 17 portable diesel units at a cost of approximately \$4.1 million.

What is important to note is that this is the insurance and safety for all Yukoners. The member opposite may remember the N-1 scenario, which means that, if your largest asset goes into a risky situation or shuts down, you need to ensure that you have a backup power supply so that you can look after all Yukoners.

Although \$4.1 million is a significant sum of money, when you are taking into consideration that you are ensuring the safety of all Yukoners on the grid, I think that it is an important investment.

I believe that if we had more of a visionary approach to our long-term planning when it came to energy, we wouldn't be in this particular situation.

Of course, with a significant rise in the economy over the last four years — even an economy that is fragile through COVID-19 but moving strongly — we are in a position where we are going to see a population increase and more demand on energy and power.

I am going to be very happy to share with the Legislative Assembly over the next 60 days our progress and our work with the Taku River Tlingit on our new plans moving forward with microhydro.

**Mr. Kent:** I thank the minister for answering the first question on the cost of renting those diesels, so hopefully in this final response, he is able to answer the second question, which was about the fuel expenditures for last year and the fuel budget for this year with those 17 generators.

Seven of those generators are being deployed to the Town of Faro. This means that we will have to ship them up the highway to Faro. It also means that, in addition to burning diesel fuel, we will have to truck that fuel up the highway to Faro to power those plants as well. The decision to put them in Faro will actually increase costs and emissions compared to keeping them in Whitehorse.

Can the minister tell us if the government compared the added costs and emissions generated from shipping the generators to Faro and trucking all the fuel to Faro versus keeping them in the Whitehorse area?

**Hon. Mr. Pillai:** Again, a number of pieces to that — a number of questions.

I will come back to the Assembly with our costs from last year where it concerns our diesel use. I am happy to report on this year. Although probably all in the Assembly would have liked to have seen more sun this summer, we did have a tremendous amount of precipitation. With that, it meant that the watersheds in the Mayo area, the Haines Junction area, and the Whitehorse area — for all of our three largest assets when it comes to hydro — have now gone back to almost surplus levels. It has really met those levels ahead of where we thought that they would be at this particular time. We thought that it would be maybe two years of precipitation to get us where we wanted to be to max out.

As we look forward, we are pretty happy to see that, this year, we are not going to have to lean on the fossil fuels as much as we have had to in the past.

As to the last question — I will come back. I think it's more of a technical reason for having spread the diesel generators out. I think that it is maximize the efficiency of the grid. The member opposite may remember that, when he was responsible for this, it was important to have your assets spread out on the grid, but I will come back with the answers for that as well.

#### **Question re: COVID-19 pandemic impact on education system**

**Mr. Cathers:** Yukoners have been trying to get details from the Minister of Education for a month and a half about how the \$4 million from the federal government to support schools reopening will be spent. Many jurisdictions provide a detailed breakdown, showing the exact dollar values for specific expenditures within days — some within mere hours — of the federal announcement. The Yukon's minister still has not provided a comparable breakdown.

Yesterday, when we were trying to get this information, the minister provided a surprising piece of information — that being that the federal government has apparently still not given the Yukon its money. This funding was supposed to support reopening of schools. Our schools reopened 50 days ago, yet according to the minister, we still don't have the funding. This is both surprising and concerning.

Can the minister tell us what the delay from the federal government is?

**Hon. Ms. McPhee:** I am not going to speak on behalf of the federal government. The commitment was made that \$4.16 million would be provided to the Yukon Territory and that 50 percent of that would be provided to the territory in September. Those cheques don't get sent directly to me. I certainly will check and determine whether or not the funds have been received. It's October 8 — the commitment was made that those funds would arrive in late September, and the commitment has been made that the additional 50 percent would be sent to the Yukon Territory in January of 2021.

**Mr. Cathers:** It's surprising today that the minister is acting surprised and like she has no idea whether the money has been received or not, when yesterday, she told us — and I quote: "... we don't have a cheque from the federal government...", and she also said — and I quote: "... we have not yet received those funds..."

We were assuming we could take the minister at her assertion yesterday, and it's surprising today that she is denying any knowledge of it.

What we found out yesterday is that, despite being one of the first jurisdictions in Canada to reopen schools, we still apparently don't have the federal funding for reopening. Is the delay related to the fact that the minister has not been able to come up with a plan for the funding yet? Will the minister provide Yukoners with that detailed plan on how this funding will actually support the return to full-time classes?

**Hon. Ms. McPhee:** I'm puzzled by the preamble there. I have no concern whatsoever that the commitment from the federal government has been made and that those funds are on their way to the Yukon Territory — maybe they have arrived. As I said, those cheques don't get opened by me. We will find out and we will confirm that for the members opposite, to their satisfaction, I would hope.

I have indicated on more than one occasion in this House — and I am happy to reiterate it for Yukoners — that it's incredibly important that the information regarding how those funds will be spent to the benefit of Yukon students is available. It is planned for the department to spend those funds in conjunction with the priorities noted by administrators and teachers in their schools.

That work is being done to come forward with how those funds could be expended to the benefit of students. A long list of items has already been determined — either funds that we've already spent over the summer for the school reopening plan — and those costs have been expended on behalf of schools and students. Of course, that funding coming from the federal government will assist with those. They include cleaning supplies, increased custodial services, PPE and gloves, reusable masks, hand sanitizer. I'm happy to continue the list when I have time.

**Mr. Cathers:** Mr. Speaker, this is a matter of great importance to Yukon parents and to children. It's really quite surprising that the minister claims to be puzzled by her own words from yesterday when I read them back to her. She was the one who told us — quote: "... we don't have a cheque from the federal government..." and she also said "... we have not yet received those funds..."

So today it seems that she's saying that the Minister of Education yesterday didn't know what she was talking about.

Mr. Speaker, another thing that the minister told us yesterday was "No school will be required to provide PPE from its own school budget."

Can the minister confirm for us that this is in fact the case, and if it is, will any schools that have already purchased any of these items out of their budget be reimbursed by the Yukon government?

**Hon. Ms. McPhee:** I'm happy to be able to confirm that.

What I'm really puzzled by is the idea that I answered questions yesterday and am then being asked them again today to confirm my answers from yesterday. I'm happy to confirm all of the things I said yesterday and repeat them today on the basis that, yes, schools will not be required to pay for those

kinds of items out of their own budgets in the event that those costs have been undertaken.

The department is working with each and every school in the territory to make sure that those costs are properly taken care of by the Department of Education, by the funds that we have in the Department of Education budget and by the funds that have been provided by the federal government for the purposes of responding to COVID-19 on behalf of Yukon students.

**Question re: Off-road vehicle use**

**Ms. White:** We were pleased to hear that off-road vehicle use was discussed at last week's Yukon Forum. The CYFN Grand Chief stated that there has been a noticeable rise in the traditional lands being disturbed by ORVs. Sensitive habitats and alpine areas are at risk and currently there is no protection for these sensitive environments.

The Select Committee on the Safe Operation and Use of Off-road Vehicles tabled a report in 2011. Since then, the Yukon NDP has asked, year after year: Where are the regulations and when will they come into effect? So here we are again. When will the minister share with the public the new regulations and tell Yukoners which regions will be protected?

**Hon. Mr. Pillai:** The Government of Yukon is committed to addressing the environmental impacts of off-road vehicles by developing a new off-road vehicle regulation. Public engagement of the regulatory framework was completed in April 2019 and work continues with First Nations as we move forward to establish a new regulation in the coming months.

Friday's Yukon Forum gave me an opportunity to speak at the table to a number of First Nation leaders to let them know that our last step, before going into the work of implementing and building a regulation, was to ensure that we met our consultation obligations with them. We let them know that we would be reaching out to their lands staff, and it was an opportunity to speak at a high level about their perspective on this — the impacts they are seeing, the concerns they may have — and also giving a perspective of what we have heard after our consultation in spring 2019.

I look forward to question 2 and question 3.

**Ms. White:** I look forward to the regulations.

So Yukoners have watched over the years as environmentally sensitive areas have been negatively impacted by irresponsible ORV use. TOYA, or Trails Only Yukon Association, is an advocacy group that has long advocated for the protection of many sensitive areas throughout Yukon and they have continued to express disappointment by the lack of any concrete steps to protect any area to date.

The select committee made recommendations to mitigate environmental damage and cumulative negative impacts to sensitive wildlife and fish habitats. So can the minister confirm how the cumulative impacts on wildlife and fish habitats will be addressed in these new regulations?

**Hon. Mr. Pillai:** One thing that I have tried to do in this role is to ensure that I meet with all stakeholder groups and that is even in the role of Energy, Mines and Resources minister. It

might be anyone — from the Yukon Chamber of Mines right through to CPAWS — or the consistent meetings that we have had over the years with the Yukon Conservation Society as well as with Trails Only Yukon Association.

I would first have to say that I don't believe that the statement made by the Leader of the Third Party is accurate when speaking about their dissatisfaction. I think that they understand — that particular group — that this is an extremely sensitive topic. They understand that it is important to move with a regulation that is going to work for all Yukoners.

Yukoners know that, with this summer alone, we have had a banner year in off-road vehicle sales. It is near and dear to people's hearts to be able to get out into the backcountry, but they also understand that we have to understand how to do that in a respectful manner. Again, I just wanted to reflect on that because, in my conversations with the group, they have been very respectful and they have not shown any displeasure.

The "what we heard" report is available for Yukoners to look at on the Engage Yukon website and includes a wide range of input from Yukoners on the management of off-road vehicles.

I look forward to question 3.

**Ms. White:** I will just remind the minister that question 2 was about cumulative impacts on wildlife and fish habitats and how those were going to be addressed in the new regulations.

Besides the recommendations on the protection of environmentally sensitive areas, others were made by the select committee. Another recommendation was that government review penalties for environmental damage caused by motorized and non-motorized means. In addition, penalties should be appropriate to the damage done. Penalties need to not only be appropriate, but they also need to be enforceable.

Will the new regulations address appropriate penalties, and will they include enforcement measures?

**Hon. Mr. Pillai:** I appreciate the reflection from the Leader of the Third Party on this committee; I appreciate that. I have read through the Blues and the comments that were made by members of the opposition on this particular topic and their stance on where they thought they would like to go from a policy perspective.

In all cases, when we are looking at regulations such as this, we try to work with our partners, coming together — such as the Department of Energy, Mines and Resources and the Department of Environment — to understand the potential impacts that we work through. When it comes to the enforcement side of things — and maybe what you would call more of the "hammer" on any of these kinds of regulations — that again comes back to work that is done through Motor Vehicles.

The work can be done with the regulation through Energy, Mines and Resources — I am sure that it will be a spirited conversation this fall as we continue to talk about this — and then, again, looking at the Motor Vehicles rewrite. I know that my colleague will speak to that — where we have an opportunity to look at more policy pieces that can help with enforcement and the fines system.

**Question re: Whitehorse Emergency Shelter services**

**Ms. Hanson:** This week, the Premier announced that Ottawa will contribute an extra \$12.4 million to Yukon through the Safe Restart Agreement. Of that amount, \$4.7 million will be directed toward vulnerable populations. The Premier said that this money would go toward prevention measures at long-term care facilities, as well as toward the Whitehorse Emergency Shelter.

Can the Premier indicate if this means that the Whitehorse Emergency Shelter will no longer be staffed almost exclusively by auxiliary-on-call employees?

**Hon. Mr. Silver:** I appreciate the question from the member opposite and the opportunity to expand a bit on the northern supports package. As the members opposite know, this is the northern-specific component of the Safe Restart money that was negotiated over the month of August with the Council of the Federation and the First Ministers' meeting.

Our government has remained focused on providing protection for Yukoners and supporting them through these challenging times. The money that was received — the extra \$12.4 million — has been split into two categories: \$7.7 million for health care and \$4.7 million to support vulnerable populations.

The member opposite is correct that the additional funding for vulnerable populations will help to address needs at the Whitehorse Emergency Shelter and in community shelters and also for promotion of infection control in long-term settings as well.

We don't have specifics to announce today on the floor of the Legislative Assembly. That is not how we will do it. We will do it through the Minister of Health and Social Services' department when it comes to the specifics of the funding, but I will say that what we see here with the northern support package is a recognition from the federal government that costs when it comes to COVID-19 and health care in general are more expensive with northern considerations. We are happy to see that consideration on the federal level.

**Ms. Hanson:** A few months ago, the government considered stopping meal service at the Whitehorse Emergency Shelter over the winter months. Their plan was to direct all residents to pick up meals to go from the non-governmental organizations that have been filling the gap since the pandemic started. Luckily, the plan was put aside after many people pointed out the lack of compassion this showed toward vulnerable people on the eve of winter.

One way to ensure that people will have access to meals while maintaining physical distance would be to offer multiple sittings for meal service at the shelter. This would allow for smaller groups and sanitizing to take place between meal services.

Will the government confirm that the government plans to rely exclusively on meals to go is no longer being considered for the winter?

**Hon. Mr. Silver:** I will offer for my Minister of Health and Social Services to comment on the third part of this answer, but I do want to reflect on the first question.

The member opposite speaks to plans that were made during a global pandemic. Of course, when we make plans, we have to make sure that we are providing the services that we can as safely as we can to the vulnerable populations.

But back to the funding for health care — what we are going to do with this money, moving forward, is supporting the territory's three hospitals and rural health care services. We're going to help the chief medical officer of health to maintain and to enhance services related to the pandemic. We're also going to address the emerging and growing needs in mental health and substance abuse treatment, including support for those front-line delivery services.

What we are saying here today is that the additional money on this northern support package is going to help the Department of Health and Social Services to be able to continue down their mandate of making sure that our most vulnerable people have the services that they need, the supports that they need, and the meals that they need. If the Minister of Health and Social Services, on the third answer, can expand on programs specific to the vulnerable populations when it comes to meal programs and others and will be happy to continue to give information in the Legislative Assembly on that file.

**Ms. Hanson:** Wandering the streets and looking for a place to eat a bagged lunch is hardly compassionate. After a long-delayed community-engagement process, the government released a Whitehorse Emergency Shelter community safety plan last May. Many local businesses and area residents felt disrespected after the government watered down their concerns in the final version of the plan.

One thing that the plan highlighted was the importance of supporting good community relations between all parties to ensure a thriving downtown community. Residents young and old, non-profits, shelter users, and small businesses are all part of our community and deserve to be heard.

Many community partners have called on the government to work with them to develop a good neighbour agreement to foster understanding and communication in the community. Will the minister respond to this positive suggestion to improve community relations around the Whitehorse Emergency Shelter?

**Hon. Ms. Frost:** I do want to just commit to Yukoners that we have reached out extensively with our partners with respect to meals and ensuring that we meet all of the COVID-19 requirements as established by the chief medical officer of health. We will always ensure that those whom we support — the vulnerable populations — are well-supported. That may mean making some adjustments to the services we provide, so I just want to give a shout-out to our partners for ensuring that our clients are well-supported.

We are committed to putting people first to make sure Yukoners do not have to struggle to find the right door when accessing services. The Whitehorse Emergency Shelter provides a number of social supports under one roof. We are compassionate, Mr. Speaker. We are there and we are supporting over 80 people a day. Historically, we saw 13 to 15 people a day.



I want to just say that with respect to the additional supports that we provided — there are many. We always had an opportunity to look at consultation and engagement with the businesses surrounding the shelter, recognizing that it takes all of the communities and it's all of our responsibility and not solely resting on the shoulders of the government. We will continue to do the good work with our partners to address the plans going forward.

**Question re: Rural waste management**

**Mr. Cathers:** There is a serious issue affecting my constituents outside city limits as well as other people and businesses south of town. I have written to both the Minister of Community Services and the Minister of Energy, Mines and Resources about it. In late summer, the two companies that have been providing commercial garbage services outside city limits informed customers that they would no longer be providing the service. This is directly impacting Yukon farmers and a number of other businesses including tourism, fuel, and retail, and it's also affecting homeowners and residential tenants. Some of the Yukon's largest food producers are being negatively impacted.

In my letters, I urged the government to work with the City of Whitehorse to find a solution that allows farms and other businesses outside city limits to have access to affordable commercial waste disposal service.

Will the minister please tell me whether the government is seeking an agreement with the city to resolve this problem and support the resumption of commercial garbage service in the Whitehorse periphery?

**Hon. Mr. Streicker:** I thank the member opposite for his question. This is a real concern for folks north of town. We have been working to resolve it. He will know, I think — because several of his constituents wrote to me and I made sure to copy him as I wrote back, saying that, yes, we would get on it and work on it. I said right away that we would work both with the department and the City of Whitehorse. I can say that I spoke earlier this week with the Mayor of Whitehorse and we talked about the issue and potential solutions. I have also spoken directly with my deputy minister on this very topic. I know that he is in close contact — as are our Community Operations folks — with the City of Whitehorse folks.

I also know that the Minister of Energy, Mines and Resources met — even last night, I think — with the farming association.

We are working toward getting a solution. I hope to have more shortly. I can respond more in supplementary responses, but just to say that yes, we are working to try to work with the city to try to get a solution for the folks north of town.

**Mr. Cathers:** I do thank the minister for that answer. I am pleased that he's committed to seeking a solution. This problem is already having negative impacts and will continue to do so as long as it continues.

Some farmers and other business owners are struggling to adapt to the loss of this commercial garbage service. As the minister knows, farming profitably during our short growing season is hard at the best of times. If farmers in my riding are

left without commercial waste disposal options, they will have to either take time out of their day to personally take garbage to the Deep Creek solid waste transfer station or resort to other less desirable options such as burning, burying, or dumping garbage elsewhere.

Directing garbage to the Deep Creek solid-waste facility is not a logical option because for garbage coming from businesses on the Hot Springs Road, taking it to Deep Creek would literally result in a 40-mile side trip on the way to the Whitehorse landfill. The increase in both costs and fossil fuel emissions which result from that make it an illogical option.

Will the minister please tell us how quickly he's committed to seeking this agreement and if he has any sense of how long it will take to reach an agreement with the city to facilitate resumption of service?

**Hon. Mr. Streicker:** It's difficult for me to give commitments on timelines because of course there are private waste haulers. It's a private sector business and it's a relationship with the City of Whitehorse.

But I will say that I think — as I gave in my first response — that we have been working diligently to try to find a solution. At all times with solid waste, the more that we keep it separated, then the better it's going to be. One of the challenges of course with farm waste is that there is animal waste within it, and so that is maybe the toughest part of this problem.

So I'm not able to give a timeline because it isn't all directly under my control. But at least I hope I'm giving a strong indication that the department is working diligently with the City of Whitehorse and with the farming community.

**Mr. Cathers:** I'm pleased to hear the minister agree that it's a problem. I do want to emphasize the urgency and also remind him that, for businesses and others who are having to adapt in this, having information about how long this disruption will occur would be valuable.

Some of the residential tenants affected by the loss of service don't even have a car, so the loss of it leaves them without any good options for waste. Farms and other businesses that have lost garbage service need governments to work together on a solution.

As the minister knows, the city is not technically responsible for garbage from outside city limits, but ultimately, garbage which is dumped at a YTG transfer station ends up in the Whitehorse landfill anyway, and it does not make sense to take garbage on a 40-mile side trip from the Hot Springs Road to Deep Creek and back on its way into the landfill in Whitehorse.

So I'm pleased that the minister is committed to working on this. If he is not able to tell us when he expects a solution will be in place, I would encourage him to update us on that as quickly as he can and provide the House and, indeed, people affected by it with an update expeditiously.

**Hon. Mr. Streicker:** I do commit to reaching out with information as I have it available. I will say that I was in conversations on it again yesterday. I think that this is an important issue. I'm happy to work on it. I agree that the City of Whitehorse doesn't technically have the responsibility for solid waste that is outside of its boundaries, but we are trying

to work on a whole-of-territory plan around solid waste where we try to make sure that the field is as level as possible so that we work hard to deal with waste in a reasonable fashion. The campaign we're talking about is doing the heavy lifting that we all need to contribute.

I appreciate that this is a challenging situation and I again stand to commit to work on it and of course to keep the Member for Lake Laberge informed as the situation evolves.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 204: *Fourth Appropriation Act 2019-20* — Second Reading**

**Clerk:** Second reading, Bill No. 204, standing in the name of the Hon. Premier.

**Hon. Mr. Silver:** I move that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now read a second time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now read a second time.

**Hon. Mr. Silver:** I am pleased to rise this afternoon to begin debate on the *Fourth Appropriation Act 2019-20*, otherwise known as Bill No. 204.

This *Supplementary Estimates No. 3* is an exercise in dealing with unexpected and unavoidable costs — the very definition and intention of supplementary estimates. The latest supplementary estimates were almost entirely a result of costs necessary to deal with unexpected weather conditions and additional costs to care for Yukoners.

Mr. Speaker, in these supplementary estimates, you will see very early costs related to the COVID-19 pandemic, which began late in the fiscal year. While some will see these things as just dollar figures, we see it as keeping projects moving while at the same time keeping Yukoners safe. In total, \$7.6 million in additional operation and maintenance spending was required to address all of these needs.

There is no additional capital appropriation for this time. The entirety of the spending in the third supplementary estimates is contained within Health and Social Services as well as Highways and Public Works. The additional work required at Health and Social Services cumulated in the \$5.2 million as a result of greater demand primarily related to hospital stays outside of Yukon, as well as for extended family care agreements and increased demand for mental health services. In addition, part of the increase for Health and Social Services can be attributed to COVID-19 as the department quickly established the Health Emergency Operations Centre to ensure that all communities and support services were prepared to take care of Yukoners.

In Highways and Public Works, the department required \$2.4 million for unanticipated maintenance activities, higher utility costs, and the government's initial response to

COVID-19. This work included costs for acquiring personal protective equipment — PPE — overtime needed to address the demand for technology, and support in order to equip staff to safely work from home, as well as additional cleaning costs.

Overall, Mr. Speaker, we are dealing with a responsible increase in spending when compared to the total budget presented in the 2019-20 mains and *Supplementary Estimates No. 2*. These changes are forecast to result in a deficit of \$26.2 million, which reflects only a minor change overall from the \$18.6 million forecast in *Supplementary Estimates No. 2*. The year-end net debt is forecast to be \$68.4 million.

Overall, these changes will show a government responding to the needs of Yukoners while also responding to a global pandemic that none of us could have foreseen. Planning for unexpected events is never easy, but I am proud of how our government and Yukoners have responded. We will touch on this in greater detail through the 2020-21 *Supplementary Estimates No. 1*.

I do look forward to further dialogue and I welcome further discussion on these budget changes around *Supplementary Estimates No. 3*.

I do want to, once again — before I cede the floor to my colleagues across the way — give recognition to both the Department of Health and Social Services and the Department of Highways and Public Works for their extraordinary work collaboratively in the past several months as we chart unnavigable waters from any times in the past — specifically with Highways and Public Works' ability to get the public service to work very, very quickly at home.

Virtual clients are something that the department was working on for quite a while and had an aggressive schedule to begin with, with getting the virtual clients out there. You can imagine that, when we started to shut down some of the doors for health concerns in Yukon, that need was obviously expedited. What we saw from the department was a public service that was up for the challenge, and it's pretty amazing how quickly the department got to work.

With Health and Social Services as well — you can imagine that the crux of spending for COVID-19 would have come out of Health and Social Services. To see that department respond and adapt in a time where the public servants themselves were so dedicated and moving forward on such an amazing initiative with their new plans anyway. The amount of work that has been done, even before the independent review, on turning things around from acute care to collaborative care, the mental wellness supports that they were putting in place, and then moving toward a fundamental shift in how we look at health care moving forward, and then on top of that, to be hit with a pandemic — this department's ability to respond and to work collaboratively with others — again, truly amazing work. I'm just very, very grateful to be the Premier of such a responsive and dedicated group of public servants.

With that being said, I will cede the floor to my colleagues for comments and I'm happy to get this discussion underway.

**Mr. Cathers:** As I noted yesterday in asking the Premier about this, it's also important to note that the spending that

occurred — which is outlined in this appropriation act — was in fact illegal. It contravened the *Financial Administration Act*, and despite the Premier's dismissal yesterday of this is just "some rules", the *Financial Administration Act* is the law, and not following the law is serious.

Mr. Speaker, I would ask the Premier if he could answer this in his final remarks: How many times has his government broken the *Financial Administration Act* since taking office?

I would also mention — this would begin debate on this budget bill — that it is unfortunate that the government chose to call this bill for debate this day. This Sitting began with all parties talking about collaboration and the Government House Leader told CBC — quote: "We've always taken the position that constructive work together is far more productive..."

Now, yesterday, in the interest of collaboration, our House Leader told the Government House Leader that two of our MLAs had to leave this afternoon — one to vote and one to attend a funeral — and today, the government deliberately chose to call a bill that deals with the two departments that they are the critics for. The only new appropriations in this bill are matters related to the items which our Health critic and our Highways and Public Works critic would deal with. But despite that advance notice and the fact that the government has a long list of other business it could call, they deliberately chose to avoid the critics for those departments.

I would also note that it has really been an unfortunate pattern this year that the government has talked a good line on collaboration but they're only interested in collaboration on their terms. We proposed an all-party committee at the start of this pandemic to deal with the pandemic response. They shot us down on that request. We tried again in May with another proposal. Again, they shot down the idea. Of course, we saw again yesterday that the third time the Official Opposition has suggested an all-party committee related to the pandemic response, the government shot it down.

Now, they did propose their own all-party committee on the *Civil Emergency Measures Act*, but we know that there were fundamental flaws in that committee — that not only would the committee not report until August of next year — which may be after the next territorial election and, if not, will be on the verge —

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

### Point of order

**Speaker:** The Hon. Premier, on a point of order.

**Hon. Mr. Silver:** I'm really trying to find out how this relates to the actual budget and to the second reading speech — if the member opposite can make his point and move on to the substantive work that we're supposed to be doing here today.

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

**Mr. Cathers:** If the Premier would have allowed me to continue, he would have seen how it's directly relevant to this budget bill. It's disappointing that, after seven months of avoiding the Legislative Assembly, the Premier is so quick to try to shut down debate from other members.

### Speaker's ruling

**Speaker:** Debate on budget bills is generally seen in this Legislature as being fairly expansive, and members are generally allowed to loop back to the subject matter. So, yes, we'll allow that to occur — although I would agree that I wasn't immediately hearing the connection between the Member for Lake Laberge's most recent comments and Bill No. 204.

The Member for Lake Laberge.

**Mr. Cathers:** With regard to Bill No. 204, it's important to note the fact that the spending that is contained within it was not lawfully done. That is something — as the Premier will recall, I asked yesterday for a fulsome breakdown of the list of expenditures. Again, we acknowledge that some increased spending related to the pandemic was required, but it's our understanding that much of the spending that went over vote, in breach of the *Financial Administration Act*, was in fact not directly related to the pandemic.

I would also point out as well that, even in a pandemic, breaking the law is still breaking the law. There are options the government has available to it if it's going to go over a vote, including convening the Legislative Assembly to pass a budget bill so a department doesn't exceed its voted authority.

To that end, we have seen the reluctance of the government to face the Legislative Assembly, which they could have done to avoid situations like this where they breached the *Financial Administration Act*. We also saw that, when we have proposed collaboration, they have shot us down repeatedly. They have recently proposed their own committee on the *Civil Emergency Measures Act*, but the timelines of it and the participation of the Minister of Community Services really make it a farce to suggest that committee will be effective in reviewing government's response to the COVID-19 pandemic or be of use, considering that Yukoners are concerned about what is happening now, and that includes both the current fiscal year and the fiscal year that wrapped up in 2019-20, which is covered by this budget bill. Yukoners who have those concerns about the way government is acting now and the effect of it on their lives don't want to wait another year before they see action.

So, fundamentally, we see that, unfortunately, the Premier and the Government House Leader and others talk a good line about collaboration, but they're only prepared — their idea of collaboration is that they dictate the terms of collaboration and the other political parties are simply supposed to agree with them; yet, when we suggest something, they're not willing to work with us — even when we are offering, in the spirit of collaboration on an issue that's important to all Yukoners — that being the pandemic and its response — to actually work with the government and try to collectively help the territory do a better job of coping with the pandemic, balancing both the public health needs with minimizing the negative impacts to businesses and involving public input into how that response can be improved on.

Unfortunately, what we have seen here is concerning. I will again note — I will ask the Premier when he rises to tell the

House how many times his government has broken the *Financial Administration Act* since taking office.

**Ms. Hanson:** In rising to speak to the *Supplementary Estimates No. 3* for 2019-20, I just want to reiterate some comments that, unfortunately, the Deputy Minister of Finance had to hear from me because of a really serious concern that I have with the presentation of these estimates to opposition members. Opposition members are expected to be able to be informed and to be able to ask informed questions about budgetary matters. When we get a document that says, basically, “trust us” that “this is what it is” — \$2.4 million for a whole litany of things but not how much on any particular aspect on anything. It is \$5.2 million for Health and Social Services, again, with a sentence. Each one of those things has a sentence. It is not helpful. It is not respectful to the opposition.

I will note that the *Supplementary Estimates No. 1* for 2020-21 does provide a bit more information, but not a whole bunch. In health care and public health, we get \$33 million with a sentence beside it. In terms of accountability, I am not sure that it passes — well, I know it does not pass even the basic test.

Mr. Speaker, I come back to the Premier — the Finance minister’s — opening comments with respect to *Supplementary Estimates No. 3* and comments made in these sentences that describe what the money is used for in the 2019-20 budget year. I note that the *Civil Emergency Measures Act* came into force and effect on March 27. I will be interested to know what portion of the \$2.4 million was spent in the last four days of the fiscal year and what portion of the \$5.2 million was spent — I think it is important to be able to attribute expenditures to the right source.

I mean, that is what you would expect — ministerial accountability to be able to demonstrate that we know what we are spending it on and how much. How much was spent prior to any authority that might have flowed from the various ministerial orders and regulations that were passed, pursuant to CEMA, prior to any authority being set out by either those orders-in-council or other regulations? Because I don’t think that Yukon Members of the Legislative Assembly or Yukon citizens should be asked to take anybody’s word for it. Simply to say, “Jeez, we had an increase in maintenance activities” — well, how much of an increase in maintenance activities? Because surely there is an amount that corresponds to the amount of money.

We responded to the COVID-19 pandemic with such things as personal protective equipment. How much of that was expended prior to the end of the fiscal year, Mr. Speaker? Because we are talking about the fiscal year that ended March 31, 2020 — not into the summer, not into the fall — that is another fiscal year. None of that information is provided to us, as Members of this Legislative Assembly, and through us — through the public documents that the Yukon citizens should be able to rely upon.

There are other issues I would raise, but to me, that is the gist of it. Really, if CEMA came into effect on March 27 pursuant to — and if it says that it provided to do all things

considered advisable for the purposes of dealing with the emergency, including but not limited to protecting people and property and to requisition or otherwise obtain and distribute accommodation, food, clothing, and other services — a number of these things that consist of an enforcement of the law — none of those, as I recall, were in place March 27 to March 31 — but perhaps the Minister of Finance would be able to elucidate on that.

To me, the critical factor here is that we are asked to review and approve \$7.6 million in additional spending, which ostensibly, according to the Minister of Finance, largely accrued during those four days. So, I would be most appreciative if he could give us that information.

**Hon. Mr. Mostyn:** This afternoon, I am going to speak briefly about the Department of Highways and Public Works supplementary budget for the 2019-20 fiscal year.

Mr. Speaker, our government is committed to treating tax dollars with the utmost respect. Our department is charged with maintaining the safety and efficiency of Yukon’s public highways, bridges, air strips, buildings, and information systems. We maximized the spending of our budget to provide the best possible service to Yukoners. We don’t want to leave anything on the table when it comes to safety and ensuring that Yukoners are connected to their family, friends, doctors, homes, and communities.

However, despite diligent care and attention, sometimes situations arise that derail your plans. Over the last two years, Highways and Public Works has been working on a very tight budget. This year, our rapidly changing climate and COVID pushed our budget beyond our capacity to absorb new costs. Snow, higher electricity prices, and late fiscal COVID mitigations make up more than 66 percent of the total that the Premier has just announced. To quickly summarize, the end of the 2019-20 fiscal year gave us unanticipated weather late in the year, significantly higher electricity costs, and a global health crisis. As a result of these factors, our department spent 1.7 percent — or roughly \$2.4 million — more than budgeted on operation and maintenance this year. I would like to talk about that in a bit more detail.

Our department is vulnerable to weather events. This year’s heavier than normal snowfall led to unexpectedly high costs for highway maintenance. Yukon saw extraordinary levels of snow along our road network, much like the torrential and continuous rains that we saw this summer. These unanticipated heavy snowfalls required extra winter maintenance activities to keep our highways safe and open to our citizens. These events were not normal. This year, we spent \$800,000 more than the average over the preceding three years maintaining our highways through the winter. That’s a significant increase. As I have said, climate change is real, and I have the receipts to prove it.

Our department also manages and maintains an impressive portfolio of buildings, and again, the winter saw some of the coldest winter months in recent memory — back to normal, really, Mr. Speaker. We were down to minus 30, almost minus

40, for a significant period of time, and that cost us more in electricity than we had seen in the past several years.

The ongoing COVID-19 pandemic — a once-in-100-years event — has also played a critical role. The pandemic forced late-season procurement of personal protective equipment and increased personnel expenses to manage the safety measures the pandemic required, including ICT support to facilitate the shift to working from home. I know the technical staff worked night and day and weekends to build — almost from scratch — the capacity to allow thousands of people to work from home. Then they worked night and day and weekends to support and refine those systems so Yukoners got the financial support they needed to weather the pandemic.

It's actually an incredible story, Mr. Speaker — one of thousands of public service stories within this government during the pandemic — and it deserves recognition. Together, the investment in deploying technology and support, PPE, additional cleaning, and other safety measures were significant, but it was a necessary investment. They allowed our department to maintain the continuity of many of its vital services — but it pushed us beyond our finances, and that is also a serious issue.

Adding to the fiscal problem was the time it took to find jobs to accommodate the changes to Queen's Printer and Central Stores. The department expected cost savings through implementing the recommendations of the Financial Advisory Panel in April, but our insistence that no existing employee would lose their job through the changes and working with the union took longer than expected and led to the department carrying personnel costs for a few months more.

It was an important investment in our people, and as I have said, our people are critical to our government and retaining that talent is essential, so the project team took the time needed to get this right for our employees.

The culmination of these unusual events was going over our O&M budget, and that became very hard to avoid. I have communicated to the department the importance that this government places on strong fiscal stewardship, and this is something we always keep top-of-mind. Self-reflection is a vital part of improving ourselves and our systems.

The department is encouraged to act, assess outcomes, and take measures to fix any problems that occur. As part of the process, we're now implementing rigorous oversight and improved forecasting processes to guard against this happening again — especially with the tightening of our budgets. I have every confidence that we will learn from this and be better prepared than ever to deal with the unprecedented times we face ahead.

**Hon. Ms. Frost:** I'm here today in the House to speak about the supplementary budget for Health and Social Services for 2019-20. The department has been instrumental in ensuring that we have developed a budget that supports Yukoners. I want to thank them for their hard work.

As always, this supplementary budget aligns with the ultimate goal of Health and Social Services: We must work to ensure that comprehensive and coordinated programs and

services meet the people's needs at all stages in their lives and to support the well-being of Yukoners.

In this budget, we are requesting \$5.246 million. This additional funding is required to fund what was the legislated and required services to Yukoners. The last quarter of 2019-20 presented significant challenges to all jurisdictions, and Yukon was not exempt from that. In fact, we faced additional challenges as we worked to put in place COVID-19 responses. These early weeks in March only further stretched a year that had already been seeing its challenges from my department.

Health and Social Services did go over its appropriation for the 2019-20 fiscal year. Unlike many departments within government, Health and Social Services is legally obligated to pay for certain services which we have no control over. This overexpenditure can be attributed to increased demands for insured health services related primarily to extended hospital stays outside of the territory in the second half of the fiscal year.

Yukon citizens in hospitals out-of-territory for services and supports that cannot be provided locally are still covered by our health care insurance programs — one or two extremely ill individuals, a neonate who was medevaced south, a serious accident resulting in an extended recovery and rehabilitation stay — this could be any one of us, and those costs are high and unpredictable.

While we work to bring Health and Social Services closer to home, for some situations, Yukoners require specialized care and support only available in larger centres. Additionally, there are increased costs associated with social and community supports throughout the Yukon, as well as increased demands for more mental health services. There were increased costs for extended family care agreements with Family and Children's Services. While this increased financial pressure is not the best news, these are the reasons for it.

My department has worked extremely hard over the past several years to ensure that First Nation children are not brought into care unless there are no other options. That more and more First Nation children are now being cared for by family and community is a very positive step forward. Our success in this approach has resulted in financial pressures to support the children and those supporting the child. It should go without saying that some of the overexpenditures can be attributed to the COVID pandemic, as we rushed to establish our Health Emergency Operations Centre and ensure that all community supports and services were prepared to care for Yukoners who may be stricken by this unknown virus. We had to spend money. This was well spent — providing personal protective support equipment for our hospitals, our health centres, our long-term care homes, our childcare centres, and for essential workers. We had to put in place a testing centre, a self-isolation centre. In addition, we had to ensure that samples made it to the lab in Vancouver at a time when more flights were cancelled than were flying.

We had to ensure that we had additional staff in our health centres. We immediately enhanced our 811 services. These are just a few of the things we did during the first few weeks of fiscal year 2019-20. Within the department, we had to take very

seriously that we are spending taxpayers' dollars and that we report to the general public.

What needs to be understood is that there are some things — such as the pandemic or meeting the needs of a very sick Yukoner — that we can't control and can't plan for. We watch carefully throughout the year to manage our appropriation. We know and appreciate the seriousness of going over our appropriation. The department has continued to institute a number of measures to improve our budgeting processes and ensure that we are positioned to manage our appropriation. For example, we instituted a formal comptroller framework to assure a more rigorous accounting and oversight across the department. Everything that we do within Health and Social Services is to serve Yukoners. The welfare of all Yukoners is of utmost importance to this government and we continue to look for ways to best support our territory.

Our government is citizen-centred and people-centred, and we work hard to ensure that the money budgeted for the Department of Health and Social Services is spent in a way that supports Yukoners to lead healthy, happy lives.

These are some of the highlights within the supplementary budget. If there are questions, I would certainly be happy to respond to them — but just a gentle reminder that in the first year in office we received a bill from our service providers in southern jurisdictions for health care to the tune of \$2.2 million. That came in June, and we had to find the resources within Health and Social Services. So I'm sure the Member of the Official Opposition will clearly know how important it is to rely on the specialized supports outside of the Yukon that are unaccounted for, which we certainly need to take into consideration as we look at our budgets going forward and we continue to bring the specialized support services to the Yukon to better accommodate the needs of Yukoners.

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

Does any other member wish to be heard on second reading debate of Bill No. 204?

**Hon. Mr. Silver:** I want to thank all members for their comments. I also noted in my opening comments today that these estimates are an exercise in dealing with unexpected and unavoidable costs, which is the very definition of the intent of the supplementary estimates. These latest supplementary estimates were almost entirely the result of costs necessary to deal with unexpected weather conditions and additional costs to care for Yukoners. The estimates contain the very early costs related to the COVID-19 pandemic, which began late in the fiscal year.

The member opposite seems to think that we didn't do any spending on the pandemic before the *Civil Emergency Measures Act* was invoked. That is not true, Mr. Speaker — the pandemic started in late February or early March, and so costs were definitely being accumulated at that point. Overall, these changes show a government responding to the needs of Yukoners while responding to a global pandemic — none of that could have been foreseen.

The Member for Lake Laberge asked how many times the particular infringement of the FAA happened under our watch. The answer is twice — it happened this time and it happened once before, where it was a similar situation — where there were extenuating circumstances with out-of-territory medical costs. But I will extend the answer and give him more information. The amount of times that it happened under the Yukon Party was eight — just for his information, which he should already know.

Also, the Member for Whitehorse Centre spoke about the briefing — and what I will do is speak with my deputy minister and ask about the briefing, with the lens to make the process more reflective of the expenses.

With that, Mr. Speaker, I am happy to get into general debate and into the more specific, substantive debates of the departments with the ministers and their teams.

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Kent:** Disagree.

**Mr. Cathers:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. Van Bibber:** Disagree.

**Ms. White:** Disagree.

**Ms. Hanson:** Disagree.

**Clerk:** Mr. Speaker, the results are nine yea, six nay.

**Speaker:** The yeas have it. I declare the motion carried.

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

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

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

*Motion agreed to*

*Speaker leaves the Chair*

**COMMITTEE OF THE WHOLE**

**Deputy Chair (Mr. Adel):** I will now call Committee of the Whole to order.

The matter before the Committee is general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

**Bill No. 204: Fourth Appropriation Act 2019-20**

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Is there any general debate?

**Hon. Mr. Silver:** I'm very pleased to rise this afternoon to begin debate on the *Fourth Appropriation Act 2019-20*. Before I begin, I would like to welcome to the Legislative Assembly, for the first time, my Deputy Minister of Finance, Mr. Scott Thompson.

I want to thank Scott for fitting in so quickly. Scott came into the job, ready with our — a lot of the substantive work was already done for the mains budget with Chris Mahar and her team, and Scott came in ready to talk about a decrease in the small business tax credit from two percent to zero percent and other cuts to income tax, initiatives for small business investment tax credit — and then, lo and behold, a pandemic hit. It has been under his leadership in the Department of Finance that we've maintained the fiscal acuity that we have to date. As someone coming into the Yukon, by all accounts, he has been a really good fit to the team and a really good fit to the Yukon as well.

It's one thing to learn all the acronyms and to learn how this government works, but it's another thing to make sure that it's very important to understand things like the pronunciation of First Nation governments and different things like that and getting out to the communities — Scott has been out to the Yukon Forum. He is just a wonderful complement to this team and it's really good to have him here. So thank you very much to Scott for his leadership.

Bill No. 204 is the third supplementary estimate for the past fiscal year. Overall, these changes show a government responding to unexpected challenges such as weather, regular health care needs, and initial work on an unprecedented global and territorial emergency of COVID-19. This is an increase in spending over the main estimates of 2019-20 and an additional increase over the *Supplementary Estimates No. 2*.

The 2019-20 *Supplementary Estimates No. 3* forecasts an increase of \$7.6 million in operation and maintenance, with no changes to capital spending. These changes are expected to result in a revised deficit of \$26.2 million. The final figure can

be confirmed with the tabling of the Public Accounts in a few weeks. Overall, this is a minor change as a result of additional expenses within the departments of Highways and Public Works as well as Health and Social Services. The net debt forecast for the year-end is \$68.4 million.

While those are the overall numbers, I will get into some details for the Committee. As I mentioned, the two departments affected by the supplementary estimates increase are for the two departments, Highways and Public Works and Health and Social Services. For Health and Social Services, \$5.2 million is required to meet the greater demand primarily related to hospital stays outside of Yukon and for extended family care agreements. In addition, Mr. Deputy Chair, the Health and Social Services additional appropriations include funds for increased demand for mental health services, as well as increased costs for social and community supports throughout Yukon.

Last on the health side are expenditures attributed to quickly establishing the Health Emergency Operations Centre to ensure that communities are supported and services are supported and well-prepared to care for Yukoners during this pandemic. This also includes costs to put a testing centre and self-isolation centre in place.

Moving to the Highways and Public Works department, we have \$2.4 million required to ensure that Yukoners receive the services that they count on and to meet the challenges arising from winter road maintenance and the initial response to the COVID-19 pandemic. On the former, Mr. Deputy Chair, Yukon saw heavier-than-normal snowfall later in the year, which required more winter maintenance activities to keep highways safe.

Of course, once again, there was the COVID-19 pandemic — undoubtedly one of the greatest public health crises of our lifetimes. Like governments around the world, the speed with which COVID-19 reached Yukon forced action from our government very late in that fiscal year. This led to expenditures on things such as PPE — personal protective equipment — overtime to support increased demand for ICT support to facilitate employees working from home, and increased cleaning.

This third supplementary estimate addresses additional costs for a government continuing to move forward as much as possible while keeping Yukoners safe.

The bulk of the additional spending required to support Yukoners, their health, their businesses, and their well-being will be in the first supplementary estimates for 2020-21. I invite members of the committee to save specific questions and discussions on that spending for when that bill is being debated — but, with that said, I am pleased to enter into general debate on the *Fourth Appropriation Act 2019-20* and thank the members opposite in advance for their questions. I will endeavour to answer any question that I receive in general debate with the help of Department of Finance staff. I also invite members to direct their questions to the appropriate departments following general debate, and individual ministers and their teams will be able to provide detailed responses.

**Mr. Cathers:** One area in which we find ourselves in agreement with our colleagues in the Third Party is about the reduction in financial information that government is presenting. As the Premier will recall, the leader of the NDP — the Leader of the Third Party — raised earlier in this Sitting the fact that there has actually been a decline in financial information being provided under this government's watch.

I know that the average person listening may not have had the time to read for themselves the budget bills or be clear on what information is typically raised and presented. I will just make the analogy for people to understand that, with some of the costs that we are talking about — while the Premier has said that he has provided an explanation, we haven't seen the details of that. What I compare the current situation to — an analogy — is if you were having a house built and you were quoted the total cost for construction by your contractor and you said, "Well, I want to see a breakdown of that", and you looked at the elements in there and they said, "Well, we have countertops, we have flooring, we have this, and we have that" and you said to the builder, "Well, how much am I paying for the countertops, and how much is the flooring that you have included in this? What is the actual cost of that?" and the response was "Well, I have already explained it." That is very similar to what we are dealing with here.

We are talking about taxpayers' money, and we are talking about \$7.6 million of it that was spent without lawful authority, and the Premier, in response to that, has been very defensive and has argued that in the past — he is not the first person to have not followed the *Financial Administration Act* as a Premier and been awry of it and that this somehow excuses it continuing.

The government is supposed to follow the law and the *Financial Administration Act* is one of the most important laws when it comes to government spending and doing so lawfully. As I mentioned earlier during my introductory speech, for some of these matters, it is not a matter of whether the government couldn't have spent money that they needed to spend — it is that they couldn't and shouldn't have spent it without coming to the Legislative Assembly first and getting the authorization of the Assembly before the money was spent.

It is very similar to how the Premier — when in opposition — promised to do a better job in areas like the use of special warrants and he was critical of previous governments for using special warrants, but then he broke the record for the issuance of special warrants in a single year, with two warrants totalling almost one-half billion dollars. It is a case of promising one thing to the public and not following through, because this Premier and this Liberal government — with regard to transparency — did promise that they were going to improve transparency.

An example of this that is actually from the very fiscal year that we're dealing with this budget bill from — the 2019-20 fiscal year — in October 2019, in the Premier's Speech from the Throne, one of the quotes was: "Yukoners have a right to know what their government is doing. This government is committed to being transparent and open about its decision making."

With regard to this money — yes, we recognize that it has already been spent, but in the areas where government went over for the fiscal year, we would argue that government should always be transparent about its spending, but the onus for transparency actually increases when government has found itself awry with the *Financial Administration Act* and has not followed it. In this case, we are dealing with two departments that violated the *Financial Administration Act* — two ministers — the Minister of Health and Social Services and the Minister of Highways and Public Works — who bear personal responsibility as ministers for spending under their authority. Of course, the Premier — as both Premier and Minister of Finance — is also responsible — in keeping with the Westminster parliamentary tradition that ministers are responsible for the actions of departments when it occurs in those areas.

Again, we are asking for a breakdown of this funding, and that includes both the \$5.2 million in increased funding under Health and Social Services and increased expenditures under the Department of Highways and Public Works.

We would also like to know what the total was that those departments went beyond what they had authorization for, and what I mean with that is that we have heard from multiple people that, in fact, there were significant overages in Health and Social Services especially. It's our understanding that money was transferred from other government departments that otherwise would have lapsed money in this appropriation act to cover off the increased costs where our spending was out of control in Health and Social Services and in Highways and Public Works.

We would like to know what the total list is of the amounts that went beyond what had been authorized in the budget previously and in the supplementary estimates for the 2019-20 fiscal year. What's the total cost of the list from both Health and Social Services and Highways and Public Works of how much they went beyond their vote authority, what it was for, and how much money they received from other departments to help bail them out?

**Hon. Mr. Silver:** Mr. Deputy Chair, it stands to reiterate again that we are responding to critical health and safety needs for Yukoners. The supplementary estimates, again, requested \$7.6 million in additional operation and maintenance spending. Of course, of that, Highways and Public Works required the \$2.4 million, and then Health and Social Services, the \$5.2 million.

With Highways and Public Works, the total amount included in the *Fourth Appropriation Act 2019-20* is approximately \$800,000 for additional winter maintenance costs due to heavier than normal snowfall in the Whitehorse area in February and March. This added to costs incurred due to a heavier than normal snowfall, as we said. Interestingly enough, Mr. Deputy Chair, this time last year, a lot of extremely intelligent folks were very, very worried about water levels and precipitation. What a year since — all winter long, in areas like Dawson, folks said that they hadn't seen snow like that in an awful long time — if at all — and also into the summer — well, it's good weather if you are a duck.



In one year — we heard the Minister responsible for Yukon Energy Corporation today expressing the same thing. We thought it was going to take years to get back up to the water levels that we are back up to now. It was quite the dump of snow, especially in areas like Dawson, in late 2019, and what we're seeing here is the Department of Highways and Public Works making sure that the roads are still safe for Yukoners and making sure that the snow removal and other expenses due to that snowfall were continuing to be done by the department.

Costs related to COVID-19, as I mentioned a couple of times now — things such as additional PPE, additional ICT support for the people who are working from home and the needs that they have there, and property management costs for increased cleaning requirements — added up to approximately \$336,000. We had electricity rates increased, as well, causing spending to be more than budgeted. That was about \$438,000 more than budgeted for our increased electricity rates.

The remainder for that particular department, which is under \$800,000 — about \$792,000 — resulted from the delay in anticipated savings associated with changes to certain operations that did not materialize until later into the fiscal year. Again, the Minister of Highways and Public Works can go into much more detail on those items in Committee of the Whole.

When it comes to Health and Social Services, the amount included in the appropriation for Health and Social Services — \$5.246 million — came about as a result, as I explained, of unplanned, unanticipated, and unbudgeted costs later in the fiscal year. This year, some large, unanticipated bills came in for insured health services after the fiscal year ended, but they had to be accrued back to the 2019-20 fiscal year.

Although most COVID-19 impacts absolutely were felt in this current budget year — the 2020-21 fiscal year — the immediate response by Health and Social Services definitely added additional costs amounting to about 25 percent of that — so between \$1 million and \$1.3 million of the appropriation, of the total request. Another 25 percent of that total is attributed to insured health services costs — paying for Yukoners to get the care that they need outside of the territory, mainly for extended hospital stays.

Some of these costs came to light after the fiscal year had ended. The remainder — about 50 percent of that total — is to cover higher than anticipated demand for supports to children and families through legislative programs. This included support for children and families through extended family care agreements, which supported children's care in family environments and also increased demands for social and community supports and mental health services.

I think that is the breakdown for the first question, and I will cede the floor to the member opposite.

**Mr. Cathers:** I do appreciate that we are starting to get a little more information. Although it still hasn't hit the level that it should, I do appreciate that the Premier is providing some additional information.

I would ask how much the government spent on the pandemic response in the 2019-20 fiscal year, and if the Premier could let us know what the portion of the major cost items were under their — he made mention of the Health

Emergency Operations Centre and I believe he also mentioned personal protective equipment and cleaning. If we could get a more detailed breakdown of what those expenditures were and the total amount as — we got a fairly ballpark number earlier during the briefing about what those costs were.

**Hon. Mr. Silver:** I would ask the member opposite if he could speak up a bit. It's very hard to hear him over here.

Again, in general debate, we will give some general specifics. We do have the departments that will be available, with the department and the members of the public service there, to really go back down into more details.

The member opposite spoke about something to do with a transfer from other departments. We are not aware of any transfers to those departments from others — which is what the member opposite is insinuating — other than what may have already been occurring through the normal course of business, as the member opposite would be clearly aware of as a former minister of this government.

When it comes to the one quarter of the Health and Social Services third supplementary request for 2019-20, we had a breakdown of some money here — for example, some of the money would have gone to the office of the chief medical officer of health, for staffing, for extending expenses. You can imagine, with a medical emergency announced early and both Dr. Elliot and Dr. Hanley springing into action, there were definitely some program expenses that were incurred early. There was also money to the Hospital Corporation to support its initial necessary operation changes and enhancement to be able to operate safely during the pandemic. There was also money that was allocated through this third supplementary for staffing and operations of the Health Emergency Operations Centre, the respiratory assessment centre, and the self-isolation facilities. As the member opposite is yelling off-mic that it wasn't set up then, that's right — she's correct. But at the same time, the anticipation of this definitely was not something that was budgeted for in the mains and it was definitely something that we would have to be considerate of to make sure that we did have those centres opening. Staffing and overtime at the Yukon Communicable Disease Control Unit had a little money attached for that — about \$10,000 or something like, I recall — and then support to licensed child care providers through the direct operation grant as well.

So a little bit of a breakdown of some of the areas there — again, the dollar values and these types of things can be discussed through Committee of the Whole when it comes to the departments when the ministers are up with their department officials.

**Mr. Cathers:** One of the reasons I'll be asking some of the questions in general debate, rather than breaking into departments as the Premier would prefer, is that when it comes to matters, including what reductions in other departments may have been transferred over to Health and Social Services or Highways and Public Works — as we've heard from multiple sources — those departments don't have appropriations in this act. We've been through this before with this Liberal government where, if we wait until we're into a specific line item on a supplementary estimate or into a specific budget, the

minister may say, “Well, you should have asked that in general debate, because it is not a question for their department.”

So, I will be asking a number of these things now. The reason I’m asking — for people who are listening, who are not familiar with the budgetary process and exactly how it works — is that, while we are seeing increases for two departments, what we’re not seeing in this supplementary estimate are lapses or reductions in spending for other departments. Now, we are aware of a list of things that the government had committed to doing in the 2019-20 fiscal year that ended up in the didn’t-get-’er done pile. When we are aware of those items, it does leave us wondering why we are not seeing reductions in those departments, since some of those matters do not appear to be accounted for in previous supplementary budgets.

An example of that, which I will ask about is that we are aware — based on the advertising that the RCMP have been doing — that it seemed they had vacancies during this year — that not all the positions were filled, including some that they were advertising for locally related to staffing the emergency response centre and their public safety answering point — or, in layman’s terms, the 911 call centre — and we’re not seeing reductions in personnel for that being returned by the Department of Justice.

So it does leave me wondering where money such as that went. Did it simply go to increased spending in that department, and if so, what was it for? Or is it — as we have heard again from multiple sources — related to cost overruns in other areas of the Department of Health and Social Services in particular but to a lesser extent in Highways and Public Works?

If the Premier could comment on that question specifically about the RCMP — I do note that the Premier mentioned that he wasn’t always able to hear me. There appears to be something going on with the audio here. I am talking in my normal conversational voice. It is not my pattern to want to raise my voice in talking to the Premier instead of talking and asking questions in a more normal speaking pattern. So, if there is anything he can’t hear, I am happy to repeat the question and hopefully the bugs in the audio will get worked out.

Again, if the Premier could explain why we’re not seeing things such as that item for the RCMP that I mentioned as reductions for the Department of Justice, that would be appreciated.

**Hon. Mr. Silver:** As we discussed, the *Supplementary Estimates No. 3* for the year 2019-20 — these are the two departments that need new spending authorities. The others that he’s mentioning for this year do not. As he knows, Public Accounts will show the money that has lapsed for 2019-20.

**Mr. Cathers:** That’s neither an open nor transparent answer.

The Public Accounts — I’m assuming that the Premier will table them sometime this month — but we haven’t seen those yet. I would assume that in fact the Public Accounts are prepared. If the Premier would like to table that now or send over an advance copy, we would be happy to go through that during debate if that would aid the conversation and avoid the Premier having to ask for information from officials or go through his own briefing notes.

But it would appear to us that there are likely to be reductions in the spending of other departments. The fact that we don’t see any reduction in spending contained in this supplementary estimate does leave us wondering: What happened to that money? Why are there not reductions, for example, in the Department of Justice due to unfilled RCMP positions?

It leaves the question as well about lapses — indeed, across government in other departments — where there are positions that government has created as part of its pattern of growing government that they have not in all cases filled. Why are we not seeing any amounts lapsing for personnel from those departments that have vacancies and have the money approved for those positions without the positions being filled? The money had to go somewhere. Where did it go?

**Hon. Mr. Silver:** Mr. Deputy Chair, again, as the member opposite knows, those lapsed funds — if there are lapses — those will be tabled with the Public Accounts. I do recognize that the member opposite has not seen the Public Accounts yet. The reason for that is they haven’t been tabled yet.

But that’s where the lapses would be. There will be lapses of course. I mean, this happens every year. It would be amazing to get everything right. We’re not there. We’ve seen lapses in previous governments as well. The Public Accounts are where those lapses will be shown, just like when the member opposite was in government — perhaps less than there would have been if there weren’t COVID costs — but again, the Public Accounts are exactly where those lapses will be shown.

**Mr. Cathers:** Let me recap for people who are listening.

Not only has the government spent the money — and spent it without legal authority to do so — but the Premier won’t tell us about lapses in other departments that have contributed to the lowering of the overall ask that the government has come in with, and he is telling us to wait for Public Accounts — that this will make it all clear. But the Premier can wait until the end of this month to table Public Accounts, if he chooses to do so — and I expect that he will probably drag it out until the last minute.

So as I am up here in debate — and I of course can’t speak for the Third Party — but I would assume that they would also be likely to feel that, when we are having the debate right now on this appropriation act, this is the time when it would be helpful to have the information about spending and lapses — not three weeks later when we get the Public Accounts and have to pore through what typically amounts to about a 400-page document that those of us who are Finance critics have to go through and try to follow the money moving between departments and being lapsed.

So it’s not very useful here today for the Premier to refuse to answer the specific question about whether there was lapsed money in the Department of Justice related to unfilled RCMP positions and how much that amount was or how much money has lapsed across other departments for unfilled positions. That is information that I’m sure the Finance minister has access to, and there is no good reason why he can’t share it with not only members of this Legislative Assembly but with the public.

There is nothing confidential here that is going to compromise someone's personal privacy. It's just information that the Premier doesn't want to share.

Again, I am going to give him the opportunity to live up to his commitment to Yukoners, answer the specific questions that I asked. In fact, any other information that he is able to provide would be appreciated because — as I have noted and as the Third Party has noted — the amount of information available under this Liberal government related to the finances and related to the budget has actually gone downhill. Members have less information than they did, say, five years ago.

**Hon. Mr. Silver:** It wasn't that long ago when I sat in opposition as a critic for Finance, and I don't recall the Yukon Party — the Yukon conservative party — giving the Public Accounts information that he is asking now for me to give before the Public Accounts were tabled. So it's interesting that, somehow, now that he is in the opposition, with us doing the exact same process that his government did, we're now giving less information. So I'm trying my best to understand the logic, but I'm falling short in my understanding of that.

As he does know, the Public Accounts process is a long process that determines the proper amount to be allocated to each department for that fiscal year. We are working on that information. I don't know if they would — he's saying that we somehow might elongate the process unnecessarily. That's an interesting approach; we're not going to take that approach. We will make sure that this information gets done. We are obviously working with the Office of the Auditor General in this process. As the member opposite also knows, we have embargoed information, and then we will put the Public Accounts out the way that we're supposed to — the way that the government has for decades. At that time, the member opposite will have absolute access to that information.

Somehow, I think the member opposite is trying to make it seem like we're hiding some information, whereas, really, we're doing the exact same process that his government did when he was in government. Lapses will be shown; we will absolutely show those lapses. We will get the Public Accounts out as soon as possible.

**Mr. Cathers:** That's an interesting response from the Premier. I have to remind him that what I'm holding to is the government's own words and their commitments — including in their current Speech from the Throne, which was issued in October 2019, the same year that the budget bill we're debating covers — that promised to be more open and more transparent. It's interesting that the Premier's and his colleagues' words ring hollow. They sound good in a throne speech, they look good in a press release, and when they're doing the photo op, everyone seems to feel good about their commitment. But there's no follow-through.

Indeed, as I pointed out, it's not often that you hear the Leader of the Third Party — the Leader of the NDP — pointing out that there was more information and more transparency provided by the Yukon Party when we were in government. But as she acknowledged early in this Sitting, the amount of information accompanying budget bills has gone down under this Liberal government.

So, so much for sunny ways and "Be Heard". There's less information being given to the public and being given to members.

The Premier was trying to suggest that I was demanding that the Public Accounts be released now and suggesting that this was the norm. The Premier knows very well that this emerged from me asking for a specific piece of information related to spending. The Premier, who has access to that information, refused to tell me about lapses that relate directly to this budget bill, saying to just wait until the Public Accounts come out. Well, I don't have the Public Accounts. I assume that he has a copy of it now that is complete. He is welcome to send it over if he would like to. He is welcome to table it during debate right now if he would like to. But if he doesn't want to provide that full document, he could answer my first question and just provide the rather small, specific piece of information that I asked for about spending that directly relates to this budget bill.

Again, when we hear reports from multiple sources about government overspending — related to Health and Social Services especially, including and especially related to the debacle at the Whitehorse Emergency Shelter — we want to see the information that relates to that. We want to understand where other departments may have reduced their spending and transferred it to health to help this budget bill be less embarrassing for the government about how out of control spending is in other areas.

Again, I asked for information about the lapses that I would have expected to see in Justice due to unfilled RCMP positions. I would again ask for that information, and I would ask the Premier for the cumulative totals by department of the personnel lapses due to unfilled positions. Again, he has the opportunity to provide two very simple pieces of information about spending the taxpayers' money.

**Hon. Mr. Silver:** I didn't hear a new question there. I've answered the member opposite's question: The lapses will come in the Public Accounts. There is no new question there.

**Mr. Cathers:** Well, Mr. Deputy Chair, refusing to answer a question is not an answer. The Premier refused to answer my question.

I will move on to another specific question. In the 2019-20 *Supplementary Estimates No. 2*, with the variances we were shown for the fiscal year at that point, we saw additional funding in Energy, Mines and Resources. An additional \$320,000 was added to the operation and maintenance budget to meet obligations related to class 1 notifications. Again, as a side note, we note that the government did not do an estimate of the increased costs to placer miners or to prospectors of the impact of their class 1 notification system and the imposition on them of lost time, paperwork, and other expenses related to it.

But, again, I'll return very specifically to the amount that was added in the last supplementary estimates, *Supplementary Estimates No. 2* related to the 2019-20 fiscal year. There was \$320,000 added to operation and maintenance in Energy, Mines and Resources to meet obligations related to class 1 notifications. Did the government spend all that money?

**Hon. Mr. Silver:** I see what the member is doing. We're here to debate the *Supplementary Estimates No. 3*. That's a great question for Energy, Mines and Resources. Energy, Mines and Resources will be up here to have a fulsome conversation about their budgeting process, but we are debating today here, in general debate, the spending for two departments for fiscal year 2019-20. The question that he is asking has nothing to do with either of those departments' spending in 2019-20. Information that he wants, as well, will be coming in Public Accounts or, if he really wants the answer to these questions, he definitely can ask other specific questions about budgeting and the allocation of those dollars in the Department of Energy, Mines and Resources, if that's what he's asking. Again, right now, we have two departments for debate here in *Supplementary Estimates No. 3*, and they are Highways and Public Works and Health and Social Services. I can answer some general debate questions here. I'm happy to do so, and I'm happy to use the time here in the afternoon and into the next days, if we have to, with the other two departments specifically and with the ministers responsible answering questions about those departments.

**Mr. Cathers:** Well, I would ask anyone listening to judge how open and transparent that answer was.

The game that the Premier and his colleagues tend to play when it comes to budget bills is that — the amount I'm asking is related to spending by Energy, Mines and Resources. It's related to spending by Energy, Mines and Resources that was forecasted to occur in this fiscal year that we're debating — the 2019-20 supplementary estimates. *Supplementary Estimates No. 2* added that amount for the Department of Energy, Mines and Resources. From a procedural standpoint — as the Premier knows very well — in the Legislative Assembly, if you have a supplementary estimate and you wish to ask questions about a department that isn't asking for new appropriations, the time to ask that question about another department is in general debate.

That is exactly what I am doing. I am not talking about a different fiscal year. I'm talking about money. I'm looking at the handout provided to us by Energy, Mines and Resources during the briefing on Energy, Mines and Resources, *Supplementary Estimates No. 2*, and I am asking about a specific item and whether that money was spent or not. If that money wasn't spent, of course, the question, as the Premier knows very well, is whether it was transferred to Health and Social Services or to Highways and Public Works or spent on something new.

There are two reasons that the government should be answering this: first, in the interest of transparency about the money, and the second being in the interest of letting the public know whether things that the government said they were going to do actually got done in the 2019-20 fiscal year or whether they were added to the Premier's couldn't-get-'er-done pile.

Again, I am talking about a very specific item — very directly related to the 2019-20 fiscal spending. The amount in Mineral Resources — an additional \$320,000 — was added to the operation and maintenance budget to meet obligations related to class 1 notifications.

The question is: Did they spend the money or not? If the Premier doesn't have that information, he need look no further than his minister, who is also present here in the Assembly. I am sure that, between the two of them and in concert with officials through electronic means, they can get that information pretty quickly.

Again, it's a simple question. Is the Premier going to answer it, or is he going to resort to a spin cycle and refuse to tell the public whether government spent this money on public business?

**Hon. Mr. Silver:** I will let the member opposite in on a little secret. In my binder for Finance, we have tabs. Those tabs are for briefing notes, and I do have a position here — number 9 for Public Accounts — and if I turn to that, there is nothing in it. The reason why there is nothing in it is because the Public Accounts have not been tabled in the Legislative Assembly yet. I promised the member opposite that the Public Accounts will have the information that he is looking for. We will be open and transparent and use the direct process of Public Accounts. The member opposite knows that there are lots of conversations before those things get delivered here in the Legislative Assembly. There are calls in with the Office of the Auditor General of Canada. There is a whole bunch of scrutiny with the Department of Finance and working with all of the other departments to make sure that the numbers all match up.

When we get the Public Accounts document in our hands and we put it in here, then the member opposite will have the access to the information that he's looking for. The member opposite knows that, but he wants a narrative, and that narrative that he wants so desperately is that we are not open and not transparent. He has made up his mind on that already. I'm not going to convince him here today of anything else, but he does know the process. He does know that, once the Public Accounts are out, he has every single opportunity to ask questions about every single page of the Public Accounts document and we will be happy to answer those questions.

**Mr. Cathers:** Mr. Deputy Chair, that sounds an awful lot like the Premier is saying, "The truth? You can't handle the truth."

We're asking for information about finances. We're talking about a substantial dollar amount, not just spending on paperclips, for example, for a specific office. This is a perfectly reasonable question, and the Premier is simply choosing not to answer it. It is unfortunate that, after physically distancing from democracy for seven months, the Premier is not willing to provide this information.

Again, that question is left unanswered. I'm sure I'm not going to get a different response from the Premier related to it, but I'm going to move on to another specific question — again, directly related to spending, not only in the Department of Health and Social Services, but in other departments. The first question is: What was the total cost of operating the Whitehorse Emergency Shelter? How much money did the Department of Health and Social Services spend on it? How much was spent by the Department of Highways and Public Works through Property Management? As well, were there other amounts spent by other departments to support the operations of this

Liberal government's failed Whitehorse Emergency Shelter management?

**Hon. Mr. Silver:** I would just like to get the member opposite to clarify. Is he talking about the total budget for the Whitehorse Emergency Shelter for the year? I just want to make sure that I heard him properly.

**Mr. Cathers:** Yes, I'm asking: In the 2019-20 fiscal year, how much money did the Yukon government spend operating the Whitehorse Emergency Shelter? Whether that money was allocated in Health and Social Services or Property Management, or some other department that they funded it out of or supported its operation with — what's the total number spent on the Whitehorse Emergency Shelter, and how much was spent by each department?

**Hon. Mr. Silver:** I don't have that information in front of me right now as we are talking about the *Supplementary Estimates No. 3* for 2019-20.

We did mention that — when it came to the specific funding for Health and Social Services for the third supplementary request for 2019-20 — we had approximately \$265,000 for staff and operations for the Health Emergency Operation Centre and the respiratory assessment centre and self-isolation facility — these are the things that we should be talking about today, because that's what we're here to debate — *Supplementary Estimates No. 3* — whereas, the member opposite wants to maybe catch me off guard and say how much there is for something else that's not in the *Supplementary Estimates No. 3*.

That would be a pretty big binder if I had all of the funding allocations for the mains for 2019-20 in front of me for every department. I do know that it was an amazing turnaround that the Department of Health and Social Services did under the leadership of the current minister, because there was really no programming at all for the centre when we took it over — which is kind of crazy, if you ask me — if you're going to build a building, cut the ribbon, and not have a programming design for that. The amount of work that the minister has done in her dual portfolios — with housing as well — that was pretty prolific work — changing the whole concept of a bricks-and-mortar structure as to a home as a concept when it comes to the overall health of an individual. That's what we do in this government — collaborative care — compared to the previous government's acute care — waiting until you're sick and dealing with that.

We really stepped up the game when it came to the emergency shelter. I don't have those numbers in front of me right now. I do have numbers available for general debate for 2019-20 *Supplementary Estimates No. 3*.

**Mr. Cathers:** As the Premier knows very well, any of us who have been ministers know about the excellent support provided to us in the House by department staff when we're doing budget debate, and that includes when we're asked about specific items. Typically, someone in the department who is monitoring and listening to the debate will be positioned to get the answer and to e-mail or text it to either the minister or the DM so that they have that information at their fingertips — unless the government has made a deliberate choice, as it

appears this Premier has, to simply refuse to answer the question.

Ultimately, the Premier will find that the public will judge him on this government's lack of transparency and the fact that the Liberals promised to be more open, promised to be more accountable, but have actually gone in the opposite direction and been the most secretive and least transparent government in the past couple of decades here in the territory.

Again, I asked about the costs of the Whitehorse Emergency Shelter. First, the Premier said — when I asked him questions — that I should be asking questions about the departments that are in this budget. Now I ask him a question about departments in this budget and the Premier won't provide an answer.

We know that the Whitehorse Emergency Shelter management has not gone well. We know that government, after refusing to work with a non-governmental organization — part of this government's pattern — most notably with the Salvation Army and Many Rivers where, instead of supporting an NGO and working with them, including to address any problems that might have occurred, the government preferred to shove them aside, see them shut down, and hire more government staff in the Department of Health and Social Services. Despite their claims, this has often resulted in less services — for example, in the area of mental health, there have been gaps in services because of the government shoving aside Many Rivers.

The Premier has had a few minutes here to receive information from officials and to reconsider his approach. I am quite sure that the cost overages for running the Whitehorse Emergency Shelter have been a topic of discussion with Cabinet more than once. I am sure that this topic is something that has been brought to the Premier's attention by both the minister and Finance officials. It just seems that he really doesn't want to let the public see how bad the situation is in terms of cost overruns for the government's mismanagement of the Whitehorse Emergency Shelter.

Again, a simple question: In the 2019-20 fiscal year, how much money did the Yukon government spend operating the Whitehorse Emergency Shelter?

**Hon. Mr. Silver:** I can assure the member opposite that the whole of government is not rushing to their devices to provide this information to the member opposite because what they are prepared to do right now — and they spent a lot of time preparing, actually — is to talk about this particular appropriation at this particular time.

This is not to say that we won't answer the questions when those ministers and those departments are here, ready, willing, and able to answer those questions. This is just a rinky-dinky kind of strategy from the member opposite where he knows very well that he can ask questions and get answers here and now, but he decides that he doesn't want to do that. He has a narrative in his mind and he is going to hold on to that narrative. He's going to ask questions that he knows he can ask the departments, and the departments will be here to answer those questions. He knows that the Public Accounts will be out and

the answers to those questions will be in those Public Accounts, and we'll get on with it.

Now, if he wants to spend the afternoon creating his narrative — colouring in the lines — then I think the judgment of Yukoners will be on him and not on us. We will provide the information in the right places. The departments spend an awful lot of time preparing for Committee of the Whole debate. My deputy minister is an extremely busy person working in the department. The Department of Finance is on the line right now, but they're not rushing to answer questions that are going to be readily available. Better answers are going to come at a better time to the member opposite.

A better answer on lapses will definitely come when the Public Accounts come out. A better answer to those specific questions about the Whitehorse Emergency Shelter would be served through talking to the Department of Highways and Public Works. There would probably be a combined cost as well. Even Community Services might have some specific answers and probably would like to elaborate on their support — the collaborative support — that they would supply for this particular facility — and also Health and Social Services, obviously.

But I don't think the member really wants that. He wants to make it look like I'm holding information, when really, we have information here on general debate of the *Supplementary Estimates No. 3* and we're happy to give him the information that we have here today.

**Mr. Cathers:** For those who are listening, the information that we were provided about the spending in the budget — the information in the handout we received was a one-sentence explanation for \$5.2 million in spending and another one-sentence explanation for the spending in Highways and Public Works. The budget bill itself doesn't tell us what this was spent on.

The Premier can try to use his attempt to spin the issue and bandy about with terms like “narrative” and “colouring in the lines”, et cetera, but I'm just asking for information. I'm asking for information that belongs to the public. It's the public's money. The public has a right to this information. The public doesn't give a darn whether the Premier doesn't like me or doesn't like the questions I'm asking. People who want information about this want to know the answer.

The Premier is well aware that downtown business owners and many others have been unhappy with the management and mismanagement of the Whitehorse Emergency Shelter and the problems that it has created in the community. I'm quite sure that every department that has anything to do with this facility has a briefing note about the facility and that the minister and deputy minister of every department and the Minister of Finance know how much money is being spent on the Whitehorse Emergency Shelter, but the Premier is asking us to give him a pass and that, after the House votes on this money, he may tell us later.

For every business owner who is concerned about what is happening at the Whitehorse Emergency Shelter, for every employee of a nearby business, for everyone who has seen the

problems spilling over into the downtown core — they have concerns about the management of that facility.

I am asking the Premier to start with answering one simple question: How much money, in the 2019-20 fiscal year, did the government spend on operating the Whitehorse Emergency Shelter?

**Hon. Mr. Silver:** Again, I am quite willing to expand upon the Whitehorse Emergency Shelter, or spending for music, art, and drama — he probably wants to bring up MAD next. If we want to talk about spending in any of the departments, we have departments that can answer those questions — absolutely.

Today in the Legislative Assembly, we are here to speak about the 2019-20 *Supplementary Estimates No. 3*. We have provided the information and breakdown of that funding in general. We have the opportunity this afternoon, hopefully, to elaborate even further by presenting to the Legislative Assembly the ministers responsible for those departments, and the team from those departments as well, to allow more information, but the member opposite clearly does not want to ask them those questions. He wants to ask me about the costs in 2019-20 for the Whitehorse Emergency Shelter, and he knows that the complete costs for that year will come in the Public Accounts, and we can definitely talk about it at that time.

I will say that there was definitely high demand this year at the emergency shelter. The minister instructed me that the complete effort was to make sure that we take great efforts to not turn people away, and we didn't. So, yes, there will be costs associated with that. To assume that I would have that in front of me right now — I don't. However, the minister and her team will expand on the Whitehorse Emergency Shelter, and the Public Accounts will compare what we spent to what we budgeted. The member opposite knows that.

I am completely willing to have that conversation and completely willing to answer those questions on the Public Accounts when they become available and completely willing to have the ministers responsible for the allocations that he is seeking answer questions on those particular costs and expenses.

**Mr. Cathers:** The record stands for itself. The Premier refuses to answer the question about how much money the government spent on operating the Whitehorse Emergency Shelter. He is clearly not going to change his mind and answer a perfectly reasonable question, so I'm going to move on to another perfectly reasonable question about government spending in the 2019-20 fiscal year.

In *Supplementary Estimates No. 2*, an additional \$2.1 million was added to operation and maintenance funding for the Wolverine mine to construct, commission, and operate a water treatment plant at the mine site to mitigate environmental impacts associated with the contaminated mine water, and these funds were recoverable from securities held, according to the information provided by the department.

That's \$2.1 million in spending that the government, as of the last supplementary estimate for this fiscal year, told us they planned to spend. It's a simple question: Did they spend the money?

**Hon. Mr. Silver:** The *Supplementary Estimates No. 3* does not have any money allocated into it for that specific endeavour.

**Mr. Cathers:** Again, the record will show that the Premier refused to answer a perfectly reasonable question. It is clear that he is either deliberately withholding information or he doesn't know, and that does raise a question about the Finance minister — whether he's being secretive by choice or simply believes that the public doesn't have the right to know.

The public does have a right to this information. Again, it's a simple question about a couple of million dollars of spending that the government added in their supplementary estimate. I asked whether the project was done. The Premier wouldn't tell me. The Premier knows very well that, procedurally, if we want to ask questions about a budget bill and that department doesn't have new appropriations, we're supposed to ask those questions in general debate. That's what I'm doing. The Premier doesn't want to talk about it. He only wants to talk about the things that he sees as good news, or the bad news that he can't avoid telling the public.

As we touched on earlier, this government talks a good line about collaboration with other parties, but they only want to do that after they dictate the terms and refuse to cooperate on terms of reference for committees, whether they are all-party or other.

It reminds us of the government's botched ham-fisted attempt on electoral reform where they refused to even share the terms of reference with other political parties prior to forming the commission. They insisted on being the ones who appointed all of the members to that commission. They had the opportunity to work with us. We offered to work with them, and at every turn, they looked for a new opportunity to poke the opposition and poke the Third Party in the eye by refusing to work together.

I am going to go on to another area. I will give the Premier a few questions just to make it easier to get that information all at once by grouping them together. The Premier should be able to guess where I'm going with this because it is all from items that the government added in their previous budget bill that he won't talk about today. There is money in Energy, Mines and Resources for forest management for the Trans Canada Trail agreement. It was 100-percent recoverable. The project increase was some \$29,000. The simple question is: Did they spend the money?

Another project — the Canadian Agricultural Partnership agreement, with some of the money recoverable from Canada — \$75,000 in new spending that they added in the last supplementary estimates. I have a simple question: Did they spend the money?

Last but not least, there is the agricultural regional collaboration partnership agreement — they added \$71,000 in the last budget. Our opportunity from a procedural standpoint in the Legislative Assembly to ask about this money is during general debate on this budget bill. The simple question is: Did the government spend the money?

**Hon. Mr. Silver:** Again, whether it's Wolverine or any of these other issues — all of which are not in the supplementary estimates that we are debating right now. These

are great questions to ask of the departments responsible. If he actually wants the answers — I don't really think he does; I think he just wants to make it seem like we are being unaccountable here.

We have lots of documents in front of us in order to discuss the spending in the *Supplementary Estimates No. 3*, which is what we are in general debate on.

If there are some specific philosophical questions on government that I can help him out with, sure, but when he asks about whether or not appropriations were made — he knows the process. There is a general debate in the mains where we have a long conversation about spending and the difference between the Yukon conservative party and how they would spend and our government. Of course, we would answer those questions at that point. There are opportunities to speak, after the Public Accounts become publicly available, about lapses or allocations — as to whether they are spent.

One thing I'm really proud of, compared to the Yukon conservative party, would be that when we promise that we're going to build a certain amount of capital assets — looking at the Public Accounts comparatively — and I urge anybody listening in to compare — we do a much better job than the Yukon Party did. They would talk about a lot of things that they would want to build, but then at the end of the year, there was a huge percentage of failure in those endeavours. We have really tightened that up. I know that the member opposite likes to make fun of the five-year capital plan — which is hugely embarrassing, really, when you think about the public servants who put their blood, sweat, and tears behind that — it's a great plan and it's a great way for us to really hone in on our skills and to be able to, on the mains, say that we want to build this much in capital assets and then, when Public Accounts come around, we can take a look and see what we've accomplished.

Again, the member opposite knows that there's a time and place to ask specific questions. If he used the Legislative Assembly properly that way, he would get the answers that he's looking for, but of course he knows we're here prepared and ready to speak to the *Supplementary Estimates No. 3* — which is serious money — about things that are hard to talk about. Overspending is never easy to talk about — especially in two different departments. We have the departments ready to get into the specific debates once we get past general debate, but the member opposite does not want to do that. He's going to continue to ask me questions outside of the *Supplementary Estimates No. 3*.

We're here, ready, and prepared, to talk about the *Supplementary Estimates No. 3*. So if he wants to ask me questions about the *Supplementary Estimates No. 3*, we will absolutely give him general answers now and specific answers in those departments.

**Mr. Cathers:** Except for the convenient fact that we can't ask about the specific departments, because if we save a question until later, the Premier will point out that we should have asked the question when that budget bill was being debated.

The Premier knows very well that, from a procedural standpoint, the time when debate is intended on these matters

and questions should be asked — if he wants — whenever we take a break — he can go ask the Clerks for help on understanding the intent of the process, but if he has been paying attention, he knows very well that, if you want to ask questions related to spending in a fiscal year and if the department doesn't have new money in a supplementary estimate, the time that you're procedurally expected to ask questions is during general debate.

The Premier has invented a new Liberal rule that he won't talk about money that was spent in other departments that aren't asking for new money. He won't talk about money that the government previously said they would spend and tell us whether they spent it or not — and by the way, he also won't give us a full breakdown on the new appropriations asked for in this bill, because he would rather we asked that question later of the ministers when we find out whether we get an answer or another Liberal talking point about why they won't give us the answer and how we're very unreasonable, apparently, for daring to ask them for this information about the public's money.

For the Premier to question whether I want this information — well, I do want this information. If he wants to avoid me asking specific questions for information during budget debate, there's a simple solution: Provide us more information. Then, if I already have a breakdown with more financial information, I'm not going to ask a question about something that's apparent. Again — as the NDP have acknowledged — the amount of information provided by government has gone down under this Liberal government and the Premier. He smiles, laughs, and dismisses it, and he claims that this is not the case. That's just his version of calling it fake news.

So spending — the government told us that they were going to spend in the 2019-20 fiscal year — Energy, Mines and Resources, 2019-20, *Supplementary Estimates No. 2* — they told us that they needed \$200,000 in additional funding for strategic alliances related to the First Nation Gateway project agreements. We know that the Gateway project is well behind schedule and that the government made commitments that it hasn't been able to fulfill. The question is about that money: Did they spend it or not?

**Hon. Mr. Silver:** The Gateway project is an amazing funding allocation in partnership with this government and the federal government, which was given to us — and I have described it in the past as a Rubik's cube, the way that the previous government, the Yukon Party government, negotiated that deal.

In my opinion, it would have created so much lateral violence among First Nation governments. It definitely was designed by a government that really had no idea about reconciliation — maybe no interest in actually spending those dollars — because it was bizarre for that much money to be allocated in a way — again, this is the Harper government and the Yukon Party — it just made no sense, and it took us a lot of time in the very beginning. It took a lot of time for the Minister of Energy, Mines and Resources to untangle a lot of knots that were developed through the Yukon conservative party in the previous administration when it came to reconciliation and

when it came to working on Energy, Mines and Resources and First Nation governments and the amount of work that was done to get us to a place where now the agreements are flowing in. It is pretty exciting, actually. It is pretty exciting to see the impact benefit to the communities, having First Nation governments working hand in glove with the Yukon territorial government to upgrade our roads, to make sure that the money is well-allocated with partnerships. It is really good to see.

It did take a lot of time. I will agree with the member opposite that it took some time to get that on the way, but maybe we will disagree as to why that happened. But I tell you, it took the current Ottawa government to really have to sit down and listen and understand why this was an impossible situation. The good news with that — we reinvigorated the Yukon Forum — which interestingly enough is a legislated forum that is supposed to meet four times a year. It was created back in 2004, and the previous Yukon Party 2.0 — I think they met once and decided, "We'll never do that again." We had to repair that relationship as well for the Yukon Forum.

We have met four times a year, every year. We have countless working groups. We have JSEC, the executive council that works with the administration and the technicians in the First Nation governments. Really, it is that ability to come together as governments, as technicians — from the deputy ministers, the CEOs, the Grand Chief of the Council of Yukon First Nations, individual chiefs and councillors — a lot of hard conversations, and a lot of work has been done.

In that arena, we have also spawned newer ideas as well like, for example, Yukon Days. Yukon Days, under the Yukon conservative government, the Yukon Party — if there was a First Nation component, it was definitely not in trilateral meetings with the federal ministers — that is for sure. So, we have changed that as well. We go together to Ottawa to meet with the federal ministers. When you have the chiefs at the same table as the federal ministers and the territorial ministers talking about things like Gateway, what you get is flexibility and what you get is the federal government saying, "Oh, okay, I'm not hearing two different things from two different governments," which happened quite a bit in the past.

When it comes to Gateway, I would love to talk in general debate about what Gateway is. Now, to expect me to have the numbers for that department in front of me now — I don't. I do have the numbers in front of me right now for the *Supplementary Estimates No. 3*. The Public Accounts — again, we'll give the member opposite the information he needs for the end of the accounting for the 2019-20 year.

Again, I'm not saying that I refuse to give him the information, as he's pretending over there. But there is a time and place for that information to be given — and it will be given, and it will be precise, as opposed to me trying to rely on memory or whatever. We're sitting here debating the *Supplementary Estimates No. 3*. I'm happy to talk about Gateway, if the member opposite agrees that maybe Gateway is a good thing — I hope so. Does the member opposite agree that we have done more on Gateway than his previous government? Is he happy that we're repairing some damage



made with First Nation governments when it comes to the resource industry? I'm not sure; I'm really not sure.

But I do want to give credit to Grand Chief Peter Johnston. I want to give credit to the chiefs — not only on Gateway, but also on the experience of the last seven or eight months. There has been a lot of fear of the unknown as we all try to grapple with what's happening with the global pandemic, but through those conversations — weekly or sometimes daily — with the chiefs and with the mayors as well — we have grown as a government.

The member opposite continues to play this game of pretending that I'm not open and transparent, because I'm ready to debate the *Supplementary Estimates No. 3* here — ready to talk in general about a whole bunch of topics, if that's what he wants to do — but we have matured over here, and we want to make sure that we have a debate on the supplementary estimates. That would be great. We would love to be able to get to the individual departments as well so they could have even more specific conversation about the allocations in front of us here today. Hopefully, the member opposite will work with us on that.

**Deputy Chair:** Order. Would members like to take a short recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Is there any general debate?

**Mr. Cathers:** As you know, Mr. Deputy Chair, when we left off, I had asked a number of questions about spending this fiscal year. The time, from a procedural standpoint, when we are supposed to ask about those questions is when we are in general debate on budget bills, especially for departments that aren't asking for new funds in the budget bill. Unfortunately, we have gone through a list and the Premier has refused to answer every one of them.

I am going to move on to another one, which is about how much money government spent on heating government buildings in the 2019-20 fiscal year. What was the cost of heating government buildings across government in the 2019-20 fiscal year?

**Hon. Mr. Silver:** It probably comes as no surprise to the member opposite that I don't have that information in front of me right now. I do have information about the *Supplementary Estimates No. 3* — Highways and Public Works and Health and Social Services. I'm happy to answer any question on that, but I don't have the specifics that he's asking for right now.

I do know that departments are ready. Once we do get past even the *Supplementary Estimates No. 3*, when it comes to 2019-20, we will have an opportunity to discuss the Public Accounts when they become public as well for that fiscal year. We also have a supplementary budget coming in for this fiscal

year as well. There will be a general debate for that, as well, and then there will be the departments — a lot more departments this year. I know that, in previous years, we've had very small supplementary budgets and not a lot of departments needing more allocations, which is great to see. It's great to have that budgeting up front — but again, an opportunity to answer the member opposite's questions from those departments when they appear.

**Mr. Cathers:** Well, Mr. Deputy Chair, the time when ministers are supposed to answer questions about the budget and budget bills is when we're debating them.

Asking the Premier how much money the government spent on heating its buildings in the 2019-20 fiscal year is something you would think, especially for a government that has talked a good line about reducing fossil fuel emissions and having a climate change plan, that the Premier might be passingly interested in how much money the government spent on heating its own buildings in the 2019-20 fiscal year — what the actual cost was, not the estimated cost, but the final year number. We are dealing with a supplementary that deals with those final year numbers. How much money did they spend? Is the Premier actually telling us that he doesn't know, or is he saying that he just won't release the information to the public?

**Hon. Mr. Silver:** I am extremely interested in the cost of climate change. I wish the members opposite were when they were in government.

When it comes to the *Supplementary Estimates No. 3*, I can say something that is related to the question that the member opposite is asking about. There was an increase in the allocation.

Thank goodness we finally have something that is close to what we're here to debate today — from all the questions that the member has been asking. Electricity rates did cause increased spending in Highways and Public Works for the 2019-20 fiscal year. There is money in the supplementary estimates for the electricity rates increase that did cause spending to be \$438,000 over the amount that was budgeted.

Do I have the number for what was budgeted in front of me? I don't, but I do know who would — the Minister of Highways and Public Works, who will be up and available to speak about more detailed numbers for the Department of Highways and Public Works when it comes to the supplementary estimate for fiscal year 2019-20.

**Mr. Cathers:** Well, another swing and a miss from the Premier — again, I am asking about big numbers related to government spending. Sometimes, he says, "Ask again later." Other times, he just tries to imply that the question itself was unreasonable. The attitude that he is taking toward public transparency is really unfortunate.

I will ask the Premier another question about the costs of fuel for government vehicles. How much did they spend in the 2019-20 fiscal year, and how much of that expenditure was related to the carbon tax?

**Hon. Mr. Silver:** Mr. Deputy Chair, I don't have that number available here now. When it comes to spending for fuel, it is not my department.

We could talk if the member wants to talk specifically about fuel. When it comes to the tax administration piece, that is a responsibility through Finance. If he has specific questions on carbon pricing, then again, we can talk in general debate about that, but the numbers he is asking me about — specific dollar values — I don't have in front of me right now, as we are prepared to debate the 2019-20 supplementary estimates for two departments: Highways and Public Works and Health and Social Services. I don't see any dollar values — let me just double-check, just to make sure — no, there is no money in the *Supplementary Estimates No. 3* for what the member opposite is asking.

**Mr. Cathers:** Since the Premier now specifically invited me to ask about fuel tax-related matters, I will ask him again about one that I wrote to him on earlier regarding the issue of the changes that have been made to the government's policies that are negatively affecting farmers, around the interpretation of when they are eligible for the fuel rebate. I wrote to the Premier previously. The issue didn't get solved. The matter is still outstanding and it is making life tougher on Yukon farmers. It includes the department coming up with a new policy that denies farmers the ability to get a rebate for some of their fuel costs related to if they are doing work on land under contract rather than on land that they own or on land that they are leasing from someone else. They are having difficulty getting that portion of the fuel tax rebate back.

Can the Premier perhaps provide me with one useful answer this afternoon by telling me what he is going to do to solve that issue — or is he simply, again, going to dismiss the question itself as unreasonable, in his view?

**Hon. Mr. Silver:** Yes, I do remember that casework, and I do remember that we did answer the member opposite's question specific to his constituent. I believe the answer was around whether or not certain fuels could be exempt from carbon. The federal government was very clear with the exemptions: fuel that is being used for agriculture has an exemption to it, but there are other uses — personal uses of that fuel — that would not be exempt.

We are very proud in Yukon to be able to count some specific exemptions that made sense, especially if you live and work in a business that had a fixed price — like in the mineral industry and the mining industry, where you can't add a cost of pollution — a carbon price — on to the value of your commodity — but also in agriculture as well. It is good to see those flexibilities.

I do believe that I did — I know for a fact that we did answer the member opposite's question. What I can do, if he has lost that letter — the copy of that letter and the response and the answer on that — I can send him another copy.

**Mr. Cathers:** The Premier is confusing two caseworks. The one he was talking about is when the government provided an answer that was unhelpful to farmers who were using propane to heat their buildings. That wasn't the one I was asking about. I'm asking about the one where they gave an unhelpful response related to the government's fuel tax rebate program and the changes in policy that have occurred under this Liberal government — either at the direction of the minister or

at least under his watch — that have made it tough for farmers — or impossible, in some cases — to get fuel tax rebate money that they previously were eligible for — and used to receive — if they were doing work on a farm that they didn't actually own and were doing that either through having leased the land or under contract with someone else. They have been running into roadblocks trying to get that fuel tax rebate back due to an interpretation and policy that is actually contrary to the spirit of the act, if you read the act itself.

The Premier obviously doesn't have that one top-of-mind or at his fingertips, but I would ask him — and ask his colleague, the Minister of Energy, Mines and Resources — if they're serious about supporting Yukon agriculture, to treat this issue seriously and to fix this policy so that Yukon farmers receive all of the fuel tax rebates that they previously were eligible for, which is not happening under the current government. It's entirely due to a policy interpretation that, in my view, is directly contrary to the spirit and intent of the act.

Another area — as my colleague, the Member for Kluane, reminded me of — is that we know placer miners are having trouble getting rebates, and they have found that the system has become more complex and more difficult. Again, that's affecting people, including the Premier's own constituents. I would ask whether the government is committed to taking any action to do something about that problem.

**Hon. Mr. Silver:** I appreciate the member opposite's concern in this particular issue. We will continue to update him if there are any advancements in policy when it comes to this. To say that the Minister of Energy, Mines and Resources somehow is not interested in agriculture is laughable — or that he or I are not interested in helping out the placer industry — that's absolutely not the case, no matter what the member opposite wants to pretend.

We did put an ad in the newspaper reminding the mining industry of the rebate deadlines, and we did speak at the general meeting with the placer community when it came to those rebates — a new system, for sure. I'm happy that the money that is used for placer mining can be exempted through a process. That money goes back to the industry, which really, in a year of COVID, was extremely important for our economy. I've been here in the Legislative Assembly thanking the families in Dawson and other communities — the ones who live year-round in Dawson, for example, the Favron family — being able to help other smaller organizations or friends and family who may be seasoning, even internationally, or are not in Yukon, getting back into camp, getting back safely into the community, making sure that during self-isolation — not only the Favrons, other families as well — looking after each other, making sure that they help support the smaller organizations. We have a really great community of placer miners up in Dawson, whether it's the smaller opportunities like Pascal McBurney or bigger operations like Mike Heisey or the two Mikes at M2 or Stuart Schmidt — another great example of somebody who is very community-oriented and cares about the environment and making sure that local hire happens. In the time of COVID, we're extremely lucky to have such a tight-knit community that enabled us to ensure that essential services

like mining were able to continue safely — extremely important.

I know that the Minister of Energy, Mines and Resources could have more to say specifically about policy when it comes to agriculture and the good work that he has been doing when it comes to making more lots available. I know that we're moving on some brushing right now in different areas to make sure that we have more farmland available to Yukoners. It's extremely important in the best of times, but now, in light of COVID, the ability to have a local diet, to not have to rely on supply chain management all the way through from the lower provinces, and to more produce and products here that could be locally available to our restaurants and to our citizens is extremely important, now more than ever.

I'm very proud of the work that the public servants in Energy, Mines and Resources have done in the department of agriculture specifically, as well. What a great team. I'm happy to see the initiatives moving forward in that department.

I could go on about Energy, Mines and Resources specifically. They have done some great work in launching *Our Clean Future* strategy as well.

There are 131 action items heavily focused on clean energy, clean transportation, and a collective approach. I could go on about the minister's hard work ensuring that placer mining exploration projects and the operation of mines could continue to work safely, but I will save that for the minister himself to answer very specific questions. Again, I appreciate the member's comments when it comes to a specific policy and urging us to go in a certain direction.

**Mr. Cathers:** I appreciate the Premier trying to deflect from the fact that they haven't fixed a problem that was brought to their attention by listing out the names of placer miners and others and by giving some nice-sounding words, but what I'm talking about here is a situation that is directly financially impacting farmers in my riding, and it hasn't been addressed.

I mentioned as well — just to clarify the issue with the placer miners — this was primarily related to not receiving rebates from the carbon tax which, as the minister knows, the government is involved in administering. In some cases, I understand from my colleague, the Member for Kluane, that when he and the Leader of the Yukon Party, Currie Dixon, were up in Dawson at the Klondike Placer Miners' Association meeting, this was raised by multiple placer miners. In some cases — the amount of money that they were waiting to get back from the government was in the order of \$15,000, which is a significant impact for some of those families — to be waiting because of a complex administrative system.

Again, in those areas, I would urge the Premier when he gets up not to just respond with his rhetoric about how great and rosy they are doing with everything and what a great job he thinks that he and the Minister of Energy, Mines and Resources are doing. My intention in bringing up these points is not even to specifically criticize those two gentlemen for intention but for the lack of action in fixing a real problem that they actually can fix by giving direction and appropriate resources to staff of their departments.

Again, I am going to touch on a few other areas that the Premier has been very unwilling — despite past practice in this Legislative Assembly. When there is opportunity to actually ask questions, the Premier has been unwilling to provide information about some of the specific items in other departments. I am going to ask the Premier a couple of ones that should be easy, because they were important enough to the Premier that he put them in the budget highlights for this fiscal year. There was \$8.6 million to continue work on the Yukon Resource Gateway project. Did the money get spent or not? If it got partially spent, how much?

There was \$5 million for the Yukon's diverse fibre line. Did the money get spent? Did it get partially spent? If so, how much?

There was also \$601,000 for work on several historic sites. Again, all of these are items in the Premier's budget highlights, the shortlist of things he thought were most important to tell the public about the government spending in this fiscal year. Did the money get spent or not?

**Hon. Mr. Silver:** When it comes to the rebate for placer mining, that rebate deadline just passed, and we are processing those rebates. I know there are some smaller organizations that definitely feel that having to collect the receipts and then get the money later is a little bit onerous, but at the same time, that money is going back into their pockets because of this Liberal government.

I will also say what a great year for placer mining this year. There was a high commodity price, and the costs were lower. What I did also hear from the placer community when I was up at their AGM was that, interestingly enough, the folks who are coming up are a lot of people who know the industry, know the area, and are happy to be working this summer. There was not a lot of turnover among camps. That was a really interesting piece of information that I got from the board members of the KPMA. It was a really good year for not losing staff or people switching into camps. They had a good year. They do have a rebate. The money does come back. They are exempt from that, and so the money comes back. We are processing those rebates, and that's the good news.

Again, when it comes to diverse fibre, yes, 2020-21, we showed lapses for this. We have talked about that; the minister has talked about that. Delays — we talked about it in the Legislative Assembly, so again, it's interesting that the member opposite pretends that he doesn't know this information, but the lapses were due to delays in getting permits done. We hope to get to that. That will be into the next year, and getting that important investment into our redundancy is very important.

I don't know about money budgeted in 2019-20. Again, I'm here with information for this particular *Supplementary Estimates No. 3*, and there is no money in the *Supplementary Estimates No. 3* for those initiatives.

**Ms. Hanson:** If we may, I would like to return to the 2019-20 *Supplementary Estimates No. 3*. I would like to go back to some of the comments that the Finance minister made and to seek some clarification. I had stated at the outset that when we received the documentation — one-page documentation — for the supplementary estimates, we had

expressed concern about the lack of detail. We have heard lots about that already this afternoon.

I want to come to a couple of parts of that. One is clarification of a figure given by the Minister of Finance which differs from one of the actual ones that we did get when we pushed and asked for numbers — which makes me want to reiterate yet again; it would be much better rather than having rollup numbers — that where there are discrete lines of activity that are covered in a supplementary estimate, we actually get that information when it is provided to the opposition. It is insulting not to have this information and to have to dig for it and to waste hours trying to get at it.

When I had asked my initial questions, when we were doing second reading, I had asked how much of the \$7.6 million that is covered in the *O&M Supplementary Estimates No. 3* was expended related to COVID matters. My understanding was that the declaration of emergency measures hadn't been made until March 27, so I had asked: How much of the expenditures were made pursuant to CEMA? If money was spent prior to that, when did it begin to be expended, and how much was spent on matters related to a potential emergency response?

My notes show me that, on March 10, opposition MLAs were offered a briefing by the chief medical officer of health — fine — so that is the middle of March. “When” and “how much” are really the key questions that I am looking for here — because some of these areas that the Finance minister has identified — yes, we know that it snowed a lot last winter and it was cold, particularly in January. So you can get that there were higher utility costs. It would have been very nice to have that broken out.

I am sure that the ministers will provide that, but do you know what? Again, if you want people to come into the discussion informed and actually have an informed discussion rather than sort of fishing trips, it would be helpful to have that information. I am hoping that we will see that in the future.

But specifically, when I see that they are responding to the COVID-19 pandemic on such things as PPE — and I get these general things about how it is going to be — we have a general idea. I guess my lack of ability to accept whatever numbers that have been given so far is — for example, the Minister of Finance said that 25 percent of the \$5.246 million had been spent because of billings due to — you know, we get these billings, and it's normal practice. We know that either the federal government or health — we are told that these are related to out-of-territory hospital stays. So that comes, in my mind, to about \$1.3 million. I was told at the briefing that it was \$884,000, so then I start looking for what else is not the same. Why can't I have those numbers? Why can't the Premier — the Minister of Finance — just table for the Legislative Assembly the breakdown for Health and Social Services — the \$5.246 million? Get it out of the way and just get it done, and then we can go into the more informed discussion with the respective ministers.

**Hon. Mr. Silver:** I do appreciate the member opposite's concern when it comes to the briefing process. I will admit that I am not aware of that process — as it was going on. I get a

post-mortem, I guess. I find out after the briefing has happened exactly the information that was shared or I will sometimes get some of the questions from some of the departments. I did make a commitment to the member opposite to take a look into the process, for sure.

I can tell the member opposite some of the facts as far as the chronology of the events of COVID in the Yukon context to give some perspective as to how spending would have started flowing and then some numbers as well.

On January 30, the World Health Organization obviously declared that the coronavirus was a public health emergency of international concern, so you can imagine that the departments right away started to turn their heads away from regular mains budgeting to a pandemic and how that's going to affect the health and welfare of Yukoners.

Fast-forward to March 4 — the Prime Minister of Canada announced the creation of a Cabinet committee on the federal response to the coronavirus disease. At that time, we started looking to more federal meetings and more provincial-territorial meetings as this ramped up. The Yukon government reacted quickly and it began regular consultation with the chief medical officer of health at that time, which continues to this day.

Based upon advice that was provided by the CMOH, the decision was made to cancel the Arctic Winter Games on March 7 — a tragic day. On March 13, it was advised that all non-essential international travel be cancelled or postponed. On March 16, the government announced its first COVID-19 support measures. A few days later, on March 18, Yukon declared a public health emergency, which included a number of precautions around public recreational facilities, hospital visitations, and restrictions therein. On March 22, Yukon confirmed its first two cases of COVID-19.

At that time, the ability to respond, the ability to trace, the ability to make sure that we were prepared — amazing work by the chief medical officer of health, his team, and the Department of Health and Social Services.

The next day, the RAC — the respiratory assessment centre — opened in Whitehorse. You don't open something like that without a lot of prepping and planning, and that does cost money — money that wasn't allocated. Imagine trying to decide how to move forward with a respiratory assessment centre when you don't have that budgeted.

As of March 27, we had the formal state of emergency being declared. For the context of what we're doing here today, I won't continue on past that, because there are civil emergency measures orders and protections and a whole list of things from there, but I'll stop there on that.

We did say today here — as far as the cost breakdown — that, like I said, 25 percent of the overall costs for Health and Social Services were additional costs amounting to about \$1 million to \$1.3 million of the requested total for the fourth appropriation, and another 25 percent is attributed to the insured health services cost.

I will check back with the department if those numbers do not jive, I guess, comparatively — but these are the numbers that I do have in front of me: \$40,000 for the chief medical

officer of health for staffing and programs; \$170,000 to the Yukon Hospital Corporation to support its initial necessary operational changes and enhancements to be able to operate safely during the pandemic; an approval of \$265,000 for staffing, as I mentioned earlier, and operations of the Health Emergency Operations Centre, the respiratory assessment centre, and the self-isolation facility; staffing and overtime at the Yukon Communicable Diseases Control Unit was an additional \$10,000, approximately; and support to licensed childcare providers through the direct operating grant added approximately \$660,000 therein as well.

When it comes to just spending in general with the Department of Health and Social Services, the last quarter of the 2019-20 fiscal year obviously was presenting an awful lot of fiscal challenges. There were very significant challenges here but also across the world as well. Health and Social Services stepped up and delivered excellent services to Yukoners across the territory. We didn't hesitate; we acted. Those actions are being calculated now as far as the fiscal ramifications to the budget. The department was well-positioned because of that action that they did very quickly — they have done enhanced mental wellness supports to ensure shelter services are in place and supported childcare programs and other activities very quickly.

The expenditures in 2019-20 went for a variety of critical supports and costs as we began our response to the pandemic across the department. In order to respond quickly, approximately \$350,000 was used for some of these totals, as I talked about — the chief medical officer of health and his programming, the Health Emergency Operations Centre, the respiratory centre, the assessment treatment facility, and the communicable disease centre.

As I mentioned, again — as I'm looking at different documentation as well — there were approximations that came in early, and then there was more specific information as we got prepared for the Legislative Assembly and this Sitting. I apologize to the member opposite if there was a discrepancy between those numbers. We will make sure that the department has the most up-to-date numbers. As I committed to the member opposite as well, we will take a look at how the information in the briefings were given on this extraordinary situation. Hopefully, we will be able to provide the most up-to-date information to the member opposite for these briefings.

**Ms. Hanson:** I do appreciate the commitment going forward to get information upon which to assess, but listing a litany of various program areas is not financial information, and that's what we're looking for when we're talking about a budget. You do something, it costs something. You forecast that it's going to cost X amount — and maybe there are some unexpected ones. Obviously, we've talked a little bit about some of the unexpected ones. It would be helpful, when this information is provided to MLAs — so that we wouldn't have the discussion about whether it's \$884,000 or \$1.3 million. I don't know, because that's the only number I was able to get from that listing under Health and Social Services that was available. So that's why.

That's one of the reasons why — when it became clear that we were in the midst of a serious and probably long-term pandemic that has significant implications — we need to make sure that we have continuous oversight about how this is unfolding and why we called, from the very beginning, for effective legislative oversight over the implications and the implementation of the various orders that were being put into effect.

However, I'm not going to try to beat this one anymore because it's — I appreciate the fact that there will be forthcoming additional detailed information so that, when we get to the Department of Highways and Public Works and we get to the Department of Health and Social Services and I look at the supplementary estimate and I see that global number, I will actually have a piece of paper that will be tabled by the minister, perhaps in advance — wouldn't that be delightful — that actually says that this is how we got to that \$2.4 million and this is how we got to that \$5.2 million. That would be delightful. We would very much appreciate it.

**Mr. Cathers:** I'm pleased to have more time this afternoon to ask questions after my colleague — the member for the NDP — asked several questions that were important to her about this.

Again, for everyone who is listening or reading this in Hansard — realize that this is an area where, while our friends in the NDP — we do not always agree with them — we have many philosophical differences when it comes to government programs, but in this area, we agree that the amount of information being provided by government is inadequate and it has gone downhill during this Liberal government's tenure — during the current Premier's tenure. As I mentioned before — and as you will recall, Mr. Deputy Chair, from earlier this Sitting — it is not just me or the Member for Whitehorse Centre saying it — the Leader of the NDP herself acknowledged, during debate earlier, that the amount of information has actually declined.

Again, I am going to touch on specific aspects of spending that were in the budget — our opportunity as members to ask questions about the government's spending for the 2019-20 fiscal year is on the budget bill for the 2019-20 fiscal year. Were we to do, as the Premier is trying to suggest that we should, and save it for questions on the budget bill for the 2020-21 fiscal year, we can be quite sure — based on past performance — that the Premier or one of his ministers would tell us that we should have asked that question earlier and tell us that they weren't prepared to answer it then. Really, those excuses just don't fly.

Again, I am going to touch on some of the matters that were in the government's budget — in their highlights for 2019-20. The very short list of things that they put in the budget highlights — as we have touched on many times before, they have reduced the information shared with the budget about program spending containing the highlights from what used to be typically around an 11-page document — during the last budget that the Yukon Party government prepared — to typically four pages that are heavy with infographics.

But one of the things that did make the list was \$1 million to begin planning and design of a secure medical unit at

Whitehorse General Hospital. It is in the budget. It is in the budget highlights. Can the Premier tell me: Did they spend the money? If not, how much didn't get spent, and what is the status of that project? Has the government approved the business case and the operational model for that secure medical unit? What is the status of that project that was highlighted in the 2019-20 budget highlights?

**Hon. Mr. Silver:** I don't have that information in front of me, although it's really great to have these questions lined up in advance of Committee of the Whole when the specific departments will be here to respond. It would be one thing to have just that specific number, but what I would really like to also have is the ministers being able to expand and to highlight how important these particular initiatives are — and who better to do that than the ministers responsible and their teams when it comes to that part of Committee of the Whole, when the particular departments can be here to not only answer the specific question that the member opposite is asking politically, but also a bigger expanded answer when it comes to how important secure medical areas are and how important 1Health is and how they could expand on how we have turned around an acute care system into a collaborative care system?

I could give general answers here, but I would much prefer — and I think that the general public deserves — a more specific answer to that through the minister and her department.

**Mr. Cathers:** I do give credit to the government where credit is due — that some of the projects, such as the 1Health project — I'm pleased to see that they have been moving forward with that. I do have to remind the Premier that the bad news with that — tempering that compliment — is that I first began raising the importance of that project — which was then called the Meditech replacement project — in 2017. It took the government awhile to get around to supporting it instead of dismissing the need for it.

With the secure medical unit project that I asked about here — the question around it here is that it was in the budget highlights. It is shocking and disturbing that not only is the Premier refusing to answer questions about appropriations in the 2019-20 fiscal year, when it is — based on parliamentary tradition and rules, this is an opportunity for Members of the Legislative Assembly, especially those who are not part of Cabinet, to ask questions about government spending in the fiscal year for the budget we're debating. As the Premier will find — if he checks with the Legislative Assembly Office, they could remind him of what he has heard before — that procedurally speaking, if we want to ask questions about departments that aren't asking for new money, the chance to do it is in general debate. That's what I'm doing.

I have gone from asking about some of the items contained in the government's last supplementary estimates to talking about some of the highlighted elements that the government rolled out in their budget highlights along with the Budget Address. Again, the Premier is not willing to provide an answer.

With the secure medical unit project specifically, a project of that size would undoubtedly go to Management Board for approval. The Premier should also be aware of the status of that

project not only as a member of Management Board but as the chair of Management Board, unless the Premier is going to tell me that he doesn't chair Management Board.

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

**Mr. Cathers:** I am pleased to hear him say that he does chair it. Again, the question I am asking is: What is the status of the planning and design on this? Have they approved the operational plan and the business plan, et cetera? What is the status of the project? Is that \$1 million that was contained in the 2019 budget — has it been spent or has it lapsed? What is the status of that work?

**Hon. Mr. Silver:** Again, the member opposite knows the number. It is \$1 million. As far as Management Board and being the chair — yes, it is absolutely the same process that I'm sure the member opposite remembers from back in the day. There are definitely hundreds of pages per session or per Sitting. There are lots of different moving pieces there, for sure. I didn't take every single binder of every single Management Board submission or decision from that — the allocations of that and how that — because who knows what kind of questions the member opposite is going to ask about — a general main question in general debate for two very specific departments. It would be a lot. My desk would be covered from here to the ceiling with briefing notes, I would imagine.

Again, when it comes to the secure medical unit, I could give you some small information on that. But if the member opposite really cared about this particular issue, he would bring it up with the minister responsible, who has a lot more information on this specific unit. I do know that the money did go to the Yukon Hospital Corporation for the planning for the medical unit, but I really don't have the details in front of me from the Department of Health and Social Services.

The good news though, Mr. Deputy Chair, is that we are not saying that we are not going to answer the question here today in the Legislative Assembly. We are saying that we have a great place to answer that question, and it will be in the Legislative Assembly when the minister appears and can speak to that. Again — anecdotally or in general — I do know that we are still in the planning phase of the secure medical unit. I do know that construction is slated to start in 2021-22. But, again, if the member opposite really wanted to have an expanded conversation about this very, very important piece of the medical systems complement, then I'm happy to have that dialogue with the minister responsible and her expanded knowledge on this particular issue.

**Mr. Cathers:** I do appreciate that the Premier actually did provide a partial answer to that, which is nice to see this afternoon. It has not been the norm.

So, I will then defer it to debate with the Minister of Health and Social Services, but I will put the minister on notice that I will be taking the Premier up on his offer. I would like more information on this. We would like more information on this project. It's an important one. It was important enough that the government included it in its list of highlights for the 2019-20 fiscal year. I would like to know how much has been spent on it, whether the government has approved the business case and

the operating plan and when they did so, and whether they have approved the capital plan for doing the work to build it.

We would also like to know what the current estimates on the costs of both capital and O&M are. I realize that some of the forward-looking elements are probably just at the estimates stage right now. When the minister provides us with the information, if the minister does, we will recognize if something is presented as an estimate and we're advised of the risk factors around that estimate. We certainly will not be too rough on the government if those numbers do change based on the current estimates. We're familiar with class D estimates and those types of terms, and we recognize that those projects, by their very nature, can change, but it is an important project. It's one that the minister has committed to in the budget. The minister herself made a ministerial statement about advancing this project. So, if it's important enough to take the House's time for a ministerial statement saying that you are going to do something, then it's important enough to follow through and say what you are doing — preferably not in the form of a ministerial statement. Those are a very inefficient use of the House's time. We would prefer to receive that information — just the details of it — in written form or as part of the minister's speech on the subject. Simply getting the information, however it is provided, would be appreciated.

Another important area that was identified in the 2019-20 budget highlights was \$1.7 million for youth initiatives. Again, the question for the Premier is: Was the money spent or not?

We also saw \$3 million contained in 2019-20 for portable classrooms. I know that has been an ongoing issue, including for schools like Golden Horn and for the elementary school in my riding — Hidden Valley School — which has previously requested portable classrooms and has not seen that provided. They also have an issue there with some of the playground equipment that was removed from Hidden Valley School, and what replaced it was not really comparable to what they had before. They don't have as much equipment as they did previously. They had asked for more and were told that the department didn't have the money. If the Premier is able to provide any updates on that \$3-million line item — specifically what was done in 2019-20 — as well as any other information that relates either to the specific situation of schools that I mentioned or to schools in general, we would appreciate that information — and especially during a pandemic. The information about classrooms for children and playground equipment and those types of facilities is very top of mind for a lot of parents right now.

When you go aside from the discussion of the dollars and the cents and use large numbers and talk about terms in government language — when you take this all down to its very real level, all of the items in the government's budget come down to people. They have an effect on people's lives. If government says that it is going to do something and doesn't, it has an effect on people's lives. If they say they are going to spend money on something and don't, it has an effect on people's lives. If they overspend in a certain area, it has an effect on people's lives. If they are, as we are seeing in the area of — again, as I touched on earlier and we didn't get the answer

for it — the cost overruns that we keep hearing about related to the Whitehorse Emergency Shelter when there are those management and operational problems — all of those things spill over and have an impact on people's lives.

There is money contained in the 2019-20 budget highlights — there was an allocation for \$58.1 million for social support, including disability services, mental wellness and substance use programs, and income support. I would ask again whether that money got spent, and if only partially spent, how much?

We have heard — and again, this relates to the current budget — about the gaps in mental health services. After refusing to work with Many Rivers and shoving them aside, the government rolled out — as a replacement for this NGO that provided mental health services to Yukon communities — its own mental health hub model and acted like there had never been anything there previously. We have heard some rather bizarre statements from the Member for Mayo-Tatchun and others on the subject that seemed to show a lack of awareness or a lack of willingness to acknowledge the services that Many Rivers used to provide in Yukon communities — and, in fact, did so for decades.

We know that the government's mental health positions and hubs in communities have had problems associated with recruitment and retention. We have seen government reports that have acknowledged the gaps in recruitment and retention and the problems with that. What I would ask about — in 2019-20, how often were these positions vacant, and how much money would the government have spent had they been staffed? How much money was either lapsed or reallocated to other areas?

It directly relates to something that's very important to parents and others across the territory right now because, as national surveys have shown, over half of Canadians report that their mental health has been negatively affected by the pandemic. It is a difficult time for many people, and there are varying degrees of that. There are many people who may be finding themselves less happy than they were before the pandemic but are still basically doing okay, but there are other people who are genuinely struggling and need help.

I would ask the minister to provide that information about what was there in the 2019-20 fiscal year. It includes the start of the pandemic. It does also include and directly relate to what services were there for mental health and what gaps were there in mental health supports prior to the start of the pandemic.

In the interest of giving him the time to do that and also seeing the time, Mr. Deputy Chair, I move that you report progress.

**Deputy Chair:** It has been moved by Mr. Cathers that the Chair report progress.

*Motion agreed to*

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

**Deputy Chair:** It has been moved by Mr. Cathers that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

**Chair's report**

**Mr. Adel:** Mr. Speaker, Committee of the Whole has considered Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, and directed me to report progress.

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

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

*The House adjourned at 5:30 p.m.*

**The following sessional papers were tabled October 8, 2020:**

34-3-43

*Yukon Arts Centre 2019/20 Annual Report (McLean)*

34-3-44

*Yukon Workers' Compensation Health and Safety Board 2019 annual report (McLean)*

**The following documents were filed October 8, 2020:**

34-3-32

State of Yukon's tourism industry, letter re (dated September 22, 2020) from Hon. Sandy Silver, Premier, to Neil Hartling, Chair, Tourism Industry Association of the Yukon (McLean)

34-3-33

Discontinuation of Xplornet Communications services, letter re (dated September 9, 2020) from Currie Dixon, Leader of the Yukon Party, to Hon. Navdeep Bains, Minister of Innovation, Science and Industry, Government of Canada (Cathers)





# Yukon Legislative Assembly

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Number 45

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 13, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Tuesday, October 13, 2020 — 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 a change that has been made to the Order Paper. The following motion has been removed from the Order Paper as the action requested in the motion has been taken in whole or in part: Motion No. 222, standing in the name of the Leader of the Third Party.

**DAILY ROUTINE**

**Speaker:** We will proceed with the Order Paper.  
 Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Mr. Cathers:** I would ask members to join me in welcoming a constituent to the gallery, Peter Wojtowicz.

*Applause*

**TRIBUTES**

**In recognition of Fire Prevention Week**

**Hon. Mr. Streicker:** I rise today on behalf of the Yukon Liberal Party and the Yukon NDP to talk about fire safety. This past week was Fire Prevention Week. It is so important to protect ourselves and our families from fires that could easily be prevented. This year's fire prevention theme is "Serve Up Fire Safety in the Kitchen". It turns out that, here in Canada, cooking is the number one cause of home fires and home fire injuries. Unattended cooking is the biggest culprit.

Mr. Speaker, I have personal experience in this area. When I was a young adult, my girlfriend and I were cooking, and we left the stove unattended while we read the paper. We smelled smoke and made some mistakes, as a pot with hot oil burst into flames. We did manage to get a lid on the pot and put it out, but only after I got a pretty nasty third-degree burn. I learned the hard way.

Here are some simple safety tips for all of us so that we can learn differently from how I did: never leave your cooking food unattended; use a timer to remind you that you're cooking; always turn your stove off before you leave or take a nap; keep an oven mitt and a pan lid nearby; keep kids and pets away from cooking; and keep anything that can catch fire away from your stovetop. Preventing fires from starting, being alert to fire, and knowing how to get out fast in the event of a fire saves lives.

If you haven't already, make sure that you install smoke alarms outside all sleeping areas and on every level of the home, including the basement. If you are a tenant, make sure your landlord installs them — it's the law. Test smoke alarms regularly. It just takes a few seconds and can save lives.

Have a home fire escape plan and practise it with everyone you live with, even your pets. In the event of a fire, listen for the sound of the smoke alarm. You could have only minutes to escape safely once the alarm sounds. Learn two ways out of each room. Make sure that all doors and windows leading outside open easily and are free of clutter. Go to your outside meeting place, a safe distance from your home.

More information about fire safety and prevention is available online at yukon.ca and on the Protective Services Facebook page.

In the Yukon so far this year, eight percent of our home fires have been cooking-related and this is an improvement, considering that some years it has been as high as 18 percent.

So this tribute goes out to our dedicated folks in the fire service and to all Yukoners who are making fire safety in their kitchens and homes a priority.

*Applause*

**Mr. Cathers:** I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Fire Prevention Week and to recognize that the theme this year is "Serve Up Fire Safety in the Kitchen". Those working to educate children, individuals, and families are focusing on this campaign. The theme is a reminder to all that a leading cause of fire in the home is unattended cooking.

Fortunately, there are a number of actions that can be taken to minimize risk in your home, including staying in the kitchen when you are cooking, using a kitchen timer to remind you of how long something is cooking for, and keeping anything ignitable a safe distance from the stove. As well, it is important to recognize the importance of not throwing water on a grease fire — put a lid on it and turn off the stove. It's always a good idea to have fire extinguishers handy in the home.

We have a great network of people across the Yukon who work to protect our families, homes, and communities from fire, including staff and volunteer firefighters who dedicate their time and expertise throughout the year to being on call as well as responding to emergency situations. I would like to recognize and thank all of these people for the work that they do, including the work that they are doing in training to be ready for an emergency call. As well, thanks go out to the Yukon Fire Marshal's Office, municipal fire departments, and volunteer fire departments across the territory for the work that they do.

The Yukon is also home to a number of other crews that train and mobilize each summer in response to wildland fire suppression, and our thanks are due as well to Wildland Fire Management crews, Yukon First Nations Wildfire crews, as well as volunteer fire departments across the territory that play a role in keeping our communities and neighbourhoods safe from fire.

I would like to encourage Yukoners to take a moment to educate themselves on preventing fires in their homes — especially their kitchens — as well as having an appropriate escape plan and fire extinguishers and other materials handy in case there was a fire in their homes. Safety starts with you, and there are many steps that you can take yourself to improve home safety.

*Applause*

### In recognition of International Day of the Girl Child

**Hon. Ms. McLean:** I rise today on behalf of the Yukon Liberal government to pay tribute to International Day of the Girl Child. This is a day to focus attention on addressing the challenges that girls face in promoting their empowerment and fulfilling their human rights. The theme that UNICEF has created for this year is “My voice, our equal future”. I love the balance of this theme between individual power and collective responsibility. When I think of “My voice, our equal future”, I think of the incredible girls using their own voice in an incredible way right here in our community, our territory, our country, and around the world.

I also think of all the strong, resilient women already in leadership throughout our territory. Yukon is full of women who are change-makers and boundary-breakers. We are lucky to live in a territory with so many strong women in leadership and positions of authority.

Strong women are around me in this Legislative Assembly today as MLAs representing our citizens. They are all over our territory — First Nation chiefs and council members, mayors and municipal councillors, elders, traditional knowledge-holders, teachers and other professionals, matriarchs, entrepreneurs, artists, tradespeople, business executives, and leaders in government. These women have paved the way and have provided the example for young girls to set their own path. When girls are supported, they have the potential to change the world as tomorrow’s leaders, mentors, and change-makers.

Today, I would like to acknowledge and highlight a conference that a group of young Yukoners took part in last February — Pinoys on Parliament was the first and largest Filipino Canadian youth leadership conference. This conference hosted 200 delegates across Canada to participate and make a difference in their home communities. Nine Filipino Yukoners attended the event and were able to represent the north and connect with fellow youth and leaders from sea to sea to sea.

The *Whitehorse Star* interviewed one of the participants, Ira Mamis. Ira is a Yukon University student and a board member of the Canadian Filipino Association of Yukon. I think Ira’s words are a great example of the strength that young women have and they are reflective of this year’s theme, Mr. Speaker. She told the paper — when asked what she looked forward to about the conference — and I quote: “I am very passionate about newcomers and immigrants, youth empowerment and creating meaningful change in the community. ... At the Pinoys on Parliament, I am most looking forward to having powerful and enriching conversations, creating networks, and collaborating ideas with like-minded individuals who share an equal passion in our culture, identity and Filipino representation.” Ira, like many youth advocates in Yukon, is using her voice for the benefit of all Yukoners. She is working to create a more equal future.

Now, Mr. Speaker, I would like to focus on some edifying numbers published by the UNESCO Institute for Statistics. When I was doing the research for this tribute, it was striking

— and I thought it needs to be said that before the pandemic, 129.2 million girls ages six to 17 were out of school. Today, because of COVID-19, an additional 12 million children will never set foot in or see a classroom ever again. Out of those 12 million, nine million are girls. We know for a fact, Mr. Speaker, that education is one of the key components to keeping our girls and women safe. I am worried for these 138.2 million girls who will never be offered this opportunity.

This made me think about how lucky we are to live in Canada and to call Canada our home where our youth are protected and offered equal access to education. We should wake up every day and remind ourselves how lucky we are to be in Yukon, a place that is safe and where our girls are watched over and empowered.

*Applause*

**Ms. McLeod:** I rise on behalf of the Yukon Party Official Opposition to recognize October 11 as the International Day of the Girl Child. We observe this day each year to bring attention to a range of female-specific challenges that girls face around the world. According to the United Nations General Assembly, the day is meant to recognize girls’ rights and the unique challenges girls face around the world. The International Day of the Girl Child focuses attention on the need to address the challenges that girls face and to promote girls’ empowerment and the fulfillment of their human rights.

In Canada, emphasis is being placed on online violence. As we deal with COVID-19 restrictions and guidelines across the country, we have seen an increase in online activity among our young people. There is a need to ensure that girls are free to be online without the risk of facing harassment and abuse. Over half of the girls in Canada between the ages of 15 and 24 have experienced online abuse and harassment. This is not acceptable. It’s hard enough growing up — our girls should not have to be burdened with this harassment, lower self-esteem, loss of confidence, and mental or emotional stress. Girls and women are nearly twice as likely to suffer certain mental illnesses, such as depression and types of anxiety. Often these issues stem from self-esteem and perceptions about body image, often centred around the Internet and social media.

This year, it’s even more important than ever to keep an eye on your children’s online activity but also on them — their demeanor, their emotional state, and their reactions. Their well-being, Mr. Speaker, is in our hands. Talk openly about the dangers and risks associated with being online, and be open to listen if they’re willing to talk.

Remember that, while it is so important to continue to raise awareness about the issues that disproportionately affect girls, it is even more important to ensure that all of our children — not only the girls — are raised to have respect for themselves and for others.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP to celebrate the International Day of the Girl Child.

2020 marks the 25<sup>th</sup> anniversary of when some 30,000 women and men from nearly 200 countries arrived in Beijing,

China for the Fourth World Conference on Women. These delegates were determined to get the recognition that the rights of women and girls are, indeed, human rights.

The conference concluded with the adoption of the *Beijing Declaration and Platform for Action*, the most comprehensive policy agenda for the empowerment of women that the world had ever seen. It should be no surprise that, in the years following, it has been women who have pushed this agenda of equality and it is women leading global movements on issues that affect all people. Women and girls have never stopped working and they continue to be at the forefront of movements that sweep the globe.

Today's more than 1.1 billion girls are poised to take on the future. Every day, girls are breaking boundaries and barriers, tackling issues like child marriage, education, equality, violence, climate justice, and equitable access to health care. Girls continue to raise their voices for the future that they deserve, and they continue to prove that they are a powerful and unstoppable force. There are many young girls in our communities, in our country, and around the world who are speaking up, becoming leaders, and lighting the way.

Our girl children face many odds — not the least of which is to know that they have the right and the ability to lead movements that change the world, just like the strong women in whose footsteps they follow. Our job is to not only ensure that these girl children have the support, the education, and the safe communities and opportunities to continue to grow to become our future leaders, but we as adults and as leaders need to call out the progressively more ugly and violent hate speech that has been and is directed at girls who dare to speak out and to take a stand on the issues important to them.

So, we salute the girls who make us uncomfortable and who challenge the status quo. They do it all with the commitment and clear-eyed vision of the unjaded. As leaders, we are called to stand with this unscripted and unstoppable power that is the girl child.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Silver:** Pursuant to section 9 of the *Public Service Group Insurance Benefit Plan Act*, I have for tabling the annual report of the joint management committee.

**Hon. Ms. McPhee:** I have for tabling the 2018-19 Yukon College annual report, which is tabled pursuant to section 16(3) of the *Yukon College Act*.

I also have for tabling the *Department of Education Annual Report 2019*, which is tabled pursuant to section 5(h) of the *Education Act*.

**Mr. Istchenko:** I have for tabling a letter from the residents of Nygren subdivision requesting a 500-metre greenbelt buffer zone around the subdivision.

**Speaker:** Are there any further documents for tabling?  
Are there any reports of committees?  
Are there any petitions?  
Are there any bills to be introduced?  
Are there any notices of motions?

### NOTICES OF MOTIONS

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

THAT this House supports the Yukon mineral exploration program stimulus in response to the COVID-19 pandemic.

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

THAT this House urges the Government of Yukon to identify areas in which to build new moderately sized campgrounds and to identify current campgrounds that have space for expansion.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to schedule regular road maintenance to campgrounds, perform site maintenance through the camping season, ensure that boat launches and docks are constructed or upgraded at each campground, and complete major upgrades to campsites during the shoulder seasons.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to freeze current campground daily and permit rates for Yukon citizens and to ensure free camping for Yukon seniors.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

### MINISTERIAL STATEMENT

#### Yukon employment rate and economy

**Hon. Mr. Pillai:** Mr. Speaker, 2020 has been a challenging year all-round, especially for Yukon businesses. Economies in Canada and around the world continue to be impacted by the COVID-19 pandemic, and there is a lot of uncertainty about the weeks and months ahead. However, when you look across the country, Yukon's economy is doing relatively well and there are many encouraging signs despite some of the major challenges that we have faced.

The price of gold went above \$2,000 US this summer, which bodes well for mining and exploration in the territory. Yukon's mining industry has taken a proactive approach to ensure that health and safety are at the forefront of mining operations throughout the territory, and it has continued to contribute to Yukon's economy throughout the pandemic.

Robust strength in the mining sector is one of the reasons that Yukon is expected to see positive GDP growth in 2020. Retail sales are still strong, and residential building construction is booming compared to previous years, driven in part by an increase in available lots throughout the territory. Residential building construction has already exceeded last

year's total, with \$74 million worth of building permits issued through August of 2020 — over 81 percent higher than in the first eight months of 2019.

Residential investment data shows that growth last year has been a mix of both new construction and renovations. Both single-home construction and investment in multiple-dwelling buildings has seen a boost, with year-to-date permits growing by 29 percent and 42 percent respectively. Yukon is one of only two Canadian jurisdictions anticipating GDP growth this year, and it really speaks to the strength and diversity of Yukon's economy leading up to this pandemic.

Mr. Speaker, new figures released on Friday show that our unemployment rate is once again the lowest in Canada at 6.2 percent. We are almost a full three percentage points lower than the Canadian average and the only jurisdiction below seven percent. This is testament to the strength and resiliency of Yukon's private sector. Yukon business owners have shown incredible determination and perseverance over the last several months. I want to thank them for all that they are doing to keep Yukoners employed and to keep providing the quality goods and services that Yukoners have come to expect from local businesses.

Earlier this year — like every place in Canada — we did see several businesses close. By June 2020, we began to see openings of new businesses significantly outpacing closings. I hope to see this trend continue. Together with the Government of Canada, we have rolled out several programs to assist businesses, notably the business relief program. More than 430 businesses have used the program at a cost to the Yukon government of \$5.1 million.

There are positive signs as we continue to navigate the storm that has been brought on by COVID-19. There continue to be challenges, of course, but we also have reason to be optimistic about the territory's economic future. I encourage all Yukoners to continue to buy local and support community businesses and organizations. We are all in this together and together we will get through it.

**Mr. Istchenko:** Mr. Speaker, I am pleased to respond to the minister's statement on the state of the Yukon's economy in 2020. This statement is clearly in response to the question we have been asking of this government about their plans for economic recovery. The minister paints a very rosy picture of the current state of the economy; unfortunately, it increasingly seems that the Liberal government is out of touch with reality when it comes to what many Yukoners face.

While of course we are happy with the price of gold and the success of mining and construction — and the success of other businesses during this downturn — not all Yukoners or Yukon businesses share this rosy view. Compared to this time last year, we have hundreds more Yukoners out of work, and compared to this time last year, we have hundreds less businesses open in the territory.

We have seen businesses reduce their operations, lay off staff, cut costs, and try any number of things to keep the lights on. For many businesses, the coming winter months bring even further challenges and uncertainty. We have even seen Yukon's

airline raise alarm bells about what the conditions could mean for their workforce.

Many businesses in my riding use the summer months to save up enough money to get through the winter. This year, they barely held on through the summer. The prospect of entering the winter with nothing but the hope of government support is a frightening experience. I have heard from businesses in my riding that they want to be able to work their way out of this, but it's hard to see how they'll be able to do this.

This isn't just a challenging year or a temporary downturn as the minister would have us believe. For those in the tourism industry, this is a crisis as their industry collapses.

It's not just tourism. We have heard from businesses — many in other sectors — that are facing tough times. Many Yukon businesses that were closed or forced to close this year have seen huge drops in their business. This is particularly true for businesses in the medical services or personal services industries. We've heard from dental clinics that are down as much as 84 percent at certain points through the lockdowns. On top of the reduced revenue and lower business opportunities, many businesses face considerable cost increases on things like PPE or infrastructure upgrades.

I also note that the minister spoke about the uptick in the residential construction industry. He claims that this is due to his government's ability to get lots out. This is another area where the government is out of touch. There is an incredible shortage of residential and commercial land for development. We have heard from businesses that a lack of access to commercial and industrial land in the territory is blackening their ability to grow. This lack of land is driving up housing prices and making it even more difficult for Yukoners and their families to get ahead.

While the road ahead will be difficult, we believe that there are solutions that will help us on the path to economic recovery. We have always been willing to work with the government, but they have refused these offers. On March 9, we offered to establish an all-party committee to allow MLAs to work together and to face the economic recovery together. We thought that if we took the politics out of this we would be able to find consensus on some clear measures that could help our struggling private sector. Both the Yukon Party and the New Democratic Party were on board. Unfortunately, Liberals used their majority to shut down the idea of us working on this challenge together. Now the government is trying to use these most recent statistics to distract from the real-world impacts to many Yukoners and what they're living.

So we're happy to see some positive indicators in our economy, of course — but what we really want to see is a plan for economic recovery. We owe that to Yukoners and to all those keeping their businesses afloat by dipping into personal savings. Buy local, Mr. Speaker.

**Ms. White:** The economic impacts of the pandemic have been radically different depending on who you speak to. This is true on the world stage and it is true right here in Yukon. The wealthiest corporations and individuals have seen their profits

skyrocket while many people living paycheque to paycheque suddenly lost that paycheque. Small businesses have closed, tourism operators are struggling to stay afloat, and many service industry workers have yet to see signs of recovery.

During the pandemic, the federal, provincial, and territorial governments recognized that the lowest earning workers — those who are paid less than a living wage, without any benefits like health coverage or a pension — were suddenly essential. With this realization, we saw the creation of a subsidized top-up in the Yukon, meaning that those who were earning less than \$20 an hour could qualify for up to an additional \$4 an hour for 16 weeks. But apparently these workers are not essential enough to earn a living wage beyond the 16-week subsidy. These workers who are on the front lines of the pandemic and who never had the freedom of staying home where it was safe are back to earning less than a living wage, despite being told that they are heroes and that the work that they do is essential.

How does this issue fit with the minister's statement, Mr. Speaker? How is this fair? How is this a just recovery? The answer is that it isn't fair and that it isn't just. What is worrisome about the tone of the minister's statement today is that, when he talks about GDP growth, that is cold comfort for the hundreds of workers who can't make ends meet because their wage is below the poverty line. Our economy won't recover until we fix the crack in the foundation that the pandemic has highlighted. Suggesting that we will get back to normal isn't good enough because "normal" never recognized the economic gaps that continue to grow. Until a hard day's work earns a living wage for everyone, our economy will be unbalanced. Until those who have lost their jobs or have been forced to close their businesses can support their families, something drastic has to change.

**Hon. Mr. Pillai:** Mr. Speaker, we acknowledge that this year has been challenging. While the opposition is quick to point out — the points about the Spring Sitting and the ability to work together — I know that, in the role of the Minister of Economic Development, I am also always open to work with my counterparts. I know that the Member for Kluane on occasion has given me direction and good advice on previous work that has been done in his riding. I definitely made sure that this was tabled and used in our last conference in the Kluane region.

I don't believe that I am painting a rosy picture. I am sharing numbers, because the numbers do matter.

At the end of the Sitting, the opposition worked, but our government has been working tirelessly to manage this pandemic and support Yukoners. Not a day has gone by since March 19 that our team has not been in touch with Yukoners and businesses to understand the challenges that they are facing and to find ways to help them through these difficult times, so we are constantly in conversation with those many sectors that were touched.

Less than a week after the House adjourned in March, our Liberal government established the Business Advisory Council to ensure that the needs of Yukon businesses and communities were heard, and we worked to address the economic impacts of

COVID-19. Hearing directly from the business community helped us to be responsive to their needs. I want to commend my colleagues here who continue to work with Air North week by week — as was touched on by the member opposite — and how important they are to this economy. We have stood by them through this process.

We were able to tailor our support programs in a way that ensured that effective support was provided where and when it was needed. I want to thank all of the individuals who contributed to these important conversations over the past seven months. Local businesses are the heart of the Yukon economy, and it has been vital to get their advice to better support them through these difficult times.

We also work closely with our partners, including the Canadian Northern Economic Development Agency, to provide comprehensive support to Yukon businesses. At last count, the Yukon business relief program has provided over \$5 million.

Mr. Speaker, we remain in the grip of COVID-19, and we are by no means out of the woods yet. I continue to work shoulder to shoulder with the Minister of Tourism and Culture together with the Tourism Industry Association — as we did this morning — to find ways to support that sector. This important point is to put things in perspective.

As I said — and as the Member for Kluane said — we are in a crisis. That's how it was characterized. I want Yukoners to think about that. As I said, if you compare it to other jurisdictions, Yukon is doing reasonably well. We know that there are vulnerable areas, but putting things into historical perspective is important. Yukon's average labour force year-to-date is higher now than it was in 2016. Yukon's average employment year-to-date is higher than it was in 2016. Yukon's average unemployment rate year-to-date is lower than it was in 2016. So, Mr. Speaker, as the Member for Kluane said: We are in crisis. Still, think about that: Even in this crisis, these economic indicators are better than they were during the Yukon Party's last year in office. That's something for Yukoners to think about.

Yukoners and Yukon businesses are resilient and community-minded, and together we are going to pull through this.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on education system

**Mr. Hassard:** Parents are still waiting for news that this government is committed to a full five-days-a-week reopening of our schools. Without a plan to fully and safely reopen schools, you don't have a plan to reopen the economy — at least not for hundreds of working parents who rely on schools and childcare to ensure that they can actually get to and stay at work. We have seen report after report that the parents who will bear the brunt of this are more likely to be women.

For the last week and a half, we have asked the government what their plan is to fully and safely reopen schools, and they

cannot provide any detail or information beyond saying that it is a priority. Now, it is great that it is a priority, but Yukoners need a plan.

Can the Minister of Education — today — tell us when high schools in Whitehorse will go back to full time?

**Hon. Ms. McPhee:** I am quite often puzzled by some of the preambles to the questions, and clearly all schools in the Yukon Territory are open for full-day classes for elementary — K to 9. In most places, K to grade 12 are open full time. The three larger high schools here in Whitehorse are, of course, on a half-day rotation for students between grade 10 and grade 12. It is important for Yukoners to know that and to not get an impression that schools are not open full time across the territory.

Of course, our first consideration in planning for the 2020-21 school year has been the health and safety of students and staff, Mr. Speaker, and ensuring that all schools remain low-risk learning environments for Yukon students based on the advice of the chief medical officer of health. We have had to adapt programming for some grade 10 to grade 12 students at the three larger high schools in Whitehorse. These adaptations are based on the advice of the school administrators and the health and safety guidelines for schools to ensure safe spacing, management of traffic flows, and limitations to mixing of groups of students.

**Mr. Hassard:** If the minister was paying attention, the last question was actually about if she could tell us when high schools in Whitehorse will go back to full time.

Moving on, Mr. Speaker — people won't be able to get back to work full time permanently unless schools are able to go back to full time as well. To top it off, the new busing schedules are leaving some families behind. They cannot get to school as usual and parents are forced to take time off work to get their children to and from school. In fact, the president of the Yukon Teachers' Association said on CBC this morning — and I will quote: "We still have kids who aren't getting to school on a regular basis because of busing."

The fact is that this is placing a burden on parents — and in particular women, families with young children, and low-income families — and it will slow any economic recovery.

What is the government's plan so that parents won't be forced to choose between their jobs and their children?

**Hon. Ms. McPhee:** It's critically important that — as a matter of fact, it's a requirement of the *Education Act* that school busing be provided here in the territory. There have been health and safety guidelines produced for school buses. The health and safety of our students and staff are our priority. The school busing for the 2020-21 school year has had to be adapted to follow the chief medical officer of health's health and safety guidelines for school bus operations during the pandemic — which, I hasten to remind my colleagues across the way, continues.

These adaptations are to prevent the spread of COVID-19 and to keep communities safe and to keep students safe on their way to school and on their way home from school. Adjustments have had to be made. I should confirm for all Yukoners listening and parents and students that this has been an

extremely difficult job, but all students who are eligible to ride school buses under the *Education Act* and through the practice of the Department of Education and their regulations have been provided and are being provided school busing.

**Mr. Hassard:** Something else that continues is the lack of answers from this minister.

A proper economic recovery depends on schools being fully and safely reopened. This includes classes full time, and this includes proper and working bus schedules and options for families. It's becoming more and more clear that the government does not have a plan to fully and safely reopen our schools beyond these vague talking points. Can the minister at least tell us what conditions must be in place for Whitehorse high schools to return to full time and for busing to be fixed?

**Hon. Ms. McPhee:** Planning for the secondary program adaptations has been complex and does take time. It is ongoing. Many student school districts and jurisdictions across Canada, I hasten to remind us, are facing these same challenges of meeting cohort and/or spacing guidelines while still offering a variety of course electives.

We are developing different scenarios with the secondary administrators and experts in education, with an eye to identifying what resource applications are necessary or what implications there are for different options when planning to go back to school — things like teachers and staffing implications, the organization, the courses, the space, the facilities — all while keeping their schools running so that learning continues, keeping students safe. We are asking a lot of our school administrators. We are asking them to do this work with the Department of Education with a view to having the grade 10 to grade 12 students return to full-time school. That work is ongoing; it is happening every day. Yukoners deserve to know that it is a top priority to have those children back in school full time.

#### **Question re: COVID-19 pandemic impact on education system**

**Mr. Kent:** Last week, we asked the Minister of Education how the federal funding for school reopening was going to be spent. In response to why she wouldn't provide a detailed plan, the minister first said that she was working with school communities and partners to determine how it would be spent. Then she said that the money hadn't arrived yet. A day later, she said that it might have arrived. It now turns out that about \$730,000 of that federal funding has already been committed as of September 30. Of this, over \$90,000 was spent on a line item called "continued learning". Activities under this line item include — and I will quote: "Move to Wood Street; Costs of move; Fit up and IT costs." It would appear that the Minister of Education has used some of the federal funding meant for school reopening to pay for moving MAD students out of the Wood Street Centre.

Can the Minister of Education tell us how much of this money went toward that and why she chose to spend the funding in this way?

**Hon. Ms. McPhee:** It seems that providing school spaces for the grade 8 students for which there was no room at



F.H. Collins and the requirement then for the experiential programs to move to Porter Creek Secondary School are clearly related to the response to the COVID-19 pandemic. That is why those funds were allocated and spent in that way.

**Mr. Kent:** Last week, we asked the minister if any of the PPE or sanitization would come out of the existing budgets for schools. The minister indicated at the time that this was not the case; however, since then, we have heard from at least one school that had to spend money out of its existing budget and they were hoping to get reimbursed.

We have also had several parents from one elementary school here in Whitehorse reach out to us to indicate that, as part of the school supply list this year, parents are being required to provide hand sanitizer. It looks like at least one school has had to download the costs to parents.

So can the minister tell us why parents are being forced to bear this cost while the federal government is giving Yukon \$4.1 million specifically to cover items like this?

**Hon. Ms. McPhee:** Our government is focused on protecting Yukoners and supporting them through these challenging times. I think I was quite clear last week in answering these questions — or similar questions, at least — that the federal funding and the funds that are allocated to the Department of Education for this year will in fact be used on many occasions to provide proper protection for students and for staff in the building. That includes, of course, PPE, proper masks, hand sanitizer, et cetera.

I am not sure what list the member opposite is referring to. It would be a great suggestion for parents to have hand sanitizer and masks in backpacks, but it is certainly not a requirement. Those will be provided by the Department of Education.

**Mr. Kent:** So, this was on the school supply list that went home with students for their parents to purchase for the upcoming school year — so that, to me, indicates that the department — or particularly that individual school — is asking parents to provide that rather than the government providing it. Perhaps the minister can clarify that in her final response.

The question that I did want to ask goes back to the MAD program and the fact that parents and students have asked that MAD be relocated from Porter Creek Secondary School. So will the minister use any of the \$4.1 million for school reopening to support the relocation of MAD to the Guild Hall or the Yukon Arts Centre?

**Hon. Ms. McPhee:** I note that much of the criticism that has come from the other side has been that these decisions about how to abide by and how to comply with the chief medical officer of health's safety requirements for children to return to school have been done unilaterally in some way. That is, of course, not true, but that is exactly what the member opposite is now asking of me in the basis of that question.

We will work with school communities going forward. We will work with the experts in education. We will work with our partners in education — with administrators — on our plan going forward to return students to school full time — that is for grades 10 to 12 — and to make sure that children are in a safe environment and that they are provided all of the things that are needed in this very unusual time in order to run schools

safely and to provide spaces for students to continue their learning, because that is what this is all about.

#### **Question re: Affordable childcare**

**Ms. Hanson:** Back in July, the Premier announced that a universal childcare program was coming to Yukon. In August, the Minister of Health and Social Services announced it a second time when she endorsed the recommendations of the health care review. Despite the ongoing pandemic and the need to support families, parents have yet to see any sign of universal affordable childcare.

We know that the cost of childcare has been going up at a rate faster than inflation for years. Demand for childcare in Yukon has also risen, as parents are trying to work from home or are doing shift work. There is a clear need for universal affordable childcare in Yukon.

So, Mr. Speaker, can the minister tell this House when universal affordable childcare is coming to Yukon?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question. I certainly want to acknowledge and recognize the childcare centres. I know that we provided the necessary support to continue on throughout the pandemic, ensuring that they had the resources to stay open — but we also want to acknowledge that we have continued support to March 31. The federal government just recently announced universal childcare as one of their key priorities. Of course, we recognize the importance of childcare for Yukoners and the need to improve children's learning outcomes and opportunities.

In the *Putting People First* report, the recommendation was that we must work toward fully funded universal childcare education for all Yukoners. Our government has initiated steps to address this recommendation and we are looking at options to improve affordable and accessible care that supports Yukon families. We are doing that as we speak. I look forward to the second question.

**Ms. Hanson:** We are fortunate that Yukon has a Child Care Board established by legislation. The board represents childcare professionals and the public. It makes recommendations to the government on childcare policies. The problem, Mr. Speaker, is that this government refuses to listen to the Child Care Board or to even request their expert advice prior to making decisions.

Instead of following through with evidence-based decision-making, it would appear that this government prefers to write policy in a vacuum.

Can the minister confirm whether or not she has asked the Child Care Board to make recommendations on the implementation of universal affordable childcare in Yukon?

**Hon. Ms. Frost:** With respect to consultation and engagement — I believe that we have done a great job of consultation and engagement on all issues relating to children, and we will continue to do that. As the review progresses on universal childcare, there are other initiatives underway that continue to support children and families. We want to acknowledge, again, that we have a one-year extension on the early learning childcare bilateral agreement. We will continue to fund childcare centres.

In the meanwhile, we want to ensure that we have an implementation strategy and evidence is important for sure — as is engagement, which is fundamental in everything we do. We certainly want to assure Yukoners, including the child development boards and childcare centres, that we are going to work with them. I can say that the deputy minister has met with the Child Care Board and we will continue to meet with them, as we do with all childcare centres.

Going forward, we have committed and will continue to ensure that we have the consultation and engagement in effect.

**Ms. Hanson:** Mr. Speaker, just to be clear, the Child Care Board is not a childcare centre. It is a body established by Yukon law to make recommendations to the minister.

The minister can continue to ignore them — but at her peril. In 2018, the Government of British Columbia invested heavily in making childcare more affordable throughout the province. They reduced costs through both a fee reduction program and an affordable childcare benefit program. Québec, which the Premier used as an example when he announced universal childcare, has fixed childcare fees through the use of publicly funded facilities.

Mr. Speaker, since the Premier made the initial announcement in July, can he clarify when affordable fixed childcare fees are coming to Yukon?

**Hon. Ms. Frost:** I would like to thank the member opposite for explaining to me the difference between childcare centres and the Child Care Board. I think Yukoners are well aware that we have childcare centres that are privately owned and they certainly need to have a voice as well. I just want to acknowledge that there will be an opportunity for everyone to participate. We certainly do not want to move without their input.

The extension of the early learning program at \$2.4 million is a significant increase toward ensuring that licensed childcare providers — the cost for their centres — are stabilized. We also want to ensure that the implementation of universal childcare is done effectively and that it aligns nicely with other jurisdictions.

We certainly want to ensure that we are aligned with the federal government as we come to the end of our early learning contribution for this year. We are in the thick of negotiations with the federal government on universal childcare. When that is concluded, I would be happy to let the Legislative Assembly know — but in the meanwhile, the partners will be involved in that process as we move toward universal childcare.

#### **Question re: Diesel energy generation costs**

**Mr. Hassard:** Our territory is facing an energy crisis. Last week, it was revealed that the Liberal's plan to address this crisis is to rent diesel generators. In 2017, they rented four. The year after that, it was six, and last year, it was nine. Now this year, it's 17. The cost of this is \$4.1 million a year — plus fuel, shipping, set-up costs, et cetera. The minister told the media last week that he hopes to curb their use over the next 24 months while official Yukon Energy documents indicate that the Liberal plan is actually to rent diesel generators until 2028. That's another eight years.

Can the minister confirm if this is in fact the case?

**Hon. Mr. Pillai:** As the member opposite reflected on, the word I used was “curb” and that's exactly the statement that I made to the media. This is about, over a period of time, reducing our need for rentals. Of course, this goes back again to 2016 — the end of 2016 — coming into this role and understanding that the plan was to build a \$100-million diesel generation facility. That's not what Yukoners wanted. Yukoners wanted to see something a bit more visionary, and I think that Yukon Energy's 10-year renewable energy plan sets Yukon up to be a Canadian leader in sustainable electricity by 2030.

Projects in the plan are needed to meet growing demands on our electricity in Yukon and supports our government's actions to reduce carbon emissions in the territory. Yukoners will remember that the Auditor General provided a damning report. So not only was there not a visionary plan to move forward, but there was also a lack of vision when it came to reducing emissions. Bringing those together with my colleagues, we focused on this 10-year plan as well as our climate change plan.

Projects in the plan also account for 46 percent of Yukon government's emission reduction targets by 2030 by helping to reduce emissions in our heating and transportation sectors and using renewables.

I look forward to questions 2 and 3.

**Mr. Hassard:** Hopefully, we will get an answer to the first question in the subsequent answers from the minister.

The cost of renting diesel generators last year was \$2.2 million, plus additional costs such as fuel, shipping, and set-up. This year it was revealed that Yukon will be renting 17 generators at the cost of \$4.1 million plus those same expenses. Yukoners still do not know what was spent on the rental of the four units in 2017 or the six units in 2018.

We originally asked the minister this question last fall but have not yet received an answer, so I am wondering if the minister can tell us now how much money was spent renting the units in 2017 as well as in 2018.

**Hon. Mr. Pillai:** I think that one thing we have always been very forthcoming about over the last number of years is always making sure that the leadership at both Yukon Development Corporation and Yukon Energy Corporation has an opportunity to sit here and have questions asked by the opposition. That, of course, will not change this year.

Again, in the winter of 2017-18, four units with a total capacity of 7.2 megawatts were rented. The total cost was approximately \$700,000. I think that answers the first question.

In 2018-19, six units with a total capacity of 10.8 megawatts were rented, and the total cost was approximately \$1.72 million. In that particular year, we spent \$300,000 on our set-up, which will bring it to just over \$2 million, and our fuel cost was about \$220,000.

Now, it's important to also remember that there were diesel Mirrlees engines that had passed their prime and have been removed, so we do have these diesel generators. I think that, although Yukoners want a permanent solution, what I'm hearing from Yukoners is that they don't want us to build a

megadiesel plant. We have heard that loud and clear — even for members in the opposition who were behind this — their own constituents don't want to see it.

I look forward to question 3 and some more information.

**Mr. Hassard:** Last week, we also asked what total fuel costs were associated with the last three years of diesel generators, and we asked how much is budgeted for diesel for the rentals this year. We did get an answer about the 2018 fuel, but we certainly don't have all of the information.

Could the minister tell us how much was spent on fuel for these rented diesel generators for those other two years, and how much is budgeted for this year?

**Hon. Mr. Pillai:** Mr. Speaker, 2019-20 — nine units with a total capacity of 16.2 megawatts — so you can see that trend where a strong economy and a growing population means more need for energy and making sure that we have those diesel generators as backup for the safety of Yukoners.

The total cost was approximately \$4.3 million that year and the set-up costs were \$2.4 million. The fuel cost was \$1.9 million. Again, as I reflected on last week, we are in a much more favourable situation this year where we see water levels in all three watersheds, where we have big assets that produce clean energy now back to where we want to see them, and where we are going to be able to reduce our dependence on fossil fuels — LNG and diesel. In 2021, 17 units again were rented. Of course, because we haven't gone through the year yet, I don't have those fuel costs. I look forward to the officials coming in.

Once again, the bigger conversation piece is that Yukoners wanted to see a better plan. Yukoners wanted to see something that was in line with their values. I will stand here day after day and say that what I have come to learn from Yukoners is that they wanted to see a clean energy plan. They did not want a megadiesel plant. I think if that is what the Yukon Party will stand behind — is that where they're coming from — they need to say that to the public — that they would go back and build a megadiesel plant if they were in this position.

#### **Question re: Ross River School remediation**

**Mr. Kent:** Originally, this year's budget was supposed to include \$4.6 million for Ross River School remediation. We have since been informed that \$3.1 million of that has been cut from this year's budget.

Can the minister tell us what the remaining \$1.5 million is being spent on this year and why \$3.1 million was cut from the original budget?

**Hon. Mr. Mostyn:** I am happy to talk about Ross River School this afternoon on the floor of the Legislature.

This has been a saga long in the making, Mr. Speaker. I will say that the multidisciplinary team — including an architect, a structural engineer, a geotechnical engineer, and a surveyor — continues to inspect the school quarterly. The latest building condition inspection report, completed in September, confirmed that the school remains safe for occupancy for both teachers and students. So the prime importance that I have — and that my colleague, the Minister of Education, has — is that

the school remains safe for occupancy. That is where our focus has been throughout our whole mandate.

Work will continue on the existing school to keep it safe and help prevent structural movement. Structural repairs were completed last fiscal year. These included miscellaneous bracing and reinforcing projects. We anticipate spending \$1.5 million during the 2020-21 fiscal year.

The work includes designing the thermosiphon and cooling system, designing the mechanical room project, continuing with more tie-down insulation in the roof, further bracing in the roof and crawlspace, and continuing to monitor and inspect the facility. There are also remote sensors, which are monitoring the building elements throughout this project.

We want to make sure that this school is safe for staff and students; we will continue that work.

**Mr. Kent:** I am glad that the minister brought up safety issues because those issues related to the Ross River School are well known. It has unfortunately been sinking into the ground, which has caused some staff and students to worry about their safety in attending that facility. However, over the last year and especially this summer, the issue of a bat infestation at the school has become a major problem. There have been complaints that you can hear the bats crawling in the ceiling and even bat feces being found around the school and within reach of the students, which is why we thought it was concerning that the budget for the school remediation had been cut.

How much money is in this year's budget to address this bat infestation at Ross River School and to clean up and remove this safety hazard?

**Hon. Mr. Mostyn:** I want to be very, very clear: The safety of the building is our prime concern. We want to make sure that building is safe for staff and students. I want to take away any suggestion that the school is not safe, because that is not the case. The school is monitored quarterly. We have remote sensors in the school, and we are working diligently to make sure that the safety of the staff and students is guaranteed and that the school remains safe.

Mr. Speaker, I was up in Ross River and I talked to the staff and students about the bats that they saw in the siding of the school. That was a year ago. I wasn't aware that the bats had come back, but I will look into that and get an answer back to the member opposite.

The question, though — we have not cut the budget for safety in the school. We are staying on top of that file and making sure that the school is safe for staff and students.

**Mr. Kent:** I can assure the minister that the bats have indeed returned. My colleague, the MLA for Pelly-Nisutlin, has just informed me that, in fact, they have never left the school.

That said, will the minister direct funding to deal with the bat infestation in the Ross River School to ensure the safety of children, especially since he knew about this bat infestation, as he said, a year ago?

**Hon. Mr. Mostyn:** Mr. Speaker, as I have said a couple of times in this House this afternoon and certainly many times before that, the safety of the staff and students at the Ross River School is of prime concern to us. I will do everything in my

power to make sure that continues, so that's what we will do, Mr. Speaker.

**Speaker:** The time for Question Period has now elapsed.

### Notice of government private members' business

**Hon. Ms. McPhee:** Pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of government private members to be called on Wednesday, October 14, 2020. They are Motion No. 236, standing in the name of the Member for Copperbelt North, and Motion No. 237, standing in the name of the Member for Porter Creek Centre.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** Order, please. Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 204: *Fourth Appropriation Act 2019-20*

**Chair:** The matter before the Committee is continuing general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Is there any further general debate?

Mr. Cathers has 11 minutes, 52 seconds.

**Mr. Cathers:** Thank you, Mr. Chair. I'm pleased to rise here again as the Official Opposition Finance critic. We are hoping to get a little more in the way of answers than the Premier was willing to provide last week when we discussed this budget.

Again, we see that, for a government that has really talked a good line and done all the right virtue signalling around fiscal transparency and being open and accountable, when it comes down to the brass tacks and we actually ask for information on

what spending has occurred and raise points — such as the fact that, while we are seeing increases for two departments contained within the supplementary estimate, we are not seeing lapses or reductions in spending for other departments — despite the fact that we are aware of a list of things that government committed to doing in the 2019-20 fiscal year that ended up in their growing didn't-get-'er-done pile. So, while we are aware of those items and we know that the spending didn't occur on those projects or initiatives — but we don't see offsetting lapses or reductions in the revised supplementary estimates coming before the Legislative Assembly — it does leave us wondering where the money has been reallocated. We have certainly heard reports from multiple sources about cost overruns in terms of the government's mismanagement of the Whitehorse Emergency Shelter, among other initiatives. Yet, when we have asked for transparency — as I did during debate on October 8 — the Premier, in response to my request for information about that lapsed funding when we were debating the budget bill — the *Supplementary Estimates No. 3* for the year 2019-20 — refused to provide that information and suggested that we should just wait for the Public Accounts. But as he knows, that is neither an open nor transparent answer. So I asked the Premier about a number of the areas where we would have expected to see some funds lapsed. I asked him about the status of projects, including projects that were outlined in the government's budget highlights for the 2019-20 fiscal year. When asked about the status of spending on those projects, the Premier — on Thursday, October 8 — repeatedly refused to answer those questions, which is certainly not living up to the government's commitments to Yukoners around openness and transparency.

The Premier has had the weekend to get in a better mood — to have some turkey and be thankful about the many things that we do have to be thankful for in the territory — and I would hope that he has had a change of heart and that he will begin this afternoon's debate by providing the answers to the questions that I asked about the status of government spending in the 2019-20 fiscal year, including the specific questions that I asked about project and program spending, as well as what departments had lapses that appear to have been reallocated to help cover the bill for overspending in the Department of Health and Social Services and Department of Highways and Public Works.

**Hon. Mr. Silver:** Thank you to the member opposite. Again, we are here to discuss the third supplemental of the 2019-20 budget. There are two departments up for debate today in general debate, both Health and Social Services and Highways and Public Works. I'm happy to answer any questions when it comes to the spending in the supplementary budget. As the member opposite knows, when the Public Accounts get published, it will be tabled here in the Legislative Assembly and at that time we will answer all the member opposite's questions when it comes to lapses at that time.

**Mr. Cathers:** Well, Mr. Chair, that's unfortunate. The Premier has an opportunity to be open and to provide information about what is the public's money — not the Premier's money nor the Liberal Party's nor the Liberal

government's money but the public's money. He claims that he'll provide the information later on, but unfortunately, we've seen this movie before. Every time we ask questions in the Assembly about finances, the Premier tends to do one of two things: He either dismisses the question as unreasonable in his view or he tells us to ask at a later time. But, when we ask later, we either get another non-answer, a dismissal, or a Liberal talking point about why we shouldn't be asking that question in the first place.

A few examples I asked about: Why there aren't reductions, for example, showing in this budgetary bill in the Department of Justice due to unfilled RCMP positions since we know that they've had some challenges filling them? We have asked as well about spending in another area related to that. I asked about specific funding in the Department of Energy, Mines and Resources that was added by this government in their previous supplementary estimates — *Supplementary Estimates No. 2*, for 2019-20. Again, in this, relating to areas that are very directly important to the lives of Yukon's small business owners, we know that the government imposed a class 1 notification regime that has been very difficult for placer miners and prospectors.

We know that they did so — that the timing of their announcement was when they hoped that the public would miss it — last year, right before Christmas. They slipped out that bad news announcement and we saw that they added \$320,000 in the Department of Energy, Mines and Resources to the O&M budget related to helping the department meet its costs related to the new class 1 notification system. As we learned from budget briefings from officials, there was absolutely no analysis done by the government or a cost estimate of what the implications would be to Yukon small business owners in complying with this new administratively complex system.

I asked the minister about spending related to that budgetary item, and he said again that there is plenty of time to get that information from the Department of Energy, Mines and Resources. Will he provide that information now or is he simply going to again stand and refuse to provide this information to the public?

**Hon. Mr. Silver:** I don't think I heard a question there. I just heard a lot of talking points about something that he asked about before. If there is something specific that I can get for the member from a particular department, I would be happy to, but I don't think I heard a specific question there.

**Mr. Cathers:** I was recapping. I assumed that the Premier was paying attention on Thursday when I asked him the question. He will find that on page 1335 of the Blues.

Again, I asked on Thursday about the amount added in the last supplementary estimates for the 2019-20 fiscal year — *Supplementary Estimates No. 2*. There was \$320,000 added to operation and maintenance in Energy, Mines and Resources to meet obligations related to class 1 notification. A question I asked at the time, after giving the same explanation I just gave, was: Did the government spend all that money?

**Hon. Mr. Silver:** He is getting closer. He is now talking about *Supplementary Estimates No. 2*, which is close to what we are here to debate — but it's actually *Supplementary*

*Estimates No. 3*. I do have information for him on Supplementary No. 3 if he wants to ask a question on that, because that's the general debate we are on right now.

If there is some information that we can get him from the department specifically about spending before the Public Accounts, we will endeavour to do that as well — but, again, I think Yukoners would like us to use this time to talk about the allocations in *Supplementary Estimates No. 3* of 2019-20. That is why we are here; that is why department officials are here.

If the member opposite does not want to speak about *Supplementary Estimates No. 3*, there are ways in which we can answer his specific questions right now by getting him answers from the specific departments that he is looking for answers from — if he actually is looking for those answers.

Otherwise, I am happy to give him more information on *Supplementary Estimates No. 3* — two departments there — Health and Social Services and Highways and Public Works — with some spending to the tune of about \$7.2 million; I believe that is the number. It has been so long since I have been asked a question about Supplementary No. 3 that it is hard to remember, but if he does have any questions on Supplementary No. 3, we are happy to answer.

**Mr. Cathers:** When the Premier would try to fool this House and have the Yukoners listening believe that debate on a budget bill is only supposed to be about new spending contained in that budget bill — but it is also about an opportunity — the opportunity — for Members of the Legislative Assembly who are not part of Cabinet to ask questions related to the government's spending throughout those departments, to the program decisions they made, to the things that they said they would do which they didn't get done, and so on. We are using the opportunity that is set up for that, which is general debate on the budgets — particularly for any departments that don't have new appropriations in the bill — and what we are seeing here is a pattern that the Premier just doesn't want to answer the question, so he is desperately trying to paint the question as unreasonable.

I asked him a number of questions about very specific dollar amounts that, again, were going directly off things that were outlined in the government's budget or in handouts provided by departments related to their budget for the 2019-20 fiscal year. Again, this is in association with *Supplementary Estimates No. 2* or with the main estimates in the spring — and the Premier wouldn't even tell me the status of that spending — whether it occurred or not. It certainly reinforces everything that we have heard from whistleblowers within government departments about the government playing fast and loose with public spending in terms of being secretive and reallocating spending to cover embarrassing cost overruns in other program areas.

If the Premier wants to be transparent, he can live up to his campaign commitments and actually answer the questions. There is a long list of them. I'm not — well, maybe I will go through all of them this afternoon. We'll see. But I put a number of questions into the record on Thursday. The Premier has yet to answer any of them. As the Premier will recall — despite his spin to the contrary — there have been times when he, as

member of the opposition, asked questions of ministers when we were in government, and if we didn't have the information at our fingertips, the next time that department came up for debate, we would then typically provide answers to the Premier's questions.

The Premier liked to say, when in the opposition, that "the devil is in the details"; it was one of his favourite sayings. Now we are asking him for the details, and the Premier is again refusing to provide that information. I am going to reiterate a few of the questions that he didn't provide us answers to on Thursday and remind him in case he was not listening at the time. I was referencing a handout provided to us by the Department of Energy, Mines and Resources during the briefing and asking whether specific spending had occurred.

If that money was not spent, of course, the question is where it was transferred to — whether it was also within the department, or whether it was on spending such as the cost overruns in Health and Social Services and in Highways and Public Works.

We saw a consistent pattern on Thursday — question after question, the Premier refusing to answer them. Again, some of those specific questions that I asked — what was the total cost of operating the Whitehorse Emergency Shelter in the 2019-20 fiscal year? It is a simple question. How much of that money was spent by Health and Social Services? How much was spent by the Department of Highways and Public Works? Were there other amounts spent by other departments to support the operation of the Liberal government's failed takeover of this emergency shelter? What is the total expense that Yukon taxpayers paid in the 2019-20 fiscal year for that facility?

**Hon. Mr. Silver:** Again, I would take my record — and let's look at the previous Premier's response in general debate. I don't think that what we saw from the previous Premier was answering very specific questions on very specific departments. I think that, instead, what we got was a lot of berating of the question-asker for asking the question. I am not going to do that. I am simply going to say that I will do what the member opposite said that his government did, which is that, when the department responsible for that funding is up here, ready and available, they will absolutely answer that question.

We have definitely talked with the departments since the last time we sat here in general debate, and they have all these questions ready for answers. But for me to just give the numbers here is one thing; for the departments to be able to expand and talk about the good work of the public servants — I think that might be why the member opposite doesn't want to ask the specific questions to the departments. He doesn't want to get into that debate with the actual departments. He wants to try to — I don't know — maybe make it look like I don't have that information — which I don't, so I guess that is clever.

Again, I am here ready to debate and speak of Supplementary No. 3 if the member opposite has any of those questions. Otherwise, all of the other questions that he has asked a few times now — we have definitely read those and heard those. The departments responsible for that funding will absolutely answer those questions when they have an

opportunity here on the floor of the Legislative Assembly. We will leave it that.

It is interesting that the member opposite says that we are failing in the attempt for the Whitehorse Emergency Shelter. Again, we have gone over this ad nauseum. The Yukon Party built a building without a program; they do that a lot. There is no real consideration of operation and maintenance or who the clientele is that they will be serving — the Yukoners whom they are going to be serving — in that building. It was quite a mess.

What we did as a department — again, I really want the minister herself to be speaking about this, because her knowledge of all the work that they put into the emergency shelter is extensive. It is really a testament to the collaborative care health system that we have created in the absence of one under the Yukon Party.

**Mr. Cathers:** I have to wonder at how the Premier is out of touch with reality. Did he just claim that the Whitehorse Emergency Shelter is a collaborative health care facility?

**Hon. Mr. Silver:** Can the member opposite repeat his question?

**Mr. Cathers:** My question is about how out of touch the Premier is with reality. Did he just tell this House that the Whitehorse Emergency Shelter is a collaborative health care facility?

**Hon. Mr. Silver:** Mr. Chair, again, what we have done in health care, if the member opposite cares to listen to my answer, is that we have changed the health care system from acute to collaborative in many different capacities. I will include the Whitehorse Emergency Shelter. When you take a look at what they've done with the upstairs floors, they have included housing as a concept. I don't know what the members opposite were going to put upstairs at the emergency shelter. I don't think that they knew because they didn't have a plan.

If you are asking if connecting with the department of housing is in some way a collaborative approach to health care, I would say so. I would say that, as opposed to waiting for someone to be sick and treating their acute needs, creating a house that is more than just bricks and mortar — but is a concept that is part of the security — is definitely a part of a healthy community. I would definitely say that adding housing into the continuum of care and expanding on it would definitely, in my mind, be a consideration of collaborative health care.

I have asked that question of the member opposite — his Minister of Health and Social Services — in the Legislative Assembly when I was in opposition. His answer to collaborative care was, "Well, we collaborate all the time. Nurses talk to doctors; doctors talk to nurses." I think we've come a long way from that approach when it comes to collaborative health care.

**Mr. Cathers:** Again, that's another talking point from this government, but talking points are effectively useless when it comes down to what they're doing for the public. The Premier just claimed that his government has changed the health care model from an acute model to a collaborative one. Perhaps he

could offer some other examples of this that exist somewhere beyond his imagination.

**Hon. Mr. Silver:** I guess — here comes back the insults from the member opposite, and I guess that's just the hallmark of the Yukon Party, despite what their new leader says.

I guess he doesn't consider EMS working with housing, working with social workers, and working with mental health workers to be an example of collaborative care. We'll just leave it at that. He's wrong; it is.

**Mr. Cathers:** I'm just asking for specifics. Again, the Premier gave a really short, one-sentence explanation about EMS working with housing. Could he actually give us some specifics on that? A one-line explanation may sound good. It may even be well-intended, but it doesn't really give us a tangible example. What's government doing? What does that mean on the ground? What's the effect of that?

**Hon. Mr. Silver:** I answered his question. He asked what collaborative care is. I explained to him — clearly, they didn't know — that working together to make sure we address healthy communities up front and expanding our consideration of care to consider aging in place as opposed to having everybody in an institution. That's another example of looking at the communities. We've also worked with the Referred Care Clinic and addictions treatment. Again, I don't know why I need to explain to the member opposite why these things are examples of collaborative care; they are.

When it comes to housing specifically, I think the department has done an amazing job of creating safe and affordable housing for Yukoners as a priority. We're making significant progress toward this goal, knowing that a house is a basic necessity and that all Yukoners have a right to it, which is a fundamental change compared to the previous government. Over our past three and a half years, our housing investment and activities have been guided by the Safe at Home plan — the housing action plan for Yukoners — and we'll continue to use these plans for guidance moving forward.

Again, the member opposite makes it seem like these things aren't happening — the Housing First model and mental health workers in our Housing First centres — all of this is happening. The member opposite just might not know. Working in partnership with other governments and public sectors — more than 135 affordable housing units in various stages have been completed across the territory — our first-ever Housing First residence. Again, as we take a look at the continuum of care — when you put Health and Social Services and housing together as a concept, that is what we are seeing here. We are expanding the knowledge of both departments by working collaboratively together. We are also expanding the programs and services that we can get out the door by not waiting until somebody is sick to consider them in part of our health care model.

Again, Mr. Chair, these are all things that we are doing. If the member opposite doesn't think that the emergency shelter and the rooms available there are part of a bigger plan, then that is too bad on him. But, really, what I have seen was a department and a team working together to make sure that they collaborate on an understanding that — it is one thing to have

separately a housing association where it is about, you know, affordable or social housing, but what we have seen, through the minister and her teams, is that this concept has been elaborated upon. It is complex now — it is very complex. It is a sophisticated approach when it comes to dealing with everybody, from our most marginalized individuals — to make sure that they are best suited to have a hand up — to also those people who are having trouble making ends meet — and then to that bigger, overall picture — everything from mortgages through to — like I said — these initiatives that we spoke about, including the loan program, extended care beds for seniors — and I can go on — the Challenge Cornerstone Housing project. Again, the Whitehorse Emergency Shelter now has 20 apartment units — 20 apartment units, Mr. Chair — to provide stable, permanent housing.

Again, I am bewildered as to why the member opposite wouldn't think that this would be part of collaborative care or that the Whitehorse Emergency Shelter would not be part of a housing continuum when they have 20 apartment units in that building. I'm baffled, Mr. Chair.

**Mr. Cathers:** What I am asking the Premier on these items that he introduced — talking about collaborative health care — are details — just the same as with the financial information. A talking point is not the same as a plan. A talking point is not the same as details.

The work doesn't end when the press conference is done. With these initiatives — with the talking points that the Premier provided us this afternoon, there is some stuff in there that sounds good, but we are asking for details about what government is doing and what the effect is.

We know, for example, that, in the area of the mental health hubs, they announced that with great fanfare. They shoved aside Many Rivers, because they wouldn't find a way to work with that NGO — just as they, with the Salvation Army, weren't able to work with that NGO — part of a growing list of NGOs that have had a fractured relationship with this Liberal government. With that mental health hub announcement, we know that, despite great fanfare, the follow-through wasn't there. There have been gaps in those services and, in some cases, more gaps than were there under the previous service provider, Many Rivers.

When the Premier was talking about aging in place and referring to collaborative care, including referred care, addictions treatment, and housing — all of those things existed under previous governments. The Premier strung them together in a few-sentence explanation that sounded nice, but we are asking for details — not talking points. Can the Premier actually tell us what the government is doing in the area of collaborative health care, what they have actually done related to aging in place — to translate the talking point into changes that benefit Yukoners — and, in the same case, in the Referred Care Clinic, addictions treatments and housing. What have they actually done? I want to make sure that the Premier knows that I am distinguishing that — not what they have announced but what they have actually done and what they have delivered on.

**Hon. Mr. Silver:** So, we mentioned the Housing First model. That is something that we have done. It's not just a speaking point; it's something that we have done.

We have talked about mental health workers in Housing First — again, not something that is just a speaking point; it is something that we have done.

Working with our French community on a bilingual French health centre — an amazing initiative from the department.

The Whitehorse Emergency Shelter now has the transition units at WES, a change to a Housing First model — accomplished. It is something that we have done.

The new medical travel care coordinated unit — that is a collaborative care model. It is something that we have done.

Again, the member opposite is spinning and not going anywhere other than to elongate general debate, which is his strategy here.

Many Rivers — under forensic audit. That happened during a time when that actual audit process was part of his watch as well. The Referred Care Clinic is now working with the Sarah Steele centre and the shelter to ensure more integrated services for people living with addictions — again, something that we're not just saying but something that we're doing.

Mental health services have been expanded from one NGO — now under police investigation — to two NGOs that are focused on the mental health of transgendered Yukoners and their families, plus the mental wellness hubs. Again, these are not speaking points, but these are things that we are actually doing. If the member opposite doesn't believe that this is collaborative care or that these aren't more than just speeches from a pulpit — well, then he is completely misinformed. It is bewildering.

This is not to mention things that we are working on, such as the Normandy project. We are working on 47 units of mixed-use and mixed income building in Whitehorse, which is going to help us support clients throughout the continuum. We are very proud of that.

But let's double-down here on the bizarre implication from the member opposite that we are not doing anything on mental health. Let's talk about that. We have made phenomenal progress compared to where we were. Are things perfect? No, absolutely not. This is an extremely important sector of our community and something that was utterly underfunded from the previous government. Now that they are in opposition, it seems to be their number one priority.

When we took office, there were only two rural mental health workers for all of rural Yukon — from Old Crow all the way to Watson Lake — two. They were located — where were they located? Well, they had to travel quite a bit — so they obviously lived in one community each and they had to travel quite a bit. You can just imagine if you are living in a small community and you have to wait for the mental wellness nurse to come back to speak to them about very, very important issues of mental wellness. That is just a woefully insignificant level of attention when the Yukon Party was in power. Now mental wellness is one of their biggest things. Interesting — interesting turn.

We now have 22 positions focused on mental wellness and health located in four new community hubs in rural Yukon — that's rural Yukon. Additionally, we have child and youth counsellors with master's-level training who work in every Yukon community.

When the Minister of Education introduced the redesigned K to 12 curriculum, it included social emotional skills and strategies to strengthen student resilience and well-being. We didn't see that in the Yukon Party — didn't see that.

Right now — pandemic or not — the supports are there. Opposition members have underserved Yukoners on mental wellness and mental health supports for years, and this is a new-found interest. It's very encouraging and welcome that they have a new-found interest, but they're very, very late to this party; that is for sure, Mr. Chair.

Those mental health services have been expanded — like I said — from the one NGO that is under police investigation now to two that are focused on mental wellness. We've expanded the attention to include our transgendered community.

The home care budget has almost doubled since 2016 when the members opposite were in power, which supports aging in place. We've established the reablement unit at the Thomson Centre to help people remain in their homes. Since that opened, over 80 percent of our patients going through the reablement unit have returned home rather than staying in care in hospitals and going into long-term care. That's amazing; it really is. As we all know, elders are the bloodline to our communities and it's so important that they have the ability to age in place — again, that's not something the opposition was interested in. An expanded day program at the WBP — we've opened palliative care there, which is collaborative care as well — that's Whistle Bend Place.

These are examples of real initiatives that are actually happening. The member opposite doesn't like to hear that. He'll make it seem like these are just talking points; they're not just talking points. These are programs and services for our citizens. They're extremely important programs and services — sometimes for our most vulnerable citizens — and they're not just speaking points. They're actually dollars and cents going into these programs.

Now, again, we're here to speak about the dollars and cents of the *Supplementary Estimates No. 3* for 2019-20. Again, I have an opportunity to elaborate on those costs, but the member opposite doesn't want to hear about it. The member opposite wants to — I don't know. He has been up now two days in a row in general debate on two items — for Health and Social Services and for Highways and Public Works. He has refused to ask any questions on those two departments — on those two specific departments — for this supplementary budget.

We can talk about philosophy comparatively — about this government versus that government — all day, if that is what he wants to do, but if he really does want the numbers that he was speaking about earlier, there is an opportunity to get those numbers from the departments when they appear in Committee of the Whole.



**Mr. Cathers:** It is very interesting that the Premier claims that I don't want to talk about those two departments, and yet when I ask questions about those departments, he won't provide an answer and he won't answer questions about the other departments — which, as the Premier knows, general debate on a supplementary budget bill — if a department is not asking for new money — is the only chance to ask about that department.

The Premier seems to find two days excessive to talk about \$1.5 billion in spending — over a billion-and-a-half dollars in spending by this government — and the Premier is impatiently dismissing it.

Speaking of dismissing — the Premier is very dismissive of Many Rivers and the service that they provided to Yukon communities for 50 years. The Premier repeatedly, in the government's narrative, treats the mental health services provided by Many Rivers Counselling and Support Services — previously the Yukon Family Services Association — as if they were nothing — as if they were absolutely nothing. In comparing the new mental health hubs that have been created by the government, the Premier creates a false equivalency by suggesting that there were no other services in place prior to this government's decision to grow government instead of working with an NGO.

The Premier has repeatedly made mention of Many Rivers being under police investigation. Really, regardless of the issues that may have occurred toward the end and challenges, what should be recognized is the role of the board, the volunteers, and the employees — for decades — provided by that organization and the service that they provided to Yukoners across the territory. But, unfortunately, the Premier has dismissed that contribution and that service and treats it, in his narrative, like it was literally nothing. That is disrespectful to the people who provided that service and who have done good work throughout the territory.

It really is unfortunate, Mr. Chair, that we see this dismissive tone from the Premier. He has indicated that the departments will answer some of the questions I asked at a later date. Well, we will simply see whether the Premier actually follows through with that, because he has become quite known for making commitments and then failing to follow through on them. Again, I would just ask the Premier, when he stands next, to apologize to employees of Many Rivers and volunteers and staff throughout the years for how he so callously dismissed the 50 years of service provided by that organization, its staff, and its volunteers.

**Hon. Mr. Silver:** Mr. Chair, if the member opposite gets a dismissive tone about me explaining the supports that are provided now by the two NGOs that have picked up the slack after a police investigation, then he is absolutely not correct. I didn't have any dismissive tone for that NGO. I merely told the member opposite exactly what is going on right now, and that is a lot more mental wellness and mental supports than under his government. Do I recognize the work of Many Rivers? Yes, absolutely. Have we been on the floor of this Legislative Assembly countless times thanking them for their service? Yes. Should I do it again? I will absolutely do it again. We believe

that they did, for 50 years, an excellent service. I worked directly with Many Rivers when I was a teacher in Dawson. I know exactly how well they worked with clients in the rural schools and rural communities as well.

I was also a teacher at Robert Service School when the previous government cancelled supports for rural communities through CATS, which is an extremely important program. I saw the member opposite's government cut the programming for CATS — you know, put it in place for a year. When you have these most marginalized students who have fallen through the cracks, you try your best to do everything you possibly can inside the school setting and it doesn't work, and then an organization comes up from Whitehorse and provides that service — the individuals there were amazing — absolutely amazing. The amount of work that they did in a year was exponential. Then the Yukon Party cut that funding and set those kids back decades.

Again, I know the good work of the NGO community; I absolutely do. I also know that we have a responsibility — whether we are funding NGOs or funding that internally through Health and Social Services — to make sure that we have the best programs and services provided for our most vulnerable people.

Another example of that would be working with CYFN and the First Nations on the Honouring Connections program, helping to reunite children and youth with their families and their communities. We're building bridges where the opposition cut programs and funding.

That means that we are supporting reconciliation in action. We've created extended family care agreements enabling children to remain in their communities with their extended family instead of coming into government care. I'll stand here all day long and talk about our record on mental health and programming in rural communities compared to the previous government — all day long — because I have what the member opposite doesn't have to back up my statements — the facts.

These are important initiatives. We are putting heavy investment into our youth, into these agreements — like the extended family care agreements, for example. I'm very proud of the work that the public service is doing to provide professional services and programs for our children and our most vulnerable populations.

**Mr. Cathers:** Well, the Premier just said that he has the facts to back up his claims, but that's what we've been asking him to provide — the facts to back up his claims. As one of my colleagues just noted to me while the Premier was speaking, if the Premier really is so appreciative of Many Rivers and the work that they did, why didn't he direct his ministers to work with Many Rivers to help them through their problems and come into compliance properly, instead of actively working to shut down Many Rivers as this Liberal government did?

**Hon. Mr. Silver:** Mr. Chair, we've had this debate in the Legislative Assembly. The member opposite is painting a picture that is simply not the facts. Again, we work with the NGO communities, we work with our professionals in psychiatry, psychology, and social work, and we honour the work that is done, whether it's through an NGO or not. What

we know here as the facts is that, under the Yukon Party, our group homes were full. They're not full now.

We've worked with our NGO community. We've worked with health care providers in all of our communities to make sure that we have the programs and services provided. If one particular NGO is under investigation, that doesn't mean that we pack up and go home; that means that we move on. Where one is under investigation, two have been initiated through funding to make sure that they not only do the good work of that particular agency but also expand the programs and services to include our transgender community as well. We're very proud of that.

Again, the proof — just looking at group homes in general, people in care compared to people back with their families — this is an extremely important fact that the member opposite would glaze over.

**Mr. Cathers:** Mr. Chair, I know that the Premier doesn't like to be reminded of the Liberal record, but in fact, in looking at Many Rivers as well as the Salvation Army, we see a situation of two NGOs that were well-respected throughout the territory for providing services for decades. They worked constructively with governments of every stripe until the Premier and this Liberal government came into office and worked actively to shut them down.

This government has talked a good line on not growing government and talked about getting out of the business of doing business, but we know what the record is when it comes to NGOs. That includes that, with both Many Rivers and the Salvation Army and despite the fact that governments of every stripe previously could work constructively with those NGOs and achieve benefit for the community, they instead chose to actively go out of their way to shut them down and to replace them with government employees. We still do not have an answer from the Premier on how substantial the cost overruns are at the government's Whitehorse Emergency Shelter. We have heard reports from whistleblowers of government moving money from one pot into other areas to hide the extent of the spending that this government has had related to the Whitehorse Emergency Shelter. We have seen the Premier repeatedly deny — or actually refuse to provide the details to answer that question.

Mr. Chair, it is really very unfortunate that the Premier, instead of answering straightforward questions about the budget, chooses to rise again and again and claim that it is unreasonable to ask the question or that it might be reasonable to ask the question later, but it is certainly not reasonable now. We are talking about public money. Whether the Premier dislikes the question or dislikes the questioner, this does not change the fact that this money belongs to the public. This Liberal government took office claiming to want to improve openness and transparency, and we have now seen the member of the NDP publicly state in this Legislative Assembly that there is less budget information available under this Liberal government and that, despite her concerns with the previous government, it has gotten worse under this Premier.

The Premier has gone in the opposite direction from what he promised Yukoners. There is a very simple solution. The

Premier can actually live up to his campaign commitments and rhetoric about openness and transparency and answer the questions that I have asked about the finances today and on Thursday. Here is his opportunity.

**Hon. Mr. Silver:** Again, giving the member opposite an opportunity to ask the questions of the department — I guess time will tell if the departments actually answer those questions or not, but they will. They are instructed to answer those questions. They have the budgetary answers at their fingertips. They also have the ability to expand and to explain those dollar values, more so than myself in general debate as we talk about Supplementary No. 3, which is exactly why we're here today.

I am going to go back to the Many Rivers comment from the member opposite, which is completely untrue. It is a complete falsehood from the member opposite. It is unbelievable that he would say it in the Legislative Assembly.

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

### Point of order

**Chair:** On a point of order, Mr. Cathers.

**Mr. Cathers:** The Premier has just very clearly and very deliberately violated Standing Order 19(h), charging another member with uttering a falsehood. I ask you to have him retract that comment and apologize for it, as has been the long-standing practice in this Assembly.

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

**Hon. Mr. Silver:** Mr. Chair, we are in a predicament here. The member opposite is saying that I'm doing something that I'm not doing, which is a lie. Is there another way that I can get around that?

### Withdrawal of remark

**Hon. Mr. Silver:** Maybe what I will do is I will retract the statement, Mr. Chair, and I will correct the record. How does that sound?

**Chair:** Thank you. Mr. Cathers, continue please.

**Mr. Cathers:** Again, what we are seeing here is a very defensive and, in fact, combative response from the Premier now to questions that I'm asking, but I would challenge any Yukoner to go through Hansard from Thursday — and whether they would ask the same question that I would have asked or asked it in the same way — and look at the questions being asked about the finances — including, for example, costs for the Whitehorse Emergency Shelter, the specific initiatives that government outlined to us as new initiatives and cost pressures within departments in this current fiscal year — and when we asked the follow-up questions about the status of that spending, the Premier dismissed them. The Premier dismissed my questions on the government's own budget highlights when I asked about the status of that spending.

Again, what I would encourage every Yukoner who is listening or reads this to do is to step back from the politics and step back from whether they would have asked the same question that I did or phrased it a different way and ask this question: Is this the public's money? Does the public have a

right to an answer about this spending? Do they think that their Premier should answer that question or dismiss it?

**Hon. Mr. Silver:** The member opposite is wrong — when it comes to less information as opposed to more — we do provide more information. That's not the same way that they did their information. They did a lot of bragging about what they were going to do, and then, if you looked at the Public Accounts, they accomplished maybe half of that. So we decided not to do that. The Public Accounts are a very telling document, and we can't wait for it to be tabled here in the Legislative Assembly because it tells you how much — compared to the Yukon Party — they would come out with these big, flashy pictures saying that they are going to accomplish all these things, but then they wouldn't accomplish all of those things.

What we have done is that we have included a fiscal update — an economic update — that is, this time around, close to 20 pages of information. It is different from the members opposite who sometimes may have or sometimes may not have put that information in there, but it is different. To say it is less — I disagree.

To also say that we didn't work with Many Rivers — again, false. That is completely false. Again, people listening in — hopefully they will understand that the member opposite has a certain perspective that is false. We did try to work with them. We tried very hard to get them back on track, actually. The board resigned. If they didn't resign, they were going to assume the debt. That is what happened there.

NGO funding — again, when it comes to funding for NGOs — it has increased, not decreased. It has increased — again, false information.

The Salvation Army is not an NGO, for the record — it is a church. But again, we thank them for the work that they did do. As a classification — just to correct the record — they do a lot of great work — that's for sure — but the programs and services that we are providing right now to the Whitehorse Emergency Shelter are more than they were under the Yukon Party and their arrangement.

We are housing about 80 people a night right now over at the Whitehorse Emergency Shelter. The member opposite says that this is a complete failure — again, false.

I think there was another question. When people read the Blues or listen to the transcript today, what I have offered the member opposite is an opportunity to get more information from the department if that is what he chooses. I have general information right now on the *Supplementary Estimates No. 3*. I could say that, when it comes specifically to the Whitehorse Emergency Shelter — for the substantive purposes of what we are debating today — I believe that there was some funding in this budget. So, I can give him the numbers today for the *Supplementary Estimates No. 3, 2019-20* — under Social Services, there were unexpected increases, including supports to mental health.

I don't think that the member opposite is actually listening right now, but that is okay.

There were increases to mental health of \$400,000. That was including the Whitehorse Emergency Shelter. There was an increase there as well to provide services. There were

significantly more individuals at the shelter during the COVID times and during the times when this budget was being figured out.

Again, the Minister of Health and Social Services will be here, as a department, after we finish general debate. If the member opposite cares to ask these questions of the minister responsible to get the in-depth information that he is looking for, he will get that — if he chooses to ask those questions again during the department debate. I don't know if he will or not.

But, again, we do have some general information here for the *Supplementary No. 3*. We have offered the member opposite the opportunity for his other questions to be answered based on the departments. That information will come forward despite the member opposite making it seem — because I don't have those numbers in front of me now — that somehow that means that we will not give him the answers later. It is simply not true.

**Mr. Cathers:** Well, Mr. Chair, again we see the Premier with a very defensive/combatative response. I am asking for the information. He says that they will provide some of it later. In fact, with some of it, we will hope that he lives up to this word, but for any of these questions that we have asked about finances — again, I would encourage people to look at the question and ask themselves the simple question: Do they believe that they, as a citizen, should have the right to the answer to that question if they asked it? If they believe the answer is yes, that information should belong to the public — especially, I might point out, coming from a government that claimed they were going to be more transparent — then I would ask people to consider the answer to the question: Why is the Premier refusing to provide answers to these questions? Any one of those questions — if the Premier had asked for those answers to come from the departments so that he could provide them in the House, departments would provide that information to the Premier, and the Premier knows that very well.

Certainly, for questions I asked on Thursday, there was ample opportunity to answer at least some of those questions, even if some of that information took longer than the weekend to get a response to. What I am pointing to is not just that the Premier didn't answer 100 percent of the questions that I've asked but the dismissal of the majority of those questions as something that he's unwilling to answer.

Now, the Premier claimed that the government has had a good record with NGOs, but I remind him that this is not what the NGOs say. We remember that Health and Social Services had frozen budgets for NGOs and that some of them were forced to go public on the steps of the Legislative Assembly building to make Yukoners aware of their funding situation. Again, these are NGOs that had a good relationship not only with the Yukon Party governments but in fact with governments of all stripes, but there has been a lack of willingness by this Premier and his colleagues to work with them on solutions — instead they seem to see NGOs as a problem, not as partners in helping Yukoners.

So, it really is unfortunate that we don't seem to be getting much in the way of answers here this afternoon. The Premier bizarrely is trying to suggest that I don't even want the answers

to the questions, but I can assure him and assure the public that every one of these questions about government spending is a question that I would very much like the answer to. Again, for people who are wondering, much of this relates to the fact that we've heard repeatedly from whistleblowers in government departments that the government has moved money within Health and Social Services and from other departments to cover massive cost overruns related to their mismanagement of the Whitehorse Emergency Shelter. We're asking for the information to either prove that or, if the Premier believes it's incorrect, to provide us with evidence to contradict that statement, but that is what we've heard repeatedly from whistleblowers. When a government is refusing to tell us about lapses in other departments, refusing to tell us the status of projects that they announced in their budget highlights, it certainly is adding to the air of government secrecy and unwillingness to provide reasonable answers to reasonable questions. That is very unfortunate, Mr. Chair.

**Hon. Mr. Silver:** Again, I'm happy to answer the questions on lapses with the Public Accounts like the members opposite did when they were in government. I'm happy to expand on the numbers that I just gave on the Whitehorse Emergency Shelter — the \$800,000 that is being provided for services for servicing significantly more individuals. That's a number from the Supplementary No. 3. I don't think the member opposite heard that, I guess, but I gave him the answer that he's looking for when it comes specifically to the Supplementary No. 3.

I will say that in general, as well, the budget has been increasing when it comes to the Whitehorse Emergency Shelter. We went from about 13 people per night when the Salvation Army was there to about 40 to 70 per night. That's why it's costing more. It's because people are feeling safe and they're welcomed instead of being turned away — and they were being turned away under the previous government. They feel like they matter rather than being locked out in the cold. The meal program has been increased as well, which would be an increased cost as well, as have services available to the shelter from social work to mental health supports. Again, having a big presence of EMS there looking after people — the RCMP have told us what a godsend that has been.

Again, we're doing more — for sure. I could go on about the specific differences between care under the previous government and this government, but specifically when it comes to Supplementary No. 3 — which is what we're here to debate — I did mention that there was, in this budget, \$800,000 for the Whitehorse Emergency Shelter that is there providing services for significantly more individuals. I don't have the breakdown of that number past that amount. However, the good news is that, if we finish up general debate, directly after me here today — if the member opposite does want the answers to these questions, bizarrely or not bizarrely asking that — if he does, then the minister will show up with her department and expand on those dollars that are in the Supplementary No. 3 budget — so again, answering his question, Mr. Chair.

**Mr. Cathers:** I would just remind the Premier that he has twice referred to the absence of the Minister of Health and

Social Services. That's contrary to the Standing Orders. I would just remind him of that fact.

The Premier has assured us that we will get more answers later. I'm a little bit dubious of that, based on past performance, but I will warn the Premier that if we don't receive answers to the questions that I've asked about the supplementary budget for 2019-20 at some point prior to going into general debate on the budget itself, he can expect that we're going to be asking those questions again if the government won't provide us with the answers.

One very specific one — the Premier mentioned \$800,000 for the Whitehorse Emergency Shelter. We know that the total cost of that facility is substantially higher than \$800,000. That is simply one part of the cost overruns.

We're asking for what the total costs are of running that facility, and that includes the budget for Health and Social Services, money spent out of Property Management, the allocation from Emergency Medical Services which came out of Community Services — and indeed, any department that is providing resources to that. The Premier knows the answer to the question as to which departments are supporting its operations. We are just asking for that information.

Mr. Chair, I could go on for hours with additional questions related to this budget. I am going to save some of them for general debate on the other supplementary budget in the interest of allowing my colleagues — critics for Health and Social Services and Highways and Public Works — the opportunity to ask questions this afternoon while they are here — especially in case the government does, as they did last week, schedule debate on those matters when they know it will be inconvenient or impossible for my colleagues who are critics of those departments to actually attend.

So I would leave it at that for now and just note to the Premier that we will be following up on these matters. If we receive the answers — and if they are solid, fair, and full answers — we will take that information and be happy to receive it. If the government refuses to provide us answers or provides us answers that are incomplete or suspect, I will put the Premier on notice that he can expect that he will be hearing from us on that.

**Hon. Mr. Silver:** Thank you to the member opposite for his questions today. Just a comment that he did make about an explosion of costs at the Whitehorse Emergency Shelter — or however he phrased it — again, I am happy that the Minister of Health and Social Services will be up and able to talk about the costs for the Whitehorse Emergency Shelter.

I will say that what we have been seeing here is that, every year under our government, NGO funding has increased by a few million dollars — increasing every year for the cost of living as well. That has never happened before, especially under the previous government.

We appreciate the support that the NGO communities give us on our behalf. Point-in-time counts when it comes to homeless populations are declining. So the money that we are spending — and balancing the budget pre-COVID-19, by the way — a year ahead of schedule — is in the proper manner to make sure that we are giving people a hand up. That is being

proved in the data. We could go back as far as 2016, where we had 219 people identified as homeless. Those numbers are decreasing substantially since then. In 2018, it was down to under 200 to 195, and we are continuing to see declines in these things. We are seeing declines in more of what we need to offer for people who are homeless, because the supports we are putting into there to get people into homes are working. We are seeing our ability now to offer more community supports because of that.

So I am sure that the Minister of Health and Social Services would love to expand upon that as we get into Committee of the Whole on the specific departments.

**Chair:** Is there any further general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*?

**Ms. McLeod:** Since I actually want some answers to some questions, I guess I only really have one question for this minister and that is: Will he be making the Minister of Health and Social Services available to answer questions that are being put to her today?

**Hon. Mr. Silver:** I am getting a little perplexed about the question. I think I have stood in the Legislative Assembly today about eight times to say that the Minister of Health and Social Services will be available to answer questions today. I assume that would have answered the member opposite's question. I apologize if I don't understand her question now, but we are now, I assume, coming to the end of general debate — the next step on the Order Paper for today — yes, Health and Social Services — minister available, coming up right now.

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

**Chair:** Is there any further general debate on Bill No. 204, entitled *Fourth Appropriation Act 2019-20*?

Seeing none, we will proceed to clause 1 of the bill. The bill's schedule forms part of clause 1. Among the bill's schedule is Schedule A, containing the departmental votes.

The matter now before the Committee is Vote 15, Department of Health and Social Services.

Would members like a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 10 minutes.

*Recess*

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

The matter before the Committee is Vote 15, Department of Health and Social Services, in Bill No. 204, *Fourth Appropriation Act 2019-20*.

Is there any general debate?

### Department of Health and Social Services

**Hon. Ms. Frost:** I am here today in the House to speak to the supplementary budget for Health and Social Services for 2019-20. Before I begin, I would like to introduce the department staff who are here today. I am joined by Stephen Samis, Deputy Minister of Health and Social Services, and Karen Chan, Assistant Deputy Minister of Corporate Services. They, along with the whole department, have been

instrumental in ensuring that we develop a budget that supports Yukoners. I want to say thank you — mahsi' cho — to all of them for their hard work.

As always, the supplementary budget aligns with the ultimate goal of Health and Social Services, which is to ensure that comprehensive and coordinated programs and services meet the needs at all stages of Yukoners' lives to support the well-being of all Yukoners.

In this budget, we are requesting \$5.246 million. This additional funding is required to fund the legislated and required services for Yukoners. The last quarter of 2019-20 represented a significant challenge to all jurisdictions, and Yukon was not exempt. In fact, we faced additional challenges as we worked to put in place our COVID-19 response. Those early weeks in March only further stretched the year that had already seen its challenges for my department.

Health and Social Services did go over its appropriation for the 2019 year. Unlike many departments within government, Health and Social Services is legally obligated to pay for certain services over which we have no control. These overexpenditures can be attributed to the increased demand for insured health services related primarily to extended hospital stays out of the territory in the second half of the fiscal year.

Yukon citizens outside of the territory for services and supports that cannot be provided locally are still covered by our health care insurance program — one or two extremely ill individuals, a neonate who was medevaced south, a serious accident resulting in an extended recovery and rehabilitation stay — they could be any one of us — and these costs are high and unpredictable.

While we work to bring health care services closer to home, for some situations, Yukoners require specialized care and support only available at larger centres. Additionally, there were increased costs associated with social and community supports throughout the Yukon, as well as increased demands for more mental health services. There were increased costs for extended family care agreements with Family and Children's Services. While this increased financial pressure is not the best news, this is the reason for it.

My department has worked extremely hard over the past several years to ensure that First Nation children are not brought into care unless there are no other options. That more and more First Nation children are now being cared for by family and community is a very positive step forward. Our success in this approach has resulted in financial pressures to support the children and those supporting the child.

It should go without saying that some of the overexpenditures can be attributed to the COVID-19 pandemic, as we swiftly established our Health Emergency Operations Centre and ensured that all communities and support services were prepared to care for Yukoners who have been stricken by the unknown virus. This was well spent in providing personal protective equipment for essential workers in our hospitals, our health care centres, our long-term care homes, and our childcare centres. We had to put in place a testing centre and a self-isolation centre. In addition, we had to ensure that samples made it to the lab in Vancouver at a time when more flights

were cancelled than were flying. We had to ensure that we had additional staff in our health centres. We immediately enhanced our 811 services. These are just a few of the things we did during the past few weeks of the fiscal year of 2019-20.

Within the department, we take very seriously that we are spending taxpayers' dollars and that we report to the general public. What needs to be understood is that there are things — such as a pandemic or meeting the needs of a very sick Yukoner — that we cannot control and that we can't plan for. We watch carefully throughout the year to manage to our appropriation. We know and appreciate the seriousness of going over our appropriation. The department has continued to institute a number of measures to improve our budgeting processes and to ensure that we are positioned to manage our appropriation. For example, we instituted a formal controllership framework to ensure more rigorous accounting and oversight across the department.

Everything that we do within the Department of Health and Social Services is to serve Yukoners. The welfare of all Yukoners is of the utmost importance to this government and we continue to look for ways to best support our territory. We work hard to ensure that the money budgeted for the Department of Health and Social Services is spent in a way that supports Yukoners to lead healthy, happy lives.

These are the highlights of the Supplementary No. 3 budget for the Department of Health and Social Services for the 2019-20 fiscal year. We would be pleased to respond to any of the questions that the members of the opposition have.

**Ms. McLeod:** I want to welcome the officials to the Legislature today to help us out with some math.

I want to thank the minister for her overview of the Department of Health and Social Services. Of course, what we are looking at is a \$5.2-million cost overrun for the approved budget.

Since the COVID pandemic came into play in late March — which was the very tail-end of this reporting period — what other things changed? I mean, what changed that contributed to these cost overruns that could not be foreseen?

**Hon. Ms. Frost:** The total for the COVID expenditures in Supplementary Estimate No. 3 — the question was about unique expenditures associated with COVID-19.

The last quarter of the fiscal year, of course, presented a very significant challenge around the world and the Department of Health and Social Services stepped up, because this directly impacted us here in the Yukon. They stepped up and they delivered excellent services to Yukoners. The department was well positioned to respond to COVID-19 — and they did, with just over 25 percent of the budget — the \$5.246 million — which came to \$1.4 million of the unanticipated expenditures that the department faced related to COVID-19 — the work that the department has done to enhance mental wellness supports, to ensure that shelter services were in place, to serve the people who need it, to support childcare programs — and many other activities provided by the department — so very quickly reacting to unforeseen pressures.

In terms of the supports for the vulnerable populations, we have seen, over the course of time, significant increases — as

the Premier indicated earlier — at the Whitehorse Emergency Shelter. So we saw 13 folks being provided services. We have seen that significantly increase — sometimes up to 80 people a night. Of course, once COVID-19 hit, we had to find alternative services to make sure that we still provided the essential necessary supports to the clients. We also had to, of course, respond quickly to the pandemic, and we had to support the testing sites — the chief medical officer, of course, had to have increased staff and program expenses to respond to the emergency situation — resources were to put into that office right off the hop, so we had assigned \$40,000 there.

The Health Emergency Operations Centre — staffing and operations itself — the respiratory centre and the self-isolation facility had to be established. Those had to happen very quickly. This allowed for support of the territory's initial emergency operations. The support for the assessment of individuals with acute respiratory illness and support for safe places for people to isolate — so we had to put in the budget early on the resources, and that budget came to \$265,000.

The communicable disease centre — for staffing — of course, there was significant overtime associated with that. That was really to address the public's need related to COVID-19. Excessive pressures and quick response times meant that we had to support the overtime while we set up the respiratory centre and while we put the support around the chief medical officer of health.

Environmental health services — of course, there were requirements there as well under COVID-19 for related inspections across the territory, so there were resources put in there to support our environmental health services. We had \$10,000 assigned there. Social services for deployed staff to the emergency coordination centre to support COVID-19 was \$25,000.

There was also approximately \$170,000 for the Yukon Hospital Corporation to support its initial operation changes and enhancements to prepare for the pandemic and ensure the health and safety of patients, staff, and the general public. Additionally, there was over \$900,000 to support Continuing Care for staffing costs to ensure that residents of long-term care homes and residents in communities — as well as supports to keep childcare available for essential workers and to ensure that childcare centres would remain viable. We would not have had the same supports, services, and guidance during our response to COVID-19 without these additional expenditures.

Spending on the COVID-19 response in the last quarter of 2019-20 was unexpected and unbudgeted. As such, at such a late time in the year, it was almost impossible to reduce spending in other areas in order to compensate for the unexpected emergency spending. Yukon's response was very immediate, as I indicated many times in the Legislative Assembly. We had the Arctic Winter Games about to take off. We had a number of young people coming to the Yukon. We had to react quickly, and we had to put the resources and supports in place.

Immediate supports had to be made readily available. We had to reduce the risk for Yukoners. We are very proud of this work and proud of the communities for stepping up and putting

the supports in place in their respective communities. That included the municipalities and, of course, the First Nation communities as well. I just wanted to give some highlights specific to the \$1.4 million and how it was broken down for us.

**Ms. McLeod:** I couldn't really hear what the minister was saying when she started. The minister can correct me if I heard wrong — but I believe we were talking about \$1.4 million in direct COVID-19 response spending for the last quarter of — well, for March 2020.

**Hon. Ms. Frost:** That was the question asked and that was the response back. It's \$1.4 million that was broken down, and I would be happy to go over that again if it's required.

**Ms. McLeod:** During Question Period, the Premier stated that \$5.2 million was primarily related to costs of hospital stays outside of the Yukon, extended family care agreements, and increased demands for mental health services and social and community supports throughout Yukon. I'm going to have some questions about some of these cost items.

Can the minister describe or give us a little more information about why so much more money was needed for costs associated with hospital stays outside of the Yukon? What was the dollar value of this?

**Hon. Ms. Frost:** For insured health services this year, the cost was \$1.3 million. I can get the overall number for the year, but I think it was in excess of \$9 million — somewhere around \$9.5 million — for hospital stays outside the Yukon. As the members of the Official Opposition would know — and, of course, during the first year that I was in as the Health and Social Services minister — we received an invoice from external service providers, which would be, of course, the Providence hospital in Vancouver, the BC cancer care clinic, and the BC Children's Hospital. There's a hospital in Calgary as well. We had an invoice in May/June of \$2.2 million that came in late in the year — and we had to make adjustments and accommodations for it — that wasn't budgeted for.

This is, as members would know, standard practice. It's very difficult for the service providers to get us the invoice for the full year, so what we've essentially done is to try to provide a projection on how much it will cost.

I think, clearly, I can say that the important thing here is that the unexpected events for 2019 were certainly not considered early in the year because they were unforeseen expenses related to the invoices for the service providers. Some of the things that we have done differently — we have now created opportunities to have services here in the Yukon. We are not always sending clients outside the Yukon, so one might ask, "Well, in 2016, if we saw a bill in May of \$2.2 million and it's down to \$1.3 million now, how did that drop happen and where are the cost differences?" The services for pediatricians, orthopaedic surgeons, and the repatriation of programs to the Yukon, I think, help to bring that cost down significantly.

Yukoners will always need specialized services outside of the Yukon, and we are still committed to ensuring that all Yukoners access treatment programs and supports that they require outside the Yukon. That includes, of course, expanded opportunities for us to look at hospitals and other care centres — Kelowna being one. Prince George specializes in cancer

care. There is an opportunity for us to work with them in Prince George as well. So, we are looking at alternative options. We certainly want to look at pressures, because what we are seeing is that there are times when individuals head to the southern centres and we don't have the services here, and the hospital stays are extended. A priority for our government is to ensure that we provide all supports here in the Yukon as much as we can, but there will always be the pressure to ensure that we provide enhanced services outside the territory.

**Ms. McLeod:** So \$1.3 million was spent on hospital stays outside of the Yukon over and above what was forecast. I'm just going to leave it at that.

I want to move on to extended family care agreements. I'm looking for the additional dollars out of the \$5.2 million that was channelled toward this to start with.

**Hon. Ms. Frost:** To respond to the question around the extended family care agreements, historically the Government of Yukon provided services to the indigenous families through the foster care system apprehension of children, and what we were hearing, of course, through our Child and Youth Advocate to our community family support workers and, of course, through our indigenous communities is that they wanted to see the children repatriated back to the communities. Rather than apprehension, they wanted to look at how to bring children back into the care of their grandparents.

When we took office in 2016, we were extensively overcrowded in our group homes. In fact, we had not enough foster care homes, and so we had to look for an alternative. The alternative was that we must look at extended family care agreements, and so we did that in 2019-20. The unexpected costs associated with that — and that covered, of course, the important social services, including supports for children and families. We looked at the extended family care agreements and tried to work hard to reduce the number of children in care. It also required us to look at supporting families through mental wellness supports, wraparound services for children as they were repatriated back to their communities, specifically to their grandparents. I have raised this in the Legislative Assembly historically. We have grandparents who live on old age security income support, and they get \$1,200 to \$1,800 a month and are raising two of their grandchildren.

The cost of living, as we know, in our communities is excessive. Particularly in my community, it would be absolutely impossible to have a grandparent with one income raising their grandchildren and still staying above the poverty line. That was part of the objective of the extended family care agreement. It was really about reconciliation. It was reconciliation to indigenous families. We recognized that there would be additional costs associated and truly believed that this was better for the children, for the families, and for the communities.

In meeting this demand and the support, we saw an increase in uptake, which was, in my view, money well spent. Why? It is because we didn't have children in group homes. We didn't have children in government homes. We didn't apprehend children. We went from over 200 children in government care in 2015 — prior to that, there were almost 400

children in care — and today we have brought that down to less than 100. We put the supports in place, and we have more children now in extended family care agreements than in government care. I see that as a success. Was it projected that we were going to see the uptake? It wasn't, so we had to respond. In my view, we have a legal obligation as defined under the Truth and Reconciliation Commission of Canada's report and *Putting People First* — many opportunities and many direct initiatives from the good work that we've done.

The *Child and Family Services Act* review indicated that this was what we must do, so that's what we were hearing about in terms of putting supports in place for cultural humility, cultural training, and cultural safety — ensuring that those who took in children in our group homes had the training and supports so that they could appropriately support our Yukon children, children who were born and raised in Yukon.

I am really pleased about that, and I look forward to further questions.

**Ms. McLeod:** Maybe I misremember, but I thought I asked how much money was allocated out of the \$5.2 million into this program. Of course, you will not find too many people who would not support this expenditure, but the minister referred several times to indigenous families. I am wondering if this program is only extended to indigenous families, along with the cost, of course, of the \$5.2 million.

**Hon. Ms. Frost:** The question is interesting. We have an obligation to provide support to all children, no matter who they are, no matter where they reside. If the choice of the family is to bring the children home, then we would support that family.

I raise, specifically, the indigenous children because the majority of the children — 80 percent of the children — who were in our care — in the care of the Yukon Party government — historically were indigenous children. That's why I raise that specifically, because we had to work really, really hard with our community partners. Of course, we had initiatives through Kwanlin Dün, for example, where we have no more coming into our community to apprehend our children — and putting in place rules. We spent, in the extended care family agreement last year through this overexpenditure, \$900,000.

**Ms. McLeod:** Of this \$900,000, was that solely related to more participation in this program?

**Hon. Ms. Frost:** The question around more participation in the program — certainly, as we look at children and look at bringing children back to their homelands, wherever that is, and into their families, of course there would be supports made available. It's certainly not something that we would overlook. \$900,000 includes supports for children and families through the extended family care agreement. It includes mental wellness supports, counselling supports, and additional supports — if you look at it through our standard practice of foster care, you take children, you apprehend children, and you put them into a foster care home. You would provide food, shelter, clothing, and essentials that the child needs. That would be support necessary to ensure this child's success.

The increased cost is to support the families.

**Ms. McLeod:** I'm going to move on.

The Premier had stated that there was further investment into mental health with this \$5.2 million. The minister, of course, referenced that, under the extended family care agreements, there was money spent on specific mental health and social service supports. Can the minister tell us: Of this \$5.2 million, how many new services or additional dollars were invested into mental health?

**Hon. Ms. Frost:** Of the \$2.6 million, approximately \$500,000 was spent on mental wellness supports.

**Ms. McLeod:** So, \$500,000 additional funding into mental health directly from the \$5.2 million — what did that do for Yukoners? That is my question. Was it for additional persons, or hours of counselling — whatever it was?

**Hon. Ms. Frost:** I guess I'm a bit baffled by the question. What did the mental wellness supports cover? What did it cover? Well, certainly, as you are repatriating children back to their families — children who were apprehended in care — you want to ensure that you have wraparound supports for the families so that the children can be successfully transitioned and reintegrated back into the community. Oftentimes, children have experienced traumatic events as they are apprehended and taken away from their communities, their families, and their grandmothers and grandfathers. Mental wellness supports and the supports provided to children and to families is to ensure that they are healthy and that the success of reintegration is there, and mental wellness support, really, is aligned with that.

It's about reconciliation; it's about repatriation. It's about ensuring that children are well-respected and well-supported in all of our communities.

So, the question, I find — I'm not quite sure. It's not something that I take very lightly. We have had many, many children, as I indicated earlier, who were apprehended. I indicated earlier that it was 80 percent, but it was actually in excess of 90 percent of the children in care were indigenous. We have brought that down to under 75 percent, and we continue to work hard. That's still a significant representation. Part of mental wellness and mental supports is about cultural humility, it's about cultural integration, it's about cultural training, and it's about supports to ensure that families are supported well as we bring back to our communities the children who have been, in unfortunate circumstances, taken away from their homes.

So, that's what I see in terms of psychiatric supports, mental wellness supports, nurse practitioners, child supports, child psychologists — all of these things would have been made readily available.

We also saw increased supports not just specifically with families and children — we had to put the resources around that — but we also saw an increase in supports that were required for Yukoners in communities. We had an emergency rapid response team that went out to all of our communities.

In fact, we've had teams go into Watson Lake and we've had teams go into my community as we've had young people who perhaps died through unforeseen and unfortunate circumstances. We would bring in our emergency response team and work with our communities. Those are unforeseen, and we would bring the counselling supports in. That's over



and above the counsellors who we have available through our mental wellness hubs that were referred to earlier.

We have 22 counsellors. Historically, we had two for the whole Yukon. We now have 22, plus we have social workers in every one of our communities. The increased support for Yukoners around addictions counselling, of course, and Naloxone supports and training — all of that is covered under this specific category.

**Ms. McLeod:** It seems a little difficult to get some hard numbers here. I understand the need for extended services for mental health supports. I am just trying to determine how that was provided if it wasn't through additional counsellors being brought on. I still don't have a sense of how that investment was put in place. I guess we can leave it at that.

The \$5.2 million — if I go back to the hospital stays outside of the Yukon — the \$1.3 million, I presume, was expended after the end of the fiscal year but was attributed back to the 2019-20 fiscal year, and that's why the money comes out like that. The minister referenced \$2-point-something million from 2016.

The balance of the money — I guess all of the \$5.2 million — I am looking at when all of that money was expended. Was it after the end of the fiscal year? Was it in the last month of March? Was it spread throughout 2019-20 — if the minister could give me some kind of concept of that?

**Hon. Ms. Frost:** With the comments from the member opposite looking for hard numbers — I thought I had answered the question earlier — \$900,000 spent for extended family care supports and mental wellness supports and \$1.3 million for expenditure related to insured health services.

During the end of the fiscal year, Insured Health and Hearing Services saw a substantial increase in the number of inpatient days billed for Yukoners treated Outside in BC hospitals. That is not unusual. The members opposite would well know that, given that they were in government for 14 years and they have seen this historically. As the member opposite knows, I indicated earlier that, in the first term in office, we saw a \$2.2-million invoice come in after the fiscal year that we had to account for, and we had to find the resources for. This is no different. The out-of-territory growth related to inpatient stays in BC hospitals increased by 26 percent over 2018-19. That is 26 percent over from the year previously that was not accounted for. It is a bit of an anomaly related to individuals with extended hospital stays — and of course we certainly can't speak specifically about each one of those cases, but Yukoners of course have diverse and complex health care needs, which means of course that the cost of receiving out-of-territory care is complex.

In 2019-20, 20,874 individuals had 1,499 inpatient hospital claims, for a total of \$12,500 in 10 days in out-of-territory hospital stays. The member opposite is looking for real numbers — those are real numbers. Of course, because of COVID-19, there was an additional delay in billing for out-of-territory claims, which did not provide Health and Social Services the information it needed to anticipate the increased costs. Now that we know that there was an increase from 2018-19 of 26 percent, we can now start projecting more

accurately going forward. We have a controller system now set up to better track the data. We are working more closely with our partners at our care facilities outside the Yukon to get a better alignment on the overages and the expenditures later on in the last quarter so that we can have a better indication, but we can't always anticipate that.

These pressures were felt late in the last quarter after we did our period 7 second supplementary. Of course, many increased health bills came in after that and that was after our 2019-20 fiscal period.

**Ms. McLeod:** Can the minister confirm whether the \$5.2 million was spent during the 2019-20 fiscal year? Or were those costs incurred after — or the billings received afterwards? I presume that the money was not actually spent in another fiscal year and back-billed, so that's not my question. My question is: How much of this money was spent in 2019-20 and how much wasn't?

**Hon. Ms. Frost:** For the record, the actual amount overall is \$5.246 million. The question was: How much was spent in 2019-20? A part of the supplementary request right now is — the expenditures incurred were seen in 2019-20 and the invoices received for the external or out-of-territory travel were received in this fiscal year which were attributed to last year's billings. So the \$5.246 million, for the record, is 1.1 percent of the overall budget of Health and Social Services. We want to get more accurate with data and numbers, as I understand, so that's just for the record.

As I indicated earlier, 2019-20 was certainly an unusual year for all of us. We will probably see this next year again, but with the overages for external hospital stays and the pressures that were seen in the last quarter — it appears that it seems to be the standard practice in terms of our partners in BC sending us the invoices after the year is out, and then we have to find the resources to bill it back to the last fiscal year. That is usually the standard practice.

I want to just say that now that we have the new medical travel coordination centre that will be established, we will be able to better estimate the allocation and reduce the costs associated with medical travel. That is the objective there.

**Ms. McLeod:** I just want to talk a bit about mental health. In 2019 and 2020, I believe there was a federal contribution toward mental health support, and that was part of a multi-year agreement. My question is: How much of that federal money was received in 2019-20? I would like to know where that money went and whether or not it factors into any of these other programs that the minister referenced today.

**Hon. Ms. Frost:** Thank you for your patience. I am just trying to get the numbers and specifically how that was broken down. It wasn't a significant amount of funding, but we will certainly get the numbers. As I understand it, it was a small amount in the broader budget regime. Overall, the mental wellness support hubs, counsellors, and the supports across the Yukon are substantial. This was a small amount in that, and that would have gone straight into that budget.

**Ms. McLeod:** If I understand the minister, she will get back to us with the numbers for that funding agreement — but in addition to that and while this is going on, if we can get the

same numbers for home care which was also part of a multi-year federal agreement and, as well, the funding arrangement for childcare which was part of a multi-year federal funding agreement.

Just getting back to this \$5.2 million of the new expenditures, I recognize that some of this money was put toward services required under extended family care arrangements and agreements. What other mental health supports were funded out of this \$5.2 million, and what sort of services did the government receive requests for? I am wondering if there were any funding requests or service requests regarding family violence.

**Hon. Ms. Frost:** I certainly won't respond specifically to whether there was family violence associated with the expenditures. What I can say is that, as the families came forward and as we looked at our family extended care agreements, we anticipated that there would be important social services work that had to get done. We anticipated that the Family and Children's Services group would be directly involved with working with our indigenous partners.

In terms of arrangements to support reducing the number of children in care and ensuring that children remain safe and attached to their families, that was where the resources were spent.

Just looking at the additional costs and the specifics on how and what types of counselling supports and programming were needed, I would say that, no matter the circumstances and no matter the demand that was needed to support the children and the families, we wanted every family to have the opportunity to remain connected to their culture, their families, and their community. We have to ensure that the supports were there and that we had services readily available.

I do know that, as we look at supporting our families and our communities, we have increased mental wellness service supports as required. Of course, because of the higher uptake, we saw a significant increase in that so, of course, we had to put the supports in place without hesitation at all, because it meant that children were safe, children were healthy, and they had the essentials that we were obligated to provide for them — food, shelter, safety, clothing, and a right to a good education and a right to counselling supports if required.

The previous question was around how much money did we get in a bilateral agreement from the federal government for mental health supports. I can tell the member opposite that the number is very, very small compared to how much it's costing overall. The \$470,000 that we received in the 2019-20 budget from the federal government and the bilateral agreement covered, of course, services and went into the budget, and we covered the rest; the government covered the rest.

With respect to home care, I heard some grumblings — I don't know if it was a specific question, but I had heard something about home care. So, for the record, in 2019-20, we had spent \$680,000 on that program. I know that, as we signed off on our childcare agreement with the federal government in this last year — we have an extended program as well — we had received \$2.4 million.

**Ms. McLeod:** That last question that I asked about mental health supports — family violence — I did not intend for the minister to relate that question back to extended family care agreements.

Anecdotally, I have heard that women's shelters have been much busier during this time of COVID. My question is whether or not the minister's office has received additional requests for services or funding and whether or not, in fact, there have been further investments in that field.

I would like the minister to note that I wasn't grumbling about home care; I actually had some specific questions about home care and the funding that is being allocated to that program. I understand it was \$680,000 in 2019-20, which went into general revenues to cover off existing programs, so there was no additional investment per se; it was just included in the overall program costs. I understand that to be the case, so I did not have any further questions in that regard.

It is the same with the childcare funding of \$2.4 million. That went into general revenues. I understand that there has been some COVID money provided to childcare centres, but I suspect not in March, which this budget covers. We will be talking about that later when we get back to talking about the budget for this current fiscal year.

The minister made reference to a higher uptake in mental health services. I just want to know in what regard. Is that from the general public coming in and needing more help? How is that measured? Is it more clients seeking help or a greater number of hours? Could we just have some information about that so we can all have a better understanding of the additional number of people seeking help?

I will stop with the mental health issues for this go-round.

**Hon. Ms. Frost:** Just to put things in a bit of perspective, I in no way am never underplaying anything. I think the lives of Yukoners are really important. They are important to this government. It is important that we ensure that we provide essential, necessary human rights services to all of our families. We have a legal obligation to ensure that everyone is supported.

If we get a bill from BC for extended care and specialist care, we would have to cover that — whether we get it in June or in December. If we have gone over the appropriation to accommodate the increase — I gave the numbers, and it is really a lot of days — it is over 12,000 days for 20,800 individuals. That is a lot of people when we are seeing our population of 40,000 people. It means that we certainly have to put more resources into preventive care and that there is a requirement to look at collaborative care models in all of our communities to reduce the pressures on hospital stays. These are some efforts that we have to look at.

Of course, the funds that we receive from Canada are not a lot in the grand scheme of things. When you look at \$680,000 received from Canada for home care when we have spent over \$8 million over the fiscal year — we certainly need to do better in terms of getting the federal government to fund the supports. I also want to say that — with the home care initiatives and the home care program — we have been working very closely with our indigenous partners, and we tied this quite nicely to aging in place as a key requirement. We will continue to expand that

scope of service and practice, ensuring that the requirements of all Yukoners are met as we look at home care and home care supports.

We have seen — with respect to domestic violence — the budget itself doesn't cover domestic violence in this supplementary request, but we do have supports in our overall budget. We work with the Department of Justice, of course, and my colleagues, Minister McPhee and Minister McLean, from the Women's Directorate, in ensuring that we have supports for women. The Minister of Justice and the Minister responsible for the Women's Directorate — of course, we want to ensure they are directly involved in the planning overall to ensure that we take a one-government approach as we look at services and supports for those fleeing domestic violence.

We have increased mental wellness supports and we have increased home care. Overall, we have received some funding from the federal government, but we have gone far over that. We spend more on childcare than we receive from Canada. I think that it is a given that it is a requirement for us to look at ensuring that all our children and our families are well-supported.

**Ms. McLeod:** I only have a couple more questions today.

So, of the 884 hospital stays outside of the Yukon that were in the 2019-20 budget and subsequently covered off by a \$1.4-million overexpenditure, I heard the minister use the 26-percent increase in terms of the dollars that were being spent. I guess — in order to try to understand the issue — was there a 26-percent increase in the number of patients who travelled, or was this money more to do with the complexity of care or perhaps the longer stays? I am looking for a number, I guess, of people comparatively — I guess we can only compare it with the year before. If it was 884 in 2019-20, how does that compare with 2018-19?

**Hon. Ms. Frost:** The out-of-territory growth — as noted by the member opposite, I indicated that we had seen an increase of 26 percent over 2018-19. In this year — 2019-20 — the 874 individuals the member opposite refers to, you can imagine, spent 1,499 in-hospital days in BC, which of course accounted for — pardon me, that was 20,874, not 874 — 20,874 had 1,499 hospital stays. So that looks, really, if you break it down to be a total of about 12,510 days — and that is significant when you are in a hospital stay outside the Yukon. As I had mentioned earlier, we are seeing an increase in longer hospital stays — unforeseen circumstances that account for the 26-percent increase from the previous year.

**Ms. McLeod:** Of the \$5.2-million overrun in this budget, what's the dollar value that the minister can attribute to COVID-19?

**Hon. Ms. Frost:** I do believe that I said earlier that it's 25 percent of the budget.

**Ms. McLeod:** I have no further questions. I thank the officials.

**Ms. White:** So, I was just listening to the conversation and the minister listed out a bunch of different things initially but didn't talk about the number that was associated to it. By my calculations right now, with everything that has been

announced, we're at \$3,305,000. I'm just trying to get us up to the \$5,246,000.

In Environmental Health Services, the minister said \$10,000; Social Services — \$25,000; Yukon Hospital Corporation was \$170,000; Continuing Care staffing was \$900,000; mental health supports — \$500,000; hospital stays outside of Yukon — \$1.3 million; and extended family care agreements at \$900,000. The minister did initially talk about childcare programs with no number associated. She then said "vulnerable populations" and talked about the Whitehorse Emergency Shelter without a number. What I'm just trying to do is get us up to the \$5,246,000. With the numbers that have been given so far, we're at \$3,305,000.

Maybe I'll start with the childcare programs that the minister mentioned. Can she please tell us how much of the \$5,246,000 is for the childcare programs?

**Hon. Ms. Frost:** The number breaks down, with the COVID-19 expenditures — 25 percent, at \$1.4 million. The Social Services support breaks down to \$2.6 million and the insured services is \$1.3 million.

The question specific to how much was spent on childcare — it was in excess of \$600,000 of that \$900,000.

**Ms. White:** Then for the vulnerable populations — the minister did reference the Whitehorse Emergency Shelter earlier, but I'm just trying to figure out how much of the \$5,246,000 is for the Whitehorse Emergency Shelter.

**Hon. Ms. Frost:** It is \$800,000.

**Ms. White:** What was that \$800,000 for the Whitehorse Emergency Shelter for? What did it pay for?

**Hon. Ms. Frost:** I do believe that, in general debate, the Premier responded to say that historically we have seen maybe 13 people a night at the Whitehorse Emergency Shelter. We saw that increase to 40 to 70, and some nights there were 80 individuals. Of course, because of the increase in demand, we saw a 2016 point-in-time count — there was a 2018 count — every two years, we do a point-in-time count, but we missed it this year because of COVID-19. We saw the numbers decreasing, so we saw, in 2018, 195. Previous to that, we had something like 220 — so we saw an uptake in services for people. Of course, that meant that we had to expand the meal service program. We had to look at ensuring that we brought in the mental wellness supports for the clients. We had additional social workers assigned to the shelter, as well as addictions services and mental wellness supports. We also brought in emergency measures supports that we had to support and fund through Health and Social Services.

**Ms. White:** So, just trying to break down what the minister just said — 13 people in the past — 40 to 70 is kind of regular — it can go up to 80 people — and then there was a laundry list of the meal program, social workers, addictions services, and emergency measures supports — I was just trying to figure out that \$800,000. So, if that is the list, how much was spent on the meal program, the social workers, the addictions services, and the emergency measures supports?

**Hon. Ms. Frost:** I don't have specifically how many meals were served and how much that cost. I don't have specifics on how much it cost for the specifics, but I can

certainly ask the department to get that number, if the member opposite desires to know. I am sure that we can break that down for the member opposite with respect to our social services supports and our emergency measures.

What I can say is that my good colleague from Community Services has collected some really great data for us where we are seeing reduced pressures at the hospital because we have emergency measures services at the Whitehorse Emergency Shelter, and we are seeing less pressure on the RCMP callouts as well. We are seeing less pressures at our managed Sarah Steele facility.

We are looking at \$800,000, but we are also seeing cost-savings elsewhere and we are seeing less pressures elsewhere. So I would suggest that the narrative around providing services to significantly more individuals in the vulnerable sector — that is required — also the demand for increased staff was required because we had to increase — the demand was there and we had to increase the staff at the shelter.

**Ms. White:** So, when I ran kitchens, I could break down the cost per meal — how much it would cost to feed a single person per meal. That is how, if you were selling them for a profit, you would figure out what your profit margin was. I would imagine that when you are running something like an emergency shelter — similar to the correctional facility — you have to figure out a cost per meal, because that's how you calculate and that's how you plan for the future.

So, sure — the minister offered — I would love a breakdown of how many meals have gone out and what the cost is per meal, because I would like to point out that I was given this list of things that worked into the \$800,000 — so yes, I would like a breakdown of what that is. This isn't a criticism. This wasn't a criticism. I was asking.

So, now we're at \$4,705,000 out of the \$5,246,000. I'm just trying to work my way through it.

With that \$800,000 that I was just told about the Whitehorse Emergency Shelter — earlier, the minister had talked about vulnerable populations and then she referenced the emergency shelter. So I'm just wondering if there are different monies set aside for a different — when she said “vulnerable populations”, if she meant just the emergency shelter. In the money — the \$4.7 million that I've talked about — I know that there is \$900,000 for continuing care staffing, so I'm not looking for that. I'm just trying to figure out — when the minister said “vulnerable populations” and then mentioned the Whitehorse Emergency Shelter, is that just the \$800,000? Or is there additional money there?

**Hon. Ms. Frost:** No criticism taken. I just don't have that number in front of me.

I would say that the department breaks it down as they're doing the budgets. I think what we're seeing in terms of uptake on client services at the Whitehorse Emergency Shelter — I think we'll have a better handle on that this year. The objective is to try to get those supports throughout the community, through Housing First and through our multipurpose facilities.

Of course, with respect to vulnerable populations and our vulnerable sector — the supports that we provide to our communities and how that's defined is we have to support the

referred care clinic and we have to provide more naloxone kits. That's covered through here. We have the extended family care agreements — those are all vulnerable sectors that we're supporting. Does it capture every one? Probably not, but we're really trying to support families, communities, and those who would fall under the specific categories.

Something for Yukoners to keep in mind is that the Whitehorse Emergency Shelter — 2019-20 was the first full year of operation. We have learned a lot from that exercise. We have learned a lot from the services. We have increased supports. We have created more partnerships. We are now partnering with Community Services, community justice, Health and Social Services, and the Yukon Housing Corporation. We have external partners supporting us as well. The Referred Care Clinic is one. We work with our other sectors in terms of trying to bring community supports into the shelter. That is the objective there and the definition of why I refer to our vulnerable sector that way.

**Ms. White:** I thank the minister for that answer. Another thing she referenced with that number is communicable disease staffing. She talked about that as if it was an additional cost, so could I have the breakdown please?

**Hon. Ms. Frost:** That was associated with \$10,000 in overtime for March.

**Ms. White:** I am relieved to have a calculator, because that is very helpful. At this point in time, with everything that the minister has listed so far, we are at \$4,715,000 out of the \$5,246,000 — so if the minister could help me figure out where the rest of that money is, I would be grateful.

**Hon. Ms. Frost:** A question was asked earlier about the childcare supports. I had noted for the member opposite the \$600,000. There is an additional \$300,000, which covers the supplementary request for the remainder of the \$900,000. Insured health services is \$1.3 million — just for the record.

I can read into the record again the overall expenditures so that we have it correctly in the record: So for COVID, we had \$1.4 million; the chief medical officer of health — there was \$40,000 spent there; Health Emergency Operations Centre was —

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

**Hon. Ms. Frost:** I would be happy to speak very slowly so that the member can get the numbers down. Of course, I don't intend to skip over it.

COVID expenditures is \$1.4 million; the chief medical officer of health was \$40,000; health emergency operations — \$265,000; the communicable diseases — \$10,000 was spent there; Social Services was \$170,000; childcare — over \$600,000; Continuing Care — we had \$300,000, I believe; and then Social Services, the \$2.6 million; extended family care agreements — \$900,000; Family and Children's Services — \$500,000; mental health — \$400,000; and of course \$800,000 went to the shelter — that accounts for the \$2.6 million; and the rest went to insured health services of \$1.3 million.

**Ms. White:** This is one of those times where “clear as mud” comes through. I was with us — I was there, and then I lost it.

One of the numbers I didn't have was the \$40,000 for the chief medical officer of health. So, just for clarification, was that just for the staffing or additional funding to that office?

**Hon. Ms. Frost:** I just want to say for the record, I know I provided the numbers and of course what I don't want is for there to be confusion. I would be happy to table the exact numbers, broken down, so that the members opposite have that information if the member opposite is amenable to that.

**Ms. White:** That would be glorious. I would highlight what we've seen just in this interaction — and I feel like I'm going to do the descriptive service that would happen on television — I have a series of papers in front of me and some of it is readable where you could see that I wrote down "Social Services — \$25,000", and then you can see this other sheet of paper where it doesn't look very coherent.

The reason I am trying to get the breakdown — and this highlights the same problem that happened — and it will happen again — I am just going to give the minister a heads-up — this will happen again, because in the briefing that we got for the supplementary for the 2020-21 budget, there is a line item that is for almost \$34 million, and it has no breakdown. So, I look forward to the minister tabling that document or making that available to opposition members because that is all that this has been — is trying to figure out what that money is. That will save everyone from me asking more questions trying to get that — so I look forward to that document.

**Hon. Ms. Frost:** Just for the record, the previous question that the member had asked about the \$10,000 for the chief medical officer of health —

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

**Hon. Ms. Frost:** Sorry, pardon me — \$40,000. We had to bring in additional support for the chief medical officer of health right early on, and that covered the deputy chief officer of health and the staffing supports around that.

I hear the member opposite in terms of needing more information — the \$34 million is a supplementary request that is coming. I would be happy, once we get there, to respond to those questions. For now, the \$5.246 million is broken down in this specific way, as I have described it. The majority of it was essential services that were required for citizens of Yukon and unforeseen pressures. Of course, we are working hard to address that, as I indicated, and we will continue to do the necessary due diligence.

Certainly, we don't want to go over the appropriation, but sometimes it is necessary. In this circumstance, I am doing my best to justify the overexpenditures as they relate to extended hospital stays — and the astounding number of over 20,000 Yukoners requiring that support is a justification of the services needed in time that is unaccounted for. I just wanted to make that note.

**Ms. White:** I thank the minister for that.

If the pandemic has shown us anything, it is that the more information people have — the more information that is readily available, the fewer questions people have — and not to say that a supplementary budget has, like, fear, but when the information is easy to access, it can change the line of questions.

I would rather talk about the services in place at the shelter right now than try to figure out what happened to \$800,000. In the grand scheme of things, it is a lot of money, but it's not a lot of money if we're talking about people. If we had the breakdowns ahead of time, instead of trying to put together the \$5,246,000 and where it went, the conversations would be different, right?

Instead of the temperature elevating with questions that maybe don't feel relevant — it's just trying to get that breakdown. So if there was a possibility — I will put this pitch in — to get the breakdown of that \$33 million ahead of the debate that we have in here — I mean, that would be really helpful. If we don't think I can keep this \$5 million straight on these papers, \$33 million — or nearly \$34 million — is going to be worse. I just think that, when we make the information available, the conversations become more about the programs behind it as opposed to the cost of the program, because then we know what the program is already.

So, I thank the minister for her willingness to share this information. I hope that it happens in the next part as well.

**Hon. Ms. Frost:** I would like to thank the member opposite for the questions. We certainly want to make sure that we get as much information out — appreciating that we were in the midst of a pandemic, so a lot of the pressures were on Health and Social Services to provide in-time services to our various support centres and health centres — to all the services that we provide.

Knowing that the staff were doing their best to respond to COVID-19 and ensuring that we had in-time supports — specifically to the COVID-19 expenditures — I would not have been able to get those specifics until most recently. So the other stuff in terms of the lateness of the invoices received from external insured health services costs — that would have come in late as well. As quickly as we can get these things out — I would make the best efforts possible to do that.

**Mr. Cathers:** In rising to speak to the health portion of this budget — as the minister will know, the Premier and I have spent part of today and part of Thursday — I asked a number of questions. The Premier did commit to answers being forthcoming when the minister rose and I would invite her to provide that information now. It certainly would be appreciated.

I would also like to note for everyone listening or reading this in Hansard that, when we are asking questions about Health and Social Services, it's important to understand that, according to the government's handout that we were provided in the spring introducing the 2019-20 budget — according to the government, Health and Social Services is 35 percent of the O&M spending of the government. It is a very large department. The total amounts that we are seeing are close to half a billion dollars, and that is, again, a very large portion of the territorial budget. Its programs affect people's lives.

When we have asked about the changes in terms of where we believe we should be seeing some additional lapses based on past patterns financially — just to give people an example of what I am referring to — if we look at the government's handout relevant to Health and Social Services that they gave

us with the second supplementary budget — the one just previous to the one that we are dealing with here — that budget showed a change, compared to the previous budget bill, covering — in the course of a three-month period, the change in what government's estimates were for this department was significant. So, between the period 4 report and the period 7 report, we saw a \$12.8-million change in Health and Social Services, and the budget that we are dealing with now is based on a five-month period, not a three-month period. When we are seeing a change that is substantially less, it does leave us with some questions, because we know that variances occur — both upwards and downwards — in spending across a department of this size.

As the minister will recall, we also had the unfortunate situation during the spring where the main budget for the 2019-20 year was debated — that was the infamous spring where only 4.4 percent of the Legislative Assembly Sitting was spent debating two of the largest departments within the government — those being Health and Social Services and Education. That 4.4 percent to deal with both departments left us with many unanswered questions from the spring of 2019. Unfortunately, some of those are still outstanding over a year later.

People will be familiar with the old adage “follow the money”, but that is not, of course, the only method that is important in evaluating what government is doing. But it is a very important assessment of what government is doing with public money. As members of the Official Opposition, an important part of our job is to question the government on their decisions. My colleague, the Member for Watson Lake and our Health and Social Services critic, asked the minister a number of questions. Unfortunately, for some of them, she was not really satisfied with the answers to them in that they didn't completely answer the question.

In my capacity as Finance critic, I am going to ask a number of questions that are going to focus primarily on costs, statistics, process, and so on, because they are a part of how government deals with responding to people. It is very important for us to understand and for the public to understand if we are going to know what government did and come to an informed conclusion on where we would suggest improvement could be made in the future and where we think the government has done a good job.

I do want to note that, for staff of Health and Social Services, we recognize that there are people — particularly during the pandemic but before that as well — who work very hard on behalf of Yukoners and try their very best to provide high-quality services to the public. We appreciate, of course, the work of every dedicated public servant in Health and Social Services as well as in the Yukon Hospital Corporation, which is funded through Health and Social Services although separate from it. We appreciate the work of the staff, management, and health professionals there as well as at the non-governmental organizations that are funded by Health and Social Services that, while not directly a part of government, do form an important part of how the Yukon as a whole responds to the needs of our citizens.

With that introduction, I am going to start with a few specific questions for the minister — again, looking at the 2019-20 fiscal year. The first question is: What is the total number of staff for the Department of Health and Social Services? If the minister could either provide us with a breakdown by branch or commit to providing that soon via legislative return, that would be appreciated. Secondly, with regard to those staff positions, could the minister tell us about vacancies in those positions as of the end of the fiscal year?

The next question that I am going to ask relates directly to the pandemic, especially when the pandemic was declared in March. We know that there was lag time. The government was trying to figure out which staff could work from home and who was required to be at the office and figure out how to operationalize the concept that had flowed from the recommendations of the chief medical officer of health.

Could the minister tell me the number or the percentage of the staff — actually, both would be helpful — from Health and Social Services who were working from home during the pandemic in the earlier stages of it — in the March to May window? I would be interested in both what the initial number was and what it was at its peak, which I would assume was somewhere around the month of May. If the minister could provide a comparison to what that number is now a little later on in the pandemic, that would be appreciated.

I will just also ask her to explain what the process was regarding the declaration of a public health emergency and what involvement her department had in that declaration.

Secondly, we have seen the government issue dozens of ministerial orders under the *Civil Emergency Measures Act*. Those, of course, are primarily under the authority of the Minister of Community Services, but as they directly relate to a health matter, we and citizens are wondering about who is involved in making these decisions and how that process occurs, including who provides the policy direction and the content of those ministerial orders and what the role is of the respective departments in doing that, as well as the separate role of the chief medical officer of health in regard to that. If the minister could start out by answering those questions, I would appreciate it.

**Hon. Ms. Frost:** There was a lot there. Specific to the employees of Health and Social Services, those members who worked from home and those members who worked in various sectors during the pandemic, I just want to say that the questions specific to the public servants' work — that is the responsibility of the Public Service Commissioner, the responsibility of the minister responsible.

I am sure that during this debate on the supplementary for Health and Social Services — I broke that down very clearly earlier. I can do that again.

The member spoke specifically about how we manage the budgets but wanted to know specifically about how many employees were in Health and Social Services. Currently, the number fluctuates, but we have in excess of 1,400 employees.

The member opposite also needs to be aware that the majority of Health and Social Services staff are front-line staff — essential services. That means that we have community

health centres, we have nurses, certainly we have the Whitehorse Emergency Shelter, and we have childcare centres. We have social workers, we have child advocates, and we have youth support workers in our communities.

Many of our mental wellness hubs — we had to work around providing extended care agreements through that. We had to look at continuing care and our seniors homes. That required a lot of extensive adjustments to the staff complement there to better align with in-time supports as we came up against a pandemic. That meant that we had to bring in, perhaps, additional supports. That meant that we had to bring in additional cleaning staff. We had to certainly look at locking down the facilities, meaning that we had to put in the necessary cleaning supports within our houses. There are a few houses within the Whistle Bend continuing care facility. We have Copper Ridge Place as well, and we have to ensure that we have supports there, as well as at the reenablement unit at the Thomson Centre. We were still trying, through our medical staff, to support the clients as they looked at the essential services and supports there.

Certainly, we want to say to the member opposite that, as we look at the budget — and there were certainly a lot of questions yesterday and in general debate pressuring the Premier with specifics. We are certainly not afraid to respond to the questions.

I did that today for the Member for Takhini, who asked for a specific breakdown on how much of the \$5.426 million was spent on specific sectors of our society and specifically on COVID-19. We did that, and I said that I would table that. I would be happy to do that and to break that down. I can certainly confirm that we went over the appropriation for 2019-20 — acknowledge that to Yukoners, but it was necessary.

I just want to say again that the overall budget specifically for providing services for clients who required supports outside the Yukon — required additional supports — we had to, in the midst of a pandemic, still provide critical, essential services for clients who were required to travel outside the Yukon. Those clients who had cancer, for example — we couldn't keep them here. We had to send them to BC, and we had to work through a pandemic, which meant that we had to work through additional supports. So, staff fluctuated quite a bit. We do know that, through this pandemic, we had to work very quickly with the Public Service Commissioner to determine how many of the health care staff were front-line staff — who were essential service staff — working through, as well, the childcare centres and ensuring that we have supports there. We had approximately 25 percent of our staff working from home, but the rest were essential services.

So I don't have those specific numbers for the member opposite, but I'm sure that, given the opportunity, you can ask that question of the Minister responsible for the Public Service Commission. Meanwhile, as we look at the specific budget breakdown for the \$5.246 million specific to Health and Social Services — I would be happy to respond to that.

I know that the Member for Lake Laberge indicated — and I take quite an offence to how the member described the

services for the Whitehorse Emergency Shelter — calling it a debacle, suggesting that the management was inappropriate, and referring to it being embarrassing for this government. Well, I have to say that is inappropriate, because these are essential service staff. If you refer to the October 8 transcripts from Thursday it clearly goes through this language that was used. I take great offence to that, because I think that's very inappropriate when we speak about the "problems" — the RCMP responds to "problems". You know, I don't see it as a problem; I see it as necessary supports and challenges that we have to bring in extra staff, we have to bring in extra supports, and we have to make the necessary accommodations at the Whitehorse Emergency Shelter.

That meant, of course, that we had to transfer some staff because we had to make adjustments. You're seeing in excess of 80 people requiring shelter on a daily basis when, prior to COVID-19, we were providing over 300 meals a day. Those people just didn't go off somewhere; they were still there. They still required supports — in-time supports — but because of COVID-19, we had to make some alterations and adjustments.

The alterations and adjustments that were required meant that we had to make some changes. It's very difficult to say that we can give specific numbers related to COVID, but we can give specific numbers to say that we've always had the best interests of the community in mind as we look at ensuring supports that we provided previously and maintain that same standard with the same level of services, which meant that we had to bring in additional social workers, we had to work through our RCMP supports, we had to work through emergency measures, and we had to work through Dr. Hanley's office to come up with an alternative plan.

The questions specific to — instead of supporting NGOs — including to address any problems that might have occurred, the government preferred to shove them aside — well, I have to say that — then see them shut down and hire more government staff in the Department of Health and Social Services — that's absolutely not true. What is true is that we work very closely with our NGO supports — our NGO partners in our communities. I have to say that is not — in my humble opinion — a very appropriate thing to put on the record. The NGOs have had increased funding in the last year. That never stopped; they continued to get the funding and the supports.

The increase that they have seen in the last two years was to provide essential services to Yukoners. It is important that we get these things corrected on the record. This is not what Yukoners want to hear or what Yukoners need. Yukoners need to know that we are listening to them — that we are listening to them and doing something about it. We are not just putting pressures and misclassifying — inappropriately calling out — our public servants. The public servants have gone above and beyond, and I stand behind them. The public servants of the Whitehorse Emergency Shelter have done an exceptional job.

Our NGO partners are going far above their responsibilities to meet the needs of their clientele, and I'm very proud of that. I don't want us to ever say that we have misappropriated, misrepresented, or disrespected anyone. Instead of putting that out there, I want to clarify for the record

that the claims that were made are, in fact, absolutely not true. I can say that. We have worked very closely with our partners and our NGO community.

I want to just conclude by saying that the appropriation for this year for \$5.429 million — I've indicated that I will provide it for the record and I will do that. I will very succinctly describe how it was all spent. Yukoners will be happy to know that the money was spent on essential services and necessary services to support them through extended family care agreements, through extended hospital stays, and through the additional mental wellness supports.

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

**Chair:** It has been moved by Ms. Frost that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee 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

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, 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. Ms. McPhee:** Mr. Speaker, I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:26 p.m.*

### The following sessional papers were tabled October 13, 2020:

34-3-45

*Financial Accounting Report — Government of Yukon — For the period of April 1, 2019 to March 31, 2020 — Mercer Marsh Benefits* (August 26, 2020) (Silver)

34-3-46

*Yukon College 2018-2019 Annual Report* and financial statements (McPhee)

34-3-47

*Department of Education Annual Report 2019* (McPhee)

### The following document was filed October 13, 2020:

34-3-34

Request for 500 meter greenbelt buffer zone around Nygren subdivision, letter re (dated October 6, 2020) from Wladimir Makar to Wade Istchenko, Member for Kluane (Istchenko)





# Yukon Legislative Assembly

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Number 46

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 14, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, October 14, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.  
Tributes.

## TRIBUTES

### In recognition of the Yukon Chef Collective

**Hon. Mr. Pillai:** I rise today on behalf of the Yukon Liberal government to pay tribute to the Yukon Chef Collective. The Yukon Chef Collective was formed earlier this year by Chris Irving as a way to give back to the community in light of the impacts that many were facing as a result of COVID-19. Four other Whitehorse chefs quickly came on board in support: Brian Ng from the Wayfarer Oyster House, Luke Legault from the Wandering Bison, Michael Roberts of Landed Bakehouse, and Ray Magnuson of Smoke and Sow.

This incredible group has been busy preparing an impressive 250 to 300 meals weekly for distribution at the Food Bank Society of Whitehorse, donating their time and expertise. They took to GoFundMe, and through the generosity of donors, \$14,000 was raised to supplement the costs. So many other Yukon companies also stepped up in support of the initiative, including Blackbird Bakery, G-P Distributing, Gray Ridge Lodge, Hummingbird Mobile Health, Mandalay Farm, Pizza Hut, Riverside Grocery, Well Bread Culinary Centre, Yukon Born and Raised Meats, Yukon Built, Yukon Gardens, ColdAcre Food Systems, Riverside Grocery, G&P on Main, and many more.

Between March and mid-June, the Yukon Chef Collective had delivered over 12,000 meals to the food bank for distribution to Whitehorse and surrounding communities, with thousands more in the months following. On September 11, the Yukon Chef Collective teamed up with the Government of Yukon for this year's United Way Breakfast fundraiser, which successfully raised over \$36,000.

Mr. Speaker, the Yukon Chef Collective is a true show of the community spirit here in the Yukon. In the face of adversity, these individuals came together to give back to those in need. Through this collective, we have observed the contributions that local businesses make to our society. It is even more important than ever to show our support for local businesses, just as they have shown to us.

A huge thank you to the Yukon Chef Collective for their contributions.

*Applause*

**Mr. Istchenko:** Mr. Speaker, I am pleased and proud to rise in the House today to celebrate the actions of a talented and determined group of Yukon chefs who came together to ensure that Yukoners did not miss healthy and balanced meals due to COVID-19 restrictions due to job loss, isolation, or temporary closure.

Chef Chris Irving started with a GoFundMe and a personal goal of raising \$5,000 to prepare 1,000 meals for distribution to the community. With support continuing to pour in, food continued to pour out. Other local chefs came to his aid, preparing different parts of the meals in their own kitchens. After securing an assessment from the health professionals to show that the small group working together under one roof could be low risk, they were able to come together to prepare meals without having additional logistics to figure out.

From there, the Yukon Chef Collective was born, as were an average of 300 meals per week distributed to Yukoners needing a healthy meal.

Along with Chef Irving, the Wayfarer Oyster House's Brian Ng, Wandering Bison's Luke Legault, Smoke and Sow's Ray Magnuson and Steve Clapp, baker Michael Roberts of Landed Bakehouse — and many other volunteers whom the minister spoke of earlier — dedicated their time, stores, food, expertise, and energy to create an amazing weekly menu for a great cause. With the dedicated use of Cat McInroy's Well Bread Culinary Centre's kitchen, the group worked with donations of food and ingredients from restaurants, distributors, businesses, and farms as well as the financial donations from Yukoners to provide meals throughout the summer from April to August.

The meals prepared were nothing short of incredible. The Yukon Chef Collective collaborated weekly to construct gourmet meals on the fly from fresh ingredients featuring locally grown meats, vegetables, and herbs.

I want to thank this generous group of individuals for not only filling a need within our community, but doing it with the professionalism and flair that our local culinary community is well known for. Well done, Yukoners.

*Applause*

**Ms. White:** Mr. Speaker, today I stand on behalf of the Yukon NDP to add our voices to the chorus of thanks to Yukon Chef Collective. Last fall when Chef Chris Irving's vehicle and all of his possessions were stolen in BC, a friend of his started a GoFundMe to help him recover from the loss. Yukoners, in true Yukon fashion, responded with compassion and kindness. He was blown away. This spring when the world felt crazy, he wanted to pay that kindness forward. With an idea and willing participants, the Yukon Chef Collective was born.

When you think about family gatherings, special occasions, and get-togethers with friends, it often revolves around the sharing of a meal, and that is because food is an expression of love.

A group of folks with skills and some time on their hands decided to respond to the uncertainty created by the pandemic with love. Chef Chris Irving, Chef Brian Ng from the Wayfarer Oyster House, Chef Luke Legault from the Wandering Bison,

Chef Michael Roberts from Landed Bakehouse, and Chef Ray Magnuson from Smoke and Sow set about to feed the community — and feed the community they have, with over 13,000 meals distributed by the Whitehorse Food Bank.

The collective didn't stand alone. The community stood behind them every step of the way as they raised approximately \$35,000. Every single dollar raised was turned into delicious meals for the community. Donations of ingredients came from all sectors, so whenever possible, meals were created with local meat and produce. Colourful, flavourful, and nourishing — a true reflection of love during a stressful time.

*Applause*

### In recognition of Fireweed Heroes

**Hon. Mr. Silver:** Mr. Speaker, today I rise to pay tribute to Yukon's Fireweed Heroes. I am so pleased to speak about these kind-hearted Yukoners who have created and presented beaded fireweed pins to honour essential workers and community leaders.

Kyla Popadynech in Dawson City started the campaign this past April. She was working at the Dawson City Community Hospital when she saw the nurses there going above and beyond to maintain safe patient care. She wanted to let them know how much their efforts were appreciated. Kyla's gifts were well-received and soon other caring Yukoners joined her to create and distribute these beautiful pins.

Yukoners — like the grade 7 First Nation studies students at Robert Service School in Dawson City and also the Fireweed Heroes at the Tantalus School in Carmacks — their unique and thoughtful gifts are important reminders of how much we appreciate the dedication of everyday heroes. Hundreds of Yukoners have now received these colourful pins across the territory — Yukoners like the Riverside Grocery employees in Whitehorse; Dawson City fire chief Mike Masserey; nursing home assistant Sari Paalanen; dedicated staff at the Yukon Communicable Disease Centre are also recipients of the pins; also American sign language interpreter Mary Tiessen, who has tirelessly worked to ensure that our deaf community receives important public information; and Dr. Brendan Hanley, our chief medical officer of health, whose calm, focused medical leadership has been appreciated by this government and by Yukoners.

There are too many to mention here today, Mr. Speaker, but we thank all recipients for having our backs and getting us through this pandemic. The fireweed flower symbolizes strength, healing, and renewal — all traits that match the character of those who wear the pins and everyone on our front lines.

Our truck drivers, our police, our paramedics, store owners, and shelter staff as well — everyone who has sacrificed for the common good — thank you. Thank you to the Fireweed Heroes as well for letting them know that Yukoners appreciate their perseverance, their kindness and resolve in the face of these unprecedented challenges. To each and every beader: You demonstrated kindness in action by contributing your time and your creativity to recognizing our outstanding Yukoners. Your connection to community is inspiring and we hope that

you continue with your efforts to spread kindness and meaningful recognition. Thank you very much.

*Applause*

**Ms. Van Bibber:** I'm pleased to rise on behalf of the Yukon Party Official Opposition to pay tribute to a very special, homegrown movement: Fireweed Heroes. Kyla Popadynech of Dawson City came up with an amazing idea.

In March or April, Kyla started making beaded fireweed lapel pins for health care workers to show her appreciation. She put out a call for others who may be interested in beading pins. Who answered? Dawson residents, Yukon residents, then Alaska and Yellowknife all answered the call.

The initiative took hold, and soon hundreds of crafters — some experienced beaders and some just learning the art — began to bead beautiful representations of fireweed. All colours and styles were created in short order, and all gifted to front-line workers across the territory.

Yukon's flower, the fireweed, is the first thing to appear and flourish after a forest fire. Fireweed was chosen, as it represents renewal, healing, and strength — key characteristics of the beautiful magenta flower. To most of us in the territory, fireweed represents home and wilderness.

Pins came flooding in from all communities and were distributed not only to health care workers but also to essential workers across the territory. You will see grocery clerks, truck drivers, medical professionals, and service workers don their pins proudly in a true show of Yukon solidarity.

The Fireweed Heroes Facebook group brought people from across the north together with the goal of showing appreciation for all front-line workers. The group was there to answer questions from new beaders, to offer assistance, advice, and praise, and to support one another.

A *National Post* article headline read: "Northern Residents embrace plan for unique beaded pin honouring COVID-19 workers". Kyla was interviewed and she said — and I quote: "The idea is that front-line workers can wear (the pins) in times of uncertainty... They can realize that there's lots of community members behind them, supporting them."

I would like to convey our sincere thanks to all beaders who contributed their time and skills to this wonderful cause. To Kyla and all the organizers: This has truly put the Yukon on the map for a great reason in a troublesome time and it has put smiles on many faces. Thank you.

*Applause*

**Ms. White:** Today, I stand on behalf of the Yukon NDP to offer my thanks and gratitude to the Yukon beaders who created the Fireweed Heroes pins. Beading is an intentional activity. You need to pay attention every step of the way, from threading the needle to the placement of the bead. It's intentional in the design of the pattern, the addition of the backing, and the placement of the pin. When you see a beaded piece, you're seeing the history of art and of storytelling.

The first time I saw a beaded fireweed, I smiled and I nodded. I understood the importance of the gift of a fireweed pin. It was the acknowledgement that the work being done was

important. The pins come in a bag that says “strength, healing, renewal” and it thanks the wearer for their service as a front-line worker. When possible, it includes the name of the beader and the date it was completed.

This summer, I saw fireweed pins being worn by front-line workers across the territory. Each pin is as individual as the job and the person doing it. Each is beautiful and each inspires hope — just like every front-line worker who wears one.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Ms. Van Bibber:** I have for tabling a document signed by the residents and owners along the Tagish River regarding their concerns with the Tagish River Habitat Protection Area Steering Committee’s draft management plan.

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

### NOTICES OF MOTIONS

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

THAT Bruce McLennan, chair of the *Putting People First* review, and Greg Marchildon, committee member of the *Putting People First* review, appear as witnesses before Committee of the Whole by teleconference on Monday, October 19, 2020, from 3:30 p.m. to 5:30 p.m., notwithstanding any current Standing Orders or practices regarding witnesses’ physical presence in the Chamber, to answer questions related to *Putting People First — The final report of the comprehensive review of Yukon’s health and social programs and services*.

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

THAT this House supports the Emergency Coordination Centre in response to the COVID-19 pandemic.

**Ms. White:** I rise to give notice of the following motion:  
THAT this House urges the Government of Yukon to announce a date for the implementation of affordable universal daycare for Yukoners.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to collaborate with other jurisdictions to establish a fast-tracked negotiation mechanism for drugs for rare diseases — specifically Trikafta, a drug used in the treatment of cystic fibrosis.

**Ms. Hanson:** I rise to give notice of the following motion for the production of papers:

THAT the Government of Yukon produce for tabling the 2019-20 annual report of the Yukon Child Care Board.

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

THAT this House urges the Yukon government to continue supporting the operation of the Fireweed Community Market by renewing its annual funding agreement.

I also give notice of the following motion:

THAT this House urges the Yukon government to support local businesses during the pandemic, including by purchasing locally manufactured products such as hand sanitizer.

I also give notice of the following motion:

THAT this House urges the Department of Energy, Mines and Resources to fix the roads into the Fox Lake burn woodcutting area quickly, in recognition of the impact that this is having on the ability of local fuel-wood businesses to access the area.

I also give notice of the following motion:

THAT this House urges the Minister of Energy, Mines and Resources to provide a public update on the status of the Fox Lake local area planning, including expected timelines for completion, by October 30, 2020.

I also give notice of the following motion:

THAT this House urges the Minister of Energy, Mines and Resources to provide a public update on the status of rezoning for the Shallow Bay area, including expected timelines for completion, by October 30, 2020.

I also give notice of the following motion:

THAT this House urges the Minister of Justice to explain why the 2019-20 *Supplementary Estimates No. 3* does not include a reduction for unspent funds associated with vacant RCMP positions, and what that money was actually spent on in the 2019-20 fiscal year.

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

THAT this House urges the Government of Yukon to increase the availability of information to the public by improving its website, including restoring information that used to be available on the old website which is now nowhere to be found on the new site.

**Ms. Van Bibber:** I rise today to give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of the following from the Government of Yukon:

(1) total cost to date for renovations and equipment at 22 Wann Road;

(2) operation and maintenance costs for the group home at 22 Wann Road; and

(3) any repair costs for damages to the facility.

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

THAT this House urges the Minister of Health and Social Services to provide a detailed breakdown of spending associated with the pandemic.

I also give notice of the following motion:

THAT this House urges the Premier to disclose the true costs of operating the Whitehorse Emergency Shelter, including a breakdown by department and a full accounting showing where costs have ballooned beyond the original budget for the facility.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to make public the actual costs of the comprehensive health review, including costs of the panel and department staff costs associated with supporting the panel.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Alaska Highway improvements

**Hon. Mr. Mostyn:** Since it was built nearly 80 years ago, the Alaska Highway has been one of the most important transportation corridors through Yukon. It has served generations of Yukoners and countless visitors, and it remains a vital link connecting our communities. Today I am pleased to update Yukoners on the work that our government has done this summer to improve the Alaska Highway, particularly the section that passes through Whitehorse.

Each day, this section of the highway is travelled by thousands of road users, including pedestrians, cyclists, commuters, tourists, and industrial traffic. This level of traffic is only going to increase in the years ahead, with the Yukon's population projected to grow to 49,000 by 2030.

Mr. Speaker, our goal is to ensure that our highway infrastructure can accommodate all road users safely and in a way that meets the needs of today as well as the needs of tomorrow. As we plan for increased traffic flows over the coming decade, our construction projects are focused on improving safety. Indeed, the safety of the travelling public is a top priority for our government and it has been the guiding principle for the construction work happening on the Alaska Highway near the Whitehorse airport and on the north Klondike intersection these past few months.

This summer marked the first phase of a three-phase safety upgrade project taking place near the airport. By the end of the construction season, we will have a new signalized intersection at Hillcrest Drive. This intersection will provide a safe crossing for pedestrians and cyclists — a long-standing request from local residents. Upon completion, the intersection will have additional through lanes, dedicated turn lanes, and improved lighting. These features will help to improve safety for all road

users. Local residents and Whitehorse cyclists will also enjoy a new multi-purpose trail adjacent to this section of highway. In addition, the previously uncontrolled accesses in the Hillcrest area of the Alaska Highway have now been closed. These accesses created dangerous traffic flows and increased the risk of collision in the area.

Mr. Speaker, I am pleased to share with this House that construction has been moving along and is now almost complete for the season. This summer, we also started working on the long-overdue safety upgrades for the north Klondike Highway intersection. This work includes new turning lanes off of the Alaska Highway, additional lighting, and through-traffic lanes to reduce vehicle conflicts. These features will substantially improve road-user safety and support the flow of traffic. Furthermore, there will be a new intersection for access to the Cousins rest stop. This access will also provide a much-needed frontage road to residential and commercial properties.

Mr. Speaker, I'm pleased to inform you that these upgrades are also nearing completion. Our government recognizes that construction projects of this nature tend to cause delays and detours for Yukoners, but the long-term safety benefits and improvements greatly outweigh the short-term inconvenience. We are grateful for the patience and understanding of the community and all those using the Alaska Highway throughout the construction work this season. We spent more than \$10 million on these improvements and it is money well spent. These safety upgrades have the potential to save lives and prevent countless accidents. I am very much looking forward to sharing news on further upgrades that will be happening along the Alaska Highway next season.

**Mr. Hassard:** I am pleased to have the opportunity today to speak to the expansion and widening of the highway corridor along the Alaska Highway through the Hillcrest subdivision and for upgrades to the Mayo Road turnoff.

As the minister points out, these will hopefully improve safety and traffic flow through these areas, and we are certainly supportive of that. As traffic grows in the territory — either through residential or commercial traffic related to mining or other activities — it's essential for our economy to have strong and reliable transportation links in the territory.

Many businesses, communities, and people in our territory rely on highways. Most everything is trucked into the Yukon — from food to clothing to construction materials — and in many respects, the highway is our lifeblood.

I do have to note that these upgrades, particularly the safety upgrades to the road around the Mayo cut-off, were done after the Yukon Party pushed the government to take action. I do have some questions about the budget for the project, so when the minister gets back up in response, I'm hoping that he can answer some of these.

I know the minister stated that they spent over \$10 million on the project to date, so I'm wondering if he could tell us how much was budgeted for the project and whether these expenditures are overbudget or underbudget. The minister also mentioned that this was the first of three phases of upgrades to the road around the airport. Is the minister able to tell us about

the other two phases? When will they start? What do they include? When will they be completed?

I'm also wondering if the minister can tell us what the plans are for other upgrades along the Alaska Highway. We know that the stretch of road through Porter Creek is in need of safety upgrades, especially in front of Goody's gas and Super A. Currently, there is no turning lane and there is an unsafe crosswalk across that portion of highway. This can be very dangerous in the winter, and there have been a number of close calls.

We also hear lots of concerns about the area of the Alaska Highway in front of Yukon Yamaha and Standard buses. Currently, there is no turning lane, which means it can be very dangerous during rush hour for those travelling to Whitehorse or leaving Whitehorse going south.

We also have questions about whether or not safety upgrades can or will be made to the approach to the Lewes River bridge. Right now, the approach can be very dangerous, especially during wet or icy conditions. We also know that there are a number of bridges in the territory with dangerous approaches, which can lead to close calls. What is the government's plan to address these going forward?

What I'm looking for is a bit more insight into the planned future upgrades and what the budgeted expenses of those are. As for the planning of the current phases around the airport — which we are talking about today — I want to raise a couple of issues and ask just a couple more questions.

On November 13 and November 27 of last year, the minister was asked whether or not the government was in discussions to take over the Sally Ann property along the Alaska Highway where the ARC was located. After ignoring the initial question on November 13, the minister finally responded to follow-up questions on November 27, stating that the government was only looking to obtain the Airport Chalet. However, on January 2, the Liberal government submitted a proposal to YESAB stating that it is currently in discussions with the Salvation Army to take over ownership of the land.

The document specifically states that the government has been in discussion with a number of groups — the Salvation Army included — about the project since February 2019 — this despite the fact that the minister claimed in November that his government was not looking at the property.

So I'm hoping that the minister can tell us today how much was actually spent on the purchasing of land.

**Ms. Hanson:** On behalf of the Yukon NDP, I have a few comments to offer in response to the Minister of Highways and Public Works' statement today.

It is pretty clear to anyone travelling through Whitehorse, even in these COVID times — you couldn't help but notice the Alaska Highway construction this summer because of the number of areas along the Alaska Highway where the construction activity became such a daily challenge that area citizens resorted to Facebook to note where the daily obstacle course was for that day.

The minister's statement today reads like it came from an alternate universe to the actual experience of those navigating

the Alaska Highway corridor through Whitehorse. What the minister chose not to reflect today, unfortunately, was any sense that he had an appreciation for the safety of those travelling along and across the Alaska Highway corridor in Whitehorse, whether they were in their cars or trucks or on their bicycles or if they were pedestrians. No mention was made of lessons learned or how he has directed the Department of Highways and Public Works to remedy problems encountered this summer, such as poor signage and flagging. Either they were not up to safety standards or sometimes they were just missing — dangerous situations for pedestrians and cyclists trying to navigate construction with no clear signage on where to go. Roads were closed with no notice, creating problems for city and school buses, never mind the businesses and residents impacted.

The minister's response to a litany of complaints from citizens was to hand out the cell number of a construction supervisor — this on a project that this government is responsible for. Surely this government had its own project supervisor and staff monitoring the sites. Other sections of Yukon highways were also worked on but not mentioned by this minister — maybe not mentioned due to even more complaints.

What we heard from Yukoners trying to negotiate these areas were the problems associated with these improvements. I won't go into a long list, but suffice it to say, the minister knows what those were. It is his response that was concerning. When the minister suggests that people just slow down, it doesn't help the individual who does slow down and still has to put out \$400 to replace a windshield or has been injured by flying rocks spun up by construction vehicles.

Highway improvements are necessary and important — for Yukoners, for businesses, and for tourists. But safety while making these improvements needs to be addressed. These safety requirements should be part of any contract handed out by this government. The minister has a responsibility to make sure that these requirements are not only built into government contracts, but that his officials monitor them to ensure that they are followed.

We live and hope that, when tourists once again travel Yukon highways, they will not have to experience what so many Yukon travellers did this summer. We can live and hope that the minister will take his statement today as a statement of aspiration for his expectations of how future roadwork in the Yukon will be carried out so that Yukoners and our visitors can feel confident that, as minister responsible for Yukon highways, he is committed to the safety of all who travel Yukon's highways.

**Hon. Mr. Mostyn:** I thank the members opposite for their comments on this project — which is a very necessary safety improvement through Whitehorse — this afternoon.

I want to assure the Member for Whitehorse Centre that, throughout this construction project, I not only drove through the site several times a week, but I also biked and talked to the bikers going through this several times throughout this construction project to maintain an idea for what was going on

at this site and what people were having to contend with. I biked through it on multiple occasions. I spoke to the flag people on the site. I spoke to bikers and had conversations with them going through this site and learned myself how difficult it was to navigate. Mr. Speaker, I reported that information back to the department and asked that it be dealt with.

I also want to assure the member opposite that safety considerations are built into all of our contracts and that the department does monitor those contracts and it does maintain them.

What we're talking about here, though, is a very, very complicated construction job in one of the busiest stretches of highway in northern Canada. What happened there, Mr. Speaker, is that it was a terrible stretch of road to begin with and we pulled all of the accesses and everything out of that area and then tried to manage all that traffic through that area. The construction company worked through a pandemic and through terrible weather, and they made sure they had the staff and got the job done.

It was an inconvenience. I empathize with the residents who live in Hillcrest and who had to navigate that construction site — which actually was several construction sites, Mr. Speaker — and, yes, it did change on a regular basis. In workplace safety, we are taught to identify the hazards and adapt to the hazards as they present themselves, and that's exactly what the construction company was doing throughout this job.

Mr. Speaker, the Leader of the Official Opposition has spoken about the budget. It was a \$10-million budget for both jobs — roughly \$5 million apiece. We are still waiting to find out the final price of this, but I have not been led to believe that it has gone overbudget; I believe that it was delivered on time and on budget. I really appreciate the work of the construction companies through a very difficult year to get all of this work done to enhance the safety of one of the most important corridors in the Yukon, making sure that the road going forward is safe and able to handle the traffic volumes that we will see in the future.

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

## QUESTION PERIOD

### Question re: Diesel energy generation costs

**Mr. Hassard:** As we have discussed here many times, the territory is facing an energy crisis. The short-sighted decision by the Liberals to cancel plans for a new LNG facility and to instead rely on renting diesel generators and building new diesel plants over the next decade has put Yukon in a dangerous place. No one wants us to be in a position where there could be frigid weather in the dead of winter and our rented diesel generators are on the brink of running out of fuel. However, this was precisely the case last winter. The Official Opposition has obtained e-mails indicating that, in January, the fuel supply was getting so bad for Yukon Energy that their fuel supplier was not "... panicking yet, but are a bit edgy with the situation."

Can the minister confirm how close the Yukon Energy Corporation was to running out of fuel in January?

**Hon. Mr. Pillai:** Mr. Speaker, first of all, let me get the appropriate information. I will go back and look at those dates. I know that we were in some very tight spots, and it had to do with a series of events. It really came down to, in one particular case, Skagway Pass being closed. We were in a position where normally we would see shipments of fuel come over that pass. We did work very closely with the Minister of Highways and Public Works to monitor that situation and to move as quickly as we could to move fuel over, but the team at Yukon Energy Corporation were very innovative. They reached out across the territory and to ATCO as well to ensure that we had fuel.

I will come back with specifics on it, but, yes — last year there was a perfect storm — but, again, when we talk about the diesel generators, we are talking about backup power in case of an N-1 scenario and that means, "What would happen if one of our bigger assets such as Aishihik or the Whitehorse dam went down?" I don't want to muddy the waters, but it is always good to have contingency plans and the lessons learned from the situation last year.

**Mr. Hassard:** So, as referenced, the fuel supply for our diesel generators was so low that Yukon Energy sent an e-mail indicating that their supplier was — quote: "... a bit edgy with the situation". The e-mail — dated January 16, 2020 — goes on to state that there were only a few days of fuel supply left. For reference, the average temperature for the week of January 16 was minus 37, with lows going down to almost minus 41 on January 18.

The prospect of running out of fuel during such frigid temperatures is certainly scary, especially for Yukoners who rely on electricity to heat their homes. If we are going to rely on diesel generators for electricity, we need to ensure that we have an ample amount of fuel on hand — otherwise the government is putting Yukoners at risk and we end up in a dangerous situation.

What is the government's plan to ensure that Yukoners do not have to be a bit edgy around our fuel supplies this winter?

**Hon. Mr. Pillai:** First of all, I think that this is a fantastic question, and it is great to debate this and to consider the situation of last year. So, I do appreciate the question and we will work with Yukon Energy over the short run to come back and let you know what they are looking at for contingency plans.

But I think it is also important to note that the question seems to be tying together backup generators to the short-sightedness of building a diesel plant. What we are talking about is fuel supply — so whether you were renting diesel generators or you built a megadiesel plant, which the opposition are talking about, you are still going to need fuel for either one. If we are talking about contingency for fuel supply — absolutely — I think it is a great item to debate here — I will come back on that one — but let's not use smoke and mirrors here. That has nothing to do with whether you have rented diesel or a megadiesel plant, as the opposition wants to build.

**Mr. Hassard:** So, the e-mail we have indicating that the Yukon's fuel supply was getting very low was obtained through



ATIPP. However, when we first filed this request in June, we received a response that said there were no records found. It was not until we filed a complaint with the Information and Privacy Commissioner that the Liberal government finally released the e-mails months later.

Can the Deputy Premier tell us if he or anyone in the Cabinet offices were notified of this access-to-information request at any time throughout the process?

**Hon. Mr. Pillai:** No, I was not made aware of any request. Again, when these requests are made, that's not something that I'm made aware of. I apologize to the opposition if there was any delay. Again, this is a great topic for us to debate.

We had a situation last year where we were in a position where fuel was very scarce and we were at a very critical point. I think that my office and the Yukon Energy Corporation have an obligation to take that into consideration and make sure that we take lessons learned from that and that we do have a contingency plan.

I'm going to make that commitment to the members opposite to come back and work with Yukon Energy to ensure that they do have a contingency plan so that we're ready in case something like this happens in January 2021.

#### **Question re: Liard First Nation election, perceived interference by Yukon government**

**Mr. Kent:** On June 29, the Liard First Nation held its election for a new chief. At the time, the Minister of Energy, Mines and Resources was accused of interfering with that election by making a government announcement with one of the candidates just days before the vote.

Can the minister tell us if there are any policies or protocols against doing government announcements using government money that may interfere in the elections of other orders of government? Have any changes been made to government announcement policies as a result of this particular incident?

**Hon. Mr. Pillai:** Again, I'm happy to see the progress that's happening with Liard First Nation on this particular project. I know the new administration with Liard First Nation are quite happy to continue the work on this project. We're seeing the nation — their development corporation — looking to purchase pieces of equipment and to keep moving on it.

The decisions that were made around that particular agreement were passed through a process and agreed upon before the election process had begun. We thought it was appropriate to announce this and to make sure that the entities that are out there in the construction business, especially during COVID, were aware of this particular opportunity.

I look forward to continuing to work with the new chief of the Liard First Nation, as well as their team at their development corporation.

**Mr. Kent:** So this question isn't about that project. I'm sure we'll have time to discuss that going forward. It's about perceived interference in the Liard First Nation election, which was held on June 29. The Yukon government announcement of this project was made on June 25.

Can the Minister of Energy, Mines and Resources tell us why the decision was made to make the government announcement with one of the candidates just four days before the election and why could the announcement not have been held until after the election?

**Hon. Mr. Pillai:** There are a few points there. First of all, we had to go through a Cabinet process. After we had gone through the Cabinet process, we felt that it was appropriate to make the public announcement on that decision after it was decided upon. Secondly, think — from my conversations or communication with the Chief of Liard First Nation — that he is happy to work together as we move forward.

When I think about announcements and the Gateway project, the one that always shocks me is the one that was made in the spring of 2016 when the individual who is actually asking me the questions had the Mayor of Carmacks come out and celebrate the starting of a project, and there had not even been an agreement in place. The First Nation wasn't even aware of it. That's the boondoggle that we have been cleaning up.

If anybody deserves to maybe answer some questions about making formal announcements and bringing other levels of government in when there is not even an agreement, it's the person asking the questions.

**Mr. Kent:** I can understand why the minister is uncomfortable answering these questions, because there were some serious concerns raised by other candidates in that Liard First Nation chief election with regard to the timing of the minister's announcement — again, which happened four days before the election.

According to a July 1 *Yukon News* article, a Liberal Cabinet spokesperson — and I quote: "... did not respond to questions about whether the Yukon government believed it had interfered with LFN's election."

So, I'm asking the minister here today: Can he answer that question?

**Hon. Mr. Pillai:** Again, our two governments continue to work together on this particular project. We will continue to support Liard First Nation as they go through it. I'm going to continue to make sure that I'm working with their chief and council on this particular topic. I know that the Premier and other ministers were there to visit, and the response to date has been that they are quite happy with this project.

So, we have an agreement signed, we have a project moving forward, and we look forward to speaking about this project and really informing Yukoners about Gateway in broader terms — about what we have seen and the pieces that we were left with when we came into government.

#### **Question re: Government jobs in rural communities**

**Ms. White:** Last week, the government supported the NDP motion to bring more jobs to Yukon communities and to decentralize YG jobs. This could have a great economic impact in many communities if the government's actions match its words. The minister pointed to a very specific example, and I quote: "... having regional economic officers living and working in the communities that they serve can be effective.

This has already happened in Watson Lake.” Yet we learned this morning on CBC that the very position that the minister spoke of was cancelled back in February.

Can the minister explain why his words don’t match reality when it comes to locating YG jobs in communities?

**Hon. Mr. Pillai:** I think that is the minister that the member opposite wants to hear from.

I’ll share the same thing with the Legislative Assembly that I did with the media yesterday as well during the scrum. I think that having economic development regional positions in communities is a very important thing, and I think there is tremendous value in it. In some cases, we funded positions or secondments — whether they be in Burwash, Haines Junction, Dawson City, and many communities — Ross River — and so we have looked at both of those options.

Again, in this particular case, I still support us having a position in Watson Lake. I think we did a pilot over the last two years. The department has a chance to reflect on that. I think that it is important to have individuals in all of these communities.

I look forward to questions 2 and 3, but I just want to state for the record that our government — as well as the department that I work with — supports having individuals out there. I think they add tremendous value by knowing those communities.

**Ms. White:** The Minister of Economic Development said — and I quote: “... we have had the opportunity to move somebody from Regional Economic Development to that community to live there.” Those are his words from a week ago. As it turns out, it was all made up, and this proud Watson Lake resident is being forced to relocate to Whitehorse or risk losing her job. How is this fair? The minister was using someone’s precarious situation to score political points.

So, let me ask a general question to the minister: Will he commit that no employee, whoever they are, will be sanctioned for sharing their experience working in the communities, even if they contradict the minister’s words?

**Hon. Mr. Pillai:** Mr. Speaker, if you have spent multiple mandates in opposition asking questions, you know that if a question is asked about a particular employee that, on this side of the bench, you can’t answer — why would you ask the question? For political points.

**Ms. White:** The minister is happy to talk about human resources when it supports his agenda, but he is now using this as an excuse to avoid accountability. Let it be known on the record that, if any sanction is taken against this employee, it is the responsibility of this very minister.

I want to look at another surprising statement that the minister made to the CBC. The minister said that his department offers funding to First Nations and municipalities that want to hire their own economic development staff. I can tell you that this is news to many communities. They have been told that Economic Development funding is project-based and not available for hiring staff.

Can the minister give any example of a municipality or First Nation that has received funding through Economic

Development to hire their own economic development advisers?

**Hon. Mr. Pillai:** I will give two particular cases. In both situations, they are project-driven — so there’s a project that has been identified and therefore, within the project, there is capacity that is needed to execute the project. The two particular ones I would look at would be the work with the Tr’ondëk Hwëch’in that was funded partially by the Department of Economic Development and partially by the Department of Energy, Mines and Resources. In the past, Regional Economic Development has done funding as well in Haines Junction where it has been project-driven.

Those particular either First Nation development corporations or governments identified a project or that part of the work that is needed is somebody within the project, and we have funded them. So again, the member opposite is misleading a bit. There is full commitment here toward making sure that there are individuals — whether they are from the Yukon government or we work with other entities — in those particular communities. We think that this is important work, and it is work that we will stand behind and continue to do.

#### **Question re: Tagish River habitat protection area management plan**

**Ms. Van Bibber:** The property owners in Tagish have significant concerns with the current draft of the habitat protection area plan for the Tagish River. We tabled a letter signed by 42 of those individuals. We know that consultations close on October 31 on the current draft plan. The process beyond this is unclear.

Can the minister tell us what the next steps are and who will be making the final decisions on the Tagish River HPA?

**Hon. Ms. Frost:** With respect to the Tagish River habitat protection management plan — it is certainly important to look at our commitments under the *Carcross/Tagish First Nation Final Agreement* when preparing that plan and working via the committee that has been established.

Of course, it is important as we look at the government’s responsibilities — looking at the *Carcross/Tagish First Nation’s* responsibilities. There is a significant piece of history there as well that we have to take into consideration in terms of hosting public engagements. There are specific recommendations that came out of the plan — of course, that was a bit delayed. We have certainly undertaken quite a bit of public engagement, incorporating all of the measures that have been imposed on us, and we will continue to do just that.

I want to just assure the constituents in Carcross/Tagish and that area that we will continue to do the dedicated work that started in 2015 and to initiate an intergovernmental collaboration process.

**Ms. Van Bibber:** One of the most contentious issues is with respect to reducing the number of docks along the river. Many owners are worried about losing existing structures or not being able to build new docks. They feel that this will negatively impact their enjoyment of their property and the value of their investment.

Will the minister commit to allowing one dock per property, as asked for by the signatories?

**Hon. Ms. Frost:** As indicated, there were 33 recommendations presented in the plan through various consultative processes. Of course, as we look at integration of the management plan and structure, we always want to consider the local traditional knowledge of that area, but we also want to look at some of the large community concerns along shoreline development. But I certainly will not commit on the floor of the Legislative Assembly to do anything that would compromise the engagement, as it is currently happening. That would be counterproductive and it would contravene the decisions that have been made, or the recommendations. Until that is concluded, I would suggest that we will take that under advisement and we will bring it back.

**Ms. Van Bibber:** This process is underway at the same time as the Tagish local area plan is being developed. It sounds like both plans are being conducted in isolation of one another. How will the minister reconcile differences between the two plans?

**Hon. Ms. Frost:** I would beg to differ. I believe that those are two things that are happening simultaneously.

#### **Question re: Whitehorse Waterfront Trolley**

**Mr. Istchenko:** As we know, the Whitehorse Waterfront Trolley had — past tense — been a staple in a very visible part of the city since 2000. After a lot of volunteer time and government money was invested into the system over the years, in 2019, the Liberal government decided to derail the trolley by pulling the plug on annual funding. This came as a shock to many.

Since then, older parts of the track, namely by the Kwanlin Dūin Cultural Centre, have degraded to a point where they become a safety hazard. Last Friday, Highways and Public Works posted on social media that it would be “removing unsafe segments”. So, Mr. Speaker, why has it taken so long to address such a visible safety hazard?

**Hon. Mr. Mostyn:** I want to thank the member opposite for the question on the Whitehorse trolley this afternoon. We are working to address the public concerns. It has been brought to our attention that the tracks pose a safety hazard for the public as the wooden ties are worn and are a potential tripping hazard. The government spent \$14,000 to repair and replace timber along selected locations of the trolley track to ensure public safety in the summer of 2019.

So, Mr. Speaker, right away, the member opposite is incorrect. We have taken action to fix these hazards — but upon having those fixes in place, we have now reflected on it, taken another look, and realized that they are not doing the work that they should have done, so this year we will be removing a section of the track that is in poor condition.

The member opposite is right. We did post that on social media, and we are responding quickly to the public’s concerns. We hired a contractor. This was the earliest that they could get the job done.

**Mr. Istchenko:** It is great to see that this minister is finally fixing the unsafe part of the track, but it may be fine and

dandy to clean this up — because it is an unsafe segment of the track — but as I mentioned earlier, this track is very visible all along the Whitehorse waterfront. Besides, unsafe sections are where sections were repaired and replaced in 2017 and 2018, thanks to funding from the museum, which is stretched in their dollars as it is.

The work included upgrades to the rails, the railbed, as well as the trolley. How much is it costing to have the trolley sit idle, and who is picking up that cost?

**Hon. Mr. Mostyn:** For 18 years, the Government of Yukon supported the Whitehorse Waterfront Trolley through annual funding agreements as well as multiple one-time contributions. The trolley’s original business plan, as put forward by the original not-for-profit operator, was modelled on a financially self-sufficient trolley that was never realized. In keeping with our government’s commitment to provide value for taxpayer money, we have decided to discontinue the funding of the trolley’s operation, and that is saving us hundreds of thousands of dollars a year.

**Mr. Istchenko:** The new section from the Wheelhouse to Rotary Peace Park did carry passengers for a few months in 2018. Downtown businesses and tourism operators who are looking for any attraction they can get right now and rural constituents who like to come in and let their youth ride on the train expressed to us their disappointment that they cannot look forward to riding the trolley each year.

Mr. Speaker, here’s a basic question: What is the overall plan for the Whitehorse Waterfront Trolley?

**Hon. Mr. Mostyn:** In 1999, the Yukon government purchased a Portuguese narrow-gauge trolley from a railroad museum in Minnesota to support the endeavour of the Miles Canyon Historical Railway Society to operate a train on the Whitehorse waterfront. In March 2017, MacBride Museum took over the trolley operation from the society. Their agreement with us expired and we decided not to fund it anymore.

In 2018-19 through to 2010-11, we spent \$107,000 in annual transfer payments to the trolley. The additional one-time funding came to \$439,000 in 2017-18 — extraordinary amounts of money. Ridership was about 10,500 passengers per year. The annual government subsidy equated to \$32 per rider. We decided that was no longer a good use of public money and we have stopped funding the Waterfront Trolley.

#### **Question re: Affordable housing and land development**

**Ms. Van Bibber:** The issue of housing availability, land availability, and of course affordability has increased significantly in the last four years. According to the Yukon Bureau of Statistics, the average price for a single detached home was \$546,800 this summer. This is an increase of \$123,500 compared to 2016. As a result, many Yukoners have seen their dream of home ownership disappear over these last four years.

Can the government tell us what is being done to ensure that Yukoners can actually afford to purchase a home?

**Hon. Mr. Pillai:** I think this probably touches on a series of portfolios here — myself, the Minister responsible for Yukon Housing Corporation, as well as Community Services.

I think it's just important to report to the Assembly — just over lunch, the Premier and I sat at the Yukon Contractors Association AGM. It's a good opportunity to get a sense from the sector on where they see the gaps and how we can ensure that lots can go out at the appropriate prices but also that we look forward and we don't see any bottleneck as we see lots go out the door.

We were happy to report — and I'm sure my colleague will touch on it — about the over 270 lots that will be going out this year. I know the financial expenditures on this particular work have grown greatly over the last couple of years. But also, more importantly, we need to be working with the City of Whitehorse to understand where the official community plan is going to lead us in the next set of developments.

We know that Whistle Bend has been a key spot. We continue to look at private land development. We have some announcements that we're pretty excited about — between me and the Minister of Community Services — over the next little bit around private development, but as we look forward, it's really key to make sure that we have that lot availability.

Based on population numbers back in 2011-12, we thought 200 lots would be enough. We still continue to use that number — but again, big investment is what's needed to keep prices stable.

**Ms. Van Bibber:** Clearly, these actions aren't enough, as more and more Yukoners are coming to the realization that they'll never be able to afford a home. Can the minister tell us what the current timeline is for the completion of all the phases of Whistle Bend?

**Hon. Mr. Streicker:** I'll have to work to get a specific projection on the timeline for the completion of Whistle Bend, although, as with many projects, there are always ways that it can be added to — for example, working with our First Nation partners — but I'll work to get a timeline back for the member's question.

I will note that I looked back, given earlier debate here — and I looked back at 2013-14, 2014-15, 2015-16, and 2016-17 — the previous four years of the last government. I added up all their investment in land development. The total was \$24 million. The total this year that we're investing is \$25 million.

So, we're investing heavily in lot development here in Whitehorse and across the territory, because we recognize that it's very important to keep lot availability in a growing economy. Even though there has been COVID-19, what the mayor of Whitehorse has told me is that they have more development started here in the territory than ever before.

**Ms. Van Bibber:** Recently, the issue of lack of affordability of commercial land has come to the forefront. A lack of commercial land is unfortunately another barrier to businesses during a crucial time of economic recovery. If local businesses do not have room or opportunity to expand, they will unfortunately look elsewhere. Efforts should be undertaken by

the Yukon government to help stimulate the economy by making commercial land available.

What action is the government taking to make more land available for commercial development?

**Hon. Mr. Pillai:** First of all, we have to take into consideration that, when we are talking about lot availability, there are different responsibilities — whether it is in Whitehorse or in our communities. Really, when it comes down to defining where either light industrial or industrial lots will go in the City of Whitehorse, of course, as the members opposite are aware, that falls under the official community plan. This goes back again — we have talked about it a lot of times — the memorandum of understanding in 2006, where the city defines where this happens.

We are ready, willing, and able to work within those guidelines and framework to ensure that we meet not just their goals when it comes to residential but also for industrial. I think we have had a small debate in the House about this. We still believe that there is a real opportunity for the private sector and private landholders to move toward getting out these particular types of lots. As I remember from our debate here in the House, there was some resistance from the Official Opposition in that particular conversation. It seems now that there's maybe a change of heart, which is great to hear. That is one option.

Also, I think that it is important to look at First Nations, such as Kwanlin Dün First Nation, who are also putting lots out at this particular time and now have the ability to register them after our work on the Land Titles Office.

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

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Unanimous consent to move without notice a motion to extend the maximum number of sitting days for the 2020 Fall Sitting

**Hon. Ms. McPhee:** I request the unanimous consent of the House to move, without notice, pursuant to Standing Order 14.3 and notwithstanding Standing Order 27, a motion extending the maximum number of sitting days for the 2020 Fall Sitting to 45 days.

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without notice, pursuant to Standing Order 14.3 and notwithstanding Standing Order 27, a motion extending the maximum number of sitting days for the 2020 Fall Sitting to 45 days.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

#### Motion No. 271

**Hon. Ms. McPhee:** I move:

THAT, notwithstanding Standing Order 75(2), the maximum number of sitting days for the 2020 Fall Sitting shall be 45 days.

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

THAT, notwithstanding Standing Order 75(2), the maximum number of sitting days for the 2020 Fall Sitting shall be 45 days.

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker, and thank you to all of my colleagues for the opportunity to bring this matter before the Legislative Assembly. There have been extensive discussions between the House Leaders over the last number of weeks. We have taken into account consideration of the business before the Legislative Assembly this fall. We have consulted extensively with our caucuses and have agreed that the Fall 2020 Sitting should be 45 days, ending on December 22, 2020.

Mr. Speaker, we gave much appreciation to the officials, the staff, the contractors, and the media who support the work of this Legislative Assembly every day, and we came to the determination that a 45-day session will be in the best service of Yukoners. I appreciate the opportunity to bring this before the House today.

**Mr. Kent:** I would like to join the Government House Leader in thanking colleagues and thanking her as well as the House Leader of the New Democratic Party for the discussion that we've undertaken over the past number of weeks in reaching this agreement today.

Of course, our preference would have been to sit for the normal 60 days in this calendar year. This agreement that we have reached today drops that down to 54 days. With the pandemic-shortened Spring Sitting and the Legislature not continuing this summer, that full 60 days was not possible.

Had this agreement not been reached, the default would have been 30 days, so it was important to find some common ground with colleagues, and we believe we have done this with a 45-day Fall Sitting.

We look forward to debate over the next 38 sitting days and to doing our job of holding the government to account during that time — and again, thanking colleagues on both sides of the House for coming to an agreement on an appropriate amount of time to conduct the business of the government, that business, of course, being done on behalf of Yukon residents.

**Ms. White:** To echo the thoughts of my colleagues, this is an example of how different parties can work together toward a common goal. It wasn't easy, but here we are with a final number. I also look forward to debate during the upcoming days.

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

**Some Hon. Member:** Division.

### Division

**Speaker:** Division has been called.

Are members prepared to waive the ringing of the bells?

**All Hon. Members:** Agreed.

**Speaker:** There is agreement.

Mr. Clerk, please poll the House.

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

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

**Hon. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Disagree.

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

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

**Ms. McLeod:** Agree.

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, one nay.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion agreed to*

### Government House Leader's report on length of Sitting

**Hon. Ms. McPhee:** Mr. Speaker, I rise pursuant to the provisions of Standing Order 75(4) and the motion adopted earlier today to inform the House that the House Leaders have met for the purposes of achieving agreement on the maximum number of sitting days for the current Sitting. The results of this meeting are that the current Sitting should be a maximum of 45 sitting days, with the 45<sup>th</sup> sitting day being Tuesday, December 22, 2020.

**Speaker:** Accordingly, I declare the current Sitting shall be a maximum of 45 sitting days, with the 45<sup>th</sup> sitting day being Tuesday, December 22, 2020.

### GOVERNMENT PRIVATE MEMBERS' BUSINESS

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

##### Motion No. 236

**Clerk:** Motion No. 236, standing in the name of Mr. Adel.

**Speaker:** It is moved the by the Member for Copperbelt North:

THAT this House supports the current state of emergency in Yukon.

**Mr. Adel:** Thank you, Mr. Speaker. I rise today to speak to Motion No. 236: "THAT this House supports the current state of emergency in Yukon" — so that the continued assessment and management of Yukon's COVID-19 response can happen.

The state of emergency was first brought into effect on March 27, 2020. Since then, the government has been working diligently to protect all Yukoners in the territory from the spread of COVID-19.

The Official Opposition has been quite clear that they oppose the state of emergency. The Member for Watson Lake was advocating for the opening of our border to Alberta just last week. It's not really surprising, given that the Yukon Party believes they know better than the industry professionals. They've gone so far as to promote financially and support lawsuits challenging our border restrictions. Perhaps if they spent as much time understanding the epidemiology as they do openly opposing every decision this government makes under CEMA, then their opinion on the matter might change.

I can only hope that one day logic and common sense will persevere within their party ranks, but until then, we make sure that we have them on record as to their opinion of what the emergency measures are.

I would like to also start — on a different vein — by thanking the members opposite for adjourning the 2020 Spring Sitting early, which provided us with the much-needed time to focus and strategically address the threats of the pandemic. As a result, no Yukoners have been lost. This is a really remarkable statistic and one that I think everybody and their sacrifices that they made — we can be proud of that.

We know that Yukon businesses are struggling as a result of the pandemic. At the same time, we are thankful for their efforts to try to keep going and to keep people healthy. Addressing the economic impact and downturn continues to be an important priority within this government, and I know that my colleagues on this side of the House have certainly been putting a lot of effort into that particular part of this.

No one's ability to respond to a pandemic has been easy. Our civil emergency legislation is outdated and needs to be improved. I am happy that this government has tabled a motion to establish an all-party committee to discuss and provide recommendations for how this legislation can be updated to provide future governments with the ability to address emergencies better.

The *Civil Emergency Measures Act* requires us to be in a state of emergency to respond to the pandemic quickly and effectively. While much of the world — Canada included — has done its part to flatten the curve and reduce the spread of the virus over the summer months, we are now unfortunately seeing a resurgence nationally. The potential impact of a second wave is a very real threat.

We don't know what we can expect moving from fall into our winter months, but we do know one thing: We want to be prepared to respond appropriately and quickly. Remaining in a state of emergency under our current legislation is required in order for us to proactively work toward the health and safety of Yukoners. It affords the government flexibility to bring in new orders and remain nimble in our response to the pandemic as it unfolds in real time.

The CEMA, the *Civil Emergency Measures Act*, has three main thrusts and focuses. It lets us deal with: isolation requirements to keep people healthy; border controls for who comes in, who goes out, and how we deal with getting through; and the third part of that is how we enforce those regulations. It is important that we recognize the necessity of these tools, and collectively we must work together to ensure that

accountability and transparency are held to the highest standard while we operate under this legislation.

In the event of community spread, the government requires the necessary tools to make decisions that help restrict and slow the spread of this deadly virus — in short, to protect the lives of all Yukoners. We also need to recognize that our more isolated communities are more vulnerable to pandemics and diseases. They are not equipped to necessarily handle a significant outbreak, and we want to take every precaution that we can to protect our communities.

Over the course of our spring and summer, this government issued several ministerial orders under the *Civil Emergency Measures Act*. The CEMA orders total 20 — six have been rescinded, and 14 are still in force. As these things either time out or are considered to not be relevant, they are removed. It's not like these are a temporary measure that becomes permanent.

These orders are intended for a multitude of different reasons. Some provide flexibility for the general public in conducting business — like the virtual commissioning, signing, and witnessing order, which enables the use of audiovisual communication technology where signing in presence is required by law.

Like other social assistance regulation overrides, this will ensure that individuals receiving Canada emergency response benefits are not negatively impacted on their eligible social assistance, nor will it impact the amount of assistance that they receive. Each of these orders issued today are important for Yukoners, with a focus on public safety and security — once again, the big three: isolation, border enforcement, and enforcement of all orders.

Support for the continued state of emergency in the Yukon is important to ensure that Yukoners have the support they need while we collectively navigate the uncertainties that lie ahead.

Mr. Speaker, some have chosen to challenge these orders as an infringement on the *Charter of Rights*. To them, I ask: Whose good are you really serving? This government — any government — the first priority should be the health and safety of all its people. I hope this House will join me in supporting this motion and that we, as members, recognize the importance and significance of it for Yukoners and our future.

**Mr. Cathers:** I'm pleased to rise to speak to this motion. I would just note that the Liberals — we have seen them paint this in black-and-white terms — either you agree there's an emergency, or you don't — and fail to recognize the fact that the details of the actions taken by government do have a profound effect on the lives of citizens. No matter what government's intentions are, government is not the sole repository of all knowledge within the territory, and in fact, it does not fully understand the impact on businesses, citizens, and others in the same way that those people do.

The remarks made by the Liberal backbencher who introduced this were very tone-deaf and arrogantly dismissive of Yukoners whose lives are affected by this and business owners who were so upset — not only with the rules that were imposed by government, but the lack of public process and

democratic oversight of those rules — that they chose to take the government to court.

Now, whether the court will agree with their application or whether other Yukoners agree with their application is a matter for the courts — and respectively, for Yukoners — to decide. It is not my intent here to argue the merits of their case or lack thereof other than agreeing with them on the fact that the lack of public process and democratic oversight is a problem. As the members will recall, it is not just us who have said this, not just citizens and businesses, but in fact those who have expressed concern with the approach taken by government include the retired Clerk of the Yukon Legislative Assembly, Dr. Floyd McCormick, who I know that I — along with others — enjoyed working with for many years. He has, in his current role as a private citizen, repeatedly expressed his views on the importance of democratic accountability, including earlier today when he noted — and I am going to quote from what he stated in the public domain on social media: “The Yukon government’s response to the pandemic may be completely justified. The Legislative Assembly now gets to debate the state of emergency declaration — 201 days after it was first made. The lack of scrutiny & accountability is a problem the govt need to address.” 201 days after the state of emergency was declared, and finally, this Liberal government has condescended to debate the matter in the Legislative Assembly.

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

### Point of order

**Hon. Mr. Streicker:** I am referencing now 19(i) — saying that we are condescending to this Legislature or to the Yukon — I find that this is not — well, it is insulting.

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

**Mr. Cathers:** I and other members of the Legislature find it insulting that the government has taken until now to bring this matter for debate in the Legislative Assembly and I don’t believe that there is a point of order. The Minister of Community Services just doesn’t like the valid criticism.

### Speaker’s ruling

**Speaker:** It sounds more like the nature of debate and criticism in the context of debate. I would also note that Standing Order 19(i) — what it says is that “A member shall be called to order by the Speaker if that member... (i) uses abusive or insulting language, including sexist or violent language, in a context likely to create disorder.”

Just to repeat again — the overarching job of the presiding officer — the Speaker or the Chair — is to ensure that there is orderly debate and that the temperature in the House hasn’t risen to a degree where debate is not orderly. This will occur typically in a bigger House, I suppose, when the actual volume or nature of the comments made and also the volume — people talking over each other means that the volume has risen to a level where there isn’t orderly debate.

In this instance, there was no particular issue. I had no sense that this House was drifting into a level of disorder that was somehow impeding debate. So, I would ask members to

note that, in that section, the modifier is “in a context likely to create disorder”. I would also note that the Member for Lake Laberge was criticizing the government proper. He wasn’t criticizing a member. I would agree in a general sense that members shouldn’t be personally insulting each other and that this should be avoided wherever possible.

There is no point of order. Member for Lake Laberge.

**Mr. Cathers:** Thank you, Mr. Speaker.

In resuming my remarks here, what I really want to note and emphasize is that, first of all, we do agree that a public health emergency requires a government response and that part of that government response does include public health orders and — to a limited extent — emergency orders under the *Civil Emergency Measures Act*, considering the structure of our legislation. However, the importance of legislative accountability and oversight is increased during a time of emergency such as this, not decreased. It should be noted as well that there is a difference between when a pandemic occurs — such as this one did — or another emergency occurs and there is a need for government to act quickly in a manner that eliminates the possibility of a reasonable public and democratic process in the lead-up to implementing orders in a time-sensitive emergency.

However, once that period of emergency has gone on for a protracted period of time, it is important that those measures be subject to a public process, including democratic debate and scrutiny.

The use of emergency powers for an extended period of time is fundamentally inconsistent with the principle of accountability that is vital to a functioning democracy and is also contrary to the nature of an emergency. So, the government has exercised this power since March 27 with an unprecedented lack of oversight, transparency, and accountability. While we would be critical of that fact, it does not mean that we are saying that no action was required. However, there are other ways that government could have approached this — including, as I have mentioned previously in this Assembly, that, even for ministerial orders that were put in place, government had the option — and has the option today — of referring those ministerial orders to a committee, such as the Standing Committee on Statutory Instruments, and providing the opportunity for public review — including simply giving people who are affected by it the opportunity to come forward by saying, “Is there something that you think we could be doing better, and how could we improve on it?”

We do not pretend that it is possible in a time such as this to make everyone happy with every decision, but that does not mean that government shouldn’t ask — because there is not the slightest doubt in my mind that, if government were to ask businesses and others who are affected by these orders for input on how they could be improved, there would be good suggestions that would come from the public as a result of that.

I also want to outline the fact that these ministerial orders are having a tremendous impact on the lives of Yukoners. It is fair to say, I think, that almost every person in the Yukon has seen some effect from the ministerial orders and restrictions,

but the effect is not the same on every person. Some people are finding it to be a minor inconvenience, and some quite literally are seeing a situation where, before the pandemic hit, their personal future and financial future were looking good and now they have seen a major hit to them.

What I want to outline, which I think has been missed by our Liberal colleague across the way, is that the details of the ministerial orders matter a lot. The details of a ministerial order might literally mean the difference between a business surviving or failing.

Not disputing the fact that the government's overall intent is to manage the public health emergency in an effective manner — but government doesn't have all the answers. If government is not effectively working with the people and listening to the people who are affected by this, there is the very real possibility — in fact, I would say likelihood — that government may irreparably harm a Yukon business owner's future, without actually needing to, for a public health reason — that there may have been a way to do it differently and still achieve the public health goals.

I just want to quote one of the comments that I've heard from Yukon business owners who have been affected by the ministerial orders. It's a very short message that I received, but to quote: "My biggest issue is no consultation. They made up guidelines for industries that they know nothing about. If they were that worried about safety, they would have worked with businesses. We could have done that safely and faster than having a handful of people writing all of them."

So, again, from that business owner — one of the many who I have heard from — there is no disagreement that a public health response was necessary. In fact, that person — like many other business owners I've heard from — would have been more than happy to contribute to helping government take the steps to get it right. But unfortunately, the approach that has been taken by government — and continues to be taken — is that we're here, 201 days after the state of emergency began, and we're only finally here debating it in the Legislative Assembly.

We have, as the Yukon Party Official Opposition, repeatedly called throughout the spring and summer for the Legislative Assembly to resume sitting and have the opportunity to debate matters, including the civil emergency and the details of what was occurring. But repeatedly, we've heard the Premier very defensively dismiss the concept and make statements including saying that they haven't done anything that legislative scrutiny was required for. But it's just showing how out of touch this Liberal government is with Yukoners and the effects that Yukoners are experiencing.

I want to drive home the point that the details of this matter — the details of a ministerial order gotten right or wrong on something that might seem like a relatively small matter to the minister responsible and his colleagues could be the difference between a Yukon business owner being able to pull through this and have their business survive and failing — again, in a situation where there would have been a way to do it in a responsible manner that respected the public health emergency that we're in, but also allowed that business to operate.

As I noted before, almost everyone has adjusted their life, to some degree, during the pandemic and because of its restrictions. For some, it has meant a loss of income and the possible loss of a future they had planned. For some business owners who approached the 2020 season with optimism — some of those business owners are now facing an uncertain future, and some don't know whether or not their businesses will actually be able to survive the pandemic.

This includes some who have tried to react to the situation — such as a constituent of mine who, hearing government indicate that they were short of hand sanitizer, reprofiled their tourism business to produce it and then found that government didn't follow through on actually buying local. That's just one of many examples of where businesses are being impacted by government's response — both the details of the ministerial orders and whether government is following through with the commitments that it makes to Yukon citizens and Yukon business owners.

It's fair to say — as a general adage and as a fair conclusion regarding how this Liberal government has handled the pandemic — that top-down decision-making doesn't lead to better decisions. There is a reason why we have public processes — typically with regard to legislation and regulations — that allow for people, businesses, and other stakeholders who are affected by something to contribute their views before government makes a decision. It's not just an exercise in public affairs; it's actually a step that is important — a critical step in making good decisions as government.

It is important as well to note that, with these decisions, we've seen that the Liberal government has tried to characterize the response to the pandemic in a way that suggests that they're simply taking direction from public health officials — that it is very black and white and there is no question what they need to do — they are just following that advice. We do not dispute the importance of the advice from public health officials, but it is notable across Canada that several other premiers have taken a very different approach and have been very clear that, while they are seeking and listening to advice from public health officials, they are also acknowledging and respecting the fact that they, as the elected representatives and as the head of the elected government, remain responsible for the decisions that government makes in enacting those public health recommendations received from officials or in differing from them based on other considerations. That is the approach that, fundamentally, I would argue that this government should be recognizing — that they are responsible for those decisions. They don't get a "get out of jail free" card on this one to skip over public consultations on important matters just because they have declared a state of emergency. It does not lead to better decision-making.

I want to emphasize that, in saying that, for all the government employees and employees of the Yukon Hospital Corporation and other agencies who have been involved in responding — and indeed with employees of businesses such as grocery stores and retailers who have been an important part of responsibly managing the pandemic — to all those people and those whom I haven't mentioned who have been part of the



Yukon responding safely to COVID-19 — we appreciate their efforts. We want to make sure — particularly in the case of government staff — that they are very clear about the fact that, when we criticize the decisions made by the elected government, we are not criticizing the actions of officials who are carrying out the direction that they have been given. They are simply doing their jobs and we appreciate that many of them are working hard and doing their level best to ensure that, collectively, the Yukon responds in the best possible way to this public health emergency.

Mr. Speaker, I'm going to touch on a number of issues related to what has occurred. I will give another example. I again received feedback from a Yukon business owner expressing concern about the government's response, which includes that the way the sick leave structure has been set up only allows them to apply once, and if you are not out of work for 10 days, then it isn't a very flexible system. That is again another concern.

I want to point out that the concerns that I have heard from businesses and citizens differ. We have heard people who feel that government has been too open with restrictions and some who feel that they have been too restrictive. What is common is that everyone agrees that there should have been more of a public process, including democratic oversight and debate, and that it is not too late for the government to see the light, change its ways, and start providing people with the opportunity to have input on how to improve the response to the pandemic.

I would remind the government that, at the outset of this when the pandemic began, we saw the Liberal government being very slow to respond — during the early part of March when we were bringing forward concerns about the pandemic, including the government tabling a budget that predicted rosy times for 2020 when we were seeing the global health crisis emerging — just days short of being declared a pandemic by the World Health Organization. The government initially responded by claiming that it was "...business as usual" and dismissing questions from opposition members claiming that we were paranoid. Then we saw them lurch rapidly in the other direction and move toward wanting to not only shut the Legislative Assembly down but see the budget passed and give them the ability to focus on the public health crisis, which had blindsided them.

Returning to my point about citizens and businesses with concerns about the lack of public process and input on the rules — we have seen dozens of ministerial orders issued under the *Civil Emergency Measures Act*. We have heard the minister responsible — as well as some of his colleagues — acknowledging that the *Civil Emergency Measures Act* wasn't really intended to deal with a crisis of this type, because it gives brief mention — as members will be aware — to — I believe that "epidemic" is the word that is mentioned — but it really is not a piece of legislation that was primarily designed to deal with a public health emergency.

There are powers under the *Public Health Act* for the chief medical officer of health, as members know. Of course, the chief medical officer of health did make a declaration of a public health emergency first — but I would draw members'

attention to the fact that, even in that legislation, there is provision for democratic oversight and specific reference to the minister in that area. It was clearly the intention of the drafters of both pieces of legislation that democratic oversight would not simply go away during an emergency.

In talking about the fact that this is not a black-and-white situation — there are grey areas where the rules should be written a certain way or not under this declaration of emergency. It is oversimplifying it. In fact, the Liberal government has consistently oversimplified it and is again today by trying to paint it as a situation where one must, in their view, either support the declaration of emergency or not. The details of how that declaration is implemented matter tremendously to the lives of Yukoners who are being affected by it.

Among examples, I would note — as the minister and his colleagues know, some citizens and businesses were so angry about the government's decision and the lack of public process and democratic oversight that they're actually challenging government right now in court over the constitutionality of the decision-making process and the decisions. Beyond those citizens, there are many other people who have concerns and suggestions regarding the pandemic response.

Some of the concerns that I've heard from people — and I've heard from many people since the start of the pandemic with questions, suggestions, and concerns — among those concerns — some people are concerned about the way in which people who are travelling through, how that is managed, and concerned that there may be unnecessary risks associated with the manner in which they're travelling through. There were also businesses that were concerned and profoundly upset with the fact that government issued a list of businesses where travellers could stop and cherry-picked which businesses were on the list while ignoring others that could have provided the same services to people travelling through.

Another example includes the fact that the border has now been open to British Columbia for quite a while, allowing travel through there, but it's not open to Alberta. We have heard from people who don't think it should be open to BC in the manner in which it is now and people who feel that it should be open to both BC and Alberta, for reasons including the fact that those two provinces are open to each other.

Recognizing that the line has to be drawn somewhere does not change the fact that public input on the impact of these measures has value and could have led the government to making better decisions.

For example — as the Minister of Community Services and some of his colleagues will know very well — when the border was not open to British Columbia, this was having an impact on Yukon companies that were doing work in northern BC. It is probably fair to say that the government was not aware of and had not anticipated that when they imposed those orders. In fact, from what I understand from business owners affected by that, that includes situations where they had the ability to have staff going directly to a site where they were working and come back to the Yukon, without ever leaving a site in northern BC. For a while, they had no ability to do so.

So, we need to fundamentally — the fundamental flaw with the Liberal government's approach to this is the top-down "father knows best" attitude. It's not recognizing the fact that Yukoners who are affected by this are not just people who are going to be upset no matter what you do. Some of the people who are upset with the restrictions are upset for very clear and specific reasons. There may be ways of addressing their concerns. In some cases, there are ways of addressing their concerns without putting at risk the overall goals and objectives of the public health measures. But if government isn't willing to hear from people and it isn't willing to listen and if it is set on handling things in the way they have to date, we're going to continue to see unnecessary impacts on the lives of Yukoners because of that lack of public and democratic process.

We have three times proposed all-party committees to deal with various aspects of the pandemic response, and every time, the Liberal government has shot down that proposal. They seem to be seeing this in terms of not wanting to share power and not recognizing the fact that our proposal in this was intended to allow members of all parties to work together on behalf of Yukoners in coming up with solutions to better handle various aspects of the pandemic response.

Again, recognizing the fact that, no matter how good anyone's intentions are, no minister or no single official — no person in the entire territory — knows everything about everyone else's lives and everyone else's businesses. By listening to people we can learn where government can do better in managing the pandemic, but unfortunately, there has been a lack of willingness to do this from this government, including the fact that, now, finally — in what is little better than window dressing and what seems to be about having an interesting objective — according to the lead speaker for the Liberal caucus — it didn't seem that them bringing forward this motion was really about that democratic oversight they should have sought earlier on — recognizing that it's now 201 days since they declared the state of emergency. It didn't seem that they were recognizing the value of democratic debate but simply trying to create a polarized situation where you either agree with government about a civil emergency or you don't. It must be black and white, in their minds.

But outside their minds in the real world, the details matter. The dismissive comments made by one Liberal member toward business owners who have seen their lives affected significantly and who are upset about the lack of public process are really very unfortunate and, I would say, both out of touch and arrogant in their nature.

Among those affected by the ministerial orders include, first and foremost, individual people. They include businesses, they include non-governmental organizations, they include schools, churches, sports, sporting events, community events, families, and many other organizations and interactions that I haven't listed there. It has affected people's lives.

Fundamentally, another point that the government seems to be missing is that, if people don't believe a law is reasonable or fair, including during an emergency, they are far less likely to follow it than if they believe that they have had the

opportunity for input, it's a reasonable balance, and that government has taken actions that were necessary.

If people feel that they provided perspectives on a proposed legislation or regulation and that, even if government didn't do everything they were asking for, they were listened to respectfully, their views were considered, and that they understand why government didn't do what they were hoping that government would do, they are far more likely to respect and heed those rules than if government is simply relying on enforcement personnel to catch them if they don't follow the rules.

It is not possible for any government in Canada to successfully enforce its way through this public health emergency. The single most important step to minimizing the spread of COVID-19 and minimizing its negative impacts on people is for people themselves to take the actions that are necessary to reduce the spread and to protect others, but if people don't believe the rules are fair or they don't believe the rules are reasonable, they are far less likely to follow them. If government has simply handed down the rules from on high and never provided the opportunity for people to be heard, those people are far less likely to listen when they are in their own homes, when they are in their workplaces, and when they are out in the community.

One of the comparisons that I want to make in talking about the ministerial orders that have flowed from the government's declaration of a civil emergency that we are discussing here today is the impact on workplaces. These measures — although very different in the details by which they came about — are effectively working in the same manner that occupational health and safety regulations work in a workplace.

In normal times, the details of proposed occupational health and safety regulations can take years of discussion and debate before they are put into effect. There is typically an extensive process to get the input of stakeholders — including businesses and employees — in developing those occupational health and safety regulations and determining their application.

In normal times, the details of occupational health and safety regulations are sometimes inconvenient or expensive for business owners, but rarely is it a situation where the details of those occupational health and safety regulations are likely to equal the difference between survival of the business and failure of the business.

In contrast, these ministerial orders which are setting out workplace rules may equate to the difference between a business managing to survive the pandemic and recover from it or that Yukoners seeing their business and any dreams that they had associated with it fail — and, of course, for many — especially if they are heavily invested in it with their personal finances — which many Yukon business owners are — it may create a challenge for that person and their entire family in building for the future for their children and in that person being able to retire. Many business owners I know have focused their lives on — or a portion of their lives — on building up a business and they have really — in some cases — put everything into the business, and their retirement plan is that someday they will be able to sell the business. But for business

owners such as that, if their business folds and doesn't survive, many of them do not have retirement savings — or at least not substantial retirement savings — to fall back on.

So this is a very serious issue for these people. Again, what I want to highlight is the fundamental point that it is far too simplistic to treat this debate as “you either agree with this civil emergency or you don't” and to characterize it as a situation where, if you don't agree with the civil emergency, you don't care about public health, and if you do agree with it, you must agree with all of the orders which have been issued. Well, in fact, we agree that some measures were necessary, but we profoundly disagree with a process by which we had to wait until 201 days into a declaration of emergency before the government saw fit to bring in that declaration for debate here on the floor of the Legislative Assembly. There was absolutely no reason why we couldn't have been debating this in April, May, June, July, August, or September instead of waiting until mid-October.

Now, among the concerns that I have heard from people is that there are Yukoners who are at work who — at least at times during the pandemic — have felt unsafe. There are other people I have heard from who are at home — who want to be at the office but are at home because of the implementation of this civil emergency and the way it has been done.

It seems to me, unfortunately, that the Liberal government seems to have decided that they can't make everyone happy, so they are not really going to try when it comes to discussing the details of the ministerial orders.

I do recognize that government has rolled out some assistance packages — although in some cases, as they know, they have taken federal money and actually imposed their own set of rules on it, which works well for some businesses and doesn't for others. That brings us to another issue of the government's response to COVID-19, which is that, at the outset, a number of events such as the Arctic Winter Games were being cancelled and restrictions were being imposed — I heard concerns from Yukoners who were upset about the fact that they felt that the government's assistance programs were working very well for some businesses and excluding others that were also deeply affected by it. They felt that it seemed to be related to who had the ear of the Liberal government and who did not. That type of unfairness — regardless of the intention behind it, this is the type of frustration from Yukoners that we have been hearing throughout the year. Again, that doesn't detract from the fact that some actions were necessary — but the details really matter.

I want to just give, as an example for people who have not been following the issuance of the emergency orders in the same way that I have — I have read through them all. Most people probably have not. Most people probably have read the ones that directly affect their lives. I am just going to outline some of them just by titles at this point so that people can understand the areas that have been addressed through orders from on high — again, lacking a proper process.

Under the *Civil Emergency Measures Act* — and for anyone interested, you can find more information on the government website, which includes the ministerial orders that

have been issued — the state of emergency was declared on March 27. Other orders issued under it include: the Civil Emergency Measures Leases, Approvals and Regulatory Timelines (COVID-19) Order; Emergency Measures Limitations and Legislated Time Periods (COVID-19) Order; the Civil Emergency Measures Medical Practitioners Provisional Licensing (COVID-19) Order; the Civil Emergency Measures Enforcement (COVID-19) Order; and — actually, I should have read in some of the numbers of those orders, which I will do at this point. That was Ministerial Order 2020/30 and it replaced Ministerial Order 2020/13.

Next on the list are: Civil Emergency Measures School Council Elections (COVID-19) Order, Ministerial Order 2020/31; followed by the Civil Emergency Measures Pharmacists Authorization (COVID-19) Order, Ministerial Order 2020/32; Civil Emergency Measures Social Assistance Regulation Override (COVID-19) Order, Ministerial Order 2020/33 — and we're only to mid-May by this point. Then there are: Civil Emergency Measures Residential Landlord and Tenant (COVID-19) Order 2020/38; and Civil Emergency Measures Amendment of Liquor Licences (COVID-19) Order 2020/40. There was also the repeal of a previous Civil Emergency Measures Border Control Measures (COVID-19) Order.

On this list that I'm reading, there are some that obviously have been removed because some are no longer in force, but we've seen dozens of ministerial orders after ministerial orders being issued and affecting the lives of Yukoners without consultation.

Again, moving on, we see: *Civil Emergency Measures Act* Ministerial Directives for Exemption to Self-Isolation Requirements, Ministerial Order 2020/01; the *Civil Emergency Measures Act* Civil Emergency Measures Health Protection (COVID-19) Order 2020/50 repealing Ministerial Order 2020/46 and replacing it; *Civil Emergency Measures Act* Civil Emergency Measures Education Measures (COVID-19) Order, Ministerial Order 2020/54, replacing the previous Ministerial Order 2020/15. We have the *Civil Emergency Measures Act* Ministerial Order 2020/16 being repealed — by 2020/57 — and the list continues to climb.

So those are just a few of the orders. I haven't even gone through the list that I have in front of me in full. I just want to provide an example for context of the long list of orders comprising many pages that are affecting directly the lives of thousands of Yukoners on a daily basis, without those citizens and businesses having the opportunity for input into them.

I want to just go back briefly to earlier in the year. At the outset of this, as members will recall, the Yukon Party proposed an all-party committee to deal with the response to the pandemic. Government shot that down in March. We tried again in May, and I'll just quote from a *Whitehorse Star* article from May 5:

“Yukon Party proposes special committee, return of legislature

“The Yukon Party is suggesting that the three party leaders meet to negotiate terms for the creation of a special select committee to consider any matter related to the government's

management of the COVID-19 crisis and to report their considerations publicly to Yukoners.”

As members know, the government shot that down, but the simple question is: Why? What was the problem with the proposal that all three parties work together to consider matters related to the COVID-19 crisis and report publicly to Yukoners?

I recognize that the Minister of Community Services has been very busy this year dealing with ministerial orders and signing them. I'm not taking away from the fact that there have been people working hard, including some ministers, related to the government's response on this, but there has been a fundamental gap of proper public process and the repeated refusal of the Liberal government to provide an opportunity for all three parties to work together and to jointly work on behalf of Yukoners in helping to improve the response to the COVID-19 crisis.

This is, as ministers have acknowledged, an unprecedented situation in our lifetimes, but the reflexive response from the government seems to have been to use it as an excuse to make decisions in isolation rather than using the opportunity to work together. It has really been unfortunate. Briefly quoting that *Whitehorse Star* article from May 5: “The Yukon Party is suggesting that the three party leaders meet to negotiate terms for the creation of a special select committee to consider any matter related to the government's management of the COVID-19 crisis and to report their considerations publicly to Yukoners.

“In March, the Liberals used their majority in the legislature to defeat the Yukon Party's proposal to create such a committee.

“Now, the official Opposition is proposing that efforts be undertaken to facilitate the safe return of the legislature this month.

“The goal is to allow for greater scrutiny by MLAs over the government's decisions and spending.”

This is due in part to the fact — again, quoting from the article — that: “‘Over the course of the last month and a half, the Liberal government has brought in unprecedented powers and orders affecting daily life...’

“‘While some of these orders may be justified from a public health perspective, their passage was done without any democratic scrutiny or consultations with opposition parties, and not all are public health-related...’

“‘The Liberals have taken to using the extraordinary emergency public health powers they've given themselves to make changes in areas traditionally considered outside the scope of public health, such as taxes, suspension of regulatory timelines, and broad abilities to amend contracts.’

“These actions, the Yukon Party said, ‘represent an overreach on the part of the Liberals, and making these types of decisions without legislative scrutiny undermines our democratic institutions.’

“Additionally, the Liberals have announced millions of dollars in new spending that has not been reviewed or even considered by the legislative assembly,’ the Yukon Party added.

“Overall... the government has been ‘an outlier in Canada’ when it comes to accountability to the public.”

Again, what I want to point to is the fact, as I have mentioned before during debate of the government's proposal regarding the creation of an all-party committee dealing with the *Civil Emergency Measures Act*, which is still partway through debate — which, bizarrely, the government proposes that the committee would not report until August of next year, which may be after the next territorial election, and if it isn't after it, it will be right on the verge of it.

In addition to the issues of inherent conflict of having the minister on the committee effectively continuing to manage the government's response while being asked to dispassionately assess how well he is doing and effectively give himself a report card — it is just another example of where the Liberal government occasionally claims that they want to work collaboratively with all parties, but it is evident that their idea of working together is that they dictate the terms, they are not willing to discuss them, and the Official Opposition and the Third Party are supposed to simply accept it and go along for the ride with whatever the government has decided they are already doing anyway.

Now, Mr. Speaker, this was followed by the next proposal that we made in terms of an all-party committee. It was proposing an all-party committee to examine the education reopening plan. In July, the Yukon Party sent a letter to the Education minister calling on the government to recall the Legislature by August 6 to allow for the creation of an all-party select committee to examine the Liberal government's education reopening plan. We issued a press release on July 30, 2020 — and just for the reference of Hansard, if they haven't already received a copy of that press release, I will ask our staff to just share that with them for the ease of catching the quotes that I am using.

The all-party committee to examine the education reopening plan, as noted in our press release — “The committee could hear input from parents, teachers, and First Nation partners, as well as education and health experts to examine options for the upcoming school year and provide the government with recommendations.

“‘Over the course of the last several weeks, we have seen many indicators that the Liberal government missed more than a few steps in consulting, communicating, and implementing its education reopening plan,’ said...” — and it includes the name of my colleague, the Official Opposition Education critic and Member for Copperbelt South. Returning to the quote: “‘This has created stress and confusion among parents and staff, and has led to ongoing protests as well as other forms of public opposition.’

“These events have unfolded at a time while the government has been operating without democratic scrutiny, as the Liberals refuse to bring back the Legislature.

“‘The future education of our children is so important and if we get this wrong, it could have negative repercussions on students for years to come,’ added...” — again, the name of my colleague. “‘By bringing all parties together in a Select Committee to hear from parents and educators about what

works and doesn't work about the Liberals' current plan, the hope is that the government could improve the plan going forward.'

"In order to create the All-Party Select Committee, the Legislature would have to be reconvened. The Yukon Party previously proposed an All-Party committee to examine and provide recommendations on the government's response to the pandemic, but the Liberals used their majority to shut that down."

That was attempt number 3 in terms of proposing an all-party committee to deal with the response. Then we tried again last week for the fourth time.

Again, we know the government's response to that — the day before claiming that they wanted to work together, they were quick to shut down the very idea of working together on yet another aspect of the pandemic response.

I just want to talk about some of the events that have been cancelled and which have had an impact on people. We have seen the Arctic Winter Games cancelled, of course. We have seen the Yukon Arctic Ultra cancelled for 2021, with the organizer considering alternative races. We have seen the Yukon Quest sled dog race cancelled for this winter because of travel restrictions, sponsorship concerns, and the risk of COVID-19. Those are just a few of the events. We have seen cultural events cancelled this summer or moved to a virtual and online form. Again, it's not as simplistic as the Liberals try to make it. This is not a question of black or white in terms of what the pandemic response is. The details really matter because they are affecting the lives of Yukoners.

Mr. Speaker, it is hard for some people. I have heard from people who are being affected by this who get very fired up and extremely upset in a conversation about what is happening or what is not happening. Fundamentally, this is because we have seen more sweeping restrictions imposed on the lives of Yukoners than any of us have seen in our lifetime. It is something that, for many people who were probably not really aware in detail of what has happened in the past around pandemics such as the 1918 flu pandemic — for a lot of people, it came as a real shock. They were not expecting it. They weren't familiar with what government would likely do in response to a pandemic. The lack of consultation has been very upsetting to a lot of people on both sides of this, noting that I have heard from people passionately arguing that the Yukon shouldn't have the border open to British Columbia, and I've heard people passionately arguing that it should be open to Alberta or open to the entire country.

We recognize in this that public health decisions do need to be taken in the context of looking at the best available public health advice, but what this Liberal government has ignored and brushed aside is something that a lot of other governments in the country have been listening to, which is that fact that they do need to consider input from other people who are affected by the restrictions.

I want to emphasize that my fundamental point in talking about this civil emergency declaration is that the details of how it's executed are just as important as the declaration itself and that — as I have stated, but it is important to emphasize — the

details of a ministerial order gotten wrong could literally mean the difference between a Yukon business surviving and failing. I do not wish to see steps taken that are not consistent with the best available public health evidence, but I also don't want to see a situation — like the one I described in the message that I had received from a Yukon business owner — where a Yukon business owner is experiencing a situation where government, without really understanding what they do with their business in normal times, is imposing rules that don't really work for them and having a situation that is entirely unnecessary but is causing them hardship. Let me clarify that sentence — it is entirely unnecessarily causing them some hardships that could have been avoided if government were providing the opportunity to have input on exactly how they implemented safety requirements at their business.

I have also heard from other business owners who have been in the situation where, after being closed during the pandemic, they were in communication with government, they made investments to allow them to reopen only to find out that the interpretation of the rules was being changed, and they found that they had lost costs that they had made to attempt to reopen, based on the advice of government, and then found themselves simply being out-of-pocket at a time when they were already facing an economic impact.

If government had not waited 201 days to bring this matter to the Legislative Assembly, if they were willing to work with all members in one of the several all-party committees that we have proposed, and if they were more willing to work with Yukoners and consult them on ministerial orders either before or after they were issued, there is no doubt in my mind that improvements to the response would result from that. Other people who are being affected by it — other businesses — include many in the tourism sector, outfitters, aviation, retail, and the list goes on.

In terms of public process and consultation, there are times when governments throughout the years have done public consultation on proposed legislation and received very little feedback. Sometimes there may be issues with people not being aware of it or being busy with other things. In contrast, the emergency orders issued related to the pandemic are affecting the lives of almost everyone in the Yukon. Public interest in the pandemic and the rules associated with it is very high. There should be the opportunity for the public and stakeholders to provide their input, to bring forward their concerns, and to see a robust public process related to ministerial orders that are in place and others that are complemented with a goal of balancing the necessary public health and safety measures with economic needs, freedom, et cetera and coming up with ways not simply to prioritize one of those over the others but to find a way in each specific situation to make it work practically and make it work better.

In unprecedented times, we recognize that there is a need for government action, including public health restrictions and increased spending. It is also a time that, along with unprecedented spending and unprecedented restrictions, there should come increased public input and public consultation and increased democratic oversight and debate. With

unprecedented spending should come increased public consultation, democratic oversight, debate, and accountability, not less. With unprecedented restrictions on peoples' lives should come increased public consultation, democratic oversight, debate, and accountability, not less. When business owners are seeing their businesses, their income, and their futures hit hard by the impacts of the pandemic and are questioning the very future of their businesses and are concerned about the impacts on their families, there should be increased public consultation, democratic oversight, debate, and accountability, not less. When parents worry that the changes to the education system related to the pandemic may cause serious harm to the education of their children and are worried about their kids and their futures, there should come increased public consultation, democratic oversight, debate, and accountability, not less.

When substance abuse issues are growing and more people are experiencing negative impacts to their mental health related to the pandemic, there should be increased public consultation, democratic oversight, debate, and accountability, not less.

Another matter I want to touch on is, in terms of accountability — a matter that perhaps the Minister of Community Services, when he rises to speak, will address — that I asked, during budget debate, a question very directly related to the civil emergency measures, and I didn't receive a response from the Minister of Health and Social Services — or I guess I should say I received a response, but the response had nothing to do with the question I asked.

I asked about what the process has been for the development of the orders under the *Public Health and Safety Act* and the *Civil Emergency Measures Act* — what the involvement is of the Department of Health and Social Services, the chief medical officer of health, Community Services, as well as not only other departments but other government agencies such as the hospital, which are potentially directly affected by this — and if the minister would like to clarify that when he rises, that would be helpful.

There are also others that it's important to recognize, on the health side — there are businesses that can play a role in government's response. That includes pharmacies. We were pleased to note, in September — as outlined in a *Yukon News* story that I'm going to briefly reference here from September 26: "YG and pharmacies preparing for flu vaccine distribution".

"The Yukon government is preparing for flu season and encouraging people to get their flu shots this year to avoid extra stress on the healthcare system during a pandemic.

"If we're lucky, Canada will experience what Australia and other southern hemisphere countries faced: a very low influenza season. But we don't know that this will be the case in North America," said Chief Medical Officer of Health Dr. Brendan Hanley during a Sept. 23 COVID-19 update."

Then it went on to describe the flu clinics that would be centralized at the Yukon Convention Centre and the hours of operation being six days a week initially, with extended hours from 9:00 a.m. to 7:00 p.m. and drop-in shots being available. It also talked about the role of the pharmacists — that for the

first time, they would be able to administer flu shots at pharmacies this year. "Regulations were changed in 2019 to allow vaccines to be administered to people aged six and up in pharmacies but didn't come into effect until after the 2019-2020 flu season ended."

Again, that is positive. We have heard about other situations where other business owners who wanted to assist with the pandemic response — whether it was by providing equipment — the possibility of manufacturing equipment that could be useful to the government — or providing hand sanitizer, based on government's indication that they were having trouble getting it in the territory — and also related to the supply of medical oxygen. The government's record has been a bit spotty in some cases when working with Yukon businesses — in fact, in some cases, businesses were not hearing back from government, despite the fact that they actually were in a position to help with the response. But government has continued to often act in a top-down manner, and ministers have not listened to some of that feedback from Yukoners and taken the opportunity to work with them and to direct officials to work with them in a way that allows them to contribute to a better response here in the territory.

Another issue that I want to just briefly touch on — as I noted at the start, the Liberals' lead speaker's introductory remarks were quite dismissive of Yukoners who have such strong concerns with the government's response that they are taking them to court. They actually seem to be trying to paint those business owners as somehow being self-centred or selfish in bringing forward their concerns in that manner, and that is something that is really unfortunate. It is not only tone-deaf to what Yukoners are facing, but it seems to be ignorant to what is going on in the Northwest Territories and what the government there said about border measures that were similar to ones in the Yukon. If I can just find that document here in my notes, I will just briefly quote from that. I have found it.

When we see a Liberal backbencher — on behalf of the government, no doubt — issue their prepared statement dismissing the concerns of Yukon business owners, casting them in a very negative light for the fact that they have the audacity to sue government for what they believe is a breach of their Charter rights, yet we see in the Northwest Territories the Premier issuing a statement clarifying public health restrictions on travel within the NWT regarding their previous border measures that were very similar to the Yukon's — I want to emphasize that my point in reading this statement is not to even say exactly what the Yukon's outcome should be as it pertains to the border, but simply to note that valid concerns about the legality of those measures and the constitutionality of them have been not only raised in the Northwest Territories but agreed with by the Premier. It does mean, in my view, that Yukoners should raise a similar concern in question and raise a valid question that should be treated with due consideration.

So, the media statement issued by Caroline Cochrane, Premier of the Northwest Territories, the Minister of Health and Social Services — I'll just read from it briefly. For the reference of Hansard, it's from the Government of the Northwest Territories, June 10, 2020, entitled "Media Statement:

Statement Clarifying Public Health Restrictions on Travel Within the NWT". "Caroline Cochrane, Premier of the Northwest Territories, Diane Thom, Minister of Health and Social Services, and Dr. Kami Kandola, Chief Public Health Officer issued the following joint statement today to clarify the existing Public Health Order — COVID-19 Travel Restrictions and Self-Isolation Protocol:

"Travel restrictions are a legitimate and necessary measure implemented by the Chief Public Health Officer (CPHO) to help slow the spread of COVID-19 and mitigate its impact on Northwest Territories (NWT) residents, communities and the health care system.

"While the CPHO does not have the authority to prohibit Canadians from entering the NWT, she does have the authority to restrict travel within our borders.

"Under the current orders, and in an effort to ensure the orders are adhered to, all travelers entering the NWT are greeted at a checkpoint by a Border Officer.

"The Border Officer will collect their information, and if they do not meet an identified exemption, the Border Officer will inform them of the NWT's public health travel restrictions — including the requirement for anyone entering to self-isolate for 14 days.

"Travellers have the opportunity to voluntarily turn around. If they choose not to, they are informed that they must seek an exceptional circumstances exemption, and immediately self-isolate if they wish to proceed further in the NWT.

"This is a shift in how the order was being implemented through May 29, and reflects an effort to more closely align implementation of the order with the mobility provisions of the Canadian Charter of Rights and Freedoms.

"Prior to May 29, border officials asked people to turn around and return to their destination if they did not fit an existing exemption in order to meet our objectives.

"The process outlined above is an interim measure and the CPHO and her team are working diligently on amendments to the travel restriction and self-isolation order to more transparently protect mobility rights under the Charter."

"In an interview with CBC Television on Monday, June 8, Premier Cochrane was asked if tourism 'was off the table' for the NWT. The Premier answered that tourism was on the table, so long as people self-isolated for 14 days, which is consistent with how CPHO orders are currently being implemented.

"While the GNWT approach to tourism during the pandemic is still developing, the NWT is expecting to establish a travel bubble with Nunavut as part of its new travel orders and will be encouraging tourism by residents of both territories.

"The Premiers comments were made in the context of the current understanding of Charter limitations on the CPHO's powers and the intention to promote tourism among and NWT amendment Nunavut residents.

"While it will respect the right of any Canadian resident to enter the territory, the GNWT will still be enforcing the CPHO's legitimate orders to restrict travel within the territory, including restrictions on leisure travel within the territory, to ensure that the health of all NWT residents and communities is protected.

"As stated in the House yesterday, new travel orders are expected to be implemented with Phase 2 of the Emerging Wisely Plan and when details of those orders are finalized, they will be thoroughly explained to NWT residents and the media." That is the end of the quote from the statement from the NWT government.

Again, I want to emphasize the fact that the point of my referencing that is not to argue for or against border restrictions or to even specifically conclude whether the Yukon's border restrictions are constitutionally valid or not or an infringement of the Charter. That will, of course, will be a matter for the courts to rule on since the minister and his colleagues are currently being sued by a group of unhappy Yukoners on that basis.

My point is simply to outline the fact that, when the Premier of the NWT issues a statement like that, the people who have questioned the constitutionality of the Yukon's border restrictions should not be dismissed, have their concerns made light of, or be cast in the negative light that the Liberal government appears to be trying to cast them in. They have a right to their day in court and undoubtedly will have that matter heard in due course by Yukon judges.

What I want to emphasize as well is that this was an avoidable problem. Had the Yukon Liberal government taken an approach that provided for public consultation and democratic input, they wouldn't be getting sued right now. Instead, they chose not to bring even the debate of a civil emergency to the Legislative Assembly until 201 days after they made it.

Now, we have been clear about steps that we would take to improve this if we are elected to government next time, including improvements that we would make to ensure that, in future, a declaration of emergency can't just be extended by Cabinet; it would actually have to be debated in the Legislative Assembly.

I want to as well note the fact that democracy works only on the condition that laws passed by government are subject to constant oversight and scrutiny by the Legislature, the judiciary, the media, and the public. So, the lack of public process is how the government got itself into a situation that they are being sued and — rather than dismissing that case or trying to debate it at large extent on the floor of the Assembly, as appeared to be the intent of the Liberal backbencher who raised it — government should be recognizing that, although government does have the obligation to combat the threat posed by COVID-19, this does not give them carte blanche to do as they please without any justification, consultation, or oversight. There is an importance of seeing that the invocation of emergency powers by a government is not used as a matter of convenience rather than one of necessity.

In a time of true emergency and time sensitivity, we recognize, absolutely, that the government needs to act quickly — including at the outset of this pandemic, but the longer it goes on, the weaker the excuses become for not having a robust public process and proper democratic oversight and debate not just of the civil emergency, which we are finally debating in a formal motion today — 201 days after it started — but the

details of those matters, in my view, are better dealt with by a committee of the Legislative Assembly than by the Assembly itself.

But as long as government remains unwilling to actually meaningfully work with other parties and insists on their casually autocratic “father knows best” approach, we are going to continue to see Yukoners upset by the provisions of these orders. Even if they don’t take the government to court over it, there are a lot more people out there who are upset about the impacts on their lives, especially the impacts that they believe are not necessary nor justified.

I also want to make mention of the fact that, as I touched on earlier, among the critics of the government’s approach to this is the former Clerk of the Legislative Assembly, Dr. Floyd McCormick, in his current capacity as a private citizen but still with the expertise that he has, based on years of serving as Clerk of the Assembly and, prior to that time, as Deputy Clerk. I do appreciate his input. I also want to be clear that, for the sake of accuracy and in reflecting his viewpoints on it, he has acknowledged that the proposed creation of a committee dealing with civil emergency legislation was valuable. He has also noted, in his own words, that the Yukon government’s response to the pandemic may be completely justified. The Legislative Assembly now gets to debate the state of emergency declaration 201 days after it was first made. The lack of scrutiny and accountability is a problem the government needs to address.

What I want to note is that the criticisms about process, in this case, are not just about the specific details of the outcome, but as I noted earlier, the details of the ministerial orders would have been different had there been the proper public process, and it’s not too late for government to change their ways and do better.

Just briefly recapping a few of Dr. Floyd McCormick’s other comments regarding this matter — I would note that, as he indicated on October 5 in his public comments on social media, he acknowledged that the Community Services minister “... gave the Legislative Assembly notice of a motion to establish a Special Committee on Civil Emergency Legislation. There are 2 good things about the proposed motion, 1 being the proposal to set up the committee... The govt could have done an internal review and then introduced a bill to amend the *Civil Emergency Measures Act* to suit its preferences. Instead...” — and then he used the name of the minister, which, of course, I can’t in the Assembly — “... has proposed a process that allows the opposition parties, and perhaps the public, to participate in the act’s review.”

“This should happen more often. So, kudos for that. The other good thing is that...” — again, the name of the minister — “... is proposing a committee of just three members, one from each caucus. In my experience smaller committees work better. Fewer members mean fewer schedules to coordinate... But...” — and again, the name of the Minister of Community Services — “... should not be on the committee. The YLA has appointed ministers to small select committees before. It should abandon this practice. It should only appoint ministers to committees where party balance is necessary. It

isn’t necessary for a 3-member committee. Committees exist to (among other things) help the YLA hold cabinet accountable for its decisions and actions. That is harder to do when a minister is on the committee. A minister can’t — and shouldn’t — as a committee member, hold their fellow cabinet ministers accountable... The committee’s focus should be on the future, not on the past. But it will have to consider govt actions so far, including the ministerial orders...” — again, he used the name of the Minister of Community Services — “... has issued under CEMA. The committee can’t de-personalize its process if...” — again, the name of the Minister of Community Services — “... is on the committee... especially if the committee holds public hearings and...” — again, the name of the Minister of Community Services — “... has to face people unhappy with some of his decisions. Plus, the pandemic isn’t over and may last throughout the committee’s mandate...” — the name of the minister — “... shouldn’t be in a position of exercising authority under CEMA... while participating in a review of that authority. The govt believes...” — the name of the minister — “... responsibility for CEMA means that he should be the Liberal on the committee. But responsibility for the act and involvement with govt decision-making are reasons to leave...” — again, he uses the minister’s name — “... off the committee... Over the years the YLA has appointed ministers to the Public Accounts Comm. Those ministers never participate in studies that involve a department for which they are responsible. They recuse themselves. Another caucus member replaces them. That thinking should apply here... When...” — the name of the Minister of Community Services — “... motion is debated it should be amended to remove...” — again, his name — “... from the committee’s membership. A Liberal private member should be named instead...” — the minister’s name — “... views, experience and expertise will not be lost to the committee... The committee can invite...” — again, his name — “... to appear before it, in camera or in public, to discuss CEMA and his experience with it. That way the Liberal committee member will not have to defend the govt’s actions under CEMA. This would be serve the YLA, Yukoners and...” — again, the name of the minister.

Again, I was quoting again from our well-respected, retired former Clerk, Dr. Floyd McCormick, in his capacity as a private citizen. I do note that I agree largely with his comments on that and I think that the government would do well to recognize that those comments are not made in a partisan manner. Just as he did during his time here in the Assembly when he was expected to remain politically neutral, the comments that Dr. McCormick has chosen to make since retiring seem to be in keeping with providing his views as an interested observer, not as a partisan observer, and he has dished out kudos where he thinks they are deserved and criticism where he thinks that is deserved.

I do appreciate those comments and I would encourage government to consider them — both in the context of the debate that we are having today on the extension of the *Civil Emergency Measures Act* and if the government again calls its motion to create an all-party committee to review the *Civil*



*Emergency Measures Act* — because fundamentally, we know that this government has had difficulty understanding the lines of propriety in the past and have embarrassed themselves before through their lack of understanding. Just as with their committee on electoral reform, they failed to recognize that, if the proper process is not taken in setting up the committee in a way that is seen as fair and unbiased, the public confidence in the outcomes of that report will be very low. They are impeding if the government doesn't understand the lines of propriety.

That is the reason, of course, in the case of the long-standing practice of the Public Accounts Committee, wherein ministers recuse themselves if they are dealing with a department that they were minister for during the time period that is covered by the review or if they are currently the minister for that department. That is out of recognition of the fact that certain steps have to be taken or there will simply not be public confidence in a review — especially one that is seen as the government just giving themselves a report card on what they have done.

So, again, among the things that we have noted throughout the last seven months while we were asking the government to recall the Legislative Assembly and pointing out that democracy is an essential service, we've seen the situation where a Liberal Premier said: "... we're not in a situation where we need legislative oversight for any of the actions we've done so far."

Again, we feel, as we noted in a press release — the press release I'm quoting from is on May 19, 2020: "Yukoners should be very concerned when our leaders start decreeing that their political party should be free to operate without legislative or democratic oversight."

Now, Mr. Speaker, again, as I mentioned, there's a long list of ministerial orders. Every one of them is affecting the lives of Yukoners, and I feel like I've missed something that I meant to mention on behalf of Yukon businesses that are affected.

One of the points I meant to mention is — among the concerns that I've heard from Yukon businesses come from tourism business owners who started out the approach to this season before the pandemic hit with optimism and suddenly, when I was talking to them earlier during the pandemic — the best word that I can use to describe the response was that they were reeling from trying to figure out what they were going to do. They were trying to figure out how to survive the pandemic as a business, how to help their employees — who they knew were depending on their jobs — and figure out a way to get through this massive change to everything around them.

I've heard as well from business owners who are concerned that they believe that, generally, their ability to survive through the summer would not be the problem — because they largely depended on the three months in the summer to get through the other nine months — but as they faced the summer — and faced a very dismal summer in terms of tourism income — they were again really wondering about the ability of the business to ever recover from it and whether they themselves — at the point they were in their lives — were

prepared to do what was necessary to try to pull it all back together again after this significant hit.

Again, the common connections in all of these matters are: The details of this matter tremendously.

They are affecting the lives of business owners and others each and every day in the territory, and there has been a profound lack of public consultation on the details and a lack of recognition by the government, which was highlighted and made clear with the out-of-touch comments by the Liberal member who introduced this motion — failing to recognize that people who are being affected by this and by government decisions are really, in many cases, experiencing very tough times financially and personally. I would urge the government to recognize that, in responding to this and in considering those concerns, rather than dismissing the input from any Yukoner, they would do well to remember that they have an obligation to try to serve the interests of every citizen in this territory in the best manner they can and to respect their rights, their freedoms, and their hopes for their economic future and their family and to consider, when they're taking action — including but not limited to the pandemic response — that I urge the government to exercise empathy and compassion in recognizing that what they're doing is impacting people's lives, and some of those impacts are very negative. In my view, where those measures could be improved and fulfill the necessary public health requirements in a way that better supports that business or those people, government should not be deaf to that concept. They should not close the door to that input, and they should never dismiss people who are so upset about the lack of democratic process in imposing these restrictions that they feel are unjustified that they challenge the constitutionality of those decisions. They should never see the government dismiss them in the callous manner that a Liberal member did earlier this afternoon.

I want to note that, similarly, for people who feel that the government has been too open in some of the restrictions and is taking unnecessary risks — whether it be with travellers coming through or with the border being open to BC — none of those concerns and perspectives should be dismissed or made light of. They should be considered on their merits; they should be considered thoughtfully and compassionately in the context of other matters, including the advice from the chief medical officer of health.

Government should be trying to work together with citizens and with all Members of the Legislative Assembly to figure out how to refine and improve the response to the pandemic, rather than simply doing as they have, defensively digging in and attacking anyone who doesn't agree with them.

Mr. Speaker, people whose lives and livelihoods are being directly affected and are worried — and I'm not understating the worry. I want to note that I regularly hear from those people who are concerned about the impact of the pandemic on their businesses, their lives, their children, and so on. Ultimately, while there is no question that some measures must be taken by government and some restrictions must be in place, as I've stated several times in this Assembly and will emphasize again, with unprecedented restrictions on people's lives should come

increased democratic debate and increased public scrutiny, not less.

Mr. Speaker, I could go on at some length here. If I went through the list of concerns that I have heard from people who have phoned, e-mailed, messaged, spoken to me in the street, and so on during the pandemic with their concerns, I would be here for much longer this afternoon, but I would like to suggest an improvement to the motion.

*Amendment proposed*

**Mr. Cathers:** I move:

THAT Motion No. 236 be amended by:

(1) inserting “: (1)” after the word “supports”; and

(2) inserting the phrase “; and (2) any future extensions of the current state of emergency being debated in the Legislative Assembly prior to their implementation” after the word “Yukon”.

**Speaker:** I have received a copy of the proposed amendment and am reviewing the same with Madam Clerk of Committees. Other members have now received their copies.

I will give members a minute or two to review, and then I’ll proceed.

Member for Copperbelt South.

**Mr. Kent:** As was practised, I believe, last week, I’m wondering if the Legislative Assembly could adjourn for five minutes just to review the amendment on both sides of the House. I know we did that last week on private members’ day.

**Speaker:** Do members wish to have five minutes?

**All Hon. Members:** Agreed.

**Speaker:** The House is recessed for five minutes.

*Recess*

**Speaker:** I’ve had an opportunity to review the proposed amendment with the Clerks-at-the-Table and can advise that it’s procedurally in order. Therefore, it has been moved by the Member for Lake Laberge:

THAT Motion No. 236 be amended by:

(1) inserting “: (1)” after the word “supports”; and

(2) inserting the phrase “; and (2) any future extensions of the current state of emergency being debated in the Legislative Assembly prior to their implementation” after the word “Yukon”.

**Mr. Cathers:** In speaking to the amendment, I would like to note that, as members can see, what we are proposing is that future extensions of the current state of emergency be debated in the Legislative Assembly prior to their implementation. This is consistent with what some other Canadian jurisdictions are already doing in assemblies that involve more members than we have here in the Yukon. We’ve seen others that have provided the opportunity before their state of emergency was extended — there was debate and authorization by the Assembly before that happened.

There really isn’t a good reason why the Yukon can’t do that here. What we’re suggesting in this proposed amendment to the motion — and have also indicated that we believe that it should be included in the amendments to the *Civil Emergency Measures Act* — would be to allow the Legislative Assembly to declare the state of emergency but require — once it goes beyond 90 days — that measure to have approval and authorization from the Legislative Assembly or their provincial parliament. That is consistent with the importance of ensuring that a declaration of a temporary emergency does not become something where, for matters of convenience, government abuses those powers in areas for which they’re not strictly necessary.

For example, as you will recall me mentioning earlier, Mr. Speaker, with regard to legislation that the government proposed about banning single-use plastics, the fact that, in tabling new legislative amendments — rather than including a provision in that legislation that would allow them to suspend it during a pandemic — their proposal, as included with the briefing notes they handed out to members at the legislative briefing, was that, if there was a problem with it, they would just suspend it under the *Civil Emergency Measures Act*. That, in my view, is not the intention of the *Civil Emergency Measures Act* — when you actually could have tabled new legislation that considered the fact that you’re currently in a civil state of emergency and might be in a civil state of emergency next year. That legislation certainly could have contemplated that fact rather than simply relying on the convenience of the power of the *Civil Emergency Measures Act* to set it aside.

That’s an example of the misuse of those powers, and it also goes back to the central argument in this amendment as to why it’s important for future extensions to be debated.

I want to note with regard to that, among the issues we have seen when government has imposed ministerial orders, that there have been problems created by them, but there have also been other areas where, in repealing those ministerial orders, they have had other unintended effects that have also made citizens or businesses upset, and that includes cases where — we heard from one business that was directly affected by changes made that affected what they could do in terms of retail under an emergency order, and they were advised of that change that affected them by an official, as it was being announced by the minister. They weren’t happy about the repeal of that order, which had helped them in handling the pandemic. Its removal created challenges for them.

Again, the importance of debating those orders and the importance of debating future extensions of a state of emergency in the Assembly is that, every time there’s a legislative check and balance on it — every time there’s a requirement for debate — it allows the opportunity for some of these matters to be addressed, and if there was a robust public process — both in terms of dealing with the specifics of the ministerial orders and in general with debating a state of emergency — it allows for the conversation, both in and out of this Legislative Assembly, about what’s working, what isn’t, and whether changes should be made.

That change announced by the minister, affecting at least one business that I'm aware of — owned by constituents — in a negative manner, is one that I heard about along with the Leader of the Yukon Party, Currie Dixon, when we went on a tour of that Yukon business. We heard their concerns about the lack of consultation and the removal of certain provisions that were actually helpful during the pandemic.

We also — again, in speaking to the importance of debating extensions of the state of emergency and the fact that this allows debate about what's working and what isn't and the very necessity of a state of emergency — or I should say, in addition to the question of the necessity of the state of emergency — it also allows the opportunity for debate on some of the details of what is and isn't working here in this Legislative Assembly or in future legislative assemblies.

Another example of where government's removal of ministerial orders or the specific provisions of them have had an impact is with regard to property taxes. I have heard from constituents who have been put into a situation where, prior to the pandemic hitting, they had every expectation that they would be able to pay their property tax bill and local improvement charges associated with the well program and rural electrification on their property, and then the pandemic hit. I am not disputing that the government intended — with the civil emergency measures property tax relief COVID-19 order — Ministerial Order 2020-21 — I am not questioning that they were intending to be helpful, but my point is that — and this relates to both the provisions of that specific order and the importance of debating extensions to the state of emergency and the natural opportunity that allows for debating what's working, what isn't working, and concerns that we have all heard from our constituents and other Yukoners.

In the situations that I have heard about, we have separate situations where people have been affected by impacts to their finances this year and, in another case, where someone, because of the different deadline —

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

### Point of order

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

**Hon. Ms. McPhee:** I think a point of order exists under Standing Order 19(b)(ii) in that the Member for Lake Laberge has strayed quite far from support of the amendment that he has put on the floor.

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

**Mr. Cathers:** If the Government House Leader had allowed me to continue, she would understand the very direct relevance of this to the government's decision to extend the state of emergency the first time and how it relates to this proposed amendment.

### Speaker's ruling

**Speaker:** The Member for Lake Laberge, I suppose, is putting forward the proposition as to why, in the member's view, future extensions should have the scrutiny of the

Legislative Assembly. I'll listen closely, but I didn't quite yet hear a point of order with respect to relevancy on the matter that's currently under discussion, which is the amendment, but I'll — you can continue, thank you.

**Mr. Cathers:** The government implemented the state of emergency on March 27. On June 12, they extended the state of emergency, and then, on September 9, they issued a further extension to the state of emergency.

Now, had those extensions required debate in this Assembly — instead of simply being a matter that Cabinet, based on the limited information that Cabinet has available to it, decided behind closed doors — some of the matters, such as the one that I was just speaking about, would have had a natural opportunity to come forward in this Legislative Assembly and allow government to better consider what changes might be necessary to existing ministerial orders and consider and better understand the impact of repealing or revising ministerial orders.

In the cases that I'm mentioning, I'm talking about where — had the debate occurred in June on the extension of the state of emergency instead of it simply being extended by Cabinet on June 12, 2020, or had it been debated prior to the September 9 extension by Cabinet, there would have been a natural opportunity to discuss what was and wasn't working, including, in this case, with their property tax relief measures. I have heard from constituents, who despite government's intention undoubtedly to assist them in this year — for people who are still not able to pay their bills or who missed the revised deadline because it didn't happen at a normal time of year and found themselves, in one case — including somebody who contacted me just recently who was unintentionally late in paying their taxes, hadn't received a reminder, and got hit with a 10-percent penalty with no one having the ability to revise it.

When government extended the state of emergency, either on September 9 or on June 12, that could have been considered. I would note that it certainly appears that, at the very same Cabinet meeting that Order-in-Council 2020/123, *Civil Emergency Measures Act Declaration Extending State of Emergency*, was issued, the property tax order that I was referring to was reviewed, considered, and implemented at that same meeting. Had that debate happened in the Legislative Assembly rather than just behind closed doors upstairs, these issues that I'm mentioning might not have been missed, and my constituents — and I'm sure others across the territory — would not be in a situation where they are facing either a penalty for missing a tax deadline or in a situation where they want to pay their tax bill but don't know how they're going to do it.

That is the direct connection to why an extension of the state of emergency should not only be debated, but the details that I referred to could involve in the future — it could help government avoid missing something that might seem like a minor detail to them but, I assure you, is having a very direct impact on people's lives because government — probably with the best of intentions — missed something because they just didn't understand its impact on Yukoners.

In wrapping up my remarks here in support of this amendment, I do want to give government credit where credit is due. I do recognize that they have been trying to protect the public health of Yukoners. There are parts of the response to the pandemic that have been done well. I also want to acknowledge the work of public servants in this and the fact that, when the extension of the state of emergency was recommended and considered by Cabinet, undoubtedly there was a lot of work that went into the consideration and recommendation of that. But fundamentally, the reason for proposing this amendment and the reason for the fact that we announced on September 2 the changes that we would make to the *Civil Emergency Measures Act*, which include changing the law to ensure that, even in an extended emergency, governments would still be subject to scrutiny and accountability by the Legislative Assembly and include a requirement that extensions of a state of emergency be subject to debate in the Legislative Assembly, as well as that orders-in-council, ministerial orders, brought forward under the auspices of CEMA would also be subject to review by the Legislative Assembly.

These parts are not just political arguments that we are making, which is what the government seems to be minimizing them to. It is, in fact, something that relates very directly to the lives of Yukoners, and government, in taking a casually autocratic approach to managing the pandemic, is simply missing things that affect people's lives in areas where, if they were a little less stubborn and a lot more collaborative, they could be doing a lot better to help people.

We do, in proposing this amendment, acknowledge and support the concept of a civil state of emergency, but we propose the insertion that future extensions require debate in the Legislative Assembly. In speaking to that, I want to quote from a press release that we issued directly related to the extension of a state of emergency. On September 2, we announced democratic reform measures, noting: "Over the last several months, the Yukon Liberal government has hidden from accountability and refused to allow for any democratic oversight of their actions. They have refused to allow the Legislature to sit and refused to allow Committees to meet or discuss issues or ministerial orders related to the pandemic.

"This means that the Liberals have been operating in secrecy while undermining the basic principles of democracy. At the same time, legislatures in almost every other province and territory in Canada have been sitting, or have resumed sitting, during the pandemic.

"In response to this abuse of power, the Yukon Party announced that a Yukon Party government would amend the *Civil Emergency Measures Act (CEMA)* to require democratic oversight of the government during an extended emergency, like the one we are in today. The amendments to the act will include: Changes to the law to ensure that even in an extended emergency, governments will still be subject to scrutiny and accountability by the Legislative Assembly; the requirement that any extensions of a state of emergency be subject to debate in the Legislative Assembly; and that Orders-in-Council and Ministerial Orders brought forward under the auspices of the

*CEMA* would also be subject to review by the Legislative Assembly.

"Some of what the Liberals have done was necessary. Some of what they have done was flawed, misguided, implemented without consultation, and potentially catastrophic for the territory's future. But all of what has been done deserves scrutiny in the Legislature," said Yukon Party Leader Currie Dixon. "Simply put, the pandemic is not an excuse for the Liberals to avoid scrutiny of their actions. Yukoners expect and deserve a working democracy."

"Over the past 23 weeks the Liberals have dramatically increased spending and launched broad new, unbudgeted programs, issued unprecedented executive orders that affect the way people can live their lives, and possibly even infringing on Charter and constitutional rights. Further, the Liberals directly requested that their debt limit be doubled to \$800 million. Finally, they have announced an extension of the state of emergency without any democratic oversight."

So, Mr. Speaker, in wrapping up my remarks, I would note that this was from a press release that we issued on September 2, and, of course, this is now October 14. As noted by the Clerk of the Legislative Assembly, earlier in my remarks, it has now grown to 201 days since Cabinet first declared a state of emergency, and we are now only finally, after 201 days, debating it here in the Legislative Assembly. This could have and should have happened a lot sooner.

If the amendment that I proposed is accepted, it would see the House support the concept that any future extensions of a current state of emergency should be debated in the Legislative Assembly prior to their implementation.

Mr. Speaker, there is simply no good reason and no reasonable excuse for avoiding the scrutiny of this Legislative Assembly.

**Mr. Kent:** I appreciate the amendment brought forward by my colleague, the Member for Lake Laberge.

When you look at the initial motion introduced by the Member for Copperbelt North — it's very short, so I'll just read it in: "THAT this House supports the current state of emergency in Yukon."

It's a very black-or-white motion. As the Member for Lake Laberge explained and as I will go into once we get back to the main motion and are not speaking about this amendment, there are a number of issues related to the state of emergency and things that we have all heard from constituents both in support of how the state of emergency was handled — some thinking it didn't go far enough and some thinking that in certain instances it went too far.

From all of the individuals whom I heard from — whether they were in that category of not believing it went far enough or believing some aspects have gone too far — the one thing that everybody did agree on is that there needed to be some democratic oversight of the state of emergency and the extensions of the state of emergency.

We had a number of issues — like the preferred business list along the Alaska Highway corridor that the government introduced and then quickly rolled back. It was picking winners

and losers as far as businesses along the highway were concerned — and learning from social media that it actually caused one business in Watson Lake to shut down for the season. That wasn't changed until the government was called out on social media. We heard about it on our side from the Member for Watson Lake; she brought that forward. We issued a press release on that. Afterward, the government rolled back that preferred business list.

Of course, there have been impacts on the tourism sector. We heard from the Minister of Tourism and Culture in March that it was "...business as usual". Another quote she said was that "We have this" — when it came to the handling of the tourism crisis — but we didn't see either of those statements come to fruition.

Personal services were closed down, with little to no communications to those owners. The hospitality sector has been decimated. Our bars and restaurants have been decimated throughout this pandemic. The health care allies have some issues and concerns that I can get into more detail on. The reopening plans for schools — there's a whole variety of issues that we have been talking about with respect to this — and talking about it through the summer, outside of the scrutiny of the Legislative Assembly, which is what is being proposed here by the Member for Lake Laberge.

There are many issues that we have heard on border closures and the enforcement of the corridor for vehicles travelling through to Alaska or coming from Alaska travelling down to the United States. Again, those concerns that I've been hearing from constituents of mine are on both sides.

One thing, though, that did come up is the communications aspect and some of the responses that my constituents got from the COVID-19 line. I'll get into more details about that when we get back to the main motion. We haven't heard from anybody on the government side with respect to this amendment that has been put forward by the Member for Lake Laberge, but I agree that any future extensions of the current state of emergency need to be debated in the Legislative Assembly prior to their implementation.

I'm hoping that we hear from someone on the government side with respect to this amendment, and I'm hoping that they're in favour of it, because it is regarding democratic oversight and it is something that could lead to improvements in those states of emergency, policy, and the things that the government has been doing when they extended it in June and then extended it again in September.

I am hopeful that they will support it, and if they are not going to support it, I am wondering what the explanation would be — why they don't believe that any legislative oversight is required for the extension of these states of emergency.

I think that one of the big things that Yukoners have seen with this Liberal government over the extensions is that they are too comfortable with this. They have been extending these states of emergency without the scrutiny and debate of the Legislative Assembly. Each and every one of us in here has been elected by Yukoners to represent them and represent their interests. I can't speak for everyone, but this summer has been

by far the busiest casework summer for me as an MLA in the Legislature for the number of years that I have been here.

Again, I would be looking for that explanation from the government as to why they won't support these extensions coming to the floor of this Legislative Assembly prior to the implementation. I look forward to hearing from at least one member opposite. Hopefully, they will get up and respond to that question and will be supporting the amendment put forward here by the Member for Lake Laberge to the Member for Copperbelt North's original motion.

**Ms. Van Bibber:** I have been listening intently to the debate, and I also think that it is very important.

I have heard from many constituents over the summer about the pandemic, the government's action throughout it, and the state of emergency. I think this is a great opportunity to finally be able to rise in this House to speak to these important issues on behalf of our constituents and hundreds of other Yukoners who have reached out to us as elected representatives. This, of course, is really only our first opportunity to do this and speak about it.

As you will remember, we really have not been able to speak to these issues because the Liberals did not allow for the return of the Legislature throughout the summer.

I would like to thank the Member for Copperbelt North for bringing forward Motion No. 236 today to give us this opportunity to speak today. It gives all members an opportunity to weigh in on why undermining parliamentary oversight and our representative democracy is just wrong. It gives all members the opportunity to reflect on the undemocratic tendencies of this Liberal government.

I do want to say that I think that the original motion was a good start, but it seems that it is missing some key principles that respect democracy. That is why I would like to thank the Member for Lake Laberge for bringing forward this important amendment to the motion. I think it goes a long way to providing the democratic oversight that the Liberal government refused to allow over the last six or seven months, and it will help us ensure that the Liberal government does not fall back on its undemocratic tendencies. We need to know that we have the opportunity to debate and vote on any future extensions of the current state of emergency that has been happening in our jurisdictions. We are elected members for various ridings and communities of the Yukon, and we must be able to debate and provide democratic oversight to the government's decisions. A stable and working democracy assures Yukoners that we did do our due diligence and made correct decisions on behalf of everyone. Beyond providing certainty, it is just the right thing to do.

It is important to talk about how we got here. Once the pandemic began in China, it started to move around the globe, and surprise, Canada was not immune. In Yukon, although very lucky to date, we are not immune. Seeing a few cases here and there over many months has some people nervous, some skeptical, and others cautious — optimistic or pessimistic, depending on your nature. People come to their elected representatives about what is happening and what is the

government doing. The way a democracy works is that we, as elected representatives, are supposed to be able to ask these questions on behalf of our constituents in the Legislative Assembly, the physical home of our territory's democracy.

I want to be clear: This concept that we should be allowed to provide democratic oversight of a government is not about opposing the government; it's not about criticizing; it's not about opposing or criticizing the state of emergency. It's about scrutinizing and providing oversight of governments to ensure that they are representing and making the best decisions on behalf of all Yukoners.

The government — with this motion and some of the comments by their ministers over the last six months — seems keen to make an issue and have a political fight. I don't think this serves Yukoners well. It does not serve the public health needs well, and it does not serve the economic recovery well. What serves us is a government that is open and transparent about their decisions and allowing elected representatives to provide oversight — how and why things got to where we are today. This is what gives government and their actions legitimacy.

We have heard from many Yukoners, including Yukoners who live in the riding of the Member for Copperbelt North — in fact, even Yukoners who supported the Member for Copperbelt North in the last election — who were shocked to hear that the Liberal government was not allowing for this oversight. That's why, I think, this amendment is important — so that any further extensions allow for us to ask some questions and raise different perspectives on behalf of all Yukoners.

Guess what? When other jurisdictions did this and provided this oversight to elected representatives from other parties, the opposition parties supported the extensions of the states of emergency. I guess the question we must ask is: Why is the Liberal government afraid of this transparency?

I do want to say that we have done some right things in our early response to the pandemic. By taking precautions early on, we ensured that our initial caseload was not very high. Obviously, we think the government should have acted a bit quicker. Initially, they said that business was great, and anyone asking for a quicker action was paranoid. This was disappointing, as a quicker response by the Liberal government might have reduced our cases even further.

One major issue that has come up to me as an MLA throughout the pandemic and the state of emergency and its subsequent extensions has, of course, been our proximity to Alaska. Perhaps in part due to our closeness and with the Alaska Highway connection where we must allow Alaskans or US citizens to travel through our territory, I have often heard concerns about transmission related to highway travel. We recognize that this is a difficult balance. No one is denying this. All we're asking for is information and the ability to debate these things and ask about them in this Legislative Assembly.

For example, what information and input went into the government's control along the Alaska Highway throughout the state of emergency? How much was spent enforcing travel along the Alaska Highway? How many public servants were

operating as patrol or security guards along the highway? How many people were turned away from going to downtown Whitehorse? How are we reducing transmission at our gas stations and restaurants along the Alaska Highway? Why did the Liberal government issue a list of approved businesses along the Alaska Highway that left a number of business establishments off? What controls are in place at the Mayo Road Cut-off or the Carcross Cut-off to ensure that people stuck to their required routes?

These are not tough questions, and they're not trick questions. But they are questions that Yukoners have — and they expect their elected representatives to be able to ask them — which again is why so many Yukoners were surprised that the Liberal government refused to allow for democratic oversight of their decisions.

Some of our communities are well-known tourist and event hubs. Many of them have been devastated by the decision to close the borders. Again, this is not a criticism of the decision to close the borders or restrict the borders, but these are the types of issues that are important for lawmakers to discuss before a government makes these decisions. These communities and their tourism businesses rely on visitors and the economy that it brings to fill rooms, to eat at local eateries, buy souvenirs, and take the tours.

As was mentioned by many of the tourism and business operators whom my colleagues and I have spoken with over the past months — and continue to — the tourism industry is a deeply interdependent network of operators. When one operator is forced to slow or shut down, others do as well. For instance, if a bed and breakfast that offers tour packages with other businesses faces issues, all those businesses will feel the effects. It's the trickle-down effect.

Employers and employees also feel those effects. If a business can't remain viable, then unfortunately we will see layoffs. This means Yukoners may be put in a position where they can't pay their bills, can't pay their mortgages, can't buy groceries — and the list goes on. These are the types of issues that allowing for democratic oversight allows us to debate and consider all sides of an argument — not that the ultimate decision would necessarily change, but all of the issues and concerns would have been considered. It isn't enough for the government to say, "Just trust us." That is not how democratic oversight works.

The initial implementation of the first round of emergency measures took place when everyone was scrambling to make sense in a senseless world. No one from our side has said that we should have slowed that process down by requiring legislative debate beforehand. Things were crazy, and the government had to act quickly — but the first emergency was for 90 days, and then the government extended it another 90 days and then another 90 days. Before both of these extensions, the government had 90 days of time to allow for democratic oversight of the extensions. They could have come back at any time between any of those periods for a couple of days of sitting in this Legislature to allow for debate, to allow for oversight, and to allow for scrutiny, but instead, they chose not to.

Instead, they shut down democracy and insisted they did not need any help. When measures are extended and things put in place without asking all the members, we get into trouble. Democratic oversight is set aside, and decisions are instead made in a “we know what’s best for you” fashion. That’s not how things should work, and it’s very disappointing that the Liberals used their majority power in this way.

If the Speaker does not officially call the Legislative Assembly back to discuss issues, then any briefings are just informal meetings — not recorded, not on the record, and not a substitute for democratic oversight.

Yukoners deserve to know what is happening and that they’re being equally represented in this process, especially since a lot of these moves could easily have received the support — or at least understanding — of why they needed to be implemented. By sharing this information on these measures, it would likely have made the government’s stance and decisions more palatable. The negative response to the autocratic process being taken by this government could have been largely avoided if only the Liberals had allowed our democracy to function. Decisions would have easily been accepted more readily if the public knew that they were being scrutinized from many angles, as they could have been if they were decided through a committee of the Legislative Assembly or within the Legislature itself.

By following a democratic process, it’s quite possible that the measures implemented would have been very agreeable to the public and to the opposition parties. The unilateral decisions have manifested into outrage in some of the private sphere. Businesses are coming forward to challenge these decisions in court to ensure that our rights are not being violated in a way that goes against the *Canadian Charter of Rights and Freedoms*. This is another important point. By allowing —

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

### Point of order

**Speaker:** The Minister of Highways and Public Works, on a point of order.

**Hon. Mr. Mostyn:** This is the first time I’ve done this, Mr. Speaker. I don’t do this lightly, but I believe the member opposite is referring to a matter before the courts — or pending — that’s Standing Order 19(f), and I believe that’s out of order, Mr. Speaker.

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

**Mr. Cathers:** Perhaps the minister is suffering from a short memory, but earlier, regarding the government’s motion establishing a committee related to the *Civil Emergency Measures Act*, I sought a ruling from the Speaker regarding whether matters related to it were in order because of the court case. At the time, regarding that matter, you ruled that it was not constrained by the parliamentary convention and made reference to — I don’t have that passage in front of me from *Beauchesne* — but in my view, the manner in which the Member for Porter Creek North is discussing matters that relate to a matter that the Liberal government is being sued for is not substantively different from the connection between the motion

last week. So, I think that the minister is mistaken in his interpretation. Of course, you will make the ruling on the validity of that, but that is my submission to you.

### Speaker’s ruling

**Speaker:** I would perhaps have to review my previous ruling, but that discussion was about — I will have to review Hansard and I will come back as required — but it was a proposal to have a legislative committee review an act. As I recall, in *Beauchesne*, the concern was that, if there was any litigation filed anywhere in the country that was notionally relevant to that subject matter, if the House — the Yukon Legislative Assembly — was then barred from reviewing its own legislation by virtue of interceding civil litigation or criminal litigation or whatever it was, that would defeat the very purpose of the Legislature and its own legislative function.

This is closer, I think, to actually just getting — in a motion debate — just getting into discussing a matter that is before the court. Whether it is prejudicial or not is difficult for me to determine. I don’t anticipate that the Member for Porter Creek North is going to get into significant detail about this litigation, but I think that these two matters are distinguishable. Obviously, on the fly, it would be prudent for me to have a closer look and report back.

The other thing I would note in listening to the Member for Porter Creek North is that she will probably have every opportunity on the main motion to provide the comments that she is providing. Some of her comments seem to be more appropriate, really, for the main motion versus this motion, which is the discrete amendment. I have heard her stray from Standing Order 35(b) a few times — but in any event, that’s not what we’re talking about right now.

The Member for Porter Creek North can continue. As I said, in this instance, it’s probably not useful to go into significant detail about the details of any of the pending litigation.

**Ms. Van Bibber:** Businesses are doing all they can to survive in this environment, and I think it’s easy to understand their frustrations and worries. They are trying to do all they can to retain their employees and keep their businesses afloat while dealing with insurmountable restrictions.

Scrutiny was sorely lacking over this last half a year by not calling us back to the Legislative Assembly, so I look forward to the government supporting this amendment. I also look forward to hearing from others.

**Mr. Hassard:** I would like to thank the Member for Lake Laberge for bringing this amendment forward to Motion No. 236. I think it’s a huge improvement to the original motion. It probably wasn’t all that well-thought-out by the Member for Copperbelt North before it was handed to him to read into the record here today, because I’m pretty sure that, if the Member for Copperbelt North had actually thought through this motion before he brought it forward, he would have realized that the issue over the past six months while the Liberals have been abusing democracy was not support for or

against a state of emergency. This issue was that the Liberals were undermining our democratic institutions, taking the territory into debt, and refusing the Legislature to sit. This issue was for debate and scrutiny of those issues. Like many folks have said here today, debate and scrutiny do not mean opposition; they mean democracy.

This is why this amendment is so important, in my particular view, because it's to allow for democracy to continue to operate and provide the certainty and stability to Yukoners, which is why I'm disappointed, on behalf of the Member for Copperbelt North, that, instead of allowing him to bring forward a motion that supports democracy, supports his constituency, or advocates for improving mental health supports for Yukon, he brought forward this half-complete motion that he did.

Again, that's why I'm happy that my colleague, the Member for Lake Laberge, finished the homework for the Member for Copperbelt North, and now we can have a debate and a discussion about providing that much-needed democratic oversight to this Liberal government.

I certainly appreciate the need for the government to have called a state of emergency. There are also a number of issues that have arisen as well. Because the government had been operating without any democratic oversight, these issues were not allowed to be discussed here in the Legislature, which is why this amendment is so important. We need to be able to discuss these issues in the House, and we can't do that when the Liberals are refusing to allow our democracy to work.

One very important issue that has come up, of course, is the mental health of Yukoners throughout the pandemic. We have asked many questions here in the Legislature over the past week and a half about how the mental health of Yukoners has been affected due to the unintended consequences of the public health measures. Unfortunately, to date, the answers from the Minister of Health and Social Services and the Minister of Education have not really contained much information at all. In fact, you would be hard-pressed to consider these types of responses that they give us as actual answers, but at least we are allowed to discuss and raise these topics here in the Legislature.

Mr. Speaker, we are doing that because Yukoners are asking us to. Many of these public health measures are necessary, but as I have said, they do have unintended consequences. I think it is important that, as we make decisions and extend emergencies, we ask ourselves, "If we take this action, what does it mean for the mental health of vulnerable Yukoners?" Maybe we say, "Okay, let's make changes to the busing schedule. Will that mean that some kids can't get to school and their parents will be forced to take leave from work?" I think these decisions are improved and made better if we are allowed to come here to the Legislature and ask these questions.

I know, Mr. Speaker, that sometimes the ministers get a little defensive when we ask questions like this, but we ask these questions because they come from Yukoners and they are important for those Yukoners.

There was a lot of confusion for businesses, especially in the personal and medical services industry. There were some businesses that didn't know which category they even fit in. Some businesses shut down for a period of time and then were told that they didn't need to shut down. Some businesses were told to shut down by the department but not told by the chief medical officer of health. Others, such as dental offices, were closed and unable to get information from the government on how they could reopen. Even after weeks and weeks of follow-up, there was still silence from the government. While they were coming to us looking for help, we weren't able to provide democratic oversight for the government because, of course, as I said, they had shut down debate. They had shut down the Legislature.

I should also remind everyone in the Legislature and listening today that the Premier also stated that his Liberal government does not need legislative oversight. Like I said, while the government was making their decisions, people had questions and there was no avenue to ask those questions. Business owners just wanted direction so that they could comply with the rules. Employees wanted the opportunity to get back to making a living, putting food on their table, and providing for their families. Others were looking for information on supports to help them to get through this, either financially or socially. I don't understand why the Liberals wouldn't get back to people about this, but they didn't.

Letters to Liberal MLAs and ministers went unanswered. I don't understand why they ignored Yukoners and ignored democracy, but this amendment will make it so the Liberals won't be able to ignore Yukoners in the future.

Now, another issue that came up throughout the course of all of this and would be part of the discussion was the flawed school reopening plan. Right now, the Liberal plan is for grades 10, 11, and 12 to only be open half-time here in Whitehorse. We're in a position now where a grade 9 student at a Whitehorse high school can go to school full time, but their older brother or sister in grade 11 can't. Perhaps that makes sense somewhere, but certainly it doesn't in my mind.

Regardless, the government never allowed us the opportunity to discuss that decision beforehand, which is why it's so critically important that we are allowed to discuss and debate these issues beforehand.

What this means now is that some families are not able to go back to full-time work, because their kids cannot go back to full-time school. As we have discussed in this House, this will hurt the economic recovery of this territory. This is going to create extreme hardships for some families. I really wish, as an elected representative, that I was allowed to ask these questions about these items throughout the summer. We have seen businesses left trying to figure out ways to adapt. Some were successful, thankfully, while others — many of which are in the tourism sector — were not so lucky.

Then — to add insult to injury for some of these establishments along the highway — the government put out a guide of where to stop along the way for travellers. The Minister of Community Services put this document out telling people only to go to certain businesses — so essentially picking



winners and losers. This decision hurt businesses. I'm quite sure that the minister got an earful over this decision. We heard a lot of concern from the business industry about the minister on that one, and we would have liked to have brought this forward and debated it here in the Legislature, had we been allowed.

A bright spot during the state of emergency was that we all got to see how important the mining industry really is to the Yukon's economy. Both Victoria Gold and the Minto mine were able to adapt and continue to keep people working —

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

### Point of order

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

**Hon. Ms. McPhee:** I appreciate your earlier comments about broad spectrum, but truly, comments about the mining industry, comments about any industry, comments about a process that's far more likely to be properly submitted to this Legislative Assembly on a motion — I am going to suggest that the member opposite has strayed quite a ways from discussing his point of view and his position on the amendment.

**Speaker:** The Member for Copperbelt South, on the point of order.

**Mr. Kent:** I believe that the Member for Pelly-Nisutlin was talking about the state of emergency and the impacts of the different sectors with respect to the state of emergency, so I believe that he is speaking — as others have today, including myself — to the amendment that has been put forward by the Member for Lake Laberge.

### Speaker's ruling

**Speaker:** I think that sort of the general discussion, as I recall now, about the health and importance of the mining sector is starting to stray a bit. As I said in my prior comments perhaps 10 to 15 minutes ago, of course the Leader of the Official Opposition would likely have every opportunity to provide some of those contextual comments in the main motion debate. As we all know, when you are — Standing Order 35 — taking part in a debate on an amendment to a motion — and I quote: "(b) a member, other than the mover, shall confine debate to the subject of the amendment."

Of course, it is open to interpretation — what the actual purpose or substance of the amendment is — but generally speaking, it is the proposition — in my view — that there ought to be Legislative Assembly oversight going forward from this day forward and that this is — from your position — a good idea and that you support this amendment. So, why that Legislative Assembly oversight of future CEMA extensions ought to occur, I suppose.

I would say yes, I think you were straying a bit — but I will continue to listen.

**Mr. Hassard:** Thank you, Mr. Speaker, and I will continue to ensure that I bring it back to the amendment so that we aren't guilty of that.

As I was saying, the importance of this amendment is so this type of thing can't happen in the future — that the Legislature would have the opportunity to conduct this oversight that we feel is so important.

Another issue we would have liked to have had the opportunity to discuss here in the Legislature throughout all of this disarray and the problems — the Liberals continued to ignore calls from us and the NDP to work together, let democracy work, and to discuss these issues on behalf of Yukoners. We should have been allowed to debate these issues. We could have avoided a lot of this had the government chosen a different path.

As early as March 9, I stood and debated a motion on the floor of this Assembly to form an all-party committee to look at how to best deal with the issues that were soon flying in at a very rapid pace. The government, in fact, that day used their majority to vote that motion down. It is interesting because we were even called paranoid by the Liberals at that time. They shrugged their shoulders and we heard the Premier say that there was no pandemic here in Canada. That was a bizarre statement that really downplayed the seriousness of this issue.

Even earlier in this legislative Sitting, the Member for Mayo-Tatchun tried to downplay the impacts of the pandemic by saying that it wasn't as dangerous as alcohol. Again, an odd statement. Had we been allowed to debate these issues in the Legislature throughout the summer, the Member for Mayo-Tatchun could have brought forward his perspective that COVID-19 wasn't as dangerous and the Premier could have elaborated on his statement that there was no pandemic here in this country. Like I said, Mr. Speaker, when I proposed the all-party motion to allow for our democracy to work, the Minister of Tourism and Culture actually stood up — and I quote: "... it's business as usual" and that we've got this. The minister, of course, was making these statements when every piece of evidence said otherwise. The cruise ship industry was collapsing and the border was shutting down, yet the minister said it was "... business as usual."

We as opposition watched as the federal government and other legislatures across the country — and the entire world, actually — figured out ways to get back to work with the challenges created by this pandemic.

That goes to the importance of this amendment. We need to ensure that the Legislature can continue to debate and scrutinize the action of government.

The government refused to allow for this type of debate on the previous states of emergency — or any other actions, really — so it was all without democratic oversight.

Mr. Speaker, I think that this amendment significantly improves the original motion, and I hope that the government would be voting in favour of this amendment. I hope to hear from some of the members across the way. I'm sure they have some very insightful information that they would like to add to the conversation today.

**Mr. Istchenko:** I want to acknowledge the Member for Copperbelt North for bringing forward the motion, but I really do want to thank the Member for Lake Laberge for bringing

forward the amendment. The amendment makes the motion whole, which ensures that any future extension of current states of emergency will be debated in the Legislative Assembly prior to implementation.

I sure appreciate the comments from this side so far regarding the debate, and I do want to weigh in on some of my additional concerns and our additional concerns from this side. The thing that concerns me most through this pandemic has been government's undemocratic use of ministerial orders under CEMA. The government declared a state of emergency in March 2020 and subsequently declared an extension of the state of emergency multiple times.

They made this declaration without any consultation with Yukoners and without any debate or input from any of us legislators. While we can agree — and I say this — that many of the actions that were taken were necessary and effective, the problem is that these actions should have seen scrutiny from the Legislative Assembly. I do say that it's really disappointing that the Member for Copperbelt North seems to be so opposed to democratic oversight. His constituents are saying that they're disappointed in him. It should have been subject to a vote, Mr. Speaker.

As others have pointed out, in its current form, the CEMA is designed to respond to traditional short-term emergencies like fires or floods. It was never meant to grant government the type of powers that have been exercised by the Liberals and certainly not for this length of time, and definitely not without democratic oversight.

It is really too bad that the Liberals took advantage of this act and abused power to shut down this democratic oversight. It is too bad that the Liberal caucus back-bench MLAs supported the government in undermining democracy for the entire summer.

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

### Point of order

**Speaker:** The Member for Copperbelt North, on a point of order.

**Mr. Adel:** Standing Order 19(g) — imputes false or unavowed motives to one another. I at no time intended to shut down the democratic process. This motion was brought forward so we could discuss these things on the floor. I thank the member for the other side — I appreciate the fact that he thanked me for bringing the motion forward. I'm not finished yet. In my opinion, he is avowing, under Standing Order 19(g), motives that I have no intention of supporting.

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

**Mr. Cathers:** It appears to me that the member is mistaken. In fact, I believe my colleague, the Member for Kluane, was making reference to statements and actions of the Member for Copperbelt North that he viewed as supporting government's action, which he described as undemocratic. In my view, that is simply a dispute between members.

The Member for Kluane views the Member for Copperbelt North's comments as support for undemocratic actions. The

Member for Copperbelt North may see it slightly differently, but it appears to be a dispute between members, in my view.

### Speaker's ruling

**Speaker:** It is a dispute between members in my view, subject to any additional review of Hansard. The Member for Copperbelt North may disagree with the characterization, but that's not the test.

**Mr. Istchenko:** So, after they declared a state of emergency in March 2020, the Liberal government — and, in particular, the Minister of Community Services — began issuing a range of ministerial orders with powers afforded him through CEMA. The ministerial orders were extremely wide-ranging. They included matters such as the way Yukoners are taxed and included granting the government the ability to unilaterally alter contracts with third parties.

During this time, the Yukon government also doubled Yukon's debt cap. They gave themselves the ability to borrow hundreds of millions of dollars during a pandemic. They did this after directly telling the Legislature many times over the years that they wouldn't do it. We've heard the Premier say this over and over. So, they fibbed about that. They did this without any democratic oversight.

We do know that the Yukon government has drastically increased spending and has indeed sunk the territory into massive debt, so we wonder how much of the debt cap space is going to be used.

I want to be clear: We are not necessarily opposed to any of the government's spending to address the pandemic. We do understand that money is required to address the issue during the pandemic. This is about scrutiny and oversight — the reason that the Member for Lake Laberge brought the amendment forward.

The Liberals seem to interpret scrutiny as a bad thing — as if people are mad at them. Just to be clear — it is just democracy in action. I know that the Liberals may not like that because they are a little bit thin-skinned maybe, but perhaps that is an issue for another day.

Returning to the ministerial orders, I want to note that one of the most contentious actions by the Yukon government was the introduction of travel bans for Canadians to visit Yukon. This was enacted with no debate or discussion, and it affected my riding greatly. Maybe they are 100-percent necessary. I am willing to accept that, but they should be debated. We should have the opportunity on this side — both opposition parties — to ask questions about their implementation — perhaps not in an urgent fashion if they need to be implemented immediately, but definitely if they are going to be extended for long periods of time like we are seeing. The government had 90 days between each extension to allow for legislative debate and to vote on some of these issues, so I think they should have allowed for debate. I don't think that is a bad thing.

I have constituents who haven't been able to see sick grandparents due to restrictions. I know that the government didn't want to prevent families from being together, but it is an unintended consequence, and that is what debate and scrutiny

allows for. It allows us to consider all issues — and guess what? The crazy thing is that, if the government shares the information and works collaboratively with everyone, they might just find that they get agreement, and that is not a bad thing; it isn't.

I think that speaks to the importance of this amendment — for committing to future debate on future extensions. For example, I have a lot of businesses, restaurants, and tourism operators in the riding of Kluane that are suffering due to the government's decisions. I do think that everybody in my riding — I have toured and talked to everyone — recognizes the importance of taking action to protect against the pandemic — and public safety — but they want to know that their democracy is working and that their elected representatives can scrutinize these decisions and provide input on behalf of them, which I would have loved to have done this summer.

I think that it is really disappointing that the Liberals don't seem to think that this is important. I don't think that they care about listening to Yukoners or hearing from others. They approach this as if they know best and everyone else should just sit down and leave them alone.

Anyway, moving on — earlier this year, the Yukon government and Northwest Territories introduced very similar restrictions to travel in the territories. Shortly after that, the Government of the Northwest Territories announced that it was rolling back the border restrictions to more closely align with the *Canadian Charter of Rights and Freedoms*. We heard this when we were talking about the Member for Lake Laberge's amendment that he brought forward. The NWT's previous border restrictions were similar to the Yukon's restrictions.

On May 27, the Canadian Civil Liberties Association wrote to the Yukon Liberal government with concerns that their border restrictions are in violation of section 6 of the *Canadian Charter of Rights and Freedoms*. Those measures were, of course, implemented without any legislative oversight or scrutiny.

The Yukon Party then called on the government to release its legal advice enacting that its actions were consistent with the Charter. Of course, the Liberals didn't want to open and be open or transparent with us — which is sort of par for the course, but it is still disappointing. Ultimately, this whole issue raised serious concerns about whether the Yukon government violated the Charter rights of Yukoners.

Since then, there has been a court challenge by a number of Yukon businesses to the Yukon government's actions. I'll leave it to others to comment on that further — but to my point, it's the actions of the government that deserve scrutiny at the best of times. They deserve scrutiny even more if there is a belief that those actions may have violated the *Canadian Charter of Rights and Freedoms*. In addition to these very contentious actions, the government ultimately made over two dozen ministerial orders under CEMA. I believe that each of those orders deserves scrutiny — and you have heard that from us on this side. They could all very well be justified — and I have said that before; they could be justified — but what's wrong with reviewing them and allowing for wholesome debate?

Even after the fact — and just to point out — the Member for Copperbelt North, who brought this motion forward today, shut down the Standing Committee on Statutory Instruments looking into any of these decisions, as well — very interesting.

I am in full support of the amendment brought forward by the Member for Lake Laberge. I want to thank him for his hard work on this file moving forward, and I want to hear — I would hope, at some point in time, we'll be able to hear from other members on the other side.

**Ms. McLeod:** I would like to start right off the top to indicate that, of course, I am in favour of this amendment to Motion No. 236. I think this amendment will provide much-needed democratic oversight of future government decisions. I say "much-needed" because that democratic oversight has not been possible since March, as the government refused to allow the Legislature to sit.

So, let's be clear, Mr. Speaker: The declaration of a state of emergency under the *Civil Emergency Measures Act* is not something that any government should take lightly. I'm not suggesting that it was an easy task. Further, I'm not saying that we're even against the state of emergency. What I am saying is that we need democratic oversight of government decisions, and I think that is responsible and reasonable.

The powers that are granted to the Premier and his Cabinet under the state of emergency are expansive and broad. What is particularly concerning about the powers available to the government during the state of emergency is how ill-timed those powers are. I think any Yukoner should be concerned when a Premier and a government refuse to allow for democratic oversight and just keep giving themselves more and more powers without any legislative debate.

In my view, the current *Civil Emergency Measures Act* is not well designed for the type of emergency that we find ourselves in. CEMA appears to have been designed to respond to conventional emergencies — emergencies like a wildfire or a flood threatening a community on an urgent basis are the types of emergencies. I don't believe it was designed for an extended emergency lasting months and months. That's why the Yukon Party announced that, if re-elected, we would bring forward amendments to CEMA to allow for democratic oversight of government actions during a situation just like the one we're in now.

We also proposed that ministerial orders, OICs, and other government actions be subject to some sort of legislative scrutiny during a state of emergency. The lack of this scrutiny is something that has caused a lot of concern among many Yukoners. It has seemed to many that government has been taking actions without considering the impact of those actions on the rights of Yukoners.

A good example of this was when they issued an order restricting non-Yukon resident Canadians from coming to the Yukon in a move that was very similar to that taken by the Northwest Territories. When the Canadian Civil Liberties Association raised concerns about this action and the possibility that it violated the Canadian Charter, the Northwest Territories changed course. Here's what the Northwest Territories

Premier, Health minister, and chief public health officer said in an official statement on June 10, 2020 — and I quote: “Travel restrictions are a legitimate and necessary measure implemented by the Chief Public Health Officer (CPHO) to help slow the spread of COVID-19 and mitigate its impact on Northwest Territories (NWT) residents, communities and the health care system.

“While the CPHO does not have the authority to prohibit Canadians from entering the Northwest Territories, she does have the authority to restrict travel within our borders.”

That statement went on to say, “Travellers have the opportunity to voluntarily turn around. If they choose not to, they are informed that they must seek an exceptional circumstances exemption, and immediately self-isolate if they wish to proceed further in the NWT.

“This is a shift in how the order was being implemented through May 29, and reflects an effort to more closely align implementation of the order with the mobility provisions of the *Canadian Charter of Rights and Freedoms*.”

What is telling about that statement, Mr. Speaker, is the admission that they were changing their approach because they had received advice that they may be in violation of the Charter. This is relevant to us here in the Yukon because our orders and actions were very similar to those in the Northwest Territories. Ultimately, here in the Yukon, we changed course too, but we were less forthcoming about why and about whether the Yukon government had advice that our actions violated the Charter. Maybe the government could explain why they changed course. Was it because they knew they were infringing on our Charter rights? I was hopeful that, in debate today, the government could have answered that question.

Mr. Speaker, none of this is to say that the government didn't need to act swiftly or that some measures to prevent the spread of COVID-19 were not necessary. We certainly agree that many of the actions the government has taken were necessary, but the point that I want to make is that those actions need scrutiny and those decisions need to be made transparently. That is called democracy. I think that better decisions are made when they are made transparently. Having a vote on the declaration of a state of emergency would certainly go a long way to improving transparency and democracy.

I also think that it is very important that we find a more appropriate balance between granting government the powers they need to effectively respond to a crisis and allowing an appropriate amount of legislative oversight to help preserve our democratic institutions. There has been a lot of attention recently about finding this balance. Writing in the *Ottawa Citizen*, the research director of the Samara Centre for Democracy said this just this past June: “It's remarkable, at this critical juncture, that the government has permitted so few opportunities for scrutiny, and for the representation of Canadians' experiences and views. Late September is a long way away, and ad-hoc sittings of the House — such as this week's debates on a proposal to crack down on fraudulent CERB claims — aren't cutting it. In this moment, we need an

agile Parliament with the power to get answers from government and make things happen.”

It goes on: “Parliament typically adjourns for the summer, but it should be obvious why this year is different. Start with the scope of the crisis, and the scale of the response.”

Mr. Morden was talking about the federal Parliament, but I think much of what he says rings true here in the Yukon.

Here in the Yukon, we didn't even have the parliamentary committees in place and meetings to review government actions like they did in Ottawa. In fact, the Yukon Party had proposed in early March that we establish an all-party committee to look at the economic impacts of the pandemic. We thought that, by allowing MLAs to help guide the government's actions, we could see better outcomes and programs and policies that were better aligned with the needs of Yukon businesses and the economy. It would have sent a signal to Yukoners that we were working together on this.

Unfortunately, the Liberals used their majority to vote that suggestion down and instead opted to work unilaterally. This is very disappointing to many Yukoners. Even the coverage of that in local media was quite telling. Here's an excerpt from a March 10, 2020, story about the Liberals voting the all-party committee down: “Silver however, said the committee is unnecessary because no MLAs are being kept in the dark and assured Yukoners the government is on top of things, so far.

“We're not in a place right now where we have to worry about COVID-19, today,” he said.

“As for details on what the government will do in the future, Silver said it's a ‘moving target’ and that things change everyday.

“Everything that is being asked by the opposition, we believe that we already have [that] under control,” he said.

“We have to make sure that we're prepared. But at the same time, level heads should prevail here and we shouldn't get into the practice of fear-mongering.”

Back in March when the Yukon Party was encouraging action on this, the Premier accused us of fearmongering. When someone pushes for action to protect against the pandemic, the Liberals say that they're fearmongering. When someone asks the Liberals to explain their decisions surrounding the pandemic, the Liberals suggest that maybe they're downplaying the issue, so the Liberals appear to talk out of both sides of their mouth on this issue.

What I can say, from our perspective, is that ultimately what we have always been seeking is government transparency and accountability. Transparency and accountability are the pillars of our democratic systems. As I mentioned, there has been a lot of attention focused on how to allow our democracies to continue to thrive while also allowing governments to exercise the necessary powers needed to respond to the pandemic.

Freedom House, which is an international organization —

**Speaker:** Order, please.

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

*Debate on Motion No. 236, and the amendment, accordingly adjourned*

*The House adjourned at 5:30 p.m.*

**The following document was filed October 14, 2020:**

34-3-35

Concerns on the Tagish River Habitat Protection Area,  
document re (Van Bibber)





# Yukon Legislative Assembly

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Number 47

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Thursday, October 15, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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



**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 15, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Streicker:** I would ask all Members of the Legislative Assembly to help me welcome a few folks here today. First of all, since we will be tabling the Cannabis Yukon annual report, we have with us Mr. David Sloan and Ms. Mieke Leonard, the chair and vice-chair of the Cannabis Licensing Board.

We also have some terrific folks from our libraries: We have Chris Struc, Mairi Macrae, Carman Brar, Taryn Parker, Melissa Yu Schott — the director of libraries — and Louise Michaud — who is the assistant deputy minister responsible for libraries. Finally, we have two other very lovely people. We have my wife, Ms. Susan Walton, and we have my mother-in-law, Ms. Freda Walton — if we could welcome them all, please.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Global Handwashing Day

**Hon. Ms. Frost:** I rise in the House today on behalf of all Members of the Legislative Assembly to acknowledge this day as Global Handwashing Day.

It is both funny and of course deadly serious that I am even doing this tribute today. A year ago, I might not have thought to make this tribute. We all took handwashing for granted, but recent events have been a reminder of the importance of this simple yet profound public health tool. Our “safe six” response to the COVID-19 pandemic outlines that one of the most effective ways to stop the spread of the virus is also one of the simplest.

It is recommended that we practise effective handwashing routines, washing our hands frequently with warm water and soap for at least 20 seconds. With influenza season upon us, it is crucial that we continue this practice avidly. This year’s theme, “Hand Hygiene for All”, speaks to me particularly here in the Yukon because, if there is one thing that Yukoners have shown that they are good at, it is caring for each other. I am proud of our territory and our citizens. Their collective health and safety efforts continue to keep us in a fortunate position throughout this pandemic.

Here in Yukon, we are fortunate to have ample access to soap and water. Today is a reminder that not everyone has been so lucky. The World Health Organization notes that only 60 percent of the world’s population have access to a basic handwashing facility with soap and water at home. Let us continue to use this fortunate position to our advantage and be vigilant in our efforts to protect ourselves and our neighbours.

In closing, I would like to acknowledge that something as simple as good handwashing routines can save lives and thank all those who continue to practise good hand hygiene.

*Applause*

### In recognition of Canadian Library Month

**Hon. Mr. Streicker:** Mr. Speaker, I rise today on behalf of the Yukon Liberal government and the Yukon NDP. It is my absolute pleasure to rise to pay tribute to libraries. It is my pleasure, as our libraries are so absolutely tribute-worthy.

Today there are two things that I would like to highlight, and the first has to do with the pandemic and how much we missed our libraries.

During the time of shutdown, staff and library friends made a little stop-motion movie called *Mr. Lonely Cart*, which was and is incredibly endearing. It reflected how we missed our libraries and how the libraries were missing us back and, in a way, how we would manage getting through it together. So, a huge shout-out to Dan Bushnell and Sarah Gallagher — our outreach librarian, who I notice has joined us now in the gallery. Your little film was touching, kind, and uplifting in a time of worry — and a huge shout-out to the whole library family across the Yukon who make the magic happen.

The second thing that I would like to acknowledge today is a milestone that we passed a month or so ago, which is of course the 60<sup>th</sup> anniversary of Dr. Seuss’ *Green Eggs and Ham*. I remember 50 years ago, at age 7, when Dr. Seuss was my favourite author. I would head to Victoria Village school library and load up on Dr. Seuss books. Each week, I would take my little brother on public transit to go to his tap-dancing lessons, and I looked forward to it because I would take three or four Seuss books with me. I would only get through one or maybe two, but it was pure joy to be able to choose from so many great options.

I admit, Mr. Speaker, that my tastes have matured over the decades. Now my favourite children’s author is Oliver Jeffers. You may recognize titles like *The Incredible Book Eating Boy*, *This Moose Belongs to Me*, *The Day the Crayons Quit*, or *Here We Are: Notes for Living on Planet Earth*.

Dr. Seuss, though — I think it is fair to say — changed reading. His books spoke to kids with humour, rhyme, and thrust. *Green Eggs and Ham* was beguilingly written, using only 50 words — 49 of them one-syllable words and one three-syllable word.

Children’s literature, like our libraries, inspires pure imagination, and so I have written a Seussian poem that I would like to share:

Look a book

Beaucoup, beaucoup de livres

Little books and wide books and books that are tall

A book is a book no matter how small  
 Books set apart, books on the shelf  
 Choose à la carte, choose for yourself  
 Poems of titles, from yurts to yachts  
 From Yertle the turtle to yeses and nots  
 From the spectrum of love to the whimsies of wishes  
 One fish, two fish, bugs and fishes  
 Look, more books...  
 For uncles and aunts and nephews and nieces  
 For whom the bell... Tolstoy's War and Peace-s  
 Detectives' perspectives, rhythms and flow  
 Defective invectives, Oh the Places You'll Go  
 Stories of COVID eclipsing our fun  
 Tales about corvids stealing the sun

Look, a book you can borrow  
 Read it today and return it tomorrow  
 One card opens up, one million possibilities  
 From thing one to thing two to a zillion infinities  
 And more than just books there's places to sit  
 You can browse, you can pause you can breathe for a  
 minute  
 You can have an idea and put yourself in it...

Look a book  
 You can read it here or you can read it there,  
 You can read it anywhere  
 This is a tribute to our library librarians  
 Bibliophiles and humble humanitarians

Look a book  
 Thank you, thank you Sam I am  
*Applause*

**Ms. Van Bibber:** I rise today on behalf of the Official Opposition to pay tribute to Canadian Library Month October. One of my favorite topics: books and reading. I actually get a little panicky if I don't have a pile of books that I can access at any given time. It is so comforting to hold a book and to discover what the pages hold and to form pictures in your mind. A well-written horror story like *The Stand* by Stephen King, a courtroom drama like *A Time to Kill* by John Grisham, or a twist-and-turn thriller story like *Gone Girl* by Gillian Flynn — all have their own special hold on the reader and can take you to a place that only you can feel and understand at that time.

When one thinks of a library, it's always the public library that comes to mind. But there are also other interesting places to access information such as the Yukon Archives and the Yukon Public Library, if that's your thing — just to name a few. We are so fortunate to have such a broad network of libraries for Yukoners to access — from how-to books to research to educational resources, to historical books to the latest best-selling novels.

As times change in how people get information, they use their personal devices and technology more and more. Our libraries also provide movies, e-books, and audiobooks and are available to those who like these options.

This month from October 6 to 30, residents in Haines Junction can stop at their public library and take part in a fun way to encourage the reading of something different — a “blind date with a book.” This is an event where one can choose a wrapped book, then read it and complete an evaluation form for a chance to win prizes. Such fun to read a book without judging its cover.

Friends of the Whitehorse Public Library are hosting a book sale by donation through to October 18, so check it out if you haven't done so yet. School libraries are so important as well to support student learning, to teach them how to respect books and access information if needed, and also to provide a quiet place to study. Tomorrow, October 16, is recognized as Canadian Library Workers Day. We send kudos to all librarians and staff who make sure that the books are ready for distribution, who take care of them, and who assist anyone who may need help during their library visit.

Remember, the love of books and libraries is a learned behaviour, so take your children to get their library card and teach them how to borrow books. Enjoy the learning experience together, read to your children, and make sure that they have access to them. It is soothing to a child to hear their favourite stories and they will have them. You will tire of reading the same story night after night, but what fun when they correct you when you try to skip over the bits as you hurry up the ritual. It just can't be done. Let's all thank the librarians for keeping us sorted and in order.

*Applause*

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

#### **TABLING RETURNS AND DOCUMENTS**

**Hon. Mr. Streicker:** I have for tabling the Cannabis Yukon Annual Report for 2019-20, pursuant to section 16 of the *Cannabis Control and Regulation Act*.

**Hon. Mr. Pillai:** Pursuant to section 22 of the *Yukon Development Corporation Act*, I have for tabling the 2019 annual report for the Yukon Development Corporation. I also have for tabling the 2019 annual report for the Yukon Energy Corporation.

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

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. Adiel:** I rise today to give notice of the following motion:

THAT this House supports the COVID-19 call centre in response to the COVID-19 pandemic.

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

THAT the Chair of the Standing Committee on Rules, Elections and Privileges convene a meeting prior to the end of the 2020 Fall Sitting to consider the recommendations made by the Clerk of the Legislative Assembly on February 28, 2020.

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

THAT this House urges the Government of Yukon to introduce species at risk legislation.

**Speaker:** Are there any further notices of motions?

Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Cannabis legalization update

**Hon. Mr. Streicker:** I rise to provide an update on cannabis and the progress that the Yukon has made over the last two years since legalization.

Our first private licence was issued to Triple J's Canna Space a year and a half ago, in April 2019. We now have five private retail licensees serving the territory. Phase 2 products, such as edibles and extracts, were legalized and launched this past winter.

In the Yukon, between October 17, 2018 and August 31, 2020, the corporation sold approximately \$9.25 million in cannabis.

Comparing per capita legal sales, the Yukon has outperformed all other Canadian jurisdictions. This includes when we began with the government-run store only, while we were operating as a hybrid with government and private retail, and over the past year, when it has been private retail only for brick-and-mortar stores.

According to Statistics Canada, our Yukon private retail is outselling Saskatchewan by 65 percent, our sales are twice those of the Northwest Territories and 4.5 times Ontario on a per capita basis. So, hats off to our private retail sector.

Yukon's transition to a legal retail cannabis market has been a journey, with hard work from the corporation's staff, the Cannabis Licensing Board, and Yukon's cannabis licensees. Thanks also to the original government store staff, who helped introduce, inform, and guide Yukoners safely to the legal cannabis market.

Over the past year and a half, private licensees have been providing quality cannabis service, which has helped to displace the illicit market. When cannabis was legalized in October 2018, displacing the black market was one of two main goals.

The black market was well-established. There were concerns with legal supply, price, and quality. However, after a lot of hard work by the sector, we are seeing dividends. Canadian producers have worked to meet demand and increase the quality of their products, while also reducing their prices.

Phase two offered consumers a large variety of cannabis products that were up until then only available on the illicit market. The Yukon was one of the first jurisdictions in Canada to have access to phase two products. To date, Yukon cannabis

licensees have access to over 150 cannabis products from 12 different licensed producers.

With supply and the variety of products increasing and prices decreasing, we are seeing legal cannabis sales trend higher in the Yukon and across Canada, and we know that this is displacing more and more of the illicit market.

In August 2020, Statistics Canada reported that the estimated expenditure for illegal cannabis is at a multi-year low, and spending on legal cannabis in the second quarter of 2020 outpaced the illicit market for the first time. This is a significant milestone in legalization.

Here in the Yukon, cannabis sales increased by almost \$3 million over the past fiscal year. This increase was due in part to the growth in private retail licensees, consistent supply, new cannabis products, and consumers switching from the illicit market to the legal market.

Mr. Speaker, the past two years since legalization have gone by quickly. Our Liberal government's approach to cannabis legalization is working as planned.

Once again, I would like to thank the staff at the Yukon Liquor Corporation and the tremendous efforts of our cannabis licensees for making this year a success, even during these difficult times.

Thank you, Mr. Speaker.

**Mr. Istchenko:** We are pleased to speak to the two-year anniversary of the legalization of cannabis. The Yukon Party has taken a position that the private sector should be responsible for the distribution and retail sale of cannabis in the Yukon.

When the Liberals first released their framework for cannabis legalization, it took pressure from the Yukon Party to convince them to change their approach — to actually allow for private sector involvement. In fact, the CBC tweeted at the time — and I quote: “The Yukon government's plans revealed today amount to total government control...”

So, while the government has said that they want to get the government out of the business, in the case of cannabis, they have inserted government right in the middle of the business. They have granted themselves a monopoly on the distribution of cannabis in the Yukon and thus inserted government directly in the middle of the supply chain. This means that the private retailers cannot deal directly with suppliers and distributors of cannabis products. The private sector has to rely on the government agency to negotiate supply agreements with cannabis producers. Local retailers cannot access products from producers directly. As anyone from the private sector would understand, this government involvement prevents the normal relationship between a producer and a retailer. Retailers can't go out and seek new producers, establish business-to-business relationships with distributors or producers, or seek exclusive distribution agreements that are common in much of the retail sector.

This has had a negative impact on product availability in the Yukon. Anyone who has seen the diversity of product available in a retail store in the south or in the US will notice a lack of product diversity in the Yukon. This is no fault of the local retailers, but the unfortunate speed of government.

A perfect example of this is cannabis beverages. Beverages have become a common way that legal cannabis users enjoy their product. But here in the Yukon, retailers can't keep beverages on the shelf. This is because a government-run cannabis distributor can't keep pace with a private business. While we must give credit for some of the improvements in the availability of certain product lines, the fundamental problem still remains that government has inserted itself in this critical position of the cannabis supply chain that is much better suited for the private sector.

Another problematic aspect of the government role in the cannabis business is their impact on the price. The minister has said that we have made strides in cutting into the black market, but we know that there is still a very robust black market in the Yukon — in fact, we would be interested to hear from the minister when he gets back on his feet about how he calculates how much he has reduced the black market. We believe that the only way the black market will be substantially reduced in the Yukon is if the legal market can compete on price. With current government markups set where they are now, that is simply impossible. If we truly want to displace the black market, we need to give the private sector the tools to do it. We need to increase product availability, they need lower prices, and they need modern sales channels like online and remote options.

This government is standing in the way of all those things with their flawed Liberal big-government approach.

**Ms. White:** Although Canada has come a long way since it legalized cannabis, there is farther that we can go. The minister focuses on recreational cannabis, but the Yukon NDP believe that we should also talk about medical cannabis. What support does this government offer those who have a cannabis prescription and are using it for health reasons and not recreationally?

The term “medical cannabis” is used to describe products derived from the whole cannabis plant or its extracts, containing a variety of active cannabinoids and terpenes, which patients take for medical reasons after interacting with and obtaining authorization from their health care practitioner.

Patients taking cannabis for medical reasons generally use cannabinoids to alleviate symptoms while minimizing intoxication, whereas recreational users may be taking cannabis for euphoric effects. Medical cannabis is authorized by a prescriber who provides a medical document allowing individuals to obtain it from a licensed producer or apply to Health Canada to grow their own. Medical cannabis in Canada is pricey, and it is hard to access. Patients are required to pay full price without any help from their insurance companies, unlike other antidepressants or painkillers. This is because medical cannabis does not have a drug identification number.

So, what work is being done by this government in conjunction with the federal government to ensure that those requiring medical cannabis are able to have it covered under extended health benefits?

**Hon. Mr. Streicker:** My recollection of the Official Opposition, the Yukon Party, was that they were unsure about

whether or not they would support cannabis. They talked a lot about it being grey — uncertain about whether they should or should not support the legalization. That is what I heard during all of our debate here in the Legislature.

I am happy that they now support legalized cannabis. That's great — although now it sounds like they are saying that we shouldn't control it, even noting that it's an intoxicant. Well, sorry — our two chief goals here have been, all along, to displace the black market and to support the health and wellness of Yukoners. Like alcohol, it is a controlled substance, and we will continue to control it. Unlike alcohol, we are not selling it as a government; it is only private retail.

That model, by the way, is what we stood up and announced that we would do, which the opposition said would never happen. It has happened, and it is going very well because — as it turns out — the Yukon is doing the best in Canada, but apparently that is not good enough, even compared to those jurisdictions where they have chosen to give over to the private sector the control of an intoxicant. Okay, that is the choice of Saskatchewan — but as I pointed out, we are doing 65 percent better than Saskatchewan in sales.

It is not me who is claiming that the black market is being displaced; rather, I give the credit to our private licensees, to the Yukon Liquor Corporation, to the board, and to all those who have been involved. It is not up to me, but I am here to report on it. The statistic that I use, Mr. Speaker, is the fact that usage has not gone up in all of our measurements.

I won't say that it's as robust as we would like, but every data point that I have says that cannabis usage is pretty much the same — except, as Statistics Canada is reporting, the one demographic where there is a slight increase in usage turns out to be seniors, which turns to the point from the Third Party, which is that seniors look at cannabis as helping more with ailments.

As the Minister responsible for the Liquor Corporation, I am not going to talk about the role of our Health and Social Services minister, but I will say that we're happy to work alongside of Canada and talk with the federal government about medical cannabis.

One more point that I will add: I continue to direct the Liquor Corporation and was informed as of today still that our target is to have a zero balance. We are not trying to earn any revenue for the government through cannabis. Our goal is for it to be revenue-neutral from a government perspective. The reason is that we want all profits to go toward the private sector, and we want to try to keep the price as low as possible. We'll continue that work.

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

## QUESTION PERIOD

### Question re: Cannabis retail sales

**Mr. Hassard:** As we all know, many businesses have been hit by this pandemic. Many businesses in the retail sector have seen reductions in sales. This is also true for the cannabis sector. In an effort to assist local cannabis retailers, the government issued an order that allowed for the remote sales of

cannabis online. This measure was well-received by local businesses, as it gave them a new channel to generate sales and gave them a way to safely offer their products throughout this economic lockdown.

Much to the disappointment of these businesses though, the Liberals abruptly shut down the ability of businesses to do this in September. Can the minister tell us why he cancelled this measure that was helping Yukon businesses navigate the challenges of staying afloat during this pandemic?

**Hon. Mr. Streicker:** I'm going to rise as the Minister of Community Services, because it's my responsibility under that role regarding ministerial orders. I would like to thank the members opposite for their very first question on ministerial orders. I'm excited to have this. I know that they asked.

Over the summer, we offered to come into this Legislature to answer all questions on ministerial orders. It wasn't an offer that was taken up by the members opposite, but I'm happy to say that now, today, we have our first question. I'm not sure, but I think we're on day 8 or 9. That's great.

I'm not sure though — in the question from the Leader of the Official Opposition, he is now saying we shouldn't have cancelled the ministerial order. In other words, all the questions to date have been that we shouldn't have been putting in place ministerial orders because they were inappropriate. But now I'm hearing that what we should have been doing is not cancelling them.

I'm happy to get up and talk about why we chose to drop this one — and I support the private sector, as I have just stood in this Legislature and said — and I will be happy to answer why.

**Mr. Hassard:** It doesn't sound like the minister really is all that in favour of helping those local businesses.

Anyway, allowing online sales for local cannabis retailers provided an opportunity to mitigate the impacts of the pandemic on these businesses. For the summer months, local retailers were allowed to sell their products online. Then, without debate or discussion, the Liberals abruptly ended this opportunity for these businesses. What is not lost on many in the private sector is that, while private retail stores were forbidden from selling their products online, the Yukon government was not. The government-run cannabis online store continues to allow Yukon citizens to select product online. So the Liberal government is directly competing against the private sector.

So why does the minister allow the government store to sell cannabis online but not these private retailers?

**Hon. Mr. Streicker:** Thank you, Mr. Speaker, although I will switch back and forth.

First of all, Mr. Speaker, online sales for cannabis have been \$25,000 compared to brick-and-mortar sales of \$1.3 million. It's a very, very small portion. This has been to allow our remote communities — to make sure that they have access; that's all.

We think it is a great idea. In fact, I stood up in the media and said that we do believe that this is a great idea. The thing though is that we believe that it shouldn't happen under a pandemic rule.

When we brought the order in place, it was because at first we were concerned about lineups at our stores and we wanted to make it easier so that people could order online and just come in and pick up so that we would allow for physical spacing. Later on, after we entered through various phases, we saw that it was getting safer and safer for Yukoners to be in stores, so we felt that it was inappropriate to continue to use the pandemic to bring in an order. We only want those orders that are going to support Yukoners though a health and safety perspective and only those that are necessary because we don't want to overexert our authority; that's why. But it is a great idea. I have said this to the private sector. I know that the department is working with private retailers and I'm happy to talk about ways to bring this back in through a proper process.

**Mr. Hassard:** It is unfortunate that the Liberal government's flawed legislation brought forward two years ago prevents the private sector from doing what the government-run retail store is allowed to. We would obviously like to see this legislation changed, as would the businesses.

So will the minister commit to making legislative changes to allow for private retailers to sell product online, just like the government store does?

**Hon. Mr. Streicker:** There is no bricks-and-mortar government store; it closed one year ago. That's what happened. We said that it was going to close and we got it done in the first year — again, thanks to all those staff who helped to introduce cannabis to the Yukon. The private retail is doing a great job.

Am I committed to work with them to bring forward the ability for them to have online orders? Yes, I am.

I have stood up in the public and I have said it; I will say it here again today. But of course, we want to work through our normal regulatory channels to do that work where we engage more widely and where we take the time to make sure that it works with the existing act.

#### **Question re: Many Rivers Counselling and Support Services**

**Ms. McLeod:** Yukoners who utilized Many Rivers Counselling and Support Services followed closely the events of 2018 and 2019 when there were questions about the finances of Many Rivers. The last we heard on this issue was in October 2019, when the minister in charge told a media scrum outside the Legislative Assembly that she would not be ordering a forensic audit. On October 25, 2019, the minister was quoted in the *Yukon News* as saying: "The only time you can trigger a forensic audit and bring in the RCMP is when there's criminal wrongdoing..." She went on to say, "The Third Party audit did not find criminal behaviour and, therefore, there wouldn't be a forensic audit." This is why, on Tuesday this week, it was interesting to hear the Premier say that Many Rivers was now under a forensic audit.

Can the Minister of Health and Social Services tell us when the forensic audit began?

**Hon. Ms. McPhee:** The situation involving Many Rivers and the investigation therein continues. The determination to undertake an investigation — and, in this

instance, including a forensic audit — is in the jurisdiction, of course, of the RCMP — perhaps not “of course”, based on the question.

The Government of Yukon is fully cooperating with the RCMP in this investigation, Mr. Speaker, and as the matter is under investigation by the RCMP, the Government of Yukon will not be providing further comment. It would not be appropriate to do so. That investigation is continuing.

**Ms. McLeod:** The question was whether or not the Minister of Health and Social Services could tell us when the forensic audit began.

On Tuesday of this week, the Premier said — and I quote: “Mental health services have been expanded from one NGO — now under police investigation...” As stated, the Minister said in October of last year that there was no forensic audit but that it now sounds like something may have changed since that time and there is some sort of police investigation.

Can the Minister of Health and Social Services tell us what changed between October of last year when there was not going to be a forensic audit and this week when the Premier told us that there was a police investigation?

**Hon. Ms. McPhee:** I am not sure that the member opposite understands that, if we were to discuss this in any way, that could improperly infringe on the investigation that is ongoing. The investigation is ongoing. The RCMP are leading it. The government is fully cooperating and the same question was asked twice — fine; I have no trouble responding in the same way.

The matter is under investigation by the RCMP. They have determined that it warrants an investigation. Whatever that investigation determines will be made known eventually by the RCMP, and the matter will continue.

**Ms. McLeod:** Can or will the minister tell us if the Government of Yukon — if any Government of Yukon documents, records, or files — have been included as part of the investigation and forensic audit that the Premier referenced in this House on Tuesday? If so, what is the nature of those records?

**Hon. Ms. Frost:** I think that this is a great opportunity to talk about the services that we are providing for Yukoners. Clearly, the member opposite is aware that I am not required and not able to speak to the specifics, but I will talk about the great work of mental wellness supports across the Yukon. We have initiated correspondence early on and made arrangements to ensure that all sectors of our society are supported, including our LGBTQ2S+ community and those who require supports who may not have historically been supported. We have supports for our rural communities. We had two counsellors under their watch — and the members opposite perhaps know that — and we now have 22. We have mental wellness hubs. We have supports across the Yukon. That is what Yukoners need to know.

I’m not going to speak on the floor of the Legislative Assembly about a matter that’s under review. The Minister of Justice has spoken very clearly to that and I will speak about the exceptional work of the department to respond appropriately to Yukoners to ensure that they are well served

and well supported in all sectors of our community, including rural Yukon communities.

#### **Question re: Affordable childcare**

**Ms. Hanson:** Yukon families have been promised universal childcare twice over the last three months — first by the Premier and then by the Minister of Health and Social Services. If this government is serious about following the *Putting People First* recommendations, it can start by taking action now on steps to implement a better childcare system in Yukon.

The *Putting People First* report said that the first step is to move early childhood education from the Department of Health and Social Services to the Department of Education. I quote: “This should not be a difficult task for the Yukon government...” The Premier and his ministers need to move from talking about universal childcare to acting on it.

Will the Premier confirm that he has directed the Minister for Health and Social Services and the Minister of Education to work to move early childhood education from the Department of Health and Social Services to the Department of Education?

**Hon. Ms. Frost:** I certainly recognize that high-quality early learning opportunities are a key priority to improve long-term outcomes for children in all aspects of education and development. We indicated that we would look at suggestions and recommendations of the independent expert panel, *Putting People First*, to work with the Department of Education and the Department of Health and Social Services. We are currently doing that.

**Ms. Hanson:** In response to our question on Monday, the minister said that universal affordable early childhood education needs to wait until Yukon is aligned with other jurisdictions. Why the Yukon government needs to wait on other jurisdictions when we have the ability to make changes to our childcare policy is baffling. Both BC and Québec made changes without waiting for Ottawa to tell them how. They prioritized the needs of their citizens and their children instead of stalling on such an important policy. Yukoners deserve to know when this is going to happen.

Is this government seriously saying that it will not take any steps to develop affordable and accessible universal childcare until Ottawa gives the green light?

**Hon. Ms. Frost:** Let me correct the record. What we are doing with respect to investing in children — we know that surely, we have to look at engagement with all of our stakeholders. We are looking at best practices across the country. The federal government just made an announcement last week around universal child care. We have committed to doing that. *Putting People First* — the independent expert panel — recommends that we proceed that way, and that is exactly what we are doing.

Over the last three years, we have increased early learning childcare through a multi-year funding agreement with the federal government. We have significantly increased our direct operating grants. We have significantly increased supports in funding to the NGO community — which has not been supported historically. We have created pilot projects. We have

integrated cultural integrity, humility training, and safety training among all of our daycares.

I am really happy and pleased to say that the daycare in Watson Lake is working with the Dawson City Little Blue Daycare, which in turn is working on a successful project with the Haines Junction child care centre — which integrates language, by the way — and I want to just acknowledge all of the supporters and acknowledge the child care centres, the operators, and our stakeholders for doing such a great job moving forward on child care needs.

**Ms. Hanson:** Having announced universal early childhood education not once but twice in the last three months, this government has a responsibility to follow through.

Universal affordable child care has in fact been a recurring topic in Canada for many years now, but Ottawa never followed through. Meanwhile, the cost to parents is continuing to go up. A lack of affordable, quality child care means that many women are unable to rejoin the workforce. It appears that this government is following Ottawa's playbook — promising but never delivering on those promises.

Can the Premier tell this House when the *Putting People First* recommendations on universal, accessible, affordable child care will be implemented?

**Hon. Ms. Frost:** I would say that we have committed and we will follow through. Yes, we made the announcement. The Premier has indicated and advised that we must proceed, and the communities have advised that we proceed this way. It is always about ensuring that those in our community who are not able to finance or able to live to a certain standard to provide services to their children — of course, universal child care is a priority, and we will implement that. There is no going back on that. We are moving forward full steam and we are currently in the process of negotiating and we are also consulting. I'm sure that the members opposite would not know what that means because they haven't done a very effective job of working with the communities on ensuring that supports were given equally to the NGO communities, including the daycare in Watson Lake, the daycare in Dawson City, and the daycares in our indigenous communities.

We are equalizing, and we are providing equitable, fair, transparent support for all of our communities, because all of Yukon matters.

### Question re: Midwifery legislation

**Ms. White:** Midwives provide invaluable care to expectant mothers, babies, and their families. Yukon is one of two jurisdictions in Canada that doesn't have a funded and regulated midwifery. The Liberals promised to fix this. In 2017, the government said that it would be done — and I quote: "... later next year".

Midwifery is an example of a commitment and a lack of follow-through. Four years into its mandate, this government has yet to deliver. When will midwifery be funded and regulated in Yukon?

**Hon. Mr. Streicker:** I would like to acknowledge that midwifery is important and that we remain committed. We are further back than we intended to be because it has been a

complicated file. I think that it is our responsibility to continue moving on.

I know that when COVID first hit, there was a conversation from some of the stakeholders that they wanted more time, and we said, "Well, look, we really need to keep this moving." We are committed to moving forward.

My job in the role of Community Services is the regulatory aspect of midwifery, and we have taken a phased approach to the integration of midwifery services in the Yukon with the establishment of full midwifery services in Whitehorse as a first priority. Once the program is up and running, we will then look at how midwives can best provide services in our Yukon communities.

We know that there has been a great deal of work that has been done by midwives, by our doctors, and by the public as stakeholders to move forward in establishing a sustainable and safe midwifery program in the Yukon.

I am happy to answer further as we get further questions.

**Ms. White:** Government inaction means that, four years into their mandate, midwifery is still not regulated or funded despite the ongoing commitment. This means that families that can't afford to pay out of their own pocket don't have access to the health care they need. It also means that Yukon is losing qualified midwives at a time when jurisdictions across the country are already struggling to recruit enough of them. A midwife who recently chose to practise in a different jurisdiction told us that she made that choice because, unlike in Yukon, her work is honoured and respected, and she gets to work with all families who want her services, not just those who can pay.

Does the minister realize that this government's inaction on midwifery is having an impact on both families and midwives?

**Hon. Ms. Frost:** Our government remains committed to moving forward with the integration of funded and regulated midwifery services in the Yukon health care system. We are very thankful for the ongoing support and time given to this work from the physicians, the Community Midwifery Association Yukon, the Yukon Hospital Corporation, and the Yukon Registered Nurses Association, among many others. The successful implementation of midwifery will take the support of all of our health care providers and we look forward to continuing this work with them. We are taking a phased approach to the integration of midwifery services in the Yukon, with the establishment of full midwifery services in Whitehorse as a first priority.

Once the program is up and running, we will then look at how midwives can best practise in Yukon communities. We are proceeding with that right now, Mr. Speaker. We have proceeded with the competition, which concluded. So I am happy to say that we have moved in that direction despite the fact that we are still waiting for legislation.

So we are moving, and we are committed. We are going above and beyond to ensure that we meet the needs of Yukoners with respect to the services that they have asked us for, which is ensure that we provide midwifery services to all of our communities.

**Ms. White:** Actions speak louder than words, and again, all we are getting from this government on midwifery are words. Advocates for midwifery have spent years engaging with this government. They have showed resolve and an incredible amount of patience. We are four years into this government's mandate and midwifery is still not regulated or funded. The minister can say that it is an important issue and that it is a priority, but their track record says otherwise.

With COVID-19 limiting birth choices in a hospital setting, demand for midwives has increased internationally. Having properly funded and regulated midwifery in Yukon would have helped many families during this pandemic. This government's mandate is coming to an end.

Will the Premier commit to ensuring that midwifery is regulated and funded before the next election?

**Hon. Ms. Frost:** I want to just confirm and acknowledge that we are committed to midwifery in the Yukon. We have the resources and we are moving in that direction. As we speak, that is actually what is happening. We have a position that we have just recruited for. We have other opportunities for which we have reached out to the community about. At the same time, we need to wait for regulations so that we can work with the medical association so that we can have access to the hospitals. Despite that, we are moving ahead.

We are in consultation with our communities, Mr. Speaker. I am happy to say that we will continue to do that good work and I am happy to say that we are listening to our stakeholder groups — all of them.

#### **Question re: Macaulay Lodge closure**

**Ms. Van Bibber:** The Macaulay Lodge building has sat empty for a number of years now, with officials from Highways and Public Works doing regular maintenance and checks, awaiting a plan for the government on the building's future. A story done by CKRW in May of last year found that no firm decision had been made. A follow-up story that aired on CKRW this morning quotes a department official saying that the building can no longer be repurposed and that there are two options: tear down the building and construct something new or sell the land.

Can the minister tell us what the plan is for Macaulay Lodge?

**Hon. Mr. Mostyn:** I'm happy to talk about this issue on the floor of the Legislature this afternoon. Highways and Public Works is conducting a future-use analysis for Macaulay Lodge in collaboration with the Department of Health and Social Services. Highways and Public Works completed a building condition assessment in the spring of 2020 that confirmed that the current facility is not suitable for repurposing. Upgrades required to critical envelope and safety systems make the option of repurposing cost prohibitive.

At this time, it's too expensive to fix to use again.

**Ms. Van Bibber:** As I mentioned, since residents moved out of the building in the fall of 2018, the department has been doing basic upkeep. The CKRW story this morning revealed that some hazmat work has also been done. However, as noted by many Riverdale residents, a family of foxes has moved in

under the west side of the structure. Can the minister tell us how much has been spent on the upkeep of the building to date, and what is being done to address the animal situation?

**Hon. Mr. Mostyn:** I heard the member opposite talk about hazmat suits, or hazmat, and I will say, Mr. Speaker, that hazardous materials are evident throughout the facility, and should a change in occupancy be considered, code improvements, hazmat removal, and structural upgrades will be required.

At the moment, two options for the future use of the site include: selling the property, or demolishing the facility and building a new structure to accommodate government program needs. That's really what we're looking at — whether to sell it or repurpose it or to demolish it, keep the land, and build something else there.

**Ms. Van Bibber:** As we are well aware, all types of land are scarce in Whitehorse right now. While the focus is on the development of Whistle Bend, the city has been working on infill over the years and I am sure it will be discussed as part of the development of official community plans. New construction on infill lots cuts down on the need to build entirely new water and sewer infrastructure.

The now-closed lodge is on a prime piece of Riverdale land close to schools, transit, and a grocery store. With the lack of housing in the city, will the government look at selling it to a private developer to be used for more residential housing?

**Hon. Mr. Streicker:** The Minister of Energy, Mines and Resources stood yesterday, I believe, to answer a similar type of question. First of all, we work in partnership with all of our municipalities. We ask that they lead first by planning and by telling us, through their official community plans, where they would like to see development, including infill. So, it isn't for us — I think the Minister of Highways and Public Works has just stated that there is some work that he's going to be doing with Health and Social Services. But anytime that land is going to become available, we are in conversation with — in this case — the City of Whitehorse.

We work closely with the planning department around how to repurpose land. We have examples going where we are working parcels — significantly sized parcels — that could go straight over to the private sector. The Premier has tasked me with exploring that option.

At the same time, my purpose is to ensure that we have an adequate supply of lots being developed. I work on both of those fronts, so it's "yes" to bringing the private sector on board and also to working with First Nations — noting that they are starting to develop land, and we will continue to work with them as well.

#### **Question re: Mining working group mandates**

**Mr. Kent:** At the conclusion of the Yukon Forum on October 2, a news release issued updates on the Yukon Forum working groups. One of these was an update on the mining file. I share this information with many in the industry, so what I'm looking for today is some additional information.

According to the release, a new joint working group for the management of on-claim roads was established. I'm wondering



if the minister can update us on the mandate of this working group.

**Hon. Mr. Pillai:** We have a number of working groups and it is usually priorities that are identified between both the Yukon government and our technical teams who work at the memorandum-of-understanding table — that's our MOU table.

As Yukoners may remember, in January 2017, all self-governing First Nations identified the fact that they wanted to work together with us. Then in turn — something that I think was quite ground-breaking — was the signing of an agreement between all 11 First Nations and the Yukon government.

Since then, we have worked on a number of issues — whether it be water quality, identifying some of the challenges that come with road infrastructure, looking at reclamation, and following through as well on commitments that the Yukon Party made but didn't fulfill around class 1. There are a number of pieces of work that we have done and we continue to do at that particular table.

**Mr. Kent:** So, as I mentioned off the top in my first question, I am just looking for some updates and some information that I can share with those in the industry who have taken an interest in this specific release, after the October 2 Yukon Forum.

The first question was about the mandate of the working group for the management of on-claim roads. The second question also involves the release that there is also a new joint working group for compliance monitoring and enforcement.

Can the minister update us on the mandate of this working group? Are changes being contemplated to the way enforcement and monitoring are conducted, and would these changes be for hard rock or placer or both? Hopefully in this one, he can also answer that question that he missed in the first one about the on-claim roads working group as well.

**Hon. Mr. Silver:** I apologize to the Minister of Energy, Mines and Resources. Hopefully he will get up for the third answer, but I do want to expand on the Yukon Forum and the great work that has been done through that forum.

The members have approved a set of joint priority lists — so just a little bit of expansion of the good work that is happening there: signing of an agreement to clarify how resource royalties will be shared under chapter 23 in the final agreements — a really important endeavour for the industry; and an advanced mining memorandum of understanding — as explained — including the establishment of progressive reclamation working groups; as of April 2020, we now require notification and review of all class 1 mineral exploration programs — and of course the minister can speak to that; implementation of the representative public service plan — *Breaking Trail Together* — excellent work government-to-government; we have made significant progress on Yukon First Nation procurement policy — more to come on that very soon; the review of the Yukon Fish and Wildlife Management Board to create improvements that will ensure that it continues to be an effective and critical component of the agreements and management of fish and wildlife; signing a memorandum of understanding to manage heritage; creating a new joint senior executive committee — JSEC — to support a whole-of-

government approach to collaboration to ensure that the federal government has a more unified and strategic way of engaging at Yukon Days in Ottawa — and many more.

**Mr. Kent:** So these questions, I thought, were relatively straightforward, but unfortunately the record today is going to reflect that so far the minister and the Premier are 0 for 2 on answering these questions about working groups that were announced after the October 2 Yukon Forum.

Mr. Speaker, I will try again. Hopefully we get some answers to the first two questions, but I do have another one here in this final supplementary.

The Yukon Mineral Development Strategy Panel has been consulting with groups on what changes they would like to see to the way that we manage and develop resources, and their recommendations are expected later this year. Can the minister describe how these working groups interface with the Yukon Mineral Development Strategy Panel and its work? Is this part of the process, or is it in addition to it? Perhaps, at some point today, we will get answers to the other two questions that I asked as well.

**Hon. Mr. Pillai:** I will try to quickly go through it. What I did in the first question was explain what the MMOU table is. I think that is something in context. If you are inside these discussions all the time, you may know it, but I want to share that with Yukoners.

Quite simply, as we said, the on-claim roads working group is just focused on developing recommendations related to the construction, operation, and decommissioning of roads on mining claims that are not covered by resource road regulations. That's quite simple — exactly as it says.

The next one was about compliance monitoring and enforcement. It's focused on sharing information and developing recommendations related to how the Yukon government and First Nation governments can better share information and collaborate on compliance monitoring — one, two.

As for this group, what we have asked in every case — whether it be the Yukon Chamber of Mines, the MMOU table, the Yukon Minerals Advisory Board — whatever they are working on, whatever their recommendations, whatever their priorities are, please ensure that you reach out to the mineral development strategy table. They have done a fantastic job — all three individuals — to go out and get that work.

You will remember that another one — start and stop — was way back a number of years ago when the previous government announced that the mineral development strategy was underway, there was a big splash right before Roundup, and then it evaporated. What we did was that we went back we actually had First Nation governments come to us and say that they wanted to do this work in collaboration. It is very important that all of these priorities, again, get shared with this group, and then we will have an opportunity to read that report in the near future and discuss it.

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

## ORDERS OF THE DAY

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** Order, please. Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Vote 15, Department of Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

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. 204: *Fourth Appropriation Act 2019-20* — continued

**Chair:** The matter before Committee is continuing general debate on Vote 15, Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Ms. Frost, you have eight minutes and 20 seconds.

#### Department of Health and Social Services — continued

**Hon. Ms. Frost:** I would like to start where I left off on the last day, where we were with respect to the programs and supports that we are currently providing for Yukoners. The fact is that we have looked at extensive supports, and the supplementary budget of \$2.546 million really reflects on our commitment to Yukoners — our commitment that we have created, and we will continue to build on those strong, respectful partnerships.

We are working to improve the health and well-being of Yukoners in all aspects of our society. We know that Yukon's most vulnerable people have been underserved for years, which is why we have expanded the services at the Whitehorse Emergency Shelter and opened the territory's first Housing First project. These important projects have been successful because we are working with all levels of government and stakeholders.

Recognizing that supporting Yukoners is an issue that concerns our whole society and all levels of decision-making, our government believes that the best way to care for Yukoners is by integrating our health care services, by offering health care that considers the whole person, the situation and supports as well as their physical health. We make sure that we can access the services that they need to be healthy.

Our government will be implementing the recommendations of *Putting People First*, creating a road map of a people-centred approach to health and wellness, which is more effective and more sustainable going forward. We know that all Yukon communities matter; they matter very much. The comments that were in general debate — I would like to maybe go there for a minute just with respect to the Whitehorse Emergency Shelter.

There were some comments made — and I read them my last time coming into debate on the supplementary estimates — that the shelter, I don't see it as a problem. I see it as an opportunity, an opportunity to provide services for our most vulnerable community members.

We also see that the businesses that have come forward within that general vicinity have indicated that they wanted to look at a partnership initiative. They came up with some recommendations, which we are exploring right now with our partners — answering the call for a community plan with our partners through the community in Justice, the City of Whitehorse, and our First Nation communities.

I also wanted to just stop and acknowledge that the Whitehorse Emergency Shelter and the staff there — I don't see it as a debacle, as the member opposite has classified it. I don't see the management as a problem either, because I see the management as going above and beyond in providing essential services, necessary services, to a population base that has historically never been served.

I think, for the record, that we can say that early on, in the point-in-time count which I participated in — so I walked the downtown core, sat on the river, sat in the parks, met with the folks, participated in doing the interviews — which I was honoured to do because a lot of the community members on the streets in Whitehorse come from rural Yukon communities. A lot of them are members whom I know — citizens who come from each one of our communities. They're people — they're people who are fathers, grandfathers, aunties, uncles, and children. These are people who have fallen into unfortunate circumstances and they need a little hand up. The little hand up is to help them to get access to the services.

I've happily purchased many tickets for residents to go home. Why? Because the system doesn't support individuals once they come into the city. If they miss an airplane, well, there is no other way to get home. They are essentially forgotten about. We see this throughout our system.

I have an elder who came to Whitehorse for cancer treatment. He got let go. It was Friday afternoon. Everything was shut down. He called me and he says, "What am I going to do? I don't understand the system. I don't know where to go. How is this going to work? I need to go home. I have no money." So, you have to think outside the box and try to build a system that meets the needs of everyone and clearly addresses the needs of individuals, especially during such trying times. Right now, through COVID, we're seeing perhaps a society that we've never seen before. We've seen every day the residents of our community accessing the shelter.

Suggesting that it's in shambles, Mr. Chair — we've had one full year to manage that facility. The one full year we've

had allowed us an opportunity to do comprehensive assessments and review around what's required. Why is that? The 2018 numbers came in showing that we've seen a reduction in homelessness in our city — in Whitehorse. We've seen early on — in early years, we've seen well over 200. So now we're seeing some really great programs and initiatives that have been offered. I just want to take note and say how much I appreciate the work of the department, the work of our NGO partners, and the communities as we look at supporting the clients.

The fact that we have learned some things about our external services and supports and with our care centres outside the Yukon — how important it is to look at alternative options, which we are currently doing — \$2.2 million in 2016 — that is down to \$1.4 million. Do we bring that down even further by bringing more surgeons and more specialist supports to Yukon? We certainly recognize that it is not something that you want to do on a yearly basis, but you do want to look for options going forward to better align services with the cost factors and then, of course, deliver out to rural Yukon communities essential services and supports in a collaborative fashion.

**Ms. McLeod:** I have some questions for the minister around the \$100,000 that was budgeted in the 2019-20 budget for the Watson Lake men's shelter. In November of last year, the minister confirmed in a letter that Health and Social Services had entered into a transfer payment agreement with Help and Hope for Families in Watson Lake to lead the work on a housing needs assessment and a men's shelter feasibility study, with a full report expected at the end of 2019.

Can the minister confirm that the \$100,000 was spent in full?

**Hon. Ms. Frost:** I want to just paint a bit of a picture around what is happening in the community of Watson Lake — long historical trauma in that community associated with the residential school. We know that. I have relatives in Watson Lake, so I know the impact. I know that the indigenous community has had some challenges. What we have seen most recently is that we have seen a shortage in housing. We have seen some programs and services not being addressed. I have gone there quite a few times. I have met with the seniors and I have met with the elders in that community — holding community engagement sessions — really to look at where we are seeing shortfalls and where we are seeing some flaws.

A year ago, Lakeview Manor — which was owned by the development corporation of the First Nations — was shut down. First it was around the land leases, and then it turned into more about — oh, now there are some discrepancies in the safety of the building. So, the department brought in security guards. We brought in fire watch. We brought in supports to keep the facility running. At the same time, we couldn't keep that on and the fire marshal came in and we must shut it down.

We sent down a critical incident team from Health and Social Services and Yukon Housing Corporation to work with Liard First Nation, to work with the municipality, and to work with our partners down there to look at ensuring that every person who walked out of that building and defined themselves as now being displaced had a place to go. Now, realizing that there is no men's shelter in Watson Lake, we only had the Help

and Hope for Families Society, which we have worked with, and they have an aspiration to look at meeting the broader needs of the community. The executive director there is a very exceptional community member — a long-time resident of the community who has had a passion for a while — a passion for ensuring that residents' needs are being met.

We have worked through the Department of Health and Social Services to put resources aside to essentially look at trying to address a positive outcome, a positive outcome for the community with respect to a shelter facility or some form of transitional housing in the community. We currently have the Help and Hope for Families Society, which addresses some shelter, and then, of course, some transitional housing. In conjunction with that, we have lined them up with the Yukon Housing Corporation and Health and Social Services.

Having done that, we also saw a great need to work with the Liard First Nation. In working with the Liard First Nation, we have also realized that — we often talk about reconciliation and about supports for all sectors of our society without distinguishing one individual from another. We have a community obligation. We have a societal obligation.

So we went ahead and did two things — one is that the Social Supports branch contacted the NGO, the Help and Hope for Families Society, to look at the community housing needs assessment — and that was right on the heels of the closure of Lakeview Manor — and to also look at giving them a hand to address additional capacity and supports so that the Homelessness Association of British Columbia could start working on a point-in-time count for our men's shelter. Given that COVID, of course, happened, they haven't had the opportunity — that posed some significant restrictions on the engagement and the focus groups, which resulted, of course, in the delay of that specific project.

What I'm happy to say is that the Yukon Housing Corporation started work on the supportive housing needs assessment early on to identify the size and scale of new supportive housing projects in the community — the possibility of what we might want to look at for 2021 — and then start looking at some engagement in the community.

I'm happy to note that this is completed, so we do have some early indication from the Yukon Housing Corporation of the recommendations on some options. Right now, we are working with the community; we are working with the Liard First Nation very closely. We are also working with the municipality and, of course, Community Services around the continuation of initiatives in that community. I can speak more about that should the member opposite desire more information with respect to some of the initiatives being suggested for the community.

**Ms. McLeod:** The transfer agreement of \$100,000 to the Help and Hope for Families — was that money expended, or has any of that been revoted?

**Hon. Ms. Frost:** I'm just seeking a little clarification around the transition and how the transition happened — appreciating that we have two jurisdictions that we're working with in the community of Watson Lake. We clearly have to

work with British Columbia as we look at the core base of the community, Lower Post, Liard, and the community proper.

Early on, as I indicated, the department contacted the Help and Hope for Families Society to look at a housing needs assessment. That work started, and then COVID-19 hit, so we had to take a bit of a step back. At the same time, we were moving with the Housing Corporation, given that they have an obligation in the community to provide some housing.

Point-in-time counts are really about meeting the core needs of the individuals, so we have to try to lay one over top of the other to ensure that we meet all the holistic and care needs of the individuals as they present.

The funding that was set aside — the \$85,000. All the work that was intended to be completed didn't happen. The work is now continuing with the Yukon Housing Corporation and working in collaboration, as I indicated earlier — and I will pull it back up — with the housing association of British Columbia and really trying to pull it all together. Right now, we have the assessment from the Yukon Housing Corporation, but we have to look at the other piece of that. Once we conclude that, we will put the package together and then start putting some effort into building a men's shelter. That is what we are hearing from our partners in Watson Lake.

Constructing in 2021 is a real possibility. We certainly want to do that in collaboration with our partners in the community, keeping in mind that we have a new mayor now in Watson Lake. We want to keep that connection there through our Community Services partners as well and, of course, through the Yukon Housing Corporation and through British Columbia to try to look at a very cohesive, collaborative approach to addressing some of the core housing needs in the community of Watson Lake.

**Ms. McLeod:** The minister has adjusted that figure from \$100,000 to \$85,000. I still don't have an answer as to whether or not someone wrote a cheque for that amount of money, or is it still in the budget? Has it been revoked and held over to this fiscal year?

The minister referenced delays due to COVID-19. The census report was expected at the end of 2019, which was somewhat in advance of COVID-19. Perhaps we are looking at a bit of a delay. Since COVID-19 is expected to be with us for some time, when is that report going to be completed and made available to the public?

**Hon. Ms. Frost:** I apologize if I wasn't clear. The \$85,000 was spent; allocated in the budget was \$100,000. There is \$15,000 remaining. We're still in this year. We're looking at compiling the report.

With respect to the action plan for the community, I'm really extremely pleased and excited to say that the community of Watson Lake is finally getting recognized in terms of addressing their core housing needs. We will no longer have people displaced by shutting down facilities. We want to be able to look at opening up facilities. That means we have to move quickly, and we have to address what the core needs are in the community — which is exactly what we're doing right now — and addressing some historical wrongs in that community. We're doing that in collaboration with our

partners. The fact that we're looking at a Housing First initiative in the community, with direct access to some resources that are readily available to us — but that has to be done in partnership with the Liard First Nation and, of course, the municipality.

We will continue to do that good work to ensure that we address some of the challenges, the housing shortages that we've seen, and the lack of shelter for men. As the member opposite may know, being in government for quite some time, oftentimes you get draft reports in advance that give you a bit of an indication of what's happening and what you're seeing in terms of a schematic or an assessment. This information is to be used by the parties. It's not going to be made a public document, I don't believe, unless the parties desire that to be the case. We will certainly consult with the Liard First Nation and maybe ask if they want to share detailed information about their citizens. That might not be possible. The Help and Hope for Families Society may not want to share that information because of being a small community. We certainly want to protect the rights and identification of individuals, so we will proceed cautiously in terms of how we report on specific data from communities that are smaller in nature, but we certainly want to build on what we've heard and build on the feedback that we've received from the community.

I want to just say that the objective really is to work with the community, engage with the community, and continue to engage on some options going forward. We have some positive initiatives, some positive feedback, and, of course, some positive results that we are currently quite excited about moving forward on. Perhaps in the next year we will see a huge housing initiative in that community. It may happen sooner.

I just want to stop there and thank the community for their engagement and for participating in honest feedback and helping us to acquire the data and the supports needed there.

**Ms. McLeod:** So with the minister's partners being Yukon Housing and the Homelessness Services Association of BC, it sounds very much like they have already reached a conclusion — you know, if we look at this year's budget. Secondly, I don't think that the community is aware that they have been consulted.

Obviously, I can't think of anybody who wants to know any personal information about any citizen. However, the results — the conclusions reached by a report paid for with \$85,000 taxpayer dollars — would certainly be of interest to the citizens.

For the minister to say that it is none of their business is a little bit surprising. I would like to hear from the minister today — how do you go about consulting with a population when you won't release the data? Maybe the minister can tell us a little bit about how she sees that unfolding, because clearly the minister seems to already have this figured out without consultation with the community. I will just leave it there, and maybe the minister can inform us.

**Hon. Ms. Frost:** I chuckled, not because of the subject matter. I chuckled because I did not say such a thing. I said that sometimes, in smaller communities, it is imperative on us, as professionals, to be mindful of the fact that small communities

— when we do a point-in-time count or when we do assessments, we need to be mindful and respectful of the individuals. That was my objective.

I do want to say that the purpose of the debate today is with the intention of responding to the supplementary overage of \$5.246 million. The \$100,000 that's being highlighted right now is for a project in the community that has gone through extensive consultation already. Suggesting that this hasn't happened is absolutely not true. Consultation happened; that's why we have the results, and we can now say that there is a need.

The Help and Hope for Families Society has done a really great job. They have had the pulse of the community for quite a long time. The Yukon Housing Corporation, the BC Housing authority — we have had lots of input, and we will continue to do that.

I would like to suggest that, if there are any specific questions with respect to the budget before us today, I would like to respond to those. I'm sure I can respond to any other questions that the member might have, at the opportune time. The \$100,000 is not captured in this particular budget item up for debate.

**Ms. McLeod:** I'm sorry — that statement was just hilarious. We have been after this minister to provide us with the details of the \$5.2 million, which we have yet to get. I don't know if this \$100,000 factors into that, and the truth of the matter is that this is a debate on the financial obligations and implications of public funding for the year 2019-20. I don't think that can be any clearer.

Because the minister has stated that she has consulted with the Town of Watson Lake, my question is: Whom did the minister consult and when?

**Hon. Ms. Frost:** I can say that I didn't do the consultation myself, as the minister. The staff of the Yukon Housing Corporation and the staff of Health and Social Services worked in collaboration with the community members. Perhaps the member opposite asking the question may be aware, given that she represents the community, that there was consultation happening — currently — in the community to gather this data.

I do want to also just respond by saying that the Member for Takhini-Kopper King asked a specific detail question with respect to the breakdown, so I provided that. I said that I would table the results, and I will do that.

I will break it down. If the member opposite requires it, I can read that again into the record. I would have great pleasure in doing that and breaking it down. There is no hiding of anything. Everything is on the books and identified, as I indicated the last time that I stood here on this budget item. Let me just get the numbers — but the total was broken down into three specific categories: insured health services; COVID; and then we had another amount, which was \$1.4 million. So \$1.3 million was allocated for insured health services, and then we had \$2.6 million for Social Supports, and then, of course, we had the COVID expenditures as well. I can certainly take the time to go through that breakdown, if that's appropriate. I

just need to know how much time I have, because it might take some time for me to get that down on record.

With respect to the budget area and the expenditures, the member opposite made some suggestions — that I'm not sharing the information. I would be happy to do that now.

The chief medical officer's expenditures there are associated with the increased staffing and program expenditures in response to the initial emergency situation. The allocated amount there was \$40,000.

The Health Emergency Operations Centre — for staffing and operations of the centre staff, the Respiratory Assessment Centre, and the self-isolation facility — that was allocated at \$265,000 for that facility. Just keep in mind that, of the overall budget, 25 percent was spent on COVID — and that's what I'm going through right now. Yukon Communicable Disease Control — a centre for staff and overtime — this allowed for additional support to address the public needs related to COVID — so we had to staff up and we had to bring in staff to the assessment centre and, of course, the wraparound supports for our chief medical officer of health.

The environmental health services — there was significant overtime associated with COVID as well related to inspections and concerns across the territory. As we know, we had to put in rules very quickly to address restaurants and to address our service industry, and we had to work with the sector. The allocated amount there was \$10,000.

We had the Emergency Coordination Centre. Social services deployed staff to the Emergency Coordination Centre to support the response to COVID-19. There's \$25,000 allocated there. The Yukon Hospital Corporation also required additional resources to support its initial response to the operational changes and enhancements to prepare for the pandemic and ensure the health and safety of patients, staff, and the general public.

We allocated at that time \$170,000 to the continuing care facility to support the staff there to ensure that residents of our long-term care homes had the appropriate supports and were safe, meaning that we had to put the necessary measures in place — as the member opposite knows, this seems to be the vulnerable population with respect to COVID-19. This was demonstrated across the country, so we had to quickly put in place measures to protect our seniors.

Licensed childcare — support to keep our centres available for essential workers and to ensure that licensed childcare centres would remain viable and open — there was \$600,000 allocated to that. So the total COVID-19 expense was \$1.42 million.

For social services — approximately 50 percent was spent on social services, extended family care agreements — supports for children and families through the extended family care agreements — so that was \$900,000. We went on ad nauseum around that — about why it's important to support the children rather than apprehending them, bringing them back to the community, and supporting the children and families in our communities — which we have not done historically. It's really about reconciliation and about repatriation. It's about the Truth and Reconciliation Commission of Canada's

recommendations. It's about ensuring that we provide transparency and support to all of our communities.

The majority of the children in care are indigenous. Of course, the population of our indigenous community is about one-third of the Yukon, yet we see 80 percent of our children in care. I say "our" because I am indigenous. As you can see, I am an indigenous mother. I am Vuntut Gwitchin and our children are in care. We have been advised that we must repatriate and bring them home.

Family and Children's Services and other expenses — we have seen through that allocation of \$500,000 — for mental wellness and substance use — unexpected increases and supports for mental health. Of course, we needed to put the resources in place for mental wellness supports in all of our rural Yukon communities where we have seen an uptake. We needed to accommodate that and respond appropriately.

There is a lot of debate around the Whitehorse Emergency Shelter providing services for significantly more individuals that we hadn't seen historically. As I noted in the record, we've seen, through Salvation Army's management, 13 people a night — 13 to 15 — and now we see in excess of 80 people a night. We were serving 350 meals a day — we were serving those pre-COVID — which is an indication that our citizens are coming to this facility now to use the services that they weren't allowed to access previously. Of course, we had to ensure that we provided additional supports like the emergency measures services, addictions services, social services — we have social workers there now who weren't there before — mental wellness supports, mental wellness counsellors, and emergency measures services.

Early on, we quickly moved to provide supports to our youth. We've seen an uptick in women there as well and so we had to start working on ensuring that we provided the services that they need — the specific and unique services.

With respect to health services — we've allocated, of this total amount, 25 percent that went to unexpected expenditures and insured health services, including a substantial growth in numbers of inpatient days billed for Yukoners being treated in the BC hospitals. I read that into the record, and I don't believe I should do that again given that we know the numbers are in excess of 20,000 bed days.

We've provided services to a number of Yukoners — a lot of Yukoners. We've also seen longer duration of stays and we see that neonatal care is essential. These are things we can't control, but we are obligated to legally provide those supports. That made up the \$1.3 million of the budget.

**Ms. McLeod:** So, I'm adding up the figures. I have my calculator here. I'm adding up the numbers the minister is giving us and she's going to give us a breakdown of the \$5.2 million, she said. So, I come up with \$2,510,000. Throw in figures like: 25 percent is for health services and 25 percent is COVID. That kind of leaves us with, "Where the heck are we?"

The minister said she would table the breakdown of the \$5.2 million.

I wasn't sure if she has already provided that to the Third Party — no? I thought that's what the minister had indicated,

but apparently not. So, you know, it's difficult to have a fulsome discussion when we can't get a breakdown of \$5.2 million.

I don't believe that there's any point in the minister spending additional time trying to detail these dollars on the floor of the Legislature, because that has proved pretty unsuccessful for all of us in the last couple of days.

I would like to go back to my original question, which was: Who has the minister consulted on the housing study in Watson Lake, and when was that?

**Hon. Ms. Frost:** With respect to the tabling of the detailed breakdown of the \$5.246 million, I indicated that I would table that to the Third Party. If the member opposite would like, I will be sure to provide that to the member opposite as well so she can do the calculations: \$1.4 million, \$2.6 million, \$1.3 million — and with respect to the detailed breakdown, I will be happy to provide that.

With respect to consultation and engagement on housing and housing initiatives, I don't believe that's in this appropriation, but I would be happy to provide that information to the member opposite, if the member opposite would like, but right now, I wanted to say that we are prepared to support the community, and we will continue to engage and consult with the community.

**Ms. McLeod:** I don't know. Colour me silly — when the minister said that she would table those results, I thought it meant for everybody here. I didn't know that it was just for the Third Party.

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

**Ms. McLeod:** I know, yeah.

So, I'm a little surprised that it has taken today to get a commitment from the minister to provide it to the Member for Watson Lake.

However, I'm going to leave that, and I look forward to getting those figures because we are not on the same page in this matter.

As I said, the minister is refusing to discuss anything except \$5.2 million, which we can't get any details on. It makes this discussion — this whole use of the House's time — to be a little bit like — what the heck, Mr. Chair.

Part of what is concerning me about this study on the Watson Lake men's shelter that the minister won't talk about is her identification of the two bodies that she is working with — Yukon Housing Corporation and the Homelessness Services Association of BC — to come up with a plan, which appears to be done, without even mentioning the four other local groups that I know are working on this matter. I'm a little confused about who has been consulted and when they were consulted. If I can get an answer to that, I will stand down from this line.

**Hon. Ms. Frost:** I would respectfully say that the Help and Hope for Families Society is a community organization. The Liard First Nation is a community organization that represents a significant part of the community. If there are challenges with respect to who has been engaged and who has not been engaged, I would happily respond to that and ensure that they have had ample opportunity. The objective of the assessment was really just to find out what the core needs in the

community are and where we need to put our efforts — indicating that there is a desire and a need for a shelter for men in the community and the fact that we wanted to look at housing as a key priority. Not doing any of those assessments, the fact that Lakeview Manor was shut down meant that there were a number of individuals in that facility — perhaps in excess of 20 — who have been displaced, which is an indication that there is a need in the community and which meant that you needed to have some rapid response. That is why the Housing Corporation and Health and Social Services mobilized very quickly to get to Watson Lake.

As I said to the Member for Takhini-Kopper King, I will get her the details. I intend to do that. It is not in any way suggesting that I am going to exclude the Member for Watson Lake. Should she desire the information, I would be happy to do that. I can table it in the Legislature as well. There is nothing that prevents us from doing that, so I would be happy to do that.

We are working on getting that right now and just prepping up. It's not in any way about, as the Member for Lake Laberge suggests, being out of touch with reality. Well, the fact is, Mr. Chair, that we have to look at collaborative care, we have to look at facilities, and we have to look at housing as a human right. That means that we need to look at the community of Watson Lake. We need to look at shelters, and we need to look at ensuring that we provide necessary care. That is part of how we look at these overages and expenditures that we are discussing today.

Unforeseen circumstances required that we respond with services for our clients — had to be flown to Vancouver, British Columbia or to Alberta. We have children who require supports. We receive invoices after the fiscal year. The members opposite are well aware that this happened on their watch; it has happened for many years. We are working hard to address that by bringing specialist services to the Yukon — pediatricians and orthopaedic surgeons — and we are continuing to work with our colleagues to address the overages that we have seen historically, bringing those services here. I can bring some of that historical data as well, which really just justifies what happened prior to 2016 — and it was in excess of \$2 million — and bringing that down significantly. It really just had to do with bringing the supports to the Yukon.

I want to just acknowledge that there are other community organizations in Watson Lake, as there are in every community. As we proceeded with our seniors action engagement through our aging in place, we consulted with the elders societies in the communities. We will continue to coordinate with most of our community partners. I would be happy if the member opposite would share the information with us for those organizations that perhaps she thought were not consulted. We would be happy to bring that back, of course, to the Help and Hope for Families Society and the housing authority that is working on the current assessments — and the summary of that.

**Mr. Hassard:** I would like to thank the officials for being here today. I have a few questions regarding the numbers as well, and it has been interesting listening to the minister this afternoon. We are talking about \$5.2 million. The minister talked about \$1.4 million for COVID-19, \$1.3 million for

insured health services, \$900,000 for extended family care, and \$500,000 for mental wellness support. According to my math, that actually adds up to \$4.1 million.

When she spoke here just a few minutes ago, she talked about \$1.4 million, \$1.3 million, and \$2.6 million, and that is actually more than \$5.3 million — so maybe if the minister could just give a little bit of clarification there to see if I have missed something or if, in fact, she has — if that would be okay, Mr. Chair?

**Hon. Ms. Frost:** With respect to the overall expenditures, as it's broken down, I had read into the record — so did the Premier — that the Whitehorse Emergency Shelter — the question from the Member for Lake Laberge spoke about the Whitehorse Emergency Shelter — we indicated there was \$800,000 allocated to the emergency shelter.

We also talked a lot about mental wellness and substance use during that time. I also spoke about it. There's an additional \$400,000 allocated to that. If the member opposite would like me to read that all over again, I can do that — including those two numbers — but it has been read into the record. If they were tracking it all, they would find that all of it is covered in the record, but I would be happy to do that again and slow it down a bit — because I know, when I spoke and broke it down for the Member for Takhini-Kopper King, I was going a little fast, and she asked me to bring it down a notch. So I would be happy to do that for the Member for Pelly-Nisutlin so that we can, in effect, get it on the record — but I have indicated that I would bring it back in writing, so I would be pleased to do that as well.

**Mr. Hassard:** It would actually be nice if the minister could do that, because, even with just what she said now — with \$800,000 for the emergency shelter and then the additional \$400,000, that brings us to \$5.3 million. Obviously, there's something that's not quite lining up there, so if she could clarify if that's all that's wrong, or if we could get that read into the record, please, Mr. Chair.

**Hon. Ms. Frost:** So, the member — as calculated, the numbers that were given were not precisely exactly down to the numbers. As we were calculating and getting ready for this supplementary request, we broke it down to the specific areas of where we spent the funding and broke it down into percentages and then went down into specific categories. Overall, we indicated approximately \$2,246,000. If you round the numbers, it would come in at about \$5.3 million. I said I would detail the numbers and bring it back, but in an effort to get it here and in an effort to provide clarity, that's what we have right now.

I would be happy to bring that back to the Legislative Assembly with the exact cents that we spent and the exact dollars on every one of these areas. Right now, we have rounded it up to get us to a number so that we can get it into the supplementary request and get that through Cabinet and get that to the table today. We're working on getting the exact numbers, but the numbers have been rounded and approximately totalled — as I said, \$5.246 million. The calculation is \$5.3 million and the adjustment that will be made on the actuals will come to the floor of the Legislature.

**Mr. Hassard:** I appreciate that, but I guess my concern still is the fact that, when we ask these questions of the Premier in general debate, he says, “You need to wait until the department gets here and then you can get all of the information. You can get the exact information.” So, now we wait for the department to get here and then we’re told, “Well, we don’t have all of that exact information for you. We have to get it for you.”

So, I guess, Mr. Chair, my question is: How long do we have to wait for this information? Also, why, when the Premier told us that this is where we get the information, are we in fact again told that we have to go somewhere else for that information?

**Hon. Ms. Frost:** I would like to speak about the objective. What we said is we would bring the information — I’m here to speak about the budget and I’m happy to do that.

I have spoken now to the breakdown of what we spent the money on. With respect to the exact numbers, I said we would bring that. We have rounded it up to get us to this place right now. I am not in any way — I want Yukoners to know that there is no — we are not in any way hiding anything. We said we would bring the numbers, and that is exactly what we’re doing. We provided resources to the chief medical officer of health during COVID — 25 percent of the budget was spent on COVID-related expenditures, and that was \$1.4 million — approximately \$1.4 million. We will get the exact number and the exact breakdown of that. We know that we have spent \$2.4 million on social services and that equates to 50 percent of \$2.6 million and I broke that down — then, of course, health services.

I would be happy to support the evidence and argue the point that we have provided the services to Yukoners. These funds that were spent were spent on the well-being of Yukoners. They were spent on ensuring that Yukoners’ health was the utmost priority and we met them as required under the COVID-related pressures, but we also met the requirements for ensuring that families and children were safe and that they had the supports that they needed. With respect to mental wellness supports and services — we have to support that as well, and of course, I will say again that we do have a legal obligation to ensure that we provide insured health services to clients who are given services outside the Yukon, and that is what we have before us. The Premier was right in suggesting that I would respond to the questions. I would be happy to respond to the specifics of each one of these categories that I have mentioned today, but if the member opposite wants to quibble over the specific details of the difference in the numbers — as I indicated, I do commit to bringing that back to the Legislative Assembly.

The department has done a really great job amidst the fact that they were in the middle of a COVID crisis. We currently are still in a crisis. Of course, in the middle of a crisis, you are managing — you are managing health services, you are managing community services — we are managing all of the services required that are essential for Yukoners.

At the same time, we’re prepping up the detailed documents to get us ready for the Legislative Assembly, so I

want to just take a moment to acknowledgement the staff of Health and Social Services and the staff at Dr. Hanley’s office, and our front-line staff are doing such a great job — to let them know that, during this unprecedented time, sometimes there are delays. I’m not in any way condoning the fact that this difference in the numbers is acceptable. There’s no doubt about the fact that we went over our mains, and we’re here to say that these are the reasons why. That specifically explains to Yukoners that their health and their well-being is of the utmost priority to this government.

**Mr. Hassard:** The minister said a couple of very interesting things there: First off, there is the fact that she wants people to know that she isn’t hiding anything; and, secondly, she thinks that I’m here to quibble over specific details. Now, my question, Mr. Chair, was — when the Premier was asked these questions in general debate, the Premier told us, as opposition members, that we would get this information when the department came forward. Now the department is here, and the minister says that she will provide that information at a later date.

My question was quite simple. I said: When will we receive that information?

**Hon. Ms. Frost:** With respect to the general debate, there were a number of things said in the general debate. The Member for Lake Laberge would be aware, as he spent most of the time speaking, suggesting that the Premier is out of touch with reality and that things are quite a mess — the operation and maintenance clientele whom we are serving — and going on to suggest that we have not provided the supports to Yukoners.

I want to assure Yukoners that we are fully prepared to address any debate with respect to the well-being of Yukoners. We changed our health care model.

The member very interestingly suggested that we were perhaps not clear on the difference between collaborative care — what does that mean and what does collaborative care look like? Well, collaborative care means that we take care of Yukoners no matter where they are, no matter where they reside, and no matter the circumstances.

When I indicate that we are going to provide services to Yukoners, we will do that, Mr. Chair. To say that we are proceeding along lines where we don’t have the information — exactly as I presented it today. The breakdown of the categories is exactly what the money was spent on. If the member opposite is not pleased with that, I don’t know what else to suggest, other than to say that we spent the funds as indicated on the specific areas to meet the needs of Yukoners. I personally would be happy to table the exact details of the budget as it is broken down.

What I presented are the rounded-up numbers. Perhaps the member opposite is not pleased with that, but that is what I am presenting today. I said that I would bring the numbers in, and I did. These are what we have. I indicated to the member across the way for Takhini-Kopper King that we would bring exact numbers. Those are still pending. I mean, we are in the middle of the COVID-19 pandemic and the department is working



really hard on getting those exact figures to us. That is what I have for today, Mr. Chair.

The health care model — as we move from an acute care model, we looked at a collaborative model. That means, of course, that we had to look at expanded practices here in Yukon, meaning that we had to look at the supports for mental wellness, we had to look at the supports for our vulnerable populations, plus we had to look at ensuring that we look at the detailed analysis around the overages and the expenditures specific to our external medical travel, hospital stays, and looking at the fact that historically our children were apprehended from their families. We have now repatriated and brought them back home. We will continue to do that good work. That is what this budget was spent on. I can certainly provide specific details around each of those program areas and the unexpected increases that resulted from them.

**Mr. Hassard:** It's interesting — the minister spoke about the Premier being out of touch. I guess I would have to agree, because he led us to believe that, when the department got here, we would get these answers. Apparently, he is out of touch because we aren't getting the answers.

Again, the question was very simple. It had nothing to do with the Member for Lake Laberge or the Premier. I asked when we would get that information that she says is going to be tabled.

Is it possible to get an actual answer to that question?

**Hon. Ms. Frost:** I would like to just say again, for the record, that we broke down the budget into the categories and into the line items that we went over. We rounded those up because, obviously, as I indicated, we are in the middle of a pandemic. We did break it down. We said we would do that, and that's exactly what we did to give an indication to the member opposite and to Yukoners what the money was spent on. I said that I would table the exact figures.

With respect to the comments — inappropriate comments, by the way — made previously and made again today, that's absolutely not the truth. What that was related to was the fact that the member suggested that we, as a government, were out of touch with reality — suggesting that the Whitehorse Emergency Shelter was a collaborative care centre. Part of the money in this budget was spent on the Whitehorse Emergency Shelter. The essential care and core needs of the vulnerable population that had not been supported historically is funded under this budget. The member opposite suggesting that we didn't know — that we have no idea what collaborative care is — well, of course we do.

Collaborative care is not acute care. It's about whole care of individuals and ensuring that we meet them where they are in our society, where they reside in our society, and where they choose to come to us from our society. The shelter provides those collaborative wraparound services — social workers, mental wellness supports, working with the Referred Care Clinic, addictions services, housing, and Housing First — all of these initiatives. We've argued this point in this Legislative Assembly around philosophies of core needs of individuals, moving from acute care to collaborative care.

As I understand it, the engagement was really around the health care model for Yukoners, and *Putting People First* was really an effort for us to get to that place to look at engagement of Yukoners. We've done many point-in-time counts in the city; we spent a lot of time at the shelter — I have, personally — to meet and sit with the individuals who work at this facility and the individuals who live there.

This initiative, I guess, is defined by way of engagement from our communities through our Safe at Home initiatives, elaboration on our by-name list, the fact that we're moving from social services to housing with social supports, the efforts around the philosophy of Housing First — those are things we want to talk about in the Legislative Assembly. We want to talk about what this \$2.546 million was spent on. It was spent on core needs of Yukoners.

I know that it's not something that we want to do again or make a practice of. It's certainly not. We recognize that we have gone overbudget, and the objective is to come back to Yukoners and explain to Yukoners why we went overbudget, in what specific areas we went over in, and then quantify for them why that was — and to look at continuing care, licensed child care, Yukon Hospital Corporation, environmental health services, Yukon communicable diseases, our emergency operations centre, the office of the chief medical officer of health — speaking to each one of our Yukon families, with the children whom we have repatriated back to them through our extended family care agreements — they want to know that we have the resources in the budget to support them rather than apprehending the children and locking them up and taking them away. We don't want to be in the situation where our First Nation community, like Kwanlin Dün, early on — a few years ago — when they essentially locked out social workers.

That is no longer happening. Through our extended family care agreements, the funding was not available to support the communities, to bring the children back. We were taking the children away. Our group homes were maxed out. We were building more group homes. In fact, we have torn down group homes, and we have moved the children back to their communities. That's what this is about.

If you want to talk about mental wellness and substance use — we oftentimes in the Legislative Assembly speak about the opioid crisis. We talk about the pressures in our communities, we talk about addictions counselling services — the fact that children didn't have counsellors, the fact that we only had two counsellors — well, now we have mental wellness hubs in four communities.

We just went through an inquest. The inquest defined that we bring a collaborative care model to the community of Carmacks. We met with the First Nations, and that is happening. Mental wellness hubs are happening. Counsellors are happening. We have 22 counsellors now, and we want to make sure that we have child counsellors and nurse psychologists. We are ramping that up. We have looked at mental wellness and substance use and the unexpected increase was really because we had to meet the needs of Yukoners. Historically, they didn't have that. They had two positions to go to for all of Yukon. We now have supports, appreciating that

this is sometimes a challenge, because we see that Yukoners need support. Rural Yukon communities need support. They have not seen that support historically. We have had registered nurses in all of our communities — and appreciating that they have a limited scope of practice, we wanted to make sure that we expanded that by bringing in nurse practitioners.

So, when we look at our collaborative care models, we have to look at what is required in the communities. We also look at making sure — as we look at the Whitehorse Emergency Shelter and look at the clientele at the Whitehorse Emergency Shelter — those are community members who come from rural communities as well. It means that we need to work with our communities. We need to look at working with our indigenous communities and with our municipalities and bringing back the community members to their rightful homes and ensuring that we have housing available. Those are some of things that we look at as we provide services and the analysis.

There is an exceptional team there. We now have all of the services that I listed previously there that we didn't have historically. They didn't have any services when we took over. There were no services. There was a Christian organization running the facility, locking the doors and people were not allowed in. It took great effort to acquire the \$13.9-million facility that had no programming attached to it. All of the funding was in the budget to give to a company out of Toronto, by the way, that was running the organization. They had one person on the ground. That is not what Yukoners need.

So, part of what we want to do is make sure — as we look at the overages and we look at what we have learned from this exercise — is the fact that we have seen unexpected growth in specific areas and defining what we have learned from that exercise. How are we going to essentially look at the next fiscal year in addressing some of the overages and try to align that with the core needs so that we don't have to go into this situation? Given that, as my teachers would say: *Nakwhee K'agwaadhat nakwhah vili'* — wherever you go, you're going to be watched, but the thing is, COVID-19 is here. It's going to affect all of us; we have no control over that. The 25 percent might have increased — we don't know — but we have to be adaptive and responsible to whatever comes at us. That's exactly what is happening in the specific submission today. It's really about making sure that we address the needs of Yukoners.

The number of inpatient days billed for Yukoners being treated in BC hospitals — we have no control over that. \$1.3 million — it might be a bit more; it might be a bit less. What I said I would do is — we broke it down into the categories of the areas we know where the money went, and we justified why the expenditures happened. Why were the funds spent on the chief medical officer of health? Why were they spent on family services? Why were they spent on the Hospital Corporation? Because they demonstrated that they needed the resources.

Of course, we know that it's not something where we're going to say, "Sorry, you can't have the money; you can't have the resources to deliver the essential services" or "Sorry, family member, we can't fund you, because we're going to go over."

That's absolutely not the objective. The objective is to ensure that we have the resources to fund the core essential needs of Yukoners and that, as they come in the door and they ask for the support, that we provide that to them.

Now, suggesting that we're not providing the information and details — I can assure Yukoners that we are doing that. We're doing that every day. I've done that; the Premier has done that. Suggesting that we're not accountable and that the numbers are not there — well, I can tell Yukoners — and I said I would put it on the table, and I will be happy to do that as quickly as we can. I have no control over that, but I've advised the members from my department to get that turned around as quickly as possible, so we will work on getting that.

**Mr. Hassard:** The minister went on quite a lengthy speech about things that she wanted to talk about. It's kind of interesting, because I thought this was the time when we came to get answers. That is certainly what the Premier has led us to believe. I am starting to wonder who is out of touch here.

The minister talked about how she has nothing to hide. She isn't hiding anything from Yukoners. She has mentioned that a few times. I guess Yukoners don't know that. We don't know it here in the Legislature, because the question was very simple: When can we expect to see those numbers tabled in the Legislature? We know that there is an election coming sometime, so it's pretty easy for someone to say, "Yes, we will get that to you." Then the pressure is pretty much off once we walk out the doors here because we don't know if we will be back in this Legislature again after this Sitting. Maybe the minister knows that and maybe, Mr. Chair, you know that yourself, but I certainly don't know that.

It is important that we get this information for Yukoners. We were told that this is the place where we would get that information. We have been very patient in asking the minister for that information. She has continued to repeat talking points about everything under the sun. She seems to be quite infatuated with the Member for Lake Laberge because we hear a lot about what he has to say, but we don't, in fact, hear when we are going to see the numbers that we are asking to see.

Again, Mr. Chair, is the minister able to tell us — give us some sort of timeline — when we will see those numbers?

**Hon. Ms. Frost:** I would like to thank the Member for Pelly-Nisutlin for his comments. I think that what I have indicated was to provide a summary for Yukoners on what the budget was spent on. It's not an indication that I'm just speaking and wasting time. They asked for a breakdown, and I've given the breakdown. I said I would table the documents, and I will do that. The Member for Takhini-Kopper King asked for that, and I said I would provide it. I will do that.

I'm working with the department right now to get the fine details of the exact numbers. What I have, and I have read into the record — perhaps the member opposite would like me to read that again. I would be happy to do that. As I understand it, the team indicated that they can pull those together for tabling by next week. Early next week, that will come. They are working on the documents. Was it ready today? Probably it wasn't, but I can certainly ensure that we get the numbers.

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

**Chair:** Ms. Frost has the floor.

**Hon. Ms. Frost:** I do want to again acknowledge the department for doing a great job during the pandemic to get us the information as quickly as they can. I want to say to the floor of the Legislative Assembly that I indicated to the Member for Takhini-Kopper King that I would get her the information. That was last week. We are working on that. We were hoping to have that today; it's not here. It will get here by Monday of next week.

Now, the Member for Watson Lake indicated that she wanted access to all that information. I would be happy to do that. I will table that information. I don't know what more I can offer to the member. Perhaps he wants me to read into the record again the breakdown of the \$1.3 million, \$1.4 million, and \$2.6 million and the categories it was broken down into in terms of the expenditures, but I do believe that we already have that document so I'm not sure what else to offer the member opposite.

**Mr. Hassard:** I think the thing that the minister doesn't understand here is that the government dictates the business of the day in this Legislature. The government has brought forward Health and Social Services for debate. The government wants us to pass this supplementary budget. So we're supposed to pass a supplementary budget without receiving all of the information from the department. If the department was going to have the information ready by next week, then why did the government not hold off on bringing the department forward with this supplementary budget until the department was in fact ready? That's not fair to the department officials to have to come here to the Legislature to try to help the minister defend the supplementary budget and the funds, the monies, that they have listed in that budget when they haven't been able to get all of the work done that needs to be done.

The minister says that she doesn't know what else to tell me here in the Legislature. I guess I am not sure what else to ask, Mr. Chair. If the government brings this forward as their business of the day but is unable to provide the Legislature with the answers to our questions, then I guess my question to the minister is: How are we supposed to, in good faith, pass this supplementary budget or allow this budget to carry on without the information that we are asking for?

**Hon. Ms. Frost:** Again, I want to thank the department because the staff are here to provide support to respond to the questions.

With respect to the assessment that we have provided, we are, of course, working on getting the detailed numbers. There are some overages on some specific areas that we are getting back the detailed information on. We do know for a fact that we are currently at \$5.246 million. There is a possibility that we will adjust that according to what is here. We will account for that within the existing appropriation — with the existing budget.

What we have adjusted, according to the breakdown, is what we receive. The department is doing its utmost — and I can assure the member opposite that I can respond to the questions that he has — and with respect to the specific numbers of breaking it down into the exact breakdown. What I

understand the department did is that they took the numbers and rounded them up to even them out for discussions here today, with the objective that they would bring the exact, specific breakdown on each of these areas, recognizing that the Department of Health and Social Services is under immense pressure right now. We are in the middle of a crisis. We are managing the change from the COVID pressures and, at the same time, we have to deal with the pressures that we are seeing right now.

So, it's not in any way to suggest that the department is not doing a good job. The department is doing an exceptional job, and we are working with the department to get the numbers to the table. I want to just say that this is where we are, Mr. Chair. We have rounded the numbers up for the purpose of today. We have broken it down into the specific categories and into the sections and given the numbers as they have been presented. I will provide that to the Legislative Assembly on Monday of next week.

**Mr. Hassard:** It's certainly frustrating. We all come to the Legislature every day. We have been told a couple of times by members opposite that we, as opposition, need to come to work prepared and we need to be providing accurate information to all of our constituents in the Yukon. Here's a perfect example of the government bringing forward a department for debate without having the work done first.

This is year-end of March 31. This isn't something that happened yesterday. The pandemic began in March, so this excuse that the minister says, "We're dealing with a pandemic." Yes, we've all been dealing with the pandemic. This money was supposedly spent by March 31. So we are asking the questions.

The government wants us to pass the supplementary budget, but they cannot provide us with an accurate breakdown of the money spent. My question again to the minister is: How can she expect us, in good faith — in good conscience — to pass this supplementary budget without the information being provided to us?

**Hon. Ms. Frost:** What I presented today in the Legislative Assembly was the breakdown in the specific areas. The difference of what the member opposite is asking was just around one percent. I will provide that on Monday, so it is the difference.

The difference is categorized. There are no other expenditures outside of this or other categories. It's all classified as defined in these specific areas. You will see some minor fluctuation within about 1.0 to 1.4 percent. I can provide that to the member opposite on Monday. The department is currently working on that. That is the difference.

**Mr. Hassard:** It's interesting — a few minutes ago when the minister was talking, she said, well, it was this and that, but we might adjust it. Now she's saying that it's between 1.0 and 1.4 percent and that she will provide that information to the House on Monday. I guess my question is: Would the minister like to stand down on Health and Social Services today? We can move on to Highways and Public Works, and when we come back on Monday, we can get the information that the opposition parties are asking for. Once we have that

information, we can move forward on passing this supplementary budget.

**Hon. Ms. Frost:** I will not stand down. The difference between the \$5.3 million and the \$1.246 million is about 1.4 percent. I said I would provide the details of that breakdown on Monday. That difference is allocated within the specific categories. The department is working really hard right now to get the difference in where the expenditures are. Perhaps it is in insured health services or perhaps it is in the COVID-19 expenditures. They will get that information to us. I would be happy to debate the specific areas about where the funds were spent. I would be happy to have further debate on those specific areas.

Perhaps the member opposite would like to ask me about environmental health services, the Yukon Hospital Corporation, or the extended family care agreements. Those are the areas in which we have spent the resources. The adjustment of the difference is what will be brought to the floor on Monday.

**Mr. Hassard:** It is absolutely mind-blowing that the government would want us to pass this supplementary budget and bring a department forward that doesn't have the information that is required and is needed.

I certainly appreciate the hard work that the department is doing. I am in no way, shape, or form blaming the department for this. I am simply amazed that the government would bring this forward as the work for the day without having all the information, Mr. Chair. I honestly don't know what to say.

I'm going to move on for a few minutes and let my mind process that a little bit. But, Mr. Chair, today in Question Period, the Minister of Highways and Public Works said that Highways and Public Works had worked with the Department of Health and Social Services on an analysis on Macaulay Lodge that was completed this spring — that's money from the 2019 budget.

Is it possible to get an update on that and how much money was spent on that analysis and if there was any further information other than what was provided by the Minister of Highways and Public Works in Question Period today?

**Hon. Ms. Frost:** With respect to Macaulay Lodge, as responded to today by the Minister of Highways and Public Works, the analysis for Macaulay Lodge is currently being conducted and also looking at the — Highways and Public Works will complete a building assessment. That's ongoing. They were compiling that information. I would be happy to work with the Minister of Highways and Public Works to get that information to the Legislative Assembly; I indicated that. Perhaps he indicated, in responding appropriately, that he would be working on the assessments on that property.

**Mr. Hassard:** I'm not sure if there's some confusion there between the ministers or not, but the Minister responsible for Highways and Public Works said in Question Period that he had worked with the Minister responsible for Health and Social Services on an analysis on Macaulay Lodge that was completed in the spring.

Could the minister confirm if this analysis was actually completed, or has it yet to be completed, as she seemed to be leading to in her previous answer?

**Hon. Ms. Frost:** I was just conferring with the Minister responsible for Highways and Public Works. Noting for the record that Macaulay Lodge was a facility that was managed by Health and Social Services — and the collaboration of the Department of Health and Social Services with Highways and Public Works was really around whether or not that facility is usable or not. The analysis that Highways and Public Works is completing on the building condition — I will leave that to the minister responsible.

The department has worked with Highways and Public Works to determine whether or not Health and Social Services can still acquire or use that facility. The answer is no, given that it's not in a state of usage.

**Mr. Hassard:** So, was the statement that the Minister of Highways and Public Works made in Question Period with regard to the fact that Highways and Public Works was working with Health and Social Services to do this analysis — was that statement maybe not entirely correct?

**Hon. Ms. Frost:** I will say that the Department of Health and Social Services worked with Highways and Public Works to determine whether or not Health and Social Services can still use the facility. The determination was no, so now the property reverts to Highways and Public Works. They are responsible for the facility. It was really just some early indication on whether or not the lodge could be used now or in the future, and the answer is no.

**Mr. Hassard:** I'm not very clear on that answer either — but anyway, moving on.

With regard to the health and wellness centre in Old Crow, it was in the 2019-20 five-year capital concept. I am wondering if the minister could give us an update on where the government is and how much money has been spent on that project as well.

**Hon. Ms. Frost:** I can say that we are in the planning process — early indication around wellness centres across the Yukon. Some of the older centres are being replaced, and Old Crow is one of the centres that is required to be replaced. That is not in this appropriation request; it is in the mains. We would be happy to talk about that if that is where the member wants to go. I can certainly talk about the health centre and the requirement there and give more details, but specifically for the budget today, I would be happy to respond further — but the response around the Old Crow health centre, that is in the budget for future years.

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

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter before the Committee is continuing general debate on Vote 15, Department of Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Is there any further general debate?

**Mr. Hassard:** It's unfortunate that we've been put in this situation — all of us here in the Legislature, as well as the department.

As I said before, the government has made the comment many times about coming to work prepared and providing accurate information to Yukoners. I don't think it's appropriate at all that the government could possibly expect us to pass this supplementary budget without all of the information. I know that the minister thinks that the information we're asking for isn't that important. It's a small amount. According to her, it's no big deal; we'll get this information on Monday.

Mr. Chair, I have asked the minister if she would consider standing down so that we could come back to Health and Social Services next week. We could continue on the debate or possibly not even have to have any debate, once we have the information that we're requesting. We can very easily move on to Highways and Public Works. I know the officials are here, ready and willing to debate Highways and Public Works, so I guess I will make that offer once again to the minister: Would she be amenable to standing down on Health and Social Services — and allowing us to move forward with Highways and Public Works — until next week?

**Hon. Ms. Frost:** I said before, and I'll say it again, that I'm not going to stand down. I think the purpose of the debate today is to talk about the budget. As I understand it from the department — and the member opposite would know — generally, as you do the presentation, you adjust the numbers to round it off. The difference in the budget is \$74,000.

Overall, the budget for Health and Social Services is the biggest budget in all of government. The member opposite would know — \$442 million. Of that \$442 million, we went over by \$5.246 million. We've adjusted that, and we presented the details of how that was spent.

There is a \$74,000 difference. I said I would bring that difference back on Monday. I'm still going to do that, with respect to the specific areas, but the difference is really — and no disrespect whatsoever — in the grand scheme — and if you look at the overall budget and take \$74,000 off of a \$444-million budget — the department rounded it up for presentation purposes — what I understand is common practice. I am not a forensic auditor — I'm sure the member opposite isn't a forensic auditor, either — but the auditors in the department, the financial accountants who are certified, have indicated that this is general practice and is what they do.

I would be happy to go back, and they have indicated that they will adjust the \$74,000 for the record and bring that specific number back to the table on Monday, so I will not stand down.

**Mr. Hassard:** We certainly look forward to seeing that breakdown of that \$74,000. Before the break, we were at somewhere between one percent and 1.4 percent. Now we actually have a number. Who knows, by the end of the day, we might actually have that breakdown.

Just as a courtesy, I would let the officials from Highways and Public Works know that we certainly are not interested in passing this supplementary budget today. Those officials are here waiting to get into Highways and Public Works. We will

not be getting into Highways and Public Works; I can assure them of that. We will continue to debate Health and Social Services for the rest of the day. Maybe next week we will have all of the information and we can carry on with the supplementary budget. As I said, this is just a heads-up to those officials who are on standby that they need not be.

The government has indicated that the Meditech system used by health care professionals was going to be upgraded. I am wondering if the minister can give us an update on this upgrade of the Meditech system.

**Hon. Ms. Frost:** I will not respond to the question because it is not specific to the appropriation. If the member opposite wants to speak about the appropriation, I would be happy to speak about the specifics of the program area. If he wants to talk about Meditech, I don't see that as part of the submission, so I will not respond.

**Mr. Cathers:** It has really been quite interesting this Sitting during debate on this supplementary estimate. The Premier has tried to invent new rules of debate restricting the matters that members can ask about on the supplementary estimates. Well, we hear him laughing off-mic. It is small wonder, considering this government waited 201 days before bringing the topic of whether or not to declare a state of emergency here to the Legislative Assembly after they had implemented and passed dozens of orders — which had a sweeping impact on people's lives — without democratic oversight. The Premier considers it a laughing matter. Yukoners don't, and we don't.

Now, Mr. Chair, as you and members will recall — if the Premier has any interest in the facts about the traditions in this Legislative Assembly — the practice has been in debate — and for any of his colleagues who are buying into these new rules restricting debate that the Premier invented — that, during any budget bill, it is typical, common, and perfectly within the procedural rules of this Legislative Assembly to ask general questions about the department and its activity.

It is not limited, as the Premier and his ministers would have Yukoners believe, to only talk about new appropriations. It is perfectly reasonable — and in the past, ministers would typically answer questions about activities within their departments. Those include statistical questions, program questions, and policy questions. That is part of what being a minister entails. You need to be prepared to face the Legislative Assembly, and you need to be prepared to answer questions about the activities for which you are responsible.

Now, unfortunately, we have seen a situation where, as members will recall, I asked the Premier a number of questions during general debate on this supplementary budget, and the Premier repeatedly dismissed those questions about departments as being too detailed. He assured us that ministers would answer those questions yet, just as I predicted during debate with the Premier, when it actually comes down to getting into those details, the minister will tell us that they are not prepared to answer the question or that we shouldn't be asking it.

Ultimately, all of the questions that I have asked — all of the questions that my colleague, our Health and Social Services

critic and the Leader of the Official Opposition, have asked — relate to the public's money. It is the public's business what this Liberal government chooses to do with the public's money. They don't get to invent new rules of debate and refuse to answer opposition questions about their activities.

I think the Premier seems to be saying off-mic that, yes, they do. Well, they can invent new rules all they want —

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

### Point of order

**Chair:** Mr. Silver, on a point of order.

**Hon. Mr. Silver:** The member opposite can say whatever he wants, but we are over here having a conversation. It has nothing to do with the diatribe that we are hearing from the member opposite.

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

**Mr. Cathers:** On the point of order, the Premier didn't cite a standing order. He did use a word that has been ruled out of order in the past, and I am not sure how he has come to the conclusion that it is a point of order. It simply seems to be a case of the Premier being overly sensitive to legitimate criticism.

### Chair's ruling

**Chair:** For the time being, I'll characterize this as a dispute among members.

Member for Lake Laberge, please.

**Mr. Cathers:** So, I do point out that for anyone who is listening — when they hear the criticism from my colleagues and I about the manner in which the government is choosing to refuse to answer questions, it is in part because this is a significant departure from past practice.

If ministers are curious or if people listening are curious, they can look back to the time when I was Minister of Health and Social Services or any of a number of departments that I have been minister for and see the type of questions that were asked and the wide range of responses that we provided in response to those questions.

We unfortunately see again this situation where some of these questions have been asked by me, some have been asked by my colleagues, and some of it we have all asked. The response from the Premier and the response from his ministers is to tell us why we either shouldn't be asking the question or why they don't have to provide that information.

The \$5.2-million cost overrun in this budget that we're discussing this afternoon in Health and Social Services was not only illegal spending because it violated the *Financial Administration Act*, but in fact it's the tip of the iceberg — is our understanding — in terms of increased spending within the Department of Health and Social Services.

We understand that there has been money moved to cover cost overruns in a number of areas. We asked a number of questions about it. We asked about lapses that we should have seen in other departments. Unfortunately, the government's response, in refusing to answer the questions, certainly increases our suspicions and the suspicions of Yukoners who

have contacted us with concerns about the activities of this department and of the government as a whole.

When government will not provide information about where they spent the public's money and it tries to use procedural obfuscation and delays to avoid providing an answer — including claiming that, while they would like us to pass the supplementary budget this afternoon, the minister said that she'll provide information about it on Monday and refused to stand down and get a briefing and to get that additional information to provide to this House — Mr. Chair, whatever insults the government may wish to direct in return, whatever dismissive rhetoric or talking points they may choose to employ, the litmus test that we believe Yukoners will apply to this is very simple: Is the question about something that the public has a right to know? If it is, the litmus test they will apply is: Did the government answer the question, or did they refuse to answer?

If they refuse to answer the question that we will ask — and indeed, the members will find that Yukon citizens will ask on the doorstep — is: What were you hiding? Why wouldn't you provide that financial information to Yukoners?

I'm going to touch on a few of the things that we asked previously. I'm also going to ask about program changes that occurred in the 2019-20 fiscal year — which, despite what the Premier has apparently told his ministers to say, are not off limits during debate. They are perfectly legitimate items for discussion.

Again, touching on one of the items raised by my colleague, the Official Opposition critic for Health and Social Services, during debate — my colleague asked about the \$5.2 million cost overrun and noted that since the COVID-19 pandemic came into play in late March — which is the very tail end of this reporting period — it leaves us wondering what other things changed. What changed that contributed to the cost overruns that could not be foreseen? Again, that was a question that my colleague asked yesterday.

We have heard concerns. We mentioned in the past some of the things that we have heard from Yukoners about government spending. Also, previously, when I was in debate with the Premier, I asked him some questions — including about items that were in the budget highlights for the 2019-20 year, about projects the government initially bragged about — but the Premier bizarrely would not provide me with a status update on what was occurring in those areas. This is unfortunate.

Again, quoting from the government's own documents, we note that in 2019-20, the Health and Social Services portion of the overall operation and maintenance budget for the government was 35 percent of O&M funding. The budget for 2019-20 was \$1.2 billion. For the largest overall increase, again, according to the document that we were handed at the budget briefing a year and a half ago, Health and Social Services made up 35 percent of that total. Despite being 35 percent of O&M spending, the government used every procedural trick that it could in the spring of 2019-20 to avoid us getting the opportunity to ask questions about two of the biggest departments in government — one of them being

Health and Social Services and the other being Education — other than for a very small fragment of the total time. In fact, they wasted more time on useless ministerial statements than we spent debating 35 percent of the budget of the Yukon Territory.

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

### Point of order

**Chair:** The Hon. Mr. Mostyn, on a point of order.

**Hon. Mr. Mostyn:** I am going to cite Standing Order 19(b) about speaking on a matter other than the matter before the House right now.

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

**Mr. Cathers:** This is the second day in a row that it seems that maybe the speaker on the Minister of Highways and Public Works' desk is not working. He is clearly not hearing what members are saying. I was directly talking about the budget for 2019-20 and the supplementary. The fact that the minister didn't get the connection is (a) clearly not a point of order and (b) quite frankly bizarre that he didn't get the connection.

### Chair's ruling

**Chair:** I tend to agree with part (a) of Mr. Cathers' submission.

You can continue, Mr. Cathers.

**Mr. Cathers:** Thank you, Mr. Chair.

My point in talking about the supplementary estimate is that one of the challenges for us as opposition — and without putting words in the Third Party's mouth, I would assume that there is a challenge for them — is that in the absence of detailed information about the matters that we are discussing, it leaves many unanswered questions.

That does not mean that we know that the spending was inappropriate or went for purposes other than that to which we were originally told it would go — but in the absence of information demonstrating what it went for, we are left with questions in this supplementary budget. Since it is dealing with the 2019-20 fiscal year, this is our opportunity to ask about whether government followed through on the spending commitments that it made in the spring of 2019-20 regarding this, and whether the government — and the additional amounts that were added to it through the supplementary estimates throughout the year.

In the spring of 2019-20, we also had only 4.4 percent of the total time in the Assembly dedicated to this department and Education which, in total, comprise some 50 percent of O&M spending, according to the government.

I'm going to touch on another area that is an item within this budget that we're left asking and wondering about — what the government's results were in terms of completion. We know that, going back to the spring of 2018 in talking about the mental wellness hubs and the positions that government had created in the communities, the minister stated at the time that they had staffed seven out of 11 of those positions. We know that, in the comprehensive health review report that has just

been issued, one of the issues highlighted by the panel is problems with recruitment and gaps in those mental wellness hubs.

Could the minister please tell us how many mental wellness positions were in place in communities at the end of the 2019-20 fiscal year and how many of those positions were vacant, as well as how many of those positions during the fiscal year were vacant at some point?

**Hon. Ms. Frost:** The question from the member has nothing to do with the supplementary, so I'm not sure what his objective is here. He went on ad nauseum about a number of things, and I'm trying to pin down what he's asking me. He wants to know numbers overall, FTEs, specifically related to the supplementary — is that the purpose of the question? Maybe he can help us to better understand what he's asking for that is specifically related to the supplementary before us.

**Mr. Cathers:** As I mentioned to the minister and to the Premier, I reminded them of the fact that, despite the Premier's attempt at writing new debate rules, in fact, on budget bills, members have the opportunity to ask questions about the department's spending, about policy issues, about program areas, and so on. That is the primary opportunity that we have and that the Third Party has to ask those questions during any given year.

For the Premier and his ministers to stand and dismiss those questions and refuse to answer is disappointing, to say the least. It is very telling in their attitude toward the public — that casual, autocratic attitude that they have where they feel that they don't need to answer questions if they don't want to answer the questions. Ultimately, this is the public's money. It is the public's business.

I asked the minister a question about one of their initiatives that they have touted frequently. The minister herself referred to the mental wellness hubs earlier today. The Premier kept bringing up the mental wellness hubs himself during debate, and so did the minister — as my colleague, the Member for Kluane, reminded me — but when we ask about it, the response basically boils down to suggesting that the topic is off limits and they don't want to answer it.

Mr. Chair, as any Yukoner knows, there is a big difference between government not being able to answer the question and simply refusing to because they don't want to. So, in the absence of the minister being willing to tell us how many of those mental wellness positions were actually staffed in the 2019-20 fiscal year, it leaves us assuming that the truth must be embarrassing for the government, because otherwise she could provide the information, demonstrating that they have done what they said they would. But, in fact, it looks like they issued the announcement, they talked about it repeatedly in their talking points, but we know, according to their own panel — their own hand-picked panel on health review came back and said that there are gaps in those rural positions and that it continues to be a problem.

Mr. Chair, as you know, at the tail end of this fiscal year that we are currently debating and into the current fiscal year that we are now in, it contained the start of the pandemic and a continuation of it. We know that, during that time period, it has

been tough on the mental health of a lot of Canadians, including Yukoners. We have seen national information suggesting that over half of Canadians are feeling more negative about life during the pandemic and have had some mental health difficulties during that time. Pardon me — I think that the exact phrasing was that their mental health has declined during the pandemic.

The question of what government has actually done in terms of these mental wellness positions versus what they said they would do is a very relevant one. It's also the public's business.

I'll give the minister an opportunity again. Will she provide an answer to that question, or is she going to refuse to provide that information yet again?

**Hon. Ms. Frost:** I am happy to stand in the Legislative Assembly to inform Yukoners that this government is doing — well, I would say — a lot better than the previous government in terms of mental wellness supports across the Yukon.

The member opposite is asking for specific numbers on how many staff we have in mental wellness supports. Exactly what they're asking — they had two, Mr. Chair — two supports — no counselling supports in our communities for social workers, no child psychologists — no supports.

The budget before us today — with respect to the supplementary before us, I would be happy to speak to that. The mental wellness supports and services across the Yukon expanded significantly. The high-quality, accessible, and consistent services and the access to services are there. We have four hubs, and the hubs were established to provide regional supports to our communities. We have expanded the scope of services to provide our staff the opportunity to provide counselling to adults, children, youth, and families — mental wellness and substance use counsellors, relationship counselling, trauma counselling, and community supports and outreach.

The member opposite refers to COVID-19. Well, COVID-19 has posed some significant challenges, as we know and as Yukoners know, so, of course, the scope of practice had to change. Like everything else that we were doing, our world shifted significantly to a place where we had to look at virtual supports and virtual care, yet these very critical and essential services were required in our communities — associating the fact that we have children who are perhaps going through a very difficult time. We have families who are challenged and compromised as a result of COVID. The requirement to meet the demand on the ground and still provide the essential critical support meant that we had to put some adjustments in place.

The mental wellness support unit — in terms of improving services but also adapting services to ensure that we have Naloxone training and Naloxone kits in all of our communities, knowing that we had an increase — a spike — in opioid overdoses. We also know that the complexities of mental wellness are clearly compromised in our communities right now during this time. Individuals are compromised, their immunity is compromised, and their mental wellness is compromised. Currently, the Yukon has a great system. We have a great system in place. We have 22 employees providing

supports in all of our communities, working very closely with the Department of Education to ensure that we have wraparound supports for children and families.

As part of our extended family care agreements, Mr. Chair, that meant that we had to provide mental wellness supports for those families — families that were neglected, families that were rejected and not supported historically. The whole business around reconciliation and repatriation that the previous government neglected is not acceptable. We provided supports with mental wellness units in all of our communities. We are expanding our home support program with our First Nation partners. We know that the First Nations have devolved some authority through their arrangements with the federal government. We don't leave it there. We have expanded that. We are partnering with them. We are partnering with our communities through our indigenous child services initiatives. We are working directly with our health commission table.

The department is doing a really great job. I want to say that our work to enhance mental wellness and substance use services in Yukon aligns very well with the efforts about putting people first. This means that Yukoners had input into that. They directed that we look at improvements and look at the determinants of health and look at the outcomes and look at improving social outcomes for the territory.

The budget overall for Health and Social Services is \$442,080,000. The difference in the budget for the supplementary is \$74,000. As I understand it, for Public Accounts, that is usually rolled up and we don't see the specifics. I said that I would bring the difference of the \$74,000 on Monday. I would be happy to do that for the record.

With respect to mental wellness counselling — as we do with everything else in Health and Social Services — it's a massive department — and we do have vacancies. The vacancies that we do have, we work very hard to fill those as quickly as we can.

We do that in collaboration with our Public Service Commissioner and the staff at Health and Social Services. We have to look at the complement we have within Health and Social Services so that we can look at some placements throughout so that we have some — the numbers that we have on the staff who cover off some of the vacancies. We do use locum — we do locum positions like we do locum psychologists; we move them around where there's a vacancy.

I know for a fact that we have a shortage in my own community, and we moved in a temporary support. The staff are really great that way, in terms of service delivery, ensuring that we fill the process through itinerant support. We do have casual and temporary positions as well to cover these vacancies.

I want to just assure the member opposite that no Yukon community is ever left without the support. In fact, if required in a situation where we need to bring in an emergency support team, we do that. We do that with our partners. That means we bring in team members from other communities.

So very flexible services — very flexible to say that the supports we have right now and the staff are far and above what we had a few years ago, but they are very willing to work and



are quite flexible, in terms of the outreach services and the supports.

**Mr. Cathers:** I do appreciate that the minister did provide some information, but the specific question I asked relating to how many vacancies there were in the mental health positions that the government created in communities — the minister skated over that question.

I do have to remind her that I know that she got those talking points from the Premier, but when the Premier suggests that there were no mental health services or only two positions previously, that is really very disrespectful to the work of Many Rivers, which provided mental health services for almost 50 years in Yukon communities. It's really creating a false equivalency that's misleading to Yukoners. So I would encourage them to actually reflect the work that was previously done by that NGO and by the staff of that NGO, as well as their volunteers — because, for almost 50 years, it was an important part of serving Yukon communities.

I am going to move on to a few other areas that related to the government's performance and follow through on their budget in the 2019-20 fiscal year, including the question of health services in rural communities. Can the minister please tell me: In the 2019-20 fiscal year, how many physicians were under contract to provide doctor services to rural communities? Which communities were covered by those agreements and how many visits would be seen respective to each one of our Yukon communities under that arrangement?

**Hon. Ms. Frost:** I am just trying to get a breakdown on the question specific to physicians in our communities as it associates with the supplementary budget before us. I was just trying to determine whether the question was about whether there were resources made available for physicians and how that was covered off. But I understand that was for this fiscal year, so it is not captured in this particular budget — in this particular submission.

For the benefit of responding, I think I want to just say that all of our communities are covered. In fact, we have now expanded the nurse practitioner program. We have a physician in Haines Junction, Watson Lake, and Dawson City who provides support through itinerant services. So, the physicians travel to all of our communities.

**Mr. Cathers:** Yet again, the Premier's new attempt at limiting debate through inventing new rules on budget debate is just not going to fly here in this Legislative Assembly, nor would it have in the past with anyone else in opposition. In fact, if ministers had refused to answer this type of question, the Premier, when he was the Leader of the Third Party, would have been very quick to criticize ministers for not providing an answer to a question about what the public's money was used for in that fiscal year.

The question that I just asked about the gaps in the number of mental health positions that have been created but not filled — and the question that I asked about physicians under contract — is not a “gotcha” question in any way, shape, or form. It's one that relates directly to the health services available to Yukoners. As the minister knows very well, the Minister of Health and Social Services sees the contracts for rural

physicians and will be aware of what occurs. The minister has seen those contracts pass her desk and should be well aware of those services. It's just a question about the health services available to Yukon families across the territory.

I'll ask the minister another simple question which is: In the 2019-20 fiscal year, how many specialists — and I'm talking about physicians — were under contract with the government? What services were covered by those contracts?

Moving on to an area that is slightly different but very directly related and very relevant to the government's spending in the 2019-20 fiscal year, what was the wait-list for continuing care during the 2019-20 fiscal year? I'm talking about what its longest wait-list was, as well as what the shortest wait-list was for continuing care in that fiscal year.

**Hon. Ms. Frost:** Mr. Chair, the members opposite indicated that they're not going to pass the supplementary, but they want to ask specific questions about everything else. They won't ask me specific questions about the supplementary budget. With respect to gaps in mental wellness supports, that's in the supplementary request.

We talk about mental wellness and the supports there. I can speak about that. I can speak about the supports that were required and the adjustments that had to be made.

Rural physician costs — I know that Yukoners are covered very well. We have supports there.

With respect to wait-lists — I would be happy to answer that for the continuing care facilities. That is not in the supplementary request. Perhaps the member opposite wants to deviate his questions and move them back to the supplementary estimates. I would be happy to answer questions there.

**Mr. Cathers:** The Liberals new attempted rules for debate unfortunately don't line up with the real rules for debate in the Assembly. We are going to continue to ask questions about spending. Again, Yukoners will judge this government by its commitments to be more open and transparent and by its refusal to answer questions about the spending of the public's money.

Not one of these questions that I have asked is about something that the minister can't provide or that is privileged information in any way, shape, or form. The minister, just like the Premier before her, is simply choosing to refuse to answer these questions. It not only is not in keeping with the commitments that they made to Yukoners about openness; it is a new level of secrecy here in this territory. It's really baffling why the government won't even talk about the status of some of their own commitments.

I am going to ask about one that I asked the Premier about previously, which is the status of the secure medical unit project at the Whitehorse General Hospital. This is something that, in March 2019, the government was more than happy to talk about in their budget highlights. The minister later in this Assembly actually rose and gave a ministerial statement about the project yet, since then, it has largely been crickets on the progress toward that. Perhaps the minister could tell us what the status of it is, whether the business plan and the operational plan have been approved, and what the estimated capital costs and O&M costs are associated with that facility, and tell us again — even

if she wants to refuse to provide us answers past the end of March 2020 — what the status of that project is.

They put it in the budget highlights. Why will they not tell Yukoners what the status is? Perhaps the minister will, but when I asked the Premier about the project, I didn't really get an answer about it. I'm just checking Hansard from that day, but I believe that this was one of the ones that the Premier referred to as a very specific question and suggested that I should ask about it later when the minister rose.

Talking points that don't answer the question aren't an answer. We're just asking for answers.

**Hon. Ms. Frost:** With respect to the secure medical unit at the hospital and the planning and the budget for that, nowhere in my notes from the department, specific to the supplementary request, does it cover that. At another time and in general debate on our main budget, I would be happy to respond to the question around the secure medical unit and around the medical supports across the Yukon. The member opposite is suggesting perhaps that we're not prepared to do that; we certainly are.

I just want to assure Yukoners that we have historically supported the Yukon Hospital Corporation. We are continuing to support all of our communities to ensure that they are well-supported with mental wellness services and with physician services. We have brought into the Yukon additional supports to ensure that we meet the needs of Yukoners — that we meet the critical, unique needs of Yukoners that were not previously covered.

So, suggesting that we're not doing something — we are doing a lot. We have three pediatricians now in the Yukon. We historically didn't have them. It means that children are now covered. We have three psychiatrists. That wasn't here before. We have two orthopaedic surgeons. We're now looking at potentially a third surgeon. We have a physician in Haines Junction. We have nurse practitioners. We are doing very well despite what the member opposite is trying to paint in terms of a picture of this government not doing the services.

I want to just highlight that, in general debate, with respect to all of the great services that we have provided to Yukoners — everything that we're doing is intended to ensure that Yukoners' needs are met. We have put in place, through our partnership initiatives, through the Housing First, Safe at Home, aging in place, *Putting People First*, *Child and Family Services Act* review, extended family care agreements, and mental wellness hubs — we have just now entered into an agreement with Normandy place. We have the implementation of the aging in place. We are looking at a 47-unit facility.

We have looked at additional supports to ensure that we have housing as a key priority within this government. So, suggesting that we are not doing something is, I believe, absolutely not correct. The fact that we are now working with the Referred Care Clinic — they are working, in fact, with the Sarah Steele facility and the Whitehorse Emergency Shelter, and we are working with our vulnerable population.

We have supports in every one of our communities. We have nurse practitioners, and we have another one coming on very shortly. We are in the process of recruiting that individual. We have just now filled the midwifery coordinator position. We

are in the process of looking at two additional positions this year, and the department is quite progressive in moving forward in ensuring that we meet the needs of Yukoners in all aspects of their life.

**Mr. Cathers:** It is really unfortunate here that the Liberals have chosen to come up with a new set of rules that they have invented that restrict debate from beyond what has been the past practice in decades of the history of this Legislative Assembly where, in fact, the opportunity for members to ask questions about spending and policy matters was during debate on budget bills. Despite what the Premier and his minister would have this House believe, it has never been restricted to the ability to ask questions about new appropriations. It is about policy, spending in general, program activities, and so on and so forth. I have stood here many times in this Assembly and answered questions, as have my colleagues, about these types of matters, but now the Liberal government — which ran on being more open and transparent — is the most secretive government in Yukon history.

When even my colleague, the Leader of the Third Party, is acknowledging that the Yukon Party provided more information with its budgets, even though she had some areas where she would have liked to have seen more information provided, she has identified — and in the interest of quoting her 100-percent accurately — when the Leader of the NDP agrees with us that the information sharing was better under the Yukon Party than it is under this Liberal government, it is a damning testament to this Liberal government's pattern of increased secrecy and refusal to answer questions. Again, not one of the questions that I asked was about something that was privileged or that they couldn't answer.

The secure medical unit project was in the 2019-20 budget. Is the minister telling me that they didn't spend any money on the project? If not, then it is one of the matters covered by the total dollar amount of this budget that they're asking us to approve here after they broke the *Financial Administration Act* and spent money illegally.

The new appropriations, in a budget the size of Health and Social Services, are really just the tip of the iceberg. The real question is, where there were lapses and vacancies, such as the substantial vacancies that appear to exist in the mental health positions — when that money was not spent on personnel, the question becomes: What did it go to? We know that it has covered increased costs. We've heard reports from whistleblowers about what some of those costs may be. Ultimately, the questions that I've this asked this afternoon are not "gotcha" questions. I'm asking for information about the public's money. It is the Liberal government's choice if they choose to stand and refuse to answer those questions.

We've seen, with some of the questions, that we began with the Premier refusing to answer questions. He assured us that the Minister of Health and Social Services would answer questions, and now the Minister of Health and Social Services is refusing to answer some of the same questions.

She wants us to clear this budget even though she hasn't provided information that both the Official Opposition and the Third Party have asked for. She has told us that she'll give us

the information on Monday, and yet they want to clear this budget this afternoon. The \$5.2-million increase, though illegal itself, is just the tip of the iceberg.

We want to know about the other activities — some of them where money was reallocated to but also questions about what the government was doing in important program areas. Another one that I'll ask about is family supports for children with disabilities. I know that this program, if I understand correctly, has been renamed. I would also appreciate it if the minister could tell us what has changed in terms of the scope of the program, including the number of families served and the types of supports being provided. Again, it's a very reasonable question about what the government is or isn't doing for Yukon families and for children with disabilities.

Will the minister answer that question or is that another one she's going to simply refuse to provide us with information on?

**Hon. Ms. Frost:** For the record, I would be happy to respond to questions relating to the appropriation before us. The member opposite is speaking about new appropriations specific to the overall budget. I certainly indicated earlier that the budget for Health and Social Services is in excess of \$440 million.

We are here to discuss the appropriation before us, and the questions around disability and services for disability — I would be happy to respond to that during general debate. Right now, I have provided specific details to the floor around how the supplementary requests are broken down. If the member opposite would like me to go into that to refresh his memory with respect to what was covered with the budget, I would be happy to do that. Then I can respond to the questions specific to the appropriation.

**Mr. Cathers:** Well, Mr. Chair, the minister just said that she would be happy to answer those questions in general debate. We are in general debate, and the minister is not answering the questions.

You know, Mr. Chair, it really is unfortunate that this Liberal government is choosing to refuse to answer questions that they have the information to answer — or they can easily get the information to answer those questions. This is the public's money that we are talking about. This is the public's Department of Health and Social Services. Every activity and every dollar spent is the public's business.

We are not asking for the minister to break down every dollar and every cent spent on every item. We are asking for the high-level amounts, including things that the government included in their budget highlights. What is really puzzling is why they won't answer the question — unless they have something to hide. If they have something to hide, we want to know what it is and Yukoners do as well.

I asked about the wait-list for continuing care. Again, we would like that information as to how it was applied during the year. I do have to remind the minister that she indicated that they have consistently supported the Yukon Hospital Corporation. That is not what the facts show. This government had an appalling record at the start of its mandate of not meeting the hospital's needs and, indeed, in some years — according to

the information we were given at budget briefings — they didn't meet the hospital's needs until the next fiscal year.

I am glad that they seem to have corrected that pattern this year — but just like with NGOs, the government can write a talking point saying that they have a great record, but the record is completely different. With NGOs — we know that there have been a number that have had a very frustrating relationship with this government, including during the 2019-20 fiscal year, when there were issues with NGOs and their funding. A number were frozen by the government for a while. They didn't receive the increases they needed, and that included the Yukon Women's Transition Home, among others. The Child Development Centre is another one that was having difficulty — one of our longest serving and very competent, capable NGOs — which had a great deal of difficulty getting the government to support their needs and to recognize them.

Mr. Chair, while we may ask questions that the minister or the Premier feel are tough, they are all questions about the public's money and the spending of the 2019-20 fiscal year. The government seems to have made a choice that they don't want to answer any questions about spending in 2019-20 and they just want to talk about new announcements and going forward, but that's not a reasonable choice on the part of government.

When we're asking about spending the public's money, the question is: Why does the public duly-elected government — a government that ran claiming that they were going to be open and transparent — why won't they just answer the question?

I'll ask another question about the youth mental health workers who were — previously, there was an indication that they would visit Yukon communities to work with residents. Could the minister indicate what the status of that is? What services are they providing?

I would also move on to another area and ask about the orthopaedics program at the hospital. We know that the last time that we saw a supplementary estimate from the government, the changes — based on the period 7 changes — we had the indication that one orthopaedic surgeon had started in 2018 and one in September of 2019. Can the minister tell us what the status was? How many surgeries were performed during the 2019-20 fiscal year?

**Hon. Ms. Frost:** There is certainly lots to reflect on with respect to supports and lots to reflect on with respect to historical matters, as the member opposite perhaps wants to remind us about. Certainly, I am fully aware that these are the public's Health and Social Services. This is a department that provides people services to Yukoners. I am fully aware of that. I am aware of my obligations. I am aware of my obligations and I am aware of the mandate that I have been given, and that is to ensure that rural Yukon communities are no longer neglected, that families are no longer neglected, and that we don't apprehend children and burst our group homes at the seams because we apprehend children. We don't have 400 children in care anymore. We have moved those children back to their communities. We have done that to dignify and respect our families.

That is very important — and to just gently remind the member opposite how the previous government treated the communities — how they treated the indigenous communities specifically. I would say that it wasn't very well with respect to Health and Social Services and equity and transparency of supports.

I think that it is important, as we look at supporting our communities — it is vitally important to know that we respect our funding partners. Respecting our funding partners means that we need to look at working with them. Of course, the NGO community is a significant part of how we deliver services. The government can't deliver all of the services, so we rely on our non-governmental organizations to deliver on those services for us. We do that through direct transfer payments and the transfer payment agreements define the scope of service delivery and some of the models that we need to look toward. Of course, there have to be checks and balances and reviews as we go — so we did that, and we continue to do that with our funding partners. Of course, they are obligated to participate in that process because those are also public funds.

As we look at the supports that we provide to our NGO communities and our partners — they have received increases — at least the NGOs that we are responsible for have. The member opposite obviously knows a bit about NGOs because he has raised it a number of times. There are well over 700 NGOs across the Yukon, and 30 of those fall within Health and Social Services. We have reviewed and we are working with our partners to ensure that we align with the needs of our communities very succinctly in terms of ensuring that we provide supports to our care centres. There is a requirement for us to do that, as we have done through our coordination and through our supplementary request, and the supplementary request speaks about health services in many aspects. Yukoners are more interested in programs and services delivered in their communities on their doorsteps. Rather than having multiple barriers in front of them, we want to see those barriers removed and we want to see quick access to services.

Amidst COVID-19, we had to make some quick adjustments. We had to make adjustments with our partners. That means we had to work with our health centres. We had to work with the chief medical officer of health. We also had to work very closely with our indigenous communities and our municipalities to align with their essential core needs so that we can protect Yukoners. That is what this supplementary request is really about. It's about ensuring that the Emergency Coordination Centre was set up and responsive so that we can deliver appropriate and succinct messaging to Yukoners in terms of how we respond and where the services are. Where do I go? What about contact tracing? How do we protect the lives of Yukoners? That is still very much active and it will be so for some time. That is what this supplementary request is about.

It's about ensuring that the extended family care agreements are active now and into the future. It's not about how we can put all of the funding into our group homes, build more group homes, and put our children in these centres, removing them from their families and removing them from their communities.

In terms of virtual care and essential care during times of extreme challenges, it's important that we look at alternatives. Adapting on the move to ensure virtual care was readily available on the ground for physicians and for nurses — that the physicians can still correspond and collaborate with their patients — it is what we've learned from this exercise and the significance of the IHealth initiative and virtual care and what it means about a virtual platform. Have we learned something from this exercise that will lead us into long-term planning and initiatives for the department in collaboration with Highways and Public Works? We've learned a lot about what it means to be responsive and adaptive in a very short time.

That allows us to now focus more on expediting the services — expediting the services to our communities. As we know, that was very difficult, especially in my community of Old Crow. Connectivity is not the best; it's a little slow.

The fact that we couldn't bring patients in and out of the hospital without some measures in place — so we had to work with the community health centres. That's part of this supplementary request. The member opposite is suggesting that perhaps we're not being forthright in terms of sharing and answering questions. I said that I would answer or respond to the questions, and I'm prepared to do that — specific to the supplementary request.

The member opposite wants to go all over the place. I would be happy to respond to that at the appropriate time. As we're standing here in the Legislative Assembly to speak about the supports that we provided during this time, why we went over the appropriation, and why we spent more resources on licensed childcare centres to keep them open so essential workers could get to work so that we can help the health professionals at work providing services to our Yukoners — suggesting that we're not serious about this — of course we are. I am serious about this. I know that the Department of Health and Social Services is critical, it's essential, and it provides essential services to Yukoners.

Now, the emergency shelter — we've spoken a lot about that. The member opposite obviously is not supportive of that centre because he's made some pretty inappropriate comments about the centre, and I think that's very disrespectful for the clientele and the staff. I think that the centre is necessary. It is what it is. Where it was built was not anything that I had control over or that this government had control over. The previous government built this building where it's situated, and we had to adapt and try to be responsive. Is it ideal? It isn't ideal. It's impacting the businesses, it's impacting the clientele, and it's not built appropriately for its intended purpose.

During COVID-19, we realized that very quickly. All of a sudden, we had 80 people in the facility, but the facility is only built to accommodate 25 beds for a shelter, so we had to make adjustments very quickly to ensure that we followed the "safe six" practices, as recommended by Dr. Hanley. That meant that we had to bring in alternative adjustments and services.

Was that perfect? No, it wasn't perfect, but we have learned something from that exercise. We have learned that the building, as it was built by the Yukon Party government with the Salvation Army, was not built appropriately to meet the

needs of that clientele and that group of individuals who need critical and essential services.

To stand here and lecture us about not delivering on services is not acceptable. I do believe that every Yukoner — no matter where they reside, no matter their ethnicity, no matter their gender — requires support by Health and Social Services. Individuals who are required to travel outside of the Yukon for intense medical treatment sometimes require an escort. We have to be able to accommodate that.

Right now, during COVID-19, we have seen immense pressures everywhere, bursting at the seams, trying to get services to the hospitals in the south where they are also intensely challenged by COVID-19 and hospital beds are maxed out, but they're still required to provide services through a mutual agreement with the Government of Yukon.

I want to just say: Did we learn something from that? We learned a lot from that exercise. We learned that we couldn't rely on one specific resource centre, and using the St. Paul's facility as the only centre or the cancer clinic in BC — we had to look at alternatives. That means we now need to look at other service centres to better align with service needs.

Will that impact and affect the budget in the future? We'll see services reducing because we have brought more supports here, but we will also see the cost reducing because we now have better service delivery mechanisms.

We can go to Prince George. We can go to the Okanagan for supports. Some of these have already been negotiated and agreed upon. We have Victoria also. We have the Air North services that go on a daily basis, and we now have alternative routes. Have we learned anything from this exercise of going through the supplementary process? I have learned a lot, the department has certainly learned a lot, and this government has learned a lot about what we can do differently during these difficult times, but we also recognize that the budget was never there to support the extended families or the grandmothers and grandfathers who take care of their children. Why? Because they took the children away. They never had an opportunity to transition the children, repatriate, put them back into their communities, and make them whole again. That never happened.

To stand here and suggest that I am not prepared to respond to the questions and suggest that I am not respecting a process — I am absolutely respecting all Yukoners. I am respecting the process that has been established for us — and the fact that we, as a government, have taken that to the next level. The next level is that we are listening to Yukoners, and we are not in litigation to get our collaborated approaches enhanced or supported. We are communicating very respectfully with our communities to better meet their needs. That means that Watson Lake will get a shelter. It means that we will look at communities that are marginalized — those that haven't been supported. Families will be supported.

Mr. Chair, I could continue, but I understand that we are near the end of the day and move that you report progress.

**Chair:** It has been moved by Ms. Frost that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee 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

**Mr. Hutton:** Mr. Chair, Committee of the Whole has considered Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, 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. Ms. McPhee:** 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. on Monday.

*The House adjourned at 5:26 p.m.*

### The following sessional papers were tabled October 15, 2020:

34-3-48

*Cannabis Yukon Annual report — April 1, 2019 to March 31, 2020* (Streicker)

34-3-49

*Yukon Development Corporation 2019 Annual Report* (Pillai)

34-3-50

*Yukon Energy 2019 annual report* (Pillai)





# Yukon Legislative Assembly

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Number 48

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Monday, October 19, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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



**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, October 19, 2020 — 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 a change made to the Order Paper. The following motion has been removed from the Order Paper as the action requested in the motion has been taken in whole or in part: Motion No. 105, standing in the name of the Member for Whitehorse Centre.

### DAILY ROUTINE

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

Introduction of visitors.

### INTRODUCTION OF VISITORS

**Hon. Ms. Frost:** I will ask my colleagues to please help me in welcoming Deputy Minister of Environment John Bailey, Christine Cleghorn, the assistant deputy minister, and Gord Hitchcock, the Conservation Officer Services director.

*Applause*

**Speaker:** Tributes.

### TRIBUTES

#### In recognition of Tynan Thurmer

**Hon. Ms. Frost:** I rise today on behalf of all members to pay tribute to Yukon government's conservation officer Tynan Thurmer. In January, together with the Yukon RCMP in Ross River, CO Thurmer was involved in the rescue operation of two trappers. Tynan's due diligence and knowledge of the land was an essential part of successfully locating two stranded trappers. Tynan knows the area very well and knew exactly where the trappers' cabins were located. This was key in leading search and rescue personnel directly to them. Immediate action was especially important, given that the temperature was minus 50 degrees Celsius at that time.

As someone who spent time on the land and on the trapline, I understand the risks involved in this remote and rewarding lifestyle. I am certain that most Yukoners are thankful to know that, when things go wrong, Yukon conservation officers have the knowledge and skills to assist with rescue efforts in emergency situations in the wilderness.

Tynan, I would personally like to thank you for your efforts to bring these two trappers back home safely to their families. You demonstrated incredible courage, care, and commitment to your job and to your community.

Mr. Speaker, Tynan Thurmer deserves our collective gratitude. Thank you for recognizing his heroic efforts with me today. Unfortunately, Tynan couldn't be here to celebrate with us today, but I just wanted to extend my personal appreciation

and acknowledgement to him for going above and beyond in his day-to-day duties as a conservation officer.

*Applause*

#### In recognition of Waste Reduction Week

**Hon. Mr. Streicker:** I rise today on behalf of the Yukon Liberal government and the Yukon NDP opposition to recognize Waste Reduction Week.

When I think back to last year's Waste Reduction Week, I am struck by how much has changed since then. It goes without saying that the COVID-19 pandemic has made waste reduction more challenging than ever before, yet waste reduction has never been so important. Across many Canadian communities, waste volumes have gone up during the pandemic, and unfortunately, the Yukon is no exception.

We know that we face many challenges when it comes to managing the amount of waste we produce and that these challenges are tied to other major problems that we are dealing with, like pollution and climate change. Fortunately, I know that Yukoners are innovative and care deeply about these issues. In spite of the current pandemic, some great folks have been keeping the waste reduction movement going.

Today, I would like to pay tribute to all the people in our territory who are continuing to reduce waste and I want to encourage all Yukoners to keep making their best efforts.

First, I would like to thank the folks at Raven Recycling and Zero Waste Yukon for making such an impact in our ability as a territory to divert waste. Thanks to Ira Webb, Joyce Snyder, and the rest of their team for all the work they do. This week, they're looking for nominations of Zero Heroes to celebrate in the community. Keep an eye on Zero Waste Yukon social media pages and nominate a person or business you know who is making a positive impact on the zero-waste movement. Thanks also go to P&M, the Klondike Conservation Society, and the passionate community volunteers in rural communities who help make recycling and reuse possible around the territory. I would like to give a shout-out to Linda Augustine, a Zero Hero in Carcross who worked to get the free store back up and running.

I would also like to acknowledge some of the Zero Heroes in industry. It takes bravery to start a business at any time, but it takes a certain kind of bravery to start a business in the midst of a pandemic — especially when your business goals align with the Zero Waste movement. The Yukon Refillery is providing Yukoners with an opportunity to reduce packaging on common household items like soap, laundry detergent, and more. Clearly, they know that the waste problem isn't going away and they are determined to help be a part of the solution.

There are so many more businesses in the Yukon that are actively reducing waste, whether it's by using the City of Whitehorse's compost program, encouraging customers to use reusable options, or providing options that are both safe during the pandemic and supportive of a zero-waste movement.

Thank you to everyone who is putting waste reduction at the forefront and keeping the waste conversation going in these challenging times. Whether it's by reducing single use, reusing/recycling, harvesting your gardens, or baking your own

bread, the small actions we take in our day-to-day lives can help build a beautiful and long-lasting world. Less is more.

*Applause*

**Mr. Istchenko:** I rise on behalf of the Yukon Party Official Opposition to recognize Waste Reduction Week in Canada, which takes place from October 19 to 25.

This week, we celebrate the giant leaps ahead that we have come with respect to waste reduction and diversion, and we acknowledge that there are still so many things that we can do. We can work toward minimizing our ecological footprint as a society; we can implement legislation, programs, and incentives, as governments across the country are ambitiously doing. As we move in this direction, we must remember that our communities range in capacity for action — such as recycling and composting — and these concepts must be applied accordingly throughout the Yukon, and the same goes for households.

For those who live out of town, it may be easier to reduce waste by feeding livestock or composting. Urban dwellers can take advantage of city composting programs. Wherever you live, every household should make a conscious effort to work toward minimizing waste and wastefulness. This event commemorates the daily theme appointed to this year's Waste Reduction Week across Canada — themes such as celebrating the circular economy to eliminate waste through improving the design of materials and products, textiles, e-waste, plastics, food waste, swapping and repairing, and moving toward a sharing economy focused on borrowing and renting.

We have a fair way to go in waste reduction. There are a number of things that we can do around the house to reduce our household waste. Many have made the move to reusable shopping bags, refillable coffee cups, and reusable straws. We sort and recycle to reduce household garbage. We repurpose, we recycle, regift, and reuse. We are all stewards of our natural environment — and what an environment we have here in the Yukon. So we should take care of our Yukon's beauty and preserve it for the future generations.

So, be conscientious consumers, and continue to strive for reduced waste and increased sustainability. I would also like to thank those who continue to do a wonderful job advocating for minimizing waste in our communities.

*Applause*

### In recognition of Persons Day

**Hon. Ms. McPhee:** I rise today on behalf of the Yukon Liberal government to speak about a matter important to us all. On a fine summer day in August of 1927, almost 100 years ago, a group of five amazing and determined women met in Edmonton to sign the letter petitioning the Supreme Court of Canada to determine whether government could appoint a female senator. The matter quickly became known as the "Persons Case" because, at the time, only "qualified persons" could become senators, and the Canadian government interpreted that to mean only men.

In 1928, the Supreme Court heard the case and upheld the government's position. However, the Famous Five, also known

as the Valiant Five and the Alberta Five, were undaunted. They petitioned the Privy Council to rule on the matter, the highest court then available to Canadians. Off they went to London, where the case was heard.

On October 18, 1929, Lord Sankey announced the court's decision that the word "person" did, in fact, include women. It seems like a common-sense approach to most of us now, and it prevailed.

Sankey stated, and I quote: "The exclusion of women from all public offices is a relic of days more barbarous than ours. And to those who would ask why the word 'person' should include females, the obvious answer is, why should it not?"

During this Women's History Month, it is essential that we speak and remember the names of these women and teach them to our children. The Famous Five were Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby. Each was a true leader in her own right: One was the first female magistrate in the British Empire; one was the first woman elected to any Legislative Assembly in the British Empire; one was the first female Cabinet minister in Alberta and second in the entire British Empire; one was the first female director of the board of governors of the CBC; one of them was the founder of the National Council of Women of Canada; one published Canada's first women's magazine; one established the prototype for the Canada-wide WCA; one helped to found the Victorian Order of Nurses; one was the first president of the United Farm Women of Alberta; two were delegates to the League of Nations in Geneva; and three were elected to the Alberta Legislative Assembly and worked to create legislation for the protection of women's rights and property.

They did all this before they were even "persons" under Canadian or British law. Separately, these five women were champions of the rights and welfare of women and children. They worked hard to change our society courageously in the face of many prejudices and the resistance of the day — many which continue in various forms even today.

Mr. Speaker, they identified a path forward for improvement and took it. Their efforts and success changed the world for us all.

*Applause*

**Ms. White:** Things that are truly worthwhile almost never come without a fight, and Persons Day is a perfect example of this.

In the 1920s, tea parties were viewed as a woman's activity, a place where niceties of the day could be discussed without the interference of men. It was under the guise of such innocence that the Pink Tea was born, a place where women could gather to discuss and work toward the early women's rights movement.

When Emily Murphy became the first female judge in the Commonwealth in 1916, she experienced from her very first day in the Edmonton court challenges by lawyers appearing before her, objecting to having their case heard by a woman judge because they said that women were not "persons" as defined by our Constitution, the *British North America Act of 1867*.

That didn't phase Emily Murphy. She had her eye on a bigger prize. She wanted to become a Canadian senator. Through the efforts of women's groups across the country, more than 500,000 citizens signed petitions and wrote letters in support of Ms. Murphy. Between 1917 and 1927, five governments indicated their support for such an appointment but said that their hands were tied because only "qualified persons" could be appointed, and that definition did not include women. Two prime ministers promised to change the law, but they didn't.

Ninety-one years on, it is difficult to believe that women were considered to be persons only in terms of pains and penalties but not rights and privileges. After more than 10 frustrating years of political effort, Emily Murphy took a different tack. Section 60 of the *Supreme Court Act* stated that any five citizens acting as a unit could appeal through the federal Cabinet to the Supreme Court for clarifications of a constitutional point. Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby were five Alberta women drawn together by shared idealism. Each was a leader in her own right: one a judge; another a legal expert who founded the National Council of Women of Canada; and three served as members of the Legislative Assembly of Alberta. They did all of this, as we heard, before they were fully defined as "persons" under Canadian and British law.

When Judge Murphy invited these four women to join her in the fight, the Famous Five were born. They asked the Supreme Court of Canada if the word "persons" in section 24 of the BNA act included women. In April 1928, the court said no — basically saying that the BNA had to be interpreted in light of the times it was written, and in 1867, women did not vote, run for office, or serve as elected officials. Undeterred, these women were able — with the support of Prime Minister Mackenzie King — to appeal the decision of what was at the time Canada's highest court of appeal, the British Privy Council. On October 18, 1929, that council announced that, yes, women are persons. Although Emily Murphy never did get a senate seat, these five women proved yet again that what we can't do alone, we can do together.

As groundbreaking as this decision was, it didn't apply to all women. That should still give us pause. After all, women belong in all places where decisions are being made and it shouldn't be that women are the exception.

*Applause*

**Ms. Van Bibber:** I rise today on behalf of the Official Opposition to pay tribute to Persons Day, held October 18. In 1992, the Government of Canada designated October to be Women's History Month. October 11 is the Day of the Girl, which we paid tribute to last week in the Assembly.

October 18, Persons Day, recognizes the contribution that women have given to Canada throughout the decades. The Famous Five women from Alberta launched legal action to challenge the top institutions of Canada that excluded women from participating in any public or political office.

Women were not defined as "persons" until this struggle concluded, and at first, when the case was struck down by the

Canadian Supreme Court, the women decided that it was too important and went to a higher court in Britain. Success — a woman was a person. In our modern times, it might sound silly, but remember that this was 1927 to 1929 when the case was finally settled. All of the words on paper and documents from the courts were a valued step, but it was still frowned upon by many when women would appear to be counted.

Imagine — to be able to vote, to be able to hold office even in the Senate of Canada, and just to be called a "person". I heard stories of my small hometown in the north, Dawson City, where women were allowed to curl in the town's curling club, but they had to enter the side door, curl their allotted time — which I believe was Saturday morning — and then leave the same way. Only men were allowed to sit on the boards and committees to make decisions.

Even during the 1960s when women were rising up in great numbers to take their rightful place in all aspects of society, there was pushback and concern — how to deal with women. What do they want? Why would they want to work where a man worked? Why couldn't they just be quiet? They really should be mindful of their place. But — and isn't there always a but — today women are still struggling to get equal footing.

As I live through the decades — a woman who has broken through a couple of barriers — I appreciate every effort and every sacrifice made by women before me. They broke the hardpack snow for me.

We must appreciate our women's history and be able to forge ahead with new ideas and new energy for others coming behind us. Lead by example. Be that person who dreams, learns, and works toward goals and visions that may make a difference for others. If one influences only one other person, it is a marvellous achievement.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Ms. Frost:** I have for tabling today one legislative return addressing questions from the Member for Takhini-Kopper King on October 13, 2020, regarding the breakdown of the 2019-20 fourth appropriation.

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

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. Adel:** Mr. Speaker, I rise today to give notice of the following motion:

THAT this House supports relief from annual mining assessments in response to COVID-19 pandemic.

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

THAT this House continues to support Air North, Yukon's airline, and recognizes their ongoing community contributions, especially during these exceptionally challenging times.

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

THAT this House urges the Government of Yukon to support the Mi'kmaq fisheries by:

- (1) denouncing the violence against Mi'kmaq people and the RCMP's failure to protect Mi'kmaq communities; and
- (2) calling on the federal government to work with the Sipekne'katik First Nation and all indigenous fishers to implement a moderate livelihood fishery.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to close the gap between Yukon's minimum wage and Yukon's living wage.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Tourism relief program

**Hon. Ms. McLean:** Across the world, no sector outside of health care has been hit harder by the COVID-19 pandemic than the tourism sector. Here in Yukon, we are feeling this, and it is incredibly challenging. In 2018, tourism was the second-largest contributor to Yukon's GDP at five percent, generating \$367.8 million in revenue and accounting for 13.5 percent of Yukon's employment.

It has been devastating to see the impact of the pandemic on this dynamic and innovative industry. However, I am grateful for the important foundational work that we did together with tourism operators to develop the *Yukon Tourism Development Strategy*, which was released in 2018. The strategy provides us with a guide for getting through this pandemic and re-emerging stronger and more resilient than ever.

When COVID-19 hit, our government responded early to support local tourism businesses. We were one of the first jurisdictions in the country to roll out a business relief and recovery program, and our program served as an example for other jurisdictions. I want to thank all of my colleagues and the many public servants who supported these incredible collective efforts, as well as our industry stakeholders.

A special thanks to the Yukon Tourism Advisory Board, which has been working tirelessly through the pandemic and has provided valuable recommendations to inform our decision-making. Our immediate goal was to stabilize Yukon businesses, including our tourism businesses, and our relief programs continue to be effective. Nearly \$4 million has been accessed by tourism operators specifically, and this support is ongoing.

We recognize that the tourism industry needs both immediate support through relief funding and long-term

support through recovery funding. To provide immediate relief, we are making up to \$2.88 million available to accommodate businesses that have maximized their eligibility in existing programs such as the Yukon business relief program. This will help to address the low occupancy seen so far this year and that is anticipated to continue through the winter.

We are also looking toward the future to support longer term recovery of the tourism sector. Today's accommodation sector relief is one part of a larger funding package of up to \$15 million over the next three years for relief and recovery programs for Yukon's tourism industry. This is targeted support based on comprehensive research, data, and industry feedback. It focuses on leveraging Yukon tourism strengths and opportunities and is based on four themes: providing tourism sector leadership; rebuilding confidence and capabilities for tourism; supporting the recovery of tourism industry operators; and refining Yukon's tourism brand and inspiring travellers to visit the Yukon.

This \$15-million package will help Yukon's tourism sector deal with the unprecedented impact of the pandemic on global tourism and travel. Additional funding will support longer term recovery based on priorities identified in partnership with the Yukon Tourism Advisory Board, as well as more immediate relief packages for the non-accommodation tourism businesses and Yukon's many valued tourism non-profit organizations such as museums and cultural centres.

This support is designed to be flexible and nimble as we continue to navigate and respond to the ongoing pandemic. Guided by the *Yukon Tourism Development Strategy*, this funding will support training and marketing initiatives, targeted research, and enhanced investments to reach our strategic goals. Relief is important as we continue to face the COVID-19 pandemic, but recovery is important to this sector.

I look forward to the opposition's questions and comments.

**Mr. Istchenko:** Complete and total devastation, Mr. Speaker — that is the only way to describe what has happened in our tourism industry this year. It has been depressing to watch as hundreds and hundreds of Yukoners and Yukon businesses go without work or shut their doors — or their doors didn't even open. Yukoners who invested their time, their love, and their life into the industry we all cherish have seen it disappear overnight.

Businesses or tourism operations that took years to build are gone on the brink. It has been painful to watch. That is why I am happy that the government has finally announced a tourism recovery plan, but I can't help but worry that it has maybe come too late for many Yukoners who are out of work and for many businesses who have already shut their doors.

I will say this again — it needs to be said in the House. You will remember that the Yukon Party originally proposed an all-party committee to help guide the economic recovery. This committee would have had all parties work together, starting six months ago, to monitor, recommend, and guide our recovery. This would have assisted a quick response, and it is too bad that the government did not see the importance of the urgency of supporting this at the time. At the time, when every

expert in the world was sounding alarm bells on how bad things were going to be for the tourism industry, the Minister of Tourism told us that it was "... business as usual" — of course, you have heard this. The Premier went on to accuse those who were asking the government to do more of being paranoid.

So I can honestly and truly say that I wish that the minister and the Premier were right when they made those statements six months ago, but they were not, and unfortunately, the lack of urgency early on meant that they were only getting a tourism recovery plan out on October 19 — 224 days after we first asked the government to start taking action to protect the tourism sector. The summer tourism months have come and gone. It took the government until our streets and driveways are starting to get covered with snow before they came up with the recovery plan — and I'm sorry, but that is unacceptable.

When we look back on this for lessons learned, we will find that the Liberal government acted too slowly on the recovery. As a final point on the timing of this recovery plan, the minister was originally supposed to announce this last Thursday, but it was cancelled at the last minute. So, I am hoping that the minister can explain why she made the already suffering tourism industry wait another four days.

With respect to the content of the tourism recovery package, it is difficult to comment too in-depth, because the government has not provided us with any details or any briefings on it. We will, of course, have questions on why it took so long, why they set the fund at this particular level, the criteria for applying, and when funding will start flowing. As we have heard from others who have dealt with earlier recovery programs from the government, the government was quick at announcing but not always as quick at getting the cheque in the mail. So we will be reaching out to our tourism operators to see how this package works for them, and we will be bringing their questions to the Legislature.

Finally, the key element that I think is missing from this plan is any information about the current restrictions on the territory. Anyone who we have spoken to in the industry has indicated that they want to know when they can reasonably expect relaxation and what the criteria are for relaxation. Everyone understands the importance of the restrictions, but they are looking for certainty and for answers from the government to help them make informed business decisions. The industry has written to the minister several times asking these questions. So today's announcement contains none of that information. I'll say again with respect to the content of the tourism recovery package: It is difficult to comment in-depth because we haven't been provided any details or a briefing on it.

**Ms. Hanson:** As the New Democratic Party critic for tourism, I am pleased to respond to the minister's statement today.

Mr. Speaker, since the spring, the Tourism Industry Association has hosted a weekly industry tourism forum via Zoom. Over the course of those 30 or so virtual meetings, we observed the diverse community that comprises Yukon's tourism industry go from "concerned" to "alarmed" to

"despair" as the impact of the global pandemic hit home. The word "crisis" was used without exaggeration.

As time went on, it became clear that the two key areas needing focus were economic relief to make sure that existing tourism operations survived through the unknowns brought about by COVID-19, along with a comprehensive recovery strategy. We are pleased to see in the statement an emphasis on both immediate relief as well as recovery. It is vitally important for the long-term health of this vital sector of Yukon's economy that the tourism recovery strategy is finalized and implemented with a focus on a nimble and adaptive approach not usually associated with government programs.

We have been looking forward to information from the Yukon government to signal that this government understands the vital importance of the tourism sector to Yukon — not solely as the largest private sector employer in the territory, but equally for the role Yukon's tourism sector plays in fostering our pride of place — the pride that comes from knowing that the depth and breadth of the Yukon experience has — through the dogged determination of many small, independent tourism operators, along with the larger players — for example, in the accommodation sector — turned Yukon into a worldwide tourism icon.

Along with the Tourism Industry Association, we welcomed the announcement today of the immediate relief for the accommodation sector. As was noted during today's tourism call, the success of Yukon's tourism sector is highly dependent on having a stable, reliable accommodation sector. There are still questions about how seasonal accommodation providers are or are not covered by today's announcement.

The success of the minister's strategy for Yukon tourism recovery will be to the extent that it adapts to the situations in a sector that depends on the unique nature of those involved there is not a cookie-cutter approach to support that will work for all. We look forward to early announcements on how the tourism recovery strategy would unfold and the ongoing commitment by this government to the flexibility and timelines necessary to make Yukon's tourism sector flourish again.

**Hon. Ms. McLean:** I would like to address the comments made by the Official Opposition today, right off the top. As I stated in our statements today — and we have stated this all the way through — we were one of the first jurisdictions to respond quickly to business relief through a fixed cost program — so the Yukon business relief program was put in place very quickly. This was open, obviously, to tourism businesses, Mr. Speaker, and we had 165 tourism businesses access that to a tune of about — along with the tourism marketing fund — \$4 million. That program continues today.

The announcements that we made today are specific to one sector of our tourism industry, which is our hotels and accommodations. We absolutely have to protect that important infrastructure. We have also provided relief to the airline industry in Yukon. These are important, critical infrastructure pieces. If we are to have a successful re-emergence of tourism in Yukon, we have to protect these areas. That is why you are

seeing an early announcement on — that particular sector relief today.

I just have to say — I have other comments to make and I thank the member from the NDP for her comments today as well. I know that you have committed yourself to being on tourism calls and you are looking for solutions; I hear that. What I don't hear from the opposition is real true support for the tourism industry. You cannot secretly hope for the Yukon Liberals to fail in our efforts to support Yukoners today. There is no room for politics. There actually is no room, because if we fail in our efforts to work with our business community, Yukoners fail. That is a true statement.

We are working together to ensure that this important sector is supported and that they are given the relief that they need now, and we are committed, obviously — this is a clear signal from our government today that we are with the tourism sector as we go forward and move through recovery.

I again just want to hold my hands up to all of our partners who worked with us on this plan, and I look forward to more details coming out in the coming days, weeks, and months. This is a long-term effort.

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

## QUESTION PERIOD

### Question re: Health care staff housing in communities

**Mr. Hassard:** There is a serious problem with the recruitment and retention of essential health care workers in Watson Lake, but recently, they were successful in recruiting two physicians and two nurses. Due to a housing shortage and a lot shortage, these physicians and nurses are required to stay in Yukon housing, but the physicians were informed by the Yukon Housing Corporation that their policy is that they can only have one pet. As a result, the government is going to evict the physicians, and they will be forced to leave the community if they cannot find housing. Of course, this will exacerbate the shortage of essential health care workers in one of our communities.

Will the Minister of Health and Social Services get the Minister responsible for the Yukon Housing Corporation to stop the eviction of doctors in Whitehorse?

**Hon. Ms. Frost:** I do detect the sarcasm in the question, but I will respond to the question with respect to Watson Lake and the supports and the efforts there. The policy, as it is written, for housing in all of our communities — staff housing, social housing — is one and the same. It is managed by the Yukon Housing Corporation. We have a memorandum of understanding with the Yukon Hospital Corporation. We have a legal interpretation and legal assessment that determines that we cannot discriminate against those who are in social housing and yet give privileges to those who are not. We will ensure that every Yukoner is given equal opportunity, and we will work with the Yukon Hospital Corporation and the Yukon Medical Association to ensure that, of course, our priority is to maintain physicians in our communities and stability, particularly in Watson Lake.

**Mr. Hassard:** Of course, the ironic thing here is that the Minister of Health and Social Services is the Minister responsible for the Yukon Housing Corporation.

The minister often uses meaningless buzzwords like the “one-government approach” to respond to questions. The difficulty with recruiting essential health care workers in communities is difficult enough without this Yukon Housing Corporation policy making it worse. So, let's forget a one-government approach, because we would be happy with a one-minister approach.

We have received information that a similar situation is also unfolding for two nurses in Watson Lake who may be evicted due to the Yukon Housing Corporation pet policy. When will the Minister of Health and Social Services step in to get the Minister responsible for Yukon Housing Corporation to fix this problem?

**Hon. Ms. Frost:** I am pleased to acknowledge and also inform Yukoners that we are modernizing. We are updating antiquated policies. In fact, the members opposite would well know that they evicted members out of Yukon Housing Corporation housing for having more than two pets. Some of what we are trying to address is consistencies in how we treat Yukoners, as well as look at the Yukon Hospital Corporation members living in Yukon Housing Corporation-owned units in Watson Lake. Of course, they have indicated — they have written a few letters to a few key individuals. It is certainly a priority for us. We want to make sure that we maintain stability, but we have a legal obligation as well to not discriminate against individuals whom we provide housing to in our communities. We will continue to work with the Yukon Hospital Corporation to address the matter before us.

**Mr. Hassard:** So the Minister of Health and Social Services' lack of leadership on the file of staffing health care positions in our community hospitals was a topic of discussion last fall.

There are nine positions at the Watson Lake Community Hospital. Last year, in August, the minister said that, although only four of those positions were filled, the rest would be filled by the end of that month. You will remember, Mr. Speaker, that it turned out that the minister was wrong and that her lack of attention to the file meant that the hospital was still scrambling to fill shifts at the Watson Lake hospital long afterwards.

Can the minister tell us if all positions at the community hospitals in Dawson City and Watson Lake are now filled?

**Hon. Ms. Frost:** With respect to housing in Dawson City and Watson Lake, I can assure the member opposite that housing is a key priority for Yukoners. This government has done an exceptional job of ensuring that we address the housing shortages in our communities. We have worked very closely with our municipalities and we have worked with our indigenous partners to enhance housing options.

I am proud to say that we have provided over 600 new units across Yukon to address the very issue that the member opposite is speaking about. We are not sitting here holding on to \$20 million that has been federally funded to provide housing. We are spending the resources to address the housing challenges in our communities.

We certainly want to ensure that we provide services to our residents in Yukon. Of course, it is important that we look the challenges that we have been confronted with, and that means that, of course, there are lot shortages — but the Community Services minister, the Minister of Economic Development, the municipalities, and the First Nations are working really hard to address what we see as challenges of the past. We are progressively looking forward to resolving those issues.

**Question re: Affordable housing**

**Ms. McLeod:** Last week, a Whitehorse NGO was in the news saying that times are tough in the rental housing market. They went on to say that the pandemic has made the rental housing crisis even worse.

So, can the minister please advise what the current wait-list is for social housing in the Yukon? How many are for seniors and how many are in rural Yukon?

**Hon. Ms. Frost:** I want to just acknowledge that we have seen a significant challenge in the last few months, given that we are in the middle of a pandemic. We have addressed that by working with our partners and we have had some indication from our partners that there are some challenges. We certainly acknowledge that. The reason for the housing demand — of course, we know that the demand exceeds the supply. We have worked very hard and I have indicated in my previous comments that we have over 600 units that we have put onto the market.

With respect to wait-lists — we are seeing some wait-lists, but in some communities, we are addressing now the challenges of housing wait-lists. We are working with the community of Watson Lake to address the very issue of the housing shortages there. We are working with Carcross. We have put in some new housing initiatives across the territory — and I would be happy to give the numbers. If there is not an opportunity to speak to the numbers today, I would be happy to table those numbers.

**Ms. McLeod:** So according to yukon.ca — and I am just going to quote from the website: “The Rent Supplement Program matches Yukoners who are eligible for social housing with participating landlords. We pay the median market rent directly to the landlord and the tenant pays us 25% of their income. This program uses the same application form as Yukon Housing Corporation’s rent-geared-to-income (social housing) program.”

The problem with this is that at least one Yukoner who applied for this rent assistance was contacted by the Housing Corporation, which said, “Congratulations, you’ve been accepted for seniors housing.” But they didn’t apply for seniors housing; they applied for the rent assistance program. That same person was advised that the rental supplement program was out of money for this year.

Can this minister confirm that this happened and that she will be adding money to this program in this fiscal year to meet demand?

**Hon. Ms. Frost:** I encourage the Member for Watson Lake — if there is a specific client whom she’s referring to and if she would like us to case file that, I would be happy to respond.

With respect to social housing and the whole business around transformation, we are looking at the model that existed previously. We’re clearly not — as we look at clients who come forward for assistance — the rent supplement agreement — and we are working now with Canada on the Canada benefits agreement, which we just signed off on. That, I believe, was \$9.2 million over eight years and that will continue to support the clients as we look at the rent supplement programs going forward.

**Ms. McLeod:** One of the disincentives for Yukon businesses to build rental housing stock is that they will now be competing with the government. The new 48-unit building constructed in Whitehorse will have market rent units and the government will be the landlord. So much for this government’s promise of getting out of the business of doing business.

Can the minister explain why she has decided to go into competition with private landlords in Whitehorse?

**Hon. Ms. Frost:** I’m very pleased with the work of the Housing Corporation. The intent of the new 47-unit facility on 5<sup>th</sup> Avenue and Rogers is really to look at providing a multi-purpose, multi-use facility. We have some clear instructions from Yukoners to look at ensuring that we have diversity in the market. Yukon Housing Corporation — of course, the member opposite raises the fact that we do have some wait-lists. We have an obligation to address that wait-list, and this gives us an opportunity to put more houses on the market. Of course, that will allow us to address the housing needs of Yukoners.

**Question re: Yukon Liberal Party donations**

**Ms. White:** The government announced Friday that a lobbying registry was now in place. This is something the Yukon NDP has been calling for well over a decade, so we welcome this announcement. The Premier said that this was a demonstration of his government’s commitment to openness and transparency.

So, in that same spirit of openness and transparency, will the Premier disclose who made over \$100,000 in anonymous contributions to the Yukon Liberal Party in 2019?

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker, for the opportunity to talk about the lobbying registry.

It’s a legitimate part of a decision-making process. We’re happy to move forward on something that the previous government wouldn’t. Our aim is that Yukoners are informed as to who is communicating with government and on what topics. The *Lobbyists Registration Act* will come into effect once the registration system is available. Work with an online system is nearly complete and we’re really confident that it is going to help with the transparency for sure.

It’s expected to be launched very soon, if it’s not already out the door. I might take a look to see an update on that progress and I’ll report back to the Legislative Assembly.

When the act does come into force, registration will be mandatory, ensuring that lobbyists are accountable for disclosing their activities. It’s extremely important on this side of the Legislative Assembly.

Mr. Speaker, we're aiming to make registration and reporting straightforward. Unlike some jurisdictions that require lobbyists to report after each meeting or phone call, our approach requires less check-in because it focuses in on lobbying over a period of time.

One last point that I will make about lobbying before getting up and answering the other part of the question from the member opposite — the purpose of that registry is to make information about who is lobbying the government — to make that information available to the public. That's on this side of the House and over there as well.

**Ms. White:** I appreciate the Premier speaking about the lobbyists' registry in his first response, but let me be clear: This question was about the \$100,000 in anonymous contributions received by the Liberal Party in 2019.

The Premier believes that the public has a right to know who meets with the ministers to lobby them. This makes sense and we couldn't agree more. What doesn't make sense is that somehow the Premier seems to think that it's okay for his party to receive over \$100,000 in anonymous contributions. This is unheard of. No political party in the Yukon has ever received such a large proportion of their funding from secret sources. Even the Yukon Party's fundraising cruise in a Vancouver harbour was publicly known and donors were reported.

Will the Premier show a real commitment to openness and transparency by disclosing who gave his party over \$100,000 in anonymous contributions last year?

**Hon. Mr. Silver:** No doubt we definitely had a successful campaigning season when it came to support. We are well within the current rules. By the way, campaign finance reform — if that's what we're talking about as an issue — it's an extremely important issue to us on this side of the House. There has been some work done by Members' Services Board — which is where that conversation is. All three parties are part of Members' Services Board.

Again, if we were going to have any changes to the current system, the conversation would increase there. Again, we are well within the rules of raising money. We definitely did very well in raising money and we will continue our campaigning endeavors — as I'm sure the Official Opposition will as well. What we won't do is piggyback those types of things like the Yukon Party did — when they were supposed to be hearing from the industry, instead, they lobbied them onto a boat.

Anyway, Mr. Speaker, we will continue to do the work that we need to do to make sure that we as a political party have the wherewithal to run and showcase the candidates in all of the ridings. We will continue to do so inside of the rules. We are in favour of capping donations. We are also in favour of capping those donations from corporations and from unions. We don't support a ban on donations from anyone outside of the Yukon. That is not tax deductible anyway.

**Ms. White:** Every political party does fundraising — so that's normal. What is not normal is that more than two-thirds of the Liberals' revenue is from anonymous sources. This is unprecedented and it's far from open and transparent.

The Yukon is already the Wild West of political fundraising, with no limits to corporate or outside donations.

The only form of accountability is that donations of more than \$250 are made public once a year. The Liberal Party somehow decided that this was too transparent and they found a loophole that allows them to hide this information from the public. A government committed to openness and transparency would not be accepting over \$100,000 in anonymous donations.

Why won't the Premier disclose who gave the \$100,000 in anonymous contributions to his party?

**Hon. Mr. Silver:** The opposition makes it seem like that is one individual. That would be impossible for one individual to give that much money without being declared. The member opposite knows the rules as far as the amount that an individual can donate to a party — \$250 — and we know that the Yukon Party has used that in the past to make that \$250 donation to each individual party member. Again, it is well within the current rules of the Yukon Legislative Assembly.

If we want to change those rules, the member opposite knows that there is an all-party committee — it is called the Members' Services Board — that would look at those rules. We have been very clear that we are in favour of capping donations. We have been very clear that we are very interested in capping those donations from corporations and from unions. The unions would be definitely where the opposition — the NDP — used to get an awful lot of their money from — and national support therein, which is great.

We do want to have that conversation. We agree that campaign finance reform is an extremely important issue and we are very willing to have that conversation with the members opposite in Members' Services Board.

#### Question re: Hospital staffing

**Ms. Hanson:** Today, the Yukon Employees' Union issued a press release decrying the understaffing at Whitehorse General Hospital. The union reports that four nursing staff resigned over a 12-hour period last week due to the "deplorable working conditions". What is the minister doing to immediately address this situation?

**Hon. Ms. Frost:** With respect to staffing at the Whitehorse General Hospital — clearly, that is a responsibility of the Hospital Corporation. We are working with the chief executive officer of the Hospital Corporation to address the potential — if there are challenges, we haven't yet seen that or heard that formally, but when we do receive that, we will certainly follow up, as we do with all matters that are of the utmost importance to the well-being of Yukoners.

**Ms. Hanson:** "Chronic" understaffing — not "sudden". Chronic understaffing in the middle of a pandemic is nothing short of dangerous. The union reports at least 42 vacant positions across all facilities and 23 nursing positions unfilled. This puts staff and patients at risk.

When will the minister take action to fix chronic understaffing at Whitehorse General Hospital?

**Hon. Ms. Frost:** I have indicated in the House previously — and I will do it again — that the Hospital Corporation and Health and Social Services have taken a joint effort to look at recruitment and retention strategies. Historically, that wasn't the case. Of course, the staffing across



health professions is always ongoing, and at this time, stabilizing critical units is essential. We are working with the Yukon Hospital Corporation, and we will continue to do that.

I do know that we have met with the Yukon Hospital Corporation, and we will continue to address any pressures that they might have. We know that, during this current crisis that we are in, we have mobilized our staff in different areas, and we will do our utmost to ensure that every Yukoner's life is supported and that they maintain the level of service that we have known historically. We will ensure that this continues into the future.

**Ms. Hanson:** Health care workers have been celebrated as heroes throughout this pandemic, but it sounds like their working conditions don't reflect this. The Yukon Employees' Union reports that four nursing staff resigned on the same day last week due to working conditions.

The Hospital Corporation has increased its reliance on agency nurses because of its inability to recruit and retain nurses. "Retain" is an important element, Mr. Speaker. This is clearly an issue that requires immediate attention by the minister.

Will the minister meet now with the chair of the Hospital Corporation and the Yukon Employees' Union to address chronic understaffing at Yukon's hospitals?

**Hon. Ms. Frost:** I can assure the member opposite that we meet frequently with the Hospital Corporation. In fact, we have a meeting coming up very shortly, and we address a lot of the common issues and work together to address some of the challenges. One of the efforts that we jointly initiated was the recruitment and retention strategy, and that is to ensure that we provide opportunities to share resources across the way from the hospital and that of our health centres.

Knowing that Yukon has historically been, in some of our remote communities, a little challenged, we can assure Yukoners that we have never left anyone without support. We will continue to use the resources that we have available to us here in the Yukon, and we will make best efforts, of course, going forward. If there are four individuals who have resigned whom we have not yet heard of, we will continue to address those as they come to our attention.

#### **Question re: Affordable housing**

**Ms. Van Bibber:** As discussed last week, the average cost of a house has increased by \$123,500 compared to 2016. However, the Liberal solution to this was to cut the first-time mortgage loan program. This program helped first-time homebuyers afford to buy a home. Two years ago, there was \$4 million budgeted for this program, but this year there isn't even a line item in the budget for it.

Can the Liberal Housing minister explain the rationale for cutting this program that helped Yukoners to afford a home?

**Hon. Ms. Frost:** With the relaunch of the loans program, I can say that the program better aligns now with Yukon's housing needs. We have seen a decrease in the loans' uptake for the last few years.

We know that things have been shifting in the Yukon and so the loans program has moved into three specific mainstream

areas: the builder development loan that supports new rental housing development — which is bridge financing for construction; then of course there is still the home repair grants and loans program — that includes accessibility and emergency repair grants and home repair loans; then there is the rural home ownership loan — that aims to help Yukoners in rural Yukon to buy or build a home. Now, we haven't seen that historically in the budget and we wanted to best align with the needs of rural Yukon communities so that we start building up the housing needs in Yukon communities. We haven't seen that historically. We have seen underfunding situations and we have seen some challenges in terms of equitable and accessible housing in all of our communities.

#### **Question re: Food security**

**Ms. McLeod:** Friday was World Food Day, which saw the release of an interesting study highlighted in the *National Post*. The newspaper article quotes some staggering figures from Community Food Centres Canada. The report estimates that 4.5 million Canadians have experienced food insecurity, and the pandemic has increased that number by 39 percent, with a disproportionate amount affecting indigenous and northern communities.

With the pandemic ongoing, what is the Liberal government doing to make sure that Yukoners have access to the food they need to stay healthy?

**Hon. Ms. Frost:** With respect to food security — of course, it's not new now; it always has been a priority for the north. We're working with our partners at the federal government to look at Nutrition North, as an example.

How do we provide the essential services to our northern communities? We are working very closely with our partners to address the challenges in some of our communities. We're doing that by working with the Council of Yukon First Nations. We're working with schools to ensure that we have our breakfast and school programs continuing. I'm happy to say that the partners we have — in fact, I can speak to my community. Just last week, they gave out Thanksgiving dinner to every household. I know that every community is doing the same. Everyone is meeting where needs are most needed — they are coming to address the challenges. Food security is a key priority.

We've done that by adjusting the supports that we provided to the most vulnerable community members by ensuring that they have their rent supplements adjusted, that we have supports continue to ensure that resources are out the door, and that they have the essentials that they need to thrive during these challenging times.

**Ms. McLeod:** Now, the pandemic aside, food insecurity in the north has always been an issue. There are many factors in getting the basic staples north of 60 — from transportation to supply to even the weather.

The report from Community Food Centres Canada says that 81 percent of those surveyed say that food insecurity takes a toll on their physical health, 79 percent say that it affects their mental health, and 57 percent say a lack of food impacts their ability to find a job.

Can the Minister of Health and Social Services tell those Yukoners what they should do if they find themselves unable to secure enough food that it affects their physical and mental health and job prospects?

**Hon. Ms. Frost:** I would say that we are very fortunate to be Yukoners. We're fortunate because we have the supports available — a small jurisdiction. My colleagues here on this side of the House have spoken quite clearly over the course of the last two weeks to provide clarity to Yukoners about the resources that have been provided to the businesses and the relief that has been provided to families. We will continue to ensure that we have all the resources made available. Never do we want any individual to not have supports.

We have enhanced the supports available, and in fact, we have now supports in each one of our communities. I encourage Yukoners — please — if you are having a challenging time, please refer and go to the supports in your community — be it a social worker, a mental wellness counsellor, or your First Nation community. We are always open — never wanting to let any Yukoner go hungry or go without shelter or the basic essentials. That is our key priority: to ensure that Yukoners live happy, healthy lives during these challenging times — not just now but also into the future.

**Ms. McLeod:** According to the World Bank, while food trade around the world has been more resilient than overall trade, the risks of food insecurity are increased at the country level.

The World Bank says that higher retail prices combined with reduced incomes have contributed to a cut in the quality and quantity of food purchased by individuals. A September report from Dalhousie University found that the price of a typical grocery basket has increased by approximately 240 percent since the year 2000.

Mr. Speaker, can the minister tell us what the Liberal government is doing to address higher food prices for Yukoners?

**Hon. Ms. Frost:** Mr. Speaker, we know that Yukon's most vulnerable have been underserved for years. We have expanded the services here in the city. We have provided supports and ensured that Yukoners are getting the resources they need. We have enhanced the services at the Whitehorse Emergency Shelter. We are working with our shelters across the territory. In fact, we are working with the federal government on the Nutrition North Canada program.

The only community that has the most challenge in terms of spending on food and food insecurity is my community of Old Crow. Try living there and buying a jug of milk for a family of seven for \$20 a jug. That is still the case, and it's up to us as a community. We are working with the community on the Nutrition North initiative, as we are with our territorial partners across the north — that is to ensure that we have the subsidies and the supports made available and we do that in partnership with our community members. The objective of many of the recommendations and the engagements that we have had over the course of time — at least in the last few years — highlights for us that we have come a long way, but we have a long way to go as well. We want to assure Yukoners that we will continue

to listen to them and provide them with the resources that they require in time.

**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. 257

**Clerk:** Motion No. 257, standing in the name of the Hon. Ms. McPhee.

**Speaker:** It is moved by the Government House Leader:

THAT Bruce McLennan, chair of the *Putting People First* review, and Greg Marchildon, committee member of the *Putting People First* review, appear as witnesses before Committee of the Whole by teleconference on Monday, October 19, 2020, from 3:30 p.m. to 5:30 p.m., notwithstanding any current Standing Orders or practices regarding witnesses' physical presence in the Chamber, to answer questions related to *Putting People First — the final report of the comprehensive review of Yukon's health and social programs and services*.

**Hon. Ms. McPhee:** I will be very brief. We are clearly asking here that the two members of the *Putting People First* independent review panel attend this afternoon to answer questions for the Members of the Legislative Assembly.

I can also indicate that, with the panel being independent, some members on the government side also have a few questions. As a result, I have spoken to the other two House Leaders. We are suggesting that they be allotted a short period of time to do that this afternoon, and we have made arrangements with the two witnesses who will attend by telephone to attend 15 minutes sooner than was originally scheduled. I won't speak to the amendment — that wouldn't be appropriate — but another member on this side of the House can do so. I clearly understand the support by all members here — not speaking on their behalf, but that is my understanding — to have these witnesses appear today.

**Mr. Kent:** I appreciate the remarks from the Government House Leader. We did speak this morning at House Leaders about the government private members having some questions to ask. That said, I had suggested at the time that we move it ahead 15 minutes but hadn't heard back. I'm thinking, of course, that there may be some difficulty for the witnesses to appear 15 minutes early but didn't hear a response this morning, so it was my understanding that we would be going ahead as usual from 3:30 p.m. to 5:30 p.m., which is fine. I believe we have reached some sort of agreement at House Leaders that, going forward, if government private members do have questions, we add that additional time when the main motion is tabled.

**Ms. White:** Like my colleague from the Yukon Party, I was under the impression that we were looking to move it

sooner. I guess we will work with what we have today, but I look forward to having witnesses appear earlier if back-benchers will be asking questions as well.

**Mr. Gallina:** Just hearing the discussion — if witnesses were able to come earlier, I would like to move that the time be extended to allow for government private members to have a small amount of time to ask questions of the independent panel. I appreciate that this is outside of sort of standard practice.

*Amendment proposed*

**Mr. Gallina:** I move:

THAT Motion No. 257 be amended by deleting “3:30” and inserting in its place “3:15”.

**Speaker:** If copies of the proposed amendment could be distributed and briefly reviewed by members.

We have reviewed the amendment to Motion No. 257 with the Clerks-at-the-Table and can advise that it is procedurally in order.

Therefore, it has been moved by the Member for Porter Creek Centre:

THAT Motion No. 257 be amended by deleting “3:30” and inserting in its place “3:15”.

On the proposed amendment, the Member for Porter Creek Centre.

**Mr. Gallina:** Thank you, Mr. Speaker. I won’t take much time. I appreciate that opposition members are looking forward to this opportunity. Government private members also wanted to ask questions and that would be the time, in Committee of the Whole, when witnesses are brought forward. With that, I propose that we extend the time by 15 minutes.

*Amendment to Motion No. 257 agreed to*

**Speaker:** Is there any further debate on the main motion as amended?

*Motion No. 257, as amended, agreed to*

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** Order, please.

The matter before the Committee is continuing general debate on Vote 15, Department of Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

## Bill No. 204: *Fourth Appropriation Act 2019-20* — continued

**Department of Health and Social Services — continued**

**Chair:** The matter before the Committee is continuing general debate on Vote 15, Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

Is there any further general debate?

Ms. Frost has five minutes, 32 seconds.

**Hon. Ms. Frost:** I have with me today Deputy Minister Stephen Samis and Assistant Deputy Minister Karen Chan. I would like to just refer back to the last discussion that we had in the Legislative Assembly with respect to the supplementary submission.

I went over, in great detail, the expenditures and where the department highlighted the program and service areas that we went over the appropriation on. Health and Social Services made every attempt to manage within the appropriation in 2019-20. The department anticipated over- and underexpenditures in various areas, as is standard practice. As a result, there were some significant unexpected expenditures and Health and Social Services exceeded its vote.

These unanticipated expenditures were largely due to meeting the needs of Yukoners through our Insured Health and Hearing Services and Family and Children’s Services and during the initial response to COVID-19. Where we had the numbers as they were presented for the supplementary debate, the numbers as presented by the department — the department rounded the numbers, with the difference being \$74,000. My understanding is that the debate really was around the \$74,000, so I’m happy to say that the adjustments — with the chief medical officer of health, there was a \$3,000 adjustment. Keep in mind that we have a budget in Health and Social Services of \$442 million. Exceeding that budget by \$5.246 million really was intended to provide for meeting the needs of Yukoners.

The Health Emergency Operations Centre during COVID was brought up by \$3,000. That was the actual — so just keep in mind that the department staff had to go back and, of course, pull all of the numbers to get the exact figures for a \$3,000 difference.

The communicable diseases — we had those submitted at \$10,000, and that is \$9,635. It is a very small number there.

Environmental Health Services, again — \$9,780 from \$10,000, which is an indication of the minor differences in each one of these areas.

More importantly, what we want to discuss are the efficiencies of the programs and service areas and why we went over the appropriation. A lot of the overages result from our government’s legal obligation to provide essential services to Yukoners. If you keep going down — I tabled this today, and I am sure that the members opposite just received it, so they may not have had an opportunity.

The Emergency Coordination Centre went from \$25,000 to \$23,900.

The Hospital Corporation stayed the same. Continuing care went from \$300,000 to \$255,000. Licensed childcare went up to \$630,000, so there is a \$30,000 difference. The extended family care agreements — that went to \$920,000. Family and Children's Services went from \$500,000 to \$470,000. Mental wellness and substance use went from \$400,000 to \$365,000. The Whitehorse Emergency Shelter, in the rounded numbers as presented, came out to \$837,000 for the total amount.

Insured health services also came up from \$1,300,000 to \$1,257,000, which was for the extended hospital stays for Yukoners being treated in BC hospitals. The total amount equated to \$5,246,315. That is the total amount, Mr. Speaker.

I know that, in the specific areas, there will be lots of debate and lots of questions. I would be happy to respond to the specific program areas if members opposite would like to debate where and how the funds were allocated and why the decision was made to spend in these specific areas. I certainly would be happy and open to have an open discussion and open debate on those subject matters.

**Mr. Hassard:** Today, we heard about chronic understaffing that has exposed hospital workers to a constellation of challenges, including exposure to higher COVID-19 risks. We have heard about staff having an ever-increasing workload, staffing vacancies skyrocketing, and at least 42 vacant positions across all facilities. I am wondering if the minister, with the help of her staff today, could provide some input into this on what they're doing to rectify this situation.

**Hon. Ms. Frost:** With respect to Supplementary No. 3, the Hospital Corporation received initial support for operational changes and enhancements to prepare for the pandemic and ensure the health and safety of patients, staff, and the general public. They received additional funding for that. They worked very closely with the Department of Health and Social Services to align collaboratively with the health centres. At the same time, the department worked very closely with the chief medical officer of health to ensure that we were appropriately aligned with the necessary staff, so mobilizing and shifting services within Health and Social Services to accommodate the pressures — I think that was something that we did.

With respect to the Hospital Corporation, I understand, in speaking with the Hospital Corporation, that they were certainly well-aligned and the resources that they were provided with — the additional supports that they requested. So I am happy to say that the funding that they received adequately reflected — now, just as a note, the Hospital Corporation received \$81.3 million for its core operations in this last fiscal year, which is 8.9 percent up from the previous year.

Then, of course, if we go back in time to 2015-16, the increase to the O&M at the Hospital Corporation has increased to 31 percent. The objective there is really to work closely with the corporation to ensure that the budget meets its current core funding and its demands. COVID is no different. The funding

that our government provided really focused on the Hospital Corporation's health service needs.

As well, we are pleased to continue to support the hospital as we've budgeted. We have discussed in the previous discussion on the mains — with respect to the staffing and how the staffing evolves, historically, the Hospital Corporation was left to do its own recruitment, as was Health and Social Services around the health centres. As we looked at a collaborative care model across the Yukon, we wanted to ensure stability in our health care services. The deputy minister and the chief executive officer for the Hospital Corporation work very closely on a new strategy for recruitment and retention — identifying and addressing joint vacancies across the government and across the Hospital Corporation. That has been in the last 18 months.

**Mr. Hassard:** I guess, to follow up — and listening to the minister's response — can the minister actually confirm that there are 42 vacant positions across all facilities in the Yukon, Mr. Chair?

**Hon. Ms. Frost:** With respect to the Hospital Corporation's vacancies, I certainly can't speak to that here in the Legislative Assembly, but I can make best efforts to get that information from the Hospital Corporation and bring that information as I receive it.

**Mr. Hassard:** I know that the minister has been asked before about the positions in community hospitals — Dawson City and Watson Lake. Would the minister be able to tell us if all of those positions in those two community hospitals are now filled full time at this point?

**Hon. Ms. Frost:** As I raised in the Legislative Assembly or responded today, with respect to positions and recruitment processes through the Hospital Corporation — that's done through the Hospital Corporation. We have specific arrangements in other situations. I certainly can't give that number to the member opposite, but I will endeavour to get that information.

**Mr. Hassard:** I certainly look forward to receiving that information. I would hope that the minister would have had that information with her since it has been asked previously.

Mr. Chair, I am curious — we heard today from the Yukon Employees' Union about an unhealthy dependence on imported agency nurses, meaning that Yukon workers must bear an extreme burden of risk. As we know, these workers are coming in without any requirement to quarantine before entering work. I am just curious as to if the minister can speak to what is being done to alleviate the worries of the workers in these positions.

**Hon. Ms. Frost:** Just as a clarification and for a little bit more context for the last question, as I understand it, we don't have any vacancies in Dawson City at the moment. At the moment, there are no vacancies in Watson Lake. With respect to the Whitehorse General Hospital — I don't know what that is. As I indicated, I will get that number.

I guess that is why we previously went ahead with a joint initiative with the Yukon Hospital Corporation to address the very matter that the member opposite is questioning me on, which is to ensure that we look at recruitment strategies — of course, relying on locum nurses and locum doctors and

ensuring that we never leave any community unattended and that we have a full complement of nurses in each one of our communities. A shout-out to those nurses who choose Yukon as their home and choose to come here and put their efforts into working in some of the harshest climates in the country, working in some pretty remote areas of our Yukon. That is something that we want to ensure that we continue to address as we look at the stability of positions, always wanting to ensure that we have long-term, stable initiatives.

Part of what we're doing right now is looking at a strategy that allows us to look at nurse practitioners. We are bringing a nurse practitioner into Carmacks. That process is happening right now. We are also looking at the continuation of the pilot project in Pelly Crossing and Mayo. We are looking at further initiatives across the Yukon that are really to address and stabilize a better enhanced care system and a model of care that will allow nurse practitioners to follow a higher standard of practice, higher standards of diagnosis, and identify prescriptions and notifications working under the care of a physician.

There are efforts underway to try to reduce our reliance on agency nurses, but sometimes it's what we have to do, especially now with COVID-19. We had to ensure that we had given the necessary due diligence as we look at the "safe six" requirements and we look at the pressures in our communities. We really needed to do that during this time and that's part of what we see here in the supplementary through the Hospital Corporation — give them the resources so that they can provide supports.

In the supplementary, we don't see anything specific to that. We used the resources that were available to us within the appropriation and moved the nurses and the supports around.

**Mr. Hassard:** Actually, my question was about the workers. As I said, we heard about the unhealthy dependence on imported agency nurses — meaning that Yukon workers must bear an extreme burden of risk here. That is, of course, due in large part to the fact that there are no requirements for these Outside workers to quarantine before entering the workplace. The question was about what the government is doing to deal with the fears or the concerns of the local workers.

**Hon. Ms. Frost:** I'm just seeking clarification. As I understand it, there were no agency nurses at HSS pre-COVID. With respect to the fact that we do now have to rely on agency nurses — under the direction and advisement of the chief medical officer of health, the agency nurses don't necessarily have to self-isolate for 14 days, but they do have to self-monitor. That is done closely — it is closely monitored, of course. If there is ever a concern, then as health professionals they are under some strict and stringent rules around ensuring that they, first and foremost, protect the well-being of Yukoners and of course wanting to make sure they follow those protocols.

**Mr. Hassard:** Obviously, it is concerning anytime that we see a release like this come out — whether it be from the Yukon Employees' Union or anyone else when we are talking about our health care staff or any of our front-line workers. Obviously, it raises some red flags or rings some alarm bells, but I'm wondering if the minister has any response to this

release today that I guess we could use to try to — I don't like to say "calm the fears", but maybe smooth the waters or dampen things a little bit on the health care front.

**Hon. Ms. Frost:** With respect to articles in the local newspapers and what is happening today — the bearing on what is happening in correlation to the budget — I don't see the reference. I certainly can speak to the appropriation and the budget as presented.

With respect to the Hospital Corporation, the CEO, and the notices that came out in the paper today, I can't respond to that. As I said, I certainly will reach out and have a conversation with the Hospital Corporation. If there are concerns, I would be happy to address that, but as I understand it, what is happening is in real time and what we are speaking about is the 2019-20 supplementary appropriation in relation to the Hospital Corporation. The supports provided were \$170,000 to support initial operation changes and enhancements to prepare for the pandemic and ensure the health and safety of patients, staff, and the general public. One would say that, of course, the Hospital Corporation has the same priorities as we do, and that is to ensure the health and well-being of Yukoners.

If there are staffing challenges during COVID times, I would certainly raise that with the corporation as we look at our joint recruitment strategies to ensure that we stabilize the health professionals in the Yukon.

**Mr. Hassard:** I think that is unfortunate. This release today — the whole purpose of it is to talk about things that have happened since COVID, and that is what we are talking about — the supplementary budget having overexpenditures because of COVID. I think that this is all part and parcel of that. I would give the minister another opportunity to hopefully answer that question.

**Hon. Ms. Frost:** The Health and Social Services supplementary submission — I have spoken to this multiple times. Health and Social Services has an overage of \$2.3 million. COVID is 25 percent of the submission — \$1.3 million. Health Services came out at \$1.4 million, so if we really want to ensure that we have a better model and system here and a better health outcome for Yukoners, then it is essential that we start building a better relationship with our communities, undertaking real collaboration and priorities. Because, really, if we look at the health priorities that directly impact our citizens on a daily basis, we would be speaking about the budget as it is presented.

Our government recognized that primary health care and health care reform is a collective responsibility that really starts with the elimination of systemic, pervasive racism. The truth can be hard to hear sometimes, Mr. Chair. We all want a government system and employees to be better. We want our collective history and our current events to show that we don't always reach lofty goals, but we have to ensure that we meet the goals of Yukoners — the needs of Yukoners — in time. That means that we need to make some adaptations as we move. This is our opportunity — knowing that we live in our isolated bubble here in the Yukon, the size of our jurisdiction, our small population, and our close relationships — to best build on practices and best models that lead the way across the country.

With the extended family care agreements, we are doing just that. The trauma and fears associated with the apprehension of children are still very much alive in our territory, and this speaks to why interventions and repatriation were and are necessary. This is just one example of leading the way.

I have a mandate, and that is to review and implement our plan for the transformation of primary health care reform in the Yukon.

We look at our unique differences, and we choose how we want to support Yukoners, particularly in rural Yukon communities. As our first Yukon female Health and Social Services minister, I stand here to speak on behalf of my grandmothers, the grandfathers who were taken away to residential schools. I stand here for my older brothers and sisters who were taken away, apprehended, and put in institutions. You wonder what that has to do with the supplementary budget. I see perhaps that might be what the opposition is thinking. I bring voice to the abused and the wrongs that have they have endured. I stand here as a product of a dysfunctional system. I stand here speaking truth. No more will the children —

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

**Hon. Ms. Frost:** Mr. Chair, I do want to say and call the member opposite from Watson Lake for swearing in the Legislative Assembly as I'm speaking today because I think that is completely inappropriate. I don't think that's appropriate, especially when I'm speaking about a matter specifically to do with the supplementary budget and the programs and services that we are rightly obligated to provide Yukoners — in particular, the children and those who are precariously hard to house — our homeless population — health supports that are required in all of our communities.

That's the truth, Mr. Chair. My children are the first generation who have not been apprehended or taken away. I am speaking my truth. I have lived experience coming from a rural Yukon community, and the members opposite are wanting me to stand down and not speak about the supplementary budget as it's put forward. They want to talk about other matters. I will not stand down and will stand here and represent the budget and the mandate that I have been given, and that is to ensure that every Yukoner is recognized and that every Yukoner is supported. We have a legal obligation, and it is to ensure that health care is provided to all Yukoners.

We need to celebrate the milestone. We need to celebrate the extended family care arrangements and not shoot them down.

The objective of leaving anyone behind through this process and arguing about \$74,000 out of a \$442-million budget because the members opposite perhaps don't support — which they stated here publicly — and will not support the supplementary budget.

I ask the members opposite: Would they clarify for Yukoners if they support the supplementary budget requests that cover the extended family care agreements, Whitehorse Emergency Shelter, medical travel, mental wellness and substance use, COVID-19 actions, continuing care, elder care,

and other social initiatives that are defined clearly in this budget? I ask that of the members opposite.

Mr. Chair, given that it is 3:00 p.m., I move that you report progress.

**Chair:** It has been moved by Ms. Frost that the Chair report progress.

*Motion agreed to*

**Chair:** Pursuant to Motion No. 257 adopted as amended earlier today, Committee of the Whole will receive witnesses by teleconference from the *Putting People First* review. In order to allow the witnesses to call into the teleconference system, the Committee will now recess and reconvene at 3:15 p.m.

*Recess*

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

### Appearance of witnesses

**Chair:** Pursuant to Motion No. 257 adopted as amended on this day, Committee of the Whole will now receive witnesses from the *Putting People First* review.

I would ask all members to remember to refer their remarks through the Chair when addressing the witnesses. I would also ask the witnesses to refer their answers through the Chair when they are responding to the members of the Committee. I would remind witnesses to please wait to be recognized by the Chair before delivering opening remarks or responding to members' questions.

I would note that this is the first time that witnesses are appearing in this Chamber by teleconference rather than in person. In light of this, to ensure that it is absolutely clear at all times who is speaking, I would ask that witnesses, each time that they are recognized by the Chair to speak, please state their name before proceeding with anything further.

*Witnesses introduced*

**Hon. Ms. Frost:** These are the first witnesses for the 2020 Fall Sitting. There will certainly be several more in the coming weeks. Our government has ensured over our time in office that witnesses from Crown corporations appear annually.

I would like to take this time to welcome, by telephone, Mr. Bruce McLennan, chair of the independent expert panel responsible for the *Putting People First* review, and Greg Marchildon, another member of the independent expert panel. They are appearing as witnesses before Committee of the Whole today to answer questions relating to *Putting People First — The final report of the comprehensive review of Yukon's health and social programs and services*.

Mr. McLennan is a former deputy minister of Finance for the Government of Yukon. He also served as the assistant deputy minister of Fiscal Relations and Management Board secretary, deputy minister of Health and Social Services, and deputy minister of Education. He is also a former chair of the Yukon Utilities Board.

Mr. Marchildon currently holds an Ontario Research Chair in Health Policy and System Design with the Institute of Health Policy, Management and Evaluation at the University of Toronto. Prior to this, he served as a Canadian Research Chair in Public Policy and Economic History and a professor at Johnson Shoyama Graduate School of Public Policy at the University of Regina.

In 2017, the Yukon Financial Advisory Panel raised concerns about Yukon's health care spending. The largest portion of Yukon government's budget is spent providing health and social services. The Financial Advisory Panel's report recommended that Government of Yukon conduct a comprehensive review of the health care sector. The five-member independent expert panel was created to provide strategic advice and expertise on Yukon's health and social systems and to develop recommendations to provide sustainable health care and social supports to meet the needs of Yukoners. The review included all programs and services delivered by Health and Social Services and the Hospital Corporation, as well as those funded by the department and delivered by non-governmental organizations.

The panel looked at how services are organized, managed, and delivered and was tasked with finding ways to contain costs and keep the system sustainable while improving health outcomes and quality of care. The panel spoke to and listened to Yukoners from across the territory — from Health and Social Services professionals, community organizations, First Nation governments, and members of the public. The three other independent expert panel members included George Green, coordinator and instructor for the targeted initiative for older workers program at Yukon College; Diane Strand, former chief and director of language, culture, and heritage for Champagne and Aishihik First Nations; and Jennifer Zelmer, president and CEO of the Canadian Foundation for Healthcare Improvement.

I want to thank the two witnesses for appearing today and I look forward to the discussion.

**Chair:** Mr. McLennan, would you like to make brief opening remarks?

**Mr. McLennan:** Thank you, Mr. Chair. Just before we table our opening statements, I wonder if we could share some understanding and approval of how we, as witnesses, respond to questions. Because of the logistics of this hearing being conducted by telephone conference call, Mr. Marchildon and I are in different parts of the country. We don't have the benefit of being able to confer at the witness table or to use visual clues to indicate which of us might be in the best position to answer a question. So, with your indulgence, when I am recognized to speak to a question, I may ask Mr. Marchildon if he would like to respond to a question first or add additional information. As well, Mr. Marchildon may indicate from his side, on a call, his interest in taking the first shot at responding to a question directed to me. In doing so, we will make our best efforts to ensure that the Chair approves before we speak. I hope that approach is acceptable to the Chair, given these unique communication challenges.

**Speaker:** That is fine.

**Mr. McLennan:** Thank you very much, Mr. Chair.

It is Bruce again — and I will begin with an opening statement, which will be about five minutes. It will be read by both Greg and us and I will turn it over to Greg at the appropriate time. Thank you, Mr. Chair, and thank you to the Committee. Thank you for inviting Greg Marchildon — from the Institute of Health Policy, Management and Evaluation of the University of Toronto — and I to this Committee hearing.

As you are aware, Greg and I are just two of the members of the comprehensive review panel, so before we begin, I would like to recognize the three other panel members who are not with us at this Committee hearing. They are Diane Strand and George Green — who are both well-known Yukon residents — and Jennifer Zelmer with the Canadian Foundation for Healthcare Improvement. Each of these panel members brought a unique perspective and expertise to the work of the panel. As a team, we were able to harness the viewpoints and opinions of each member to arrive at consensus recommendations. I also want to acknowledge the work of Kendra Black as the director of the panel secretariat and her amazing and dedicated team who supported the team in our work. Thanks goes out as well to Stephen Samis, the Deputy Minister of Health and Social Services, and Minister Frost for entrusting us with this very important assignment.

The panel members were appointed by the Premier and the Minister of Health and Social Services in November 2018 to conduct a comprehensive review of the Yukon health and social services. When we were appointed and embarked upon the task at hand, I don't think any of us truly had a sense of the breadth and depth of the task we had been assigned. It was only once we began the first of two public engagements that took place during the review that the scope and the enormity of the assignment became much clearer — and, frankly, a little daunting.

Given our mandate, it soon became apparent that the comprehensive review could not be limited to just traditional health services that the Department of Health and Social Services delivers. We felt that, to understand the full scope of the issues, the panel agreed that we need to expand the review to interface with the social side of the wellness equation.

The panel made 76 recommendations across eight chapters. Throughout the report, we tried to provide recommendations that will improve patient/client responsiveness, improve patient experiences and health outcomes, improve health provider experiences, and, finally, ensure fiscal sustainability for future generations of Yukoners. As we explain in our report, this quadruple aim assumed that providing higher quality care and managing costs go together. Poor-quality care will actually cost us more over the long term.

The panel decided that it was far better to get to the root of what the causes of gaps in care are and to provide recommendations that would fix these problems. This means that many of our recommendations will likely require some front-end investments. However, in the long run, we believe that those changes will improve care and reduce the growth curve of the system costs. While the panel found that many parts of the system are working well in the Yukon, other parts

are not. Most notably, we identified that there is a lack of coordination of care provisions across the system. This makes it hard to deliver services in a person-centred, holistic, preventive, and a safe and respectful manner. To fix this, we concluded that major system-level changes need to be made.

Greg, I will turn it over to you.

**Mr. Marchildon:** Thank you. We have explained these changes in the report, and we provided the evidence that we think supports the changes wherever possible. Some of the changes can be made fairly quickly, but others will need to be implemented in stages. At the same time, we want to emphasize that these recommendations are really an integrated whole. In this regard, the panel was very pleased to see that Minister Frost and the Yukon government have endorsed all 76 recommendations and have indicated that they intend to move ahead in their implementation. I am aware that some of the recommendations are already well underway.

As noted in the report, the COVID-19 pandemic did not exist when we began our work as a panel, but it had begun as we were finalizing our recommendations, and it appears that it is going to be with us for a while. So we had to consider our recommendations against the state of the pandemic, and we are confident that our recommendations support good public health policy as it impacts the most vulnerable Yukoners living in a pandemic environment. In other words, the pandemic has not changed the basic tenor of our recommendations or their solidity, from our perspective.

So, Bruce and I are happy to answer your questions. If you have a specific page or chapter reference from the report that relates to your question, it would be really helpful if you could reference them.

**Chair:** Thank you, Mr. Marchildon.

**Ms. McLeod:** I would like to begin by thanking the two members of the panel for meeting with us today and for offering the opportunity to review the *Putting People First* report for all of our MLAs. I would like to take the opportunity to thank all those officials in the public service who worked so hard to put this report together. It is without doubt one of the most comprehensive overviews of a health system in recent memory. The Yukon Party is well aware of some of the long hours, thoughtful deliberations, and genuine effort put forward by both the panel itself, as well as by the many staff of the various branches and departments involved.

Now, it would be nice to offer our appreciation in more detail, but our time with the panel is quite short, so we are simply going to launch into some of the questions for the panel.

The report, taken as a whole, offers nothing less than a dramatic overhaul of not only Yukon's health care system but our entire social safety net. It is immense in its scope. Can the panel provide some comments about the broadness of the mandate that it was given?

**Mr. McLennan:** I don't have a copy of the mandate in front of us, but it did envision looking at both the health and the social side of the system. As in the minister's opening statement, it was fairly all-encompassing in terms of what the panel was asked to look at. But as I noted in my opening statement, the depth and the scope of the actual undertaking

became really much bigger than any of us on the panel envisioned, because as we started to unpack things, we realized — kind of looking at the holistic nature of the Yukon health and social system — we had to dig a little deeper than we had originally planned.

Does that answer the member's question?

**Ms. McLeod:** Yes, thank you for that. Did the panel struggle with any lack of direction in the mandate, or was the openness of the panel's mandate an asset in your work?

**Mr. McLennan:** Can I ask the member to repeat that question? It got cut out; sorry.

**Hon. Ms. McLeod:** Did the panel struggle with a lack of direction in the mandate, or was the openness of the panel's mandate an asset?

**Mr. McLennan:** I can respond to that. In a minute, Greg may want to jump in — but I think that it was the latter. It was an asset, although it created more of a daunting responsibility on the panel, it was actually an asset to have a fairly wide-open mandate because it allowed us to look into really every nook and cranny in both the health and social services system — and beyond, for that matter — and look at the whole nature of the wellness and well-being required for the delivery of health care in the Yukon.

**Ms. McLeod:** Recognizing the broadness of the mandate and the incredible scope of the report, many Yukoners we have heard from are somewhat overwhelmed by the report. Is it the panel's view that all of its recommendations should be implemented together, or should we view this report as a menu of options and that some of the recommendations can happen independent of others?

**Mr. McLennan:** I can take that question as well. Again, it's Bruce. We, in the report, recommend that the recommendations that we make are not one-offs; they need to be done in a comprehensive manner. We recognize that it all can't be done at the same time, but we truly believe that we can't single out one or two pieces and really achieve the objective and vision that we've laid out in the report.

With that, I'm actually going to ask Greg if he has anything to add to that.

**Mr. Marchildon:** While it is possible to do things in a different way than suggested at times in the report, the overall thrust of the report and the addressing of the specific subject areas — they need to be done in a comprehensive way, as Bruce suggested. Moreover, if there are some things that are neglected or simply avoided and some of the easier recommendations are adopted, you won't gain the benefit of those easier recommendations without also doing some of the harder things involved in the report. It really needs to be taken as a whole. Thank you, Mr. Chair.

**Ms. McLeod:** What role will the panel have in implementing the report? For instance, we've heard that some members of the panel have been involved with early negotiations with physicians. What can the panel tell us about this?

**Mr. McLennan:** I guess I should have Greg answer as well, but I have no involvement from when we filed the report in April other than studying up for this Committee hearing



today. I have not been involved at all. I'm not aware of any of the panel members who have been involved — but I'm not privy to what they are actually doing. I will turn it to Greg and ask him if he is aware of any involvement.

**Mr. Marchildon:** First of all, I don't think any panel member external to government can and should be involved directly in implementation. I agree with what Bruce has said. I have been asked if I would be prepared to provide further detailed advice, but not in terms of the actual details of implementation. This has not been finalized, but if I were to do that, that is, I think, quite separate from any implementation.

**Chair:** If I could — a gentle reminder to the witnesses — to make it easier on Hansard here, if you could please wait until I recognize you after Ms. McLeod asks the question and then reidentify yourself when you're speaking to make it easier for Hansard. Thank you very much.

**Ms. McLeod:** So I would like to dig a little bit into chapter 1 now. This chapter proposes a complete system redesign of the way health care is delivered in the Yukon. Can the panel elaborate on the recommendation to establish a new arm's-length body?

I have a couple more questions on this line, so I'll just ask them all and see where we go from there. Why was this model chosen as the recommended option? What is wrong with our current model? Why was such a dramatic overhaul needed?

**Mr. McLennan:** I will take an initial stab at that. I'll just look into some notes here. From my perspective, I am not a fan of blowing up systems. I never have been. I guess that is the bureaucrat in me. I would rather tinker with things as opposed to start from the ground up in time to reconstruct things.

Through this process, it really didn't become clear that we needed to come up with a complete system redesign until very close to the end. I guess that one of the catalysts in seeing the need was when we were exposed to the Southcentral Foundation — or the Nuka system — of health care. The light — at least to me and I think to the other panel members — kind of went on at that point in time, and we saw that the current system — which is really a disease- and illness-focused system — is not going to be suitable to deliver the changes that need to happen.

The panel observed that the current system operated in silos and without a common vision. The current system focuses on diagnosing, treating, and — as I mentioned — managing illness — not a whole-of-society approach to well-being centred on the needs of individuals. We also recognized that we are currently competing for resources — and many of the institutions and organizations that are funded by the department, including ones within the department, are operating in isolation from one another.

I really recognize that we need an agency with a common vision and a plan that cohesively delivers basic health and social services, focusing on primary care and population health principles.

We identified in April holistic organizations that focus on achieving person-centred care or whole-centred care and embrace the quadruple aim that we have outlined in the report, which, as I mentioned in my introductory remarks, move to

improving patient experience, improving health outcomes, better managing costs, and overall better system effectiveness across the board.

We also recognize that we need an organization that embraces an evidence-based approach to system planning and decision-making, and we did not feel that this was evident in the current system.

Finally, before I turn it over to Greg — if he has any additional comments — I think we recognize that it's hard for an organization such as the Department of Health and Social Services to, what I would call, “steer and row” at the same time. You can't be the overarching overseer of the policy area and be part of the system as well that's delivering services. That's something we saw within the Nuka system that was refreshing and — as evidenced in the report — seems to work.

I'll leave it there. Greg, do you have any further comments?

**Mr. Marchildon:** I would say that — starting with the issue of integration and coordination — there needs to be clear responsibility in terms of the key service deliverer for that integration and coordination of the system to break down the silos.

The next issue is accountability and — as Bruce has mentioned — the separation of the responsibility for overall steering of the system and its regulation from the service delivery.

In this right now, you have the Hospital Corporation responsible for some of that service delivery, the department responsible for other aspects in terms of primary care — particularly in the communities outside Whitehorse — and then you have individual positions responsible within Whitehorse. Then in certain areas in terms of wellness services or addiction services, et cetera, you have NGOs and First Nation agencies. It's important to have a single organization that is accountable for coordinating all of that delivery. That doesn't mean it does it all. It means that it is responsible for ensuring it's done, so it does some of it, but it would be accountable, for example, for the agencies delivering certain services like addiction services and others through that structure.

This is a necessary — we think — but not sufficient step in the sense that there also has to be a recognition that you have people — both leadership and the managers on the one hand and then the clinicians on the other — who are committed to this holistic approach to health care delivery.

In turn, this arm's-length body or authority would be accountable to the ministry and to the people of Yukon through the Legislative Assembly. So there's a clear line of accountability.

**Ms. McLeod:** Just before I carry on with that line, I would just like to go back to one of the four goals that the panel was addressing, which was fiscal sustainability. Is the panel aware of what it would cost to implement all of the recommendations?

**Mr. McLennan:** I guess the upfront answer is no. We weren't able to go through a complete costing of all the recommendations, but that is why, in chapter 6, we made our best efforts to show where savings could be made. In speaking

to people from the Southcentral Foundation, it was clear that, by bending the cost curve or changing the cost curve, there is opportunity through the recommendations we have made in terms of organizational change that would have a dramatic benefit in terms of bending that cost curve downwards. I guess that, in other areas — as outlined in chapter 8 — we did cost out what we could for specific proposals, but they are limited. The other ones, as I have just mentioned, were more broad-based or holistic in terms of potential projections.

No, we expect that the department will have to grapple with that and that will be the responsibility of Management Board and Cabinet in terms of making the decisions and costing out fully the changes as we proposed. Greg, do you want to add anything to that?

**Mr. Marchildon:** Mr. Chair, it's Greg Marchildon, and the only thing I would add is that it is well known that the only high-performing health systems in the world are those that have a very strong primary care core in which a lot of problems are either headed off at the pass or are dealt with before they become acute conditions that need to be addressed in the hospital or they become conditions dealt with in other institutions — long-term care homes, et cetera.

The main lesson from this is that, for every dollar that you invest — and there is an investment in primary care here — you gain enormous benefit at the other end in terms of avoiding costs, in terms of what we call secondary and tertiary treatment down the road — flying to Vancouver for specialized care or treatment in a hospital in Vancouver and that sort of thing. That will always exist and there will always be people who require that, but you are lowering the number who have to. We saw this very clearly in the data that was presented on behalf of the Southcentral Foundation and how the Nuka model operates in Alaska. They were able to bring down costs quite significantly, even while investing more heavily at the primary care end of the spectrum. That is all I have to add at this point, Mr. Chair.

**Ms. McLeod:** So, given that the plan hasn't been costed to any great degree, how can you say or how can you know that implementing all of these recommendations will achieve a goal of fiscal sustainability?

**Mr. McLennan:** To be honest, we can't say that. All we can go by is what Greg just referenced earlier and what I referenced in my last comment — that the evidence shows that, in a good primary health care system, you will reduce costs. As Mr. Marchildon mentioned, we can go to the Southcentral Foundation information that they provided to us and what they provided to us in presentations and we can demonstrate where usage of hospitals and usage of acute care facilities was dramatically decreased over time by the change to the primary health care system.

As we know — generally, people know — one of the most expensive parts of our system is the acute care — you know, the hospitals and the tertiary care. So, if you can keep people out of that system, or if you can at least avoid some of the costs, your savings can be very, very significant, and that is where we feel confident that — in spite of the fact that we don't have dollars-and-cents evidence — there are significant savings that

can be had by implementing these recommendations and the approach to wellness.

But, more importantly, it's not just about the fiscal — although that's the question you asked — this is also talking about better health care — better care for individuals and person-centred care. That on its own may not have a financial — you can't put a dollar sign on it — it does have long-term societal benefits. That as well is as important, I believe, as the fiscal component. I'll leave it at that. Greg, do you have anything further you would like to add?

**Mr. Marchildon:** Not at this point. Thank you.

**Ms. McLeod:** I'm going to thank the witnesses for that response.

We know, of course, that the panel has considered other jurisdictions in arriving at the conclusion that a massive overhaul of the governance and delivery system for health care is needed. Can the panel tell us which jurisdictions they looked at? The witnesses have referenced the Southcentral Foundation; maybe they can tell us a little bit about that. What has implementation looked like for those jurisdictions?

**Mr. McLennan:** I'm going to start this, but then I am going to turn it over to Greg because Greg has far more expertise on the Southcentral Foundation because he has done reviews and studies in that area.

To answer the question, we examined three systems that we believed achieved these outcomes. One was mentioned — the Southcentral Foundation, which is located in Anchorage, Alaska and encompasses an area and a population not dissimilar to Yukon. The other ones — and I'm going to have to apologize for the pronunciation — are the Jönköping County Council located in Sweden and the Intermountain Healthcare located in Salt Lake City, Utah. Now, personally, I'm not that familiar with those; those are part of the research. But certainly, both Greg and I are very familiar with the Southcentral Foundation in Alaska.

So, Greg, maybe you could please carry on and explain the second part of the question.

**Mr. Marchildon:** In addition to the three examples — sort of, in a sense, exemplars — there are always institutional differences. We did try to take those into consideration as well. You can't simply copy other systems; they need to be reconfigured to fit your circumstances.

When it comes to those certain areas — for example, in primary care, we certainly looked at not just what was going on in Alaska or the United States or in the Nordic countries but what was going on in Canada itself and the kinds of experiences that certain provincial and territorial governments have had with their primary care reforms. That underpins some of our recommendations. What was noted was that, in the case of primary care, limited progress is often made because the institutional structures were kept in place, and that really prevented proper accountability frameworks from being established. It prevented changes in payment systems and changes in the relationship between patients and their doctors and the others who work within primary care practices — it really prevented what I would call “major improvements”. We certainly looked at that area.

We also looked in the area of hospital care in terms of the nature of the accountability relationship between physicians who work in hospitals and the sense of accountability to the hospital and other systems. It is very different. Whether you are talking about the NHS in England and Scotland or you are talking about hospital-based doctors in Belgium, France, or Germany — we would look at that. It sort of formed the background. Even though those are not sort of overall models to address certain questions, it is necessary to look at systems and what they are getting in terms of outcomes.

In terms of Canada itself — we have made very limited progress in terms of primary care, and reluctantly — and I want to emphasize “reluctantly” — we came to the conclusion that there needed to be a major organizational change to achieve those much better results; otherwise, we would be stuck in the status quo for a very long time, as other jurisdictions in Canada have been stuck.

That is all that I would like to say at this time, Mr. Chair.

**Ms. McLeod:** If the government began immediately, how long does the panel expect it would take to implement the entirety of just chapter 1?

**Mr. McLennan:** I don’t know if I could give you a specific date or timeline, but I suspect it would certainly take two or three years if you started now to move to where you want to get to. Certainly, the Southcentral Foundation advised us that it took more than 10 years, I guess, to get to where they are today. So, even at that — even if you start the blocks to create an organization and you move things along — it’s going to take three or four years before you have everything right. I think it can be done somewhat in piecemeal, but that is something that the department and the minister are going to have determine in terms of how quickly they can move ahead with what is contained essentially in chapter 1 and in chapter 6 in terms of the organization.

Having said that — and I will turn it over to Greg in a second — a lot of the structures are there in terms of your primary health care delivery. Certainly, your rural health care deliveries and the nursing stations — which are a component of this whole primary care model — are already there and wouldn’t require a lot of changes in structure. In Whitehorse, yes, definitely, you are looking at a lot of different structures. To set up an organization that has the vision and provides the direction, that is going to take a little bit of time as well. But that would be my best guess.

Greg, do you have a better sense of the timelines?

**Mr. Marchildon:** Mr. Chair, I think that two to three years is a very reasonable estimate in terms of the larger changes — the structural changes.

There are going to be some areas where it may be necessary to have a slightly longer period, because you can work with some existing structures for some time, and it may be phased in and will take the new form maybe a bit longer, but two to three years is very reasonable, I think.

**Ms. McLeod:** With regard to recommendation 1.2, it suggests a brand new, overarching agency for managing our system.

Does the panel view the governance model available in our current legislation as inadequate — and if you do, why?

**Mr. McLennan:** Yes, I think the current governance structure — I assume you’re referring to the hospital board — is not the model that we envisaged. I guess it’s the question that I’m sure the minister and the Department of Health and Social Services are going to have to deliberate upon, but through discussions with the panel, we didn’t view that as a viable model. Our model contemplates shifting from an acute care-based health care system to one that strengthens the primary care and early intervention, which would be at the centre of the system and, of course, supported by the hospital-based acute care.

Our vision for a new approach for improving Yukoners’ health and providing integrated whole-person care across a health and social system is one that puts people first. To do that, you need to establish an organization that embraces quadruple aims and the population approach that are outlined in our report and our recommendations. That’s why the panel is of the view that you need to create a new wellness Yukon health authority with a fresh lens to plan, manage, and deliver the redesigned integrated approach.

I just would note that this is not abnormal. Certainly, the new wellness Yukon health authority that Mr. Marchildon referred to earlier would still have a board, but you need to change the vision and the direction and get out of the acute care thinking mode and move toward, as I mentioned, the primary health care mode.

Greg, do you want to add to that, please?

**Mr. Marchildon:** I would only add that the new organization cannot think of a health system as being comprised of silos. We have hospital care here, primary care there, long-term care over there, and home care in another segment. It has to operate as a system. There has to be very good communication and hand-offs between the various parts of the sector for the benefit of all Yukoners, and it has to operate in a way that is really patient-centred. We talk a lot about patient-centredness, but we often don’t behave at all in that way, and there has to be an organization whose primary mission is to accomplish that.

**Ms. McLeod:** Recommendation 1.3 relates to the Yukon Medical Association and moving away from fee-for-service. Can the panel confirm that the YMA was not formally consulted on the creation of this recommendation?

**Mr. McLennan:** I will start off in terms of responding to that. First of all, before I answer your specific question, I think I need to put this into somewhat of a context. I want to be clear that the YMA was a member of the comprehensive review steering committee. If I am not mistaken, I believe that they were the only caregiver group that was represented on this committee.

We did meet with Dr. Katharine Smart, as a panel, who is a former president of the YMA, and she provided some input very early in the panel report, but we did talk about — maybe not the model that we proposed but collaborative care and how that works within a physician group.

Some of the panel members also met with a group of around 10 to 12 YMA members, including the Yukon chief medical officer of health, in an evening session — again, very early in the first round of our panel consultations — where we had a broad general discussion.

YMA members were also invited to a presentation by the Alaska Southcentral Foundation on the Nuka model, but I am advised that no physicians actually attended that session.

Finally, members of the panel met with the doctors at their request in Dawson City on two occasions and had general discussions with them.

I guess, to answer your question, we did not go back to any group with our final recommendations, including the government. We formulated our ideas, but I think that it would be fair to say that, through some of the discussions that we had, there was, if not an understanding, a clue as to the direction that we might take.

Greg, did you want to add to that?

**Mr. Marchildon:** The only thing I would add, Mr. Chair, is that I was surprised that no doctors attended the open sessions during the consultations. I continually asked my fellow panel members, as well as our secretariat: Where were the doctors? Were they invited? I was assured that they were invited, but they did not attend the open sessions. That's all, Mr. Chair.

**Ms. McLeod:** Does the panel view moving away from fee-for-service as a step process where certain sectors of physicians would be dealt with first, or did the panel envision this happening all at once?

**Mr. McLennan:** Greg, did you want to take that question on?

**Mr. Marchildon:** I would be happy to. There are two parts to that, and the first part that is implicit — I just want to say that we are talking about a shift in remuneration mainly for primary care doctors. Specialists are dealt with as really kind of a separate issue. Of course, this would not likely be done overnight. This would be something that would involve a transition period. So in answer to the explicit part of the question, I think that we recognize that this would be done over time where expectations would be laid out, doctors who would immediately like to move into that system could, but other doctors who wanted some time to think about it could do that.

I just want to say that, in the case of specialists — let's say hospital doctors working in highly transactional areas — there may never be a need to move to an alternative form of remuneration, but what is critical there is the accountability relationship and that there be a direct accountability to the organization responsible for managing the hospital.

This is common in countries outside Canada — just about everywhere — and yet we do not have this to much of an extent in Canada, and it creates a real accountability problem.

The issue of payment is probably less important in the case of hospital-based doctors who are not primary care doctors than the issue of their accountability relationship with not just the hospital but the health system that they're working within.

**Ms. McLeod:** How would the panel expect the medical community — particularly doctors — to respond to this recommendation?

**Mr. McLennan:** Clearly, it's a bit of a change in terms of an approach from what currently exists in the Yukon, with the exception of some rural communities. Certainly, doctors in Dawson are on a dual type of payment. They are on an alternative payment method during the day on a contractual basis, and they are on fee-for-service when they are on call or on evening calls.

As I mentioned, in the Yukon, it's a little bit of a different approach, but it's not a different approach in the rest of Canada. My province of residence now is British Columbia, and they are very much moving toward a population health approach in many of their primary care systems. It's a wave that is occurring in other jurisdictions. Many doctors, frankly — especially younger ones whom I've talked to — really aren't keen on running a business per se. They are more concerned about ensuring good and proper holistic care to their patients.

Certainly, with some older physicians, it's a bit of a change in mindset, but clearly in this model that we have — the fee-for-service system is a competitive model and it doesn't encourage collaborative care in a primary care environment as we described in the report.

Having physicians on a fee-for-service basis is not going to ensure that we will have a patient-centred care approach where a patient can call on other providers on the team, or be referred to other providers on the team for the services that they require.

I'm not sure that I have answered your questions. Hopefully, I have — but if not, I would ask the Chair to ask for the member to redirect the question or ask further questions.

**Ms. McLeod:** I thank the witnesses for their responses there. I am going to move on a little bit, because our time is short here this afternoon.

I am curious as to how the panel arrived at the amount recommended in section 2.4 regarding medical travel — why not more or less? Why was doubling seen as the right amount?

**Mr. McLennan:** Greg, are you able to answer that question or would you like me to answer that question?

**Mr. Marchildon:** Mr. Chair, I would be happy to answer that question.

The real difficulty with medical travel and the amount was that there was basically a set amount that had not been changed for the longest time. There was no sort of recalculation for inflation, et cetera. There were those who argued during our consultations that it should be tripled — given the costs that people faced in places like Vancouver, et cetera. We tried to arrive at a sum that was a reasonable improvement but would be something that would not break the bank. We came to the conclusion that this was sort of the minimum that was needed based on the evidence that we had gathered, so we settled at \$150, and that is how we came to that conclusion.

There was really no other basis upon which to do it, but we certainly did not want to do something that would be inadequate from the beginning nor provide something that was generous to the point that it could be taken advantage of at times.

**Mr. McLennan:** If I could just add to that because I just went back and looked at the report. It has been awhile since either Greg or I have looked at this in detail. But I think the other factor in terms of the doubling was looking back at when this was first introduced and then looking at the growth of inflation. This rate did not change in over 15 years, if I recall. In getting at that \$150 — again, as Greg said, we didn't want to break the bank, but at least keeping it up to an inflationary level was one of the thoughts that we had in terms of the number that we proposed.

**Ms. McLeod:** With recommendation 2.9, it discusses driving services from the communities to Whitehorse. Can the panel expand a little bit on what it was envisioning with this recommendation?

**Mr. McLennan:** As mentioned in the report, this was an area that we had lots of feedback on in terms of the lack of transportation options for rural residents. We particularly heard of older residents — First Nation residents especially — having to drive in a senior from Beaver Creek at 4:00 in the morning to get to an appointment. It just became something that really was part of the overall holistic approach to care seemed to be something that was really needed.

I think there was also a coroner's report in Carmacks that made reference to travel — and I could be mistaken there, but I believe there was talk about travel. The medical officer of health also made a recommendation in terms of providing safe public transportation services as a recommendation for a number of reasons. That's the approach that we took. It was really based on what we were hearing from people in the communities about the issue of a lack of transportation.

**Ms. McLeod:** Thank you for that. So recommendation 2.6 discusses creating residences in Whitehorse and Vancouver to reduce the need for hotel accommodations for medical travel. Does the panel agree with government partnering with owners of private, short-term rental units going forward to eliminate the cost of creating new residences and providing some revenue to private owners wishing to offer their units?

**Mr. McLennan:** I don't think I'm in a position to answer that question.

**Ms. McLeod:** With regard to recommendation 2.8, why did the panel recommend eliminating the restriction of medical travel destinations as opposed to expanding those destinations on a case-by-case basis, such as for specialist clinics and hospitals outside those prescribed destinations?

I am just going to carry on aside from that question — keeping the restrictions would have allowed for lower costs in travel due to the proximity to the Yukon and any such reciprocal funding agreements that we have. By eliminating the restriction completely, do we not open the government up to a huge increase in costs based on travel alone?

**Mr. McLennan:** I think I understand the question from the member, but to me it's just the reverse of what was said, because when we looked at this issue, we were finding that, with the current restrictions in terms of where people could travel, it meant that they were going to some of the higher cost destinations and maybe wouldn't have access to services — acute care and tertiary services — on a quicker basis than they

would within the current system. So, by restricting the current out-of-territory travel to just Vancouver or Calgary or Edmonton — these are very expensive cities, and many Yukoners do not have friends or family in these cities to provide support. Basically, by removing these restrictions, the government will be in a position to give Yukoners better options for travel to other locations with lower accommodation costs, which was a big factor if you went to Vancouver or where they might have family members whom they could stay with.

It is a bit of an anomaly within the system — frankly, it was there when I was the Deputy Minister of Health and Social Services, and it just never got changed — but certainly, by making the change, it will also allow providers to refer people to cities with lower wait times and access to services. So, it really just — the panel — made a lot of sense to add that flexibility to the system.

**Ms. McLeod:** With respect to recommendation 3.7, can the witness explain how reducing the hours of operation of establishments selling alcohol helps to create an environment that — and I quote: "... supports individual decision-making." Because it kind of seems to me that making the decision on behalf of individuals to limit their chosen times to purchase alcohol would not be supportive of that individual and their decision-making.

**Mr. McLennan:** Greg, would you like me to take this, or do you want to take this question?

**Mr. Marchildon:** Feel free to go ahead, Bruce.

**Mr. McLennan:** I guess the one thing that we heard a lot of complaints about, especially in First Nation communities, was the issue of alcohol abuse and the harm that is incurred by alcohol and substance abuse. In looking at and hearing back from mostly First Nation groups in this regard, it was clear that reducing the hours of operations of establishments selling alcohol would limit the times that people could actually go and get the alcohol. We were hearing stories about people who were — after the bars were closed, the establishments were open late into the evenings. It did not seem to be — what is the word I'm looking for — conducive to reducing substance abuse. That is really why we recommended that a change in that regard would be important.

I think that the evidence, too — I don't remember how we referred to it in the report, but after these changes were made, increases in terms of visits to emergency clinics and so on and so forth — or the emergency room at the hospital — there is a bevy of information that shows that things — trauma and emergencies — actually increased over that period of time.

Hopefully, I'm answering your question, but that's really the approach that we took in terms of why we felt that was an appropriate recommendation.

**Ms. McLeod:** I want to thank the witnesses for their comment there. Obviously, I'm certainly not going to suggest that I'm against anything in this regard. It just seemed a bit of an odd statement to say that it supports individual decision-making. If the government's making your decision for you, it's not really your decision, is it? I'm just going to move on from there.

I was going to move on to childcare.

With respect to recommendation 3.8, can the witness share whether any initial cost analysis has been done on implementing fully funded, universal early childhood education? If this is to be fully funded for all Yukon children over the age of one, why are increases to the current subsidy program being recommended? I'm just wondering if it's current practice trying to catch up with proposed practice.

**Mr. McLennan:** I'll try to answer that question, but I guess the essence of working toward fully funded, universal early childhood education is because one of the determinants of health is good education and healthy children. In the overarching holistic approach that we've taken through this report and the determinants of health and wellness, we felt that this was something that would benefit overall in terms of the system.

Greg, do you want to add to that at all?

**Mr. Marchildon:** Yes, I would be glad to. There is a wealth of evidence on the impact that this has. We tried to provide that evidence. It is possibly in the footnotes, but this has been studied at great length by researchers in terms of the impact of early learning and its benefit to society for the investment that is made. To some extent, this has been tried in other jurisdictions and has been found to be very effective, so they've kept these programs going.

We are a little bit behind in this area — not just in Yukon but in Canada as a whole. It is an area where it will take time to achieve it, and that is why this is set up in a way that we use existing subsidies, et cetera, that you have at your disposal and you work toward this kind of a universal program over time.

**Ms. McLeod:** I thank the panel for those comments, but I am still wondering whether or not any initial cost analysis was done for implementing this fully funded program throughout Yukon.

**Mr. McLennan:** No, there was not a full cost analysis in this regard. It is something that we felt that the department would have to look at if they accept these recommendations. They will have to make a decision as to whether it's cost-effective and what the overall cost would be.

**Ms. McLeod:** Regarding recommendation 6.3, can the witness provide details around the makeup of an engagement and experienced team to involve Yukoners in designing, implementing, evaluating, and improving programs and services? How does the panel envision this team, and how will the objectives be carried out?

**Mr. McLennan:** Greg, would you feel comfortable taking that question?

**Mr. Marchildon:** Yes, I would be happy to. This is based upon the process that was adopted by the Southcentral Foundation in Alaska and the very fine details of implementation — the way in which they involve the actual patients receiving those services, as well as the providers, so that they got those details right.

These are details which we didn't have the space or the time to talk about much in the report but are absolutely critical to getting it right. One of them is that the extent to which a Yukoner wants to have his or her primary care provider doing all of the coordinating and the way they want them to engage

with them. Another example is the use of telemedicine — the extent to which a Yukoner wants to deal with, for example, the specialist in Whitehorse or Vancouver through telehealth and the extent to which they may want somebody to be with them or they want to actually, at certain critical times, be with that specialist in person.

So, the key here is that the fine details of how this would be done would need to be worked out through such an engagement and experienced team. The basic framework — the government needs to decide that. The direction — again, the government needs to decide that. But the details can be worked at in a collaborative way with the patients and providers and users of the system.

**Ms. McLeod:** With respect to recommendation 8.3, can the panel explain how they came up with the dollar figures referenced for long-term care daily rates? \$35 a day currently to \$50 a day as recommended with indexing to inflation reflects a pretty large jump, even if it's phased in over three years — just the panel's comments on that, please.

**Mr. McLennan:** As mentioned, we recommended that the rates go to \$50 from \$35. We look at that from a perspective of what equivalent long-term care costs were in other jurisdictions. We looked at where the last change, in terms of those rates, had been. Based on that final rate of \$50 per day — that is still well below the current Canadian average of about \$76 a day. I wouldn't say that we had any specific mathematical formula to come at that, but we felt that was a reasonable increase given the last time those rates had ever been changed. Essentially — if I'm not mistaken — that was largely linked to inflationary growth since that last time that rates had actually been changed in that area.

**Ms. McLeod:** I guess I won't really ask the panel this, but I am wondering what happens when people can't afford even \$50 a day — given that right now, if you are collecting CPP, you probably can cover the rate with your CPP cheque. Maybe I will ask the government this when it comes time to do that — but obviously, the question becomes: Who is paying over and above the amount that their basic income covers? The panel can comment on that if they can.

In the opening remarks by the panel members, they said that some of the recommendations were already well underway — so can the panel tell us which ones those are, please?

**Mr. McLennan:** I know there are about — I'm just looking at my notes here — I think there are about 25 or 30 of the recommendations that have — sorry, bear with me; just let me check my notes. Sorry, I can't find my notes, but I believe I was told that about 25 of the recommendations have been made.

So, beyond the ones that I have actually seen — which are ones that deal with medical travel — that is the only one that I am actually aware of. So, I think your question would be better directed to the minister. She would be able to fill in what actual changes have been implemented so far, in full or in part. I apologize that I can't answer that question more fully.

**Ms. McLeod:** I want to thank the panel for their time here today. I am going to cede the floor to the Member for Takhini-Kopper King. Again, my thanks to the panel.

**Ms. White:** I would like to thank the panel for being here today because, when I read the report, to be perfectly honest, I was blown away, mostly because I was nodding my head. When we met, I was probably a bit more cynical than I would like to normally present as, but this exceeded my expectations. I want to thank you for drawing what I think is a road map for what health can look like in the Yukon, so I wanted to start with that. I can only imagine the amount of time that you put into it.

The way I have parsed out my questions and my remarks is that I will give you the page number and then I will ask a question about it.

On page 5, in the second paragraph from the bottom, in the second last line, it says, “Our recommendations are related to each other and to our overall goals. They should be taken together, not considered individually in isolation from the whole.”

I would like to ask why you felt it was so important to make that statement. It is pretty concrete and it’s right at the beginning of the report.

**Mr. McLennan:** I am going to ask Greg to respond to that, if he doesn’t mind.

**Mr. Marchildon:** Thank you very much, Bruce and Mr. Chair. The reason for that is that the connections between the various health sectors, the current lack of communication, the lack of coordination, the lack of what I would call patient-centred care through the sectors — I mean, the health system should be as seamless as possible for the individuals using it. That is clearly not the case in Yukon. Yukon is not an outlier; this is the case in much of Canada.

When we’re addressing in the report the areas of the health and social services system, we are following a traditional outline of dealing with it by sector and subject. But the reality is that they’re interconnected. If you’re trying to make a major change in one area but you’re ignoring all of the others, you will not gain the benefit of the changes you make in that one sector. We recognize that change has a cost attached to it. It’s both a transitional cost — it’s a cost of upset for the people who work in the system and the people who manage the system, and it can even be upsetting to the patients who are used to dealing with things one way and all of a sudden it becomes a bit different.

To offset that cost, you have to, in a sense, have the benefits driven through in every part of the system. If you don’t get one part of it right or a couple parts of it right — even if you get, for example, hospital care right, if you don’t have primary care right, it’s going to fall apart and it will be an extremely expensive system, aside from it not being patient-centred.

So we felt it was absolutely essential to make it clear that we put this together in a way to ensure that the pieces were connected — that this wasn’t a one-off, but this was about system transformation to achieve a much better outcome. The system is very much underperforming. Given the amount of money that is in the system — and Yukon has a very well-financed system — it’s the pieces that are not working well together. So it’s absolutely essential to get those connections right.

**Ms. White:** I thank the witness for the answer. The reason why I thought it was so important to focus on that is because, time and time again, the panel talks about how it is about an integrated system and you can’t look at one and you have to look at the whole. It brings me to the three systems that you looked at.

So, on pages 26 and 27 is when you discuss the comparison between the Swedish, the Alaskan, and the Salt Lake City models. That’s the first time that we start talking about the Nuka system. It’s interesting because we, as the Yukon NDP, at times have batted that around but haven’t had the ability to actually do the comparison. So, if you could elaborate on why you focused on the Nuka system after comparing the three, that would be helpful.

**Mr. McLennan:** Thank you, Mr. Chair. I am going to ask Greg to take this question on.

**Mr. Marchildon:** There were a couple of reasons. One was in terms of the context — the First Nation population being served through the Nuka system, the communities that were separated in terms of geography, the relatively small size of some of the communities, and of course an anchor city that is bigger, certainly, than Whitehorse — but still there was a point of comparison. They are dealing with a situation that comes closer than any other health system to Yukon.

The second reason is the outcomes. This has been studied fairly extensively. We looked carefully before even having the seminar — the all-day sessions with the Southcentral Foundation — the work that had been done by the King’s Fund in Britain on the outcomes of the Southcentral Foundation’s Nuka system — and it was very, very clear that there were enormous savings that were made through much better patient care continuity and a focus on the patients as the owners of the system — not simply the people being served, but the people who were in control of the system — not the providers, not the government, but the people using the system itself.

This really pointed out to us what could be the tremendous benefits that could be derived from reorienting the system in Yukon and that you could have much higher quality and, at the same time, have a lower cost system, as has been proven by the Southcentral Foundation.

**Ms. White:** I thank the witness for that answer. At times, reading the document, it seemed to me that different portions could — I appreciate the way that it was laid out, but my next question wants to be about wellness in Yukon, and the question after that, I want to ask about the client-owner.

The one thing you focused on with Nuka was — you did a comparison with a jurisdiction similar in makeup and such — so that makes the next question I want to go is about Wellness Yukon — so it’s first kind of laid out on page 31 and it goes into page 32. For such a small recommendation in words — it is not huge and doesn’t look like anything massive, but what you’re proposing is an entire system reinvention. You talk about breaking down the silos, improving the coordination, and fostering the idea of a person-centred culture.

So could you just walk us through how you took all the information that was given to you in the last year and how it came to be under the creation of Wellness Yukon?

**Mr. McLennan:** Sorry, I may have lost — my earphones died, so I may have lost some of that. I got the question, but I may have missed the preamble. Greg, are you able to take that question again since I missed part of it?

**Mr. Marchildon:** Yes. Well, Mr. Chair, what I will certainly do is open up and I'll repeat some of the preamble, but I will reinterpret it a little bit. So how did we get from, sort of, the beginning to the end in terms of coming to the conclusion that a whole system redesign was necessary?

It started really with the consultations and what I would call the great dissatisfaction that some Yukoners had felt with the system for some time — the stories they told and how they highlighted the weaknesses. Naturally, when you are in consultations, you are going to hear more about the weaknesses of a system than you are about the strengths, so we were also attuned to hearing about, sort of, what the parts of the system were that operated fairly well. The one common theme was the lack of what I would call patient-centredness or citizen-centredness of the system. It was being run for the convenience of those managing it — whether they were clinicians or public servants within the department — whatever position they were in — and it was through no fault of these individuals. I think they often felt that they were doing the best that they could, but they weren't thinking about it from the perspective of the impact it was having on the people using the system.

So, it was necessary to try to say: Okay, how could incremental change in various areas alter this dynamic? That is when we first began to realize that maybe some larger changes might be necessary, as we had our discussions and consultations with members of the department or with clinicians and others.

Then we began to shop around for examples that we could see from other systems by which we could get some idea of how things could be done with as little disruption as possible, how changes could be made with as little disruption as possible to achieve a much better performing system, a lower-cost system, and a system that would really be responsive to the needs of Yukoners. As we began to look at that, we began to realize that there were problems within the structures themselves that basically created the wrong kinds of incentives that pushed people to do things that would make it work from the perspective of the people working within the system but not for the benefit of patients.

Then we began to also see that there were certain groups — in particular, First Nations — that had fundamentally different views of how they were treated in places like the hospitals or by certain providers that indicated that there was sort of a larger problem. We very reluctantly — and I have used this term before — but we very reluctantly came to the conclusion that, in fact, larger organizational change would have to accompany the health reforms on the ground in order to ensure that incentives were in line and to ensure that there would be a fundamentally different direction that would be set in terms of the orientation of the system to the people using it rather than to the people working in it.

Then we tried to draw out the very best from the various examples in other jurisdictions that we saw to try to put this

together, and we tried to the greatest extent possible to make sure that it would be configured to the unique circumstances of Yukon and the Canadian general tax funded system.

Thank you, Mr. Chair — and if I haven't answered the question in full, please ask me a follow-up question. Bruce, if there is anything I have missed, please feel free to add.

**Mr. McLennan:** Mr. Chair, if you don't mind, I can just add a couple more comments now that I have the context of it. As Greg mentioned, we struggled with this right through the whole process. We were looking at things in very discrete issues and distinct ideas. I don't think it's telling any stories out of school — I think when the panel members — at least several of the panel members — saw a presentation by the Nuka foundation, the lights kind of went on — certainly in my head. It really epitomized what we need to do and where we needed to go.

As I mentioned earlier on in our presentation, I'm not a fan of blowing up the system, but as Greg pointed out, it became very obvious that, to get where we wanted to go and to ensure that there was a good primary health care system that met all the quadruple aims, you had to do what's proposed in this report. That didn't come to us until quite late in the review, but it seemed to come all at the same time. As Greg mentioned, it was with great reluctance because we didn't want to blow up a system that existed if we didn't have to do it.

**Ms. White:** I thank the witnesses for that. I'll just point out that I think, on page 126, it does a really good job of talking about the shortcomings of the current system and the lack of a unifying vision — and it goes on to a lot of what you talked about.

One thing you did just touch on — which really struck me when I read the report initially — is that the panel didn't shy away from calling a spade a spade in terms of the fact that you — within the report, there is no less than a dozen times where it talks about the racism that exists within the system. I think about how important it is for people to see their experiences reflected and when you took that step to make sure that was included, I think it is incredibly important.

My question is: How were these experiences shared with the panel? I imagine it was in a kind of story form. How did Health and Social Services or the Hospital Corporation acknowledge that racism when it came up in conversation?

**Mr. McLennan:** I could certainly answer the first part of your question. It was a predominant theme in many of our public meetings early on and it was reinforced when we met with First Nations in terms of the racism component — but, you know, it's not unique to the Yukon. Many other jurisdictions, including where I live in BC, are having the very same problem right at this very moment.

I guess it came through anecdotal examples of people — examples where people had been thrown out of the hospital — again, we had to take people at face value — but thrown out of the hospital in the middle of the night without proper support systems. There were meetings with a physician where an individual's cultural identity was not recognized when they met with the physician and they felt that they were just being given



the short shrift, I guess — for lack of a better phrase — and were not really being dealt with.

I think I have answered the first part of your question. I am not sure I answered the second part of your question. Greg, do you want to add to that?

**Mr. Marchildon:** I actually found it interesting that, in a couple of the communities in the consultations — and this is an example of getting conflicting results — you would have a white member of the community saying that the care that they received in the hospital in Whitehorse was extremely good, with nothing to complain about, and in the very same meeting, within a couple of minutes, some First Nation members of that community saying how terrible it was — the reasons it was terrible, such as the racism that was shown by providers, sometimes purposely and sometimes implicitly. The people around the table had to listen to each other's very different perspectives on this. I can't possibly comment on, sort of, the rethinking that was going on by some members of the community as a result of hearing that perhaps for the first time, but I know that, if I had extremely good treatment but I heard about someone else getting very poor treatment by the same people I went to, I would be questioning it myself.

I can't speculate on this, but clearly this is a tale of two cities in some respect. The experiences are quite different for a reason.

I would only add that, when we talked to providers, there wasn't any sort of obvious statement or recognition that things were being done for one set of clients differently from another. So I think a lot of this is implicit, and as Bruce said, this is an issue and a challenge throughout all of Canada. We recently heard about what happened in Québec — in Joliette, Québec. It was front-page news across the country a few days ago. So it is not unique but is something that absolutely needs to be addressed.

The other part of it was the common story that people told us. It didn't matter if they were First Nation or not — that of going into the hospital and basically there was no coordination or very limited coordination. There were no discharge plans after. All of those problems were common to all of the Yukoners whom we talked to.

So there were common issues and then there was this divide, and we had to deal with the differences between them.

**Ms. White:** I thank the witnesses for those answers. I did compliment the group when I attended one of the evening sessions because I felt like it was a place where people were going to be able to share those stories. I am glad that you listened and that you were able to hear what they were saying.

If we go to page 133, the first paragraph says, "The department's role in the health and social system will be to provide strategic leadership and leave service delivery to Wellness Yukon. Ending its role in service delivery will allow the department to focus instead on maintaining standards and accountability and ensuring value for money in funding public-sector health and social services." I appreciate that paragraph, but I just wanted you to elaborate a bit on it. You have the vision that we will have Wellness Yukon and then we will still have

the Department of Health and Social Services. Could you just walk me through what that looks like?

**Mr. McLennan:** Greg, do you want to take that one on as well?

**Mr. Marchildon:** Sure, I can. Mr. Chair, I want to go back to something that Bruce alluded to earlier, and that is this division between the role of the department and the role of the deliverer.

There's nothing unusual about it. In most of Canada, you have this division. The department is responsible for providing basic stewardship and regulation but not actual delivery. We see this in 11 jurisdictions in Canada. So Yukon is actually a bit of an outlier.

But it needs to be done right as well because there are two challenges: One is ensuring that in fact the department gives up those delivery responsibilities and that the department shrinks to the appropriate size. It then has people who are focused on very different functions — they are exactly the right kind of people to do those functions and they no longer try to do the other things. They no longer try to, in a sense, micromanage the others, but they set the general goals and targets and then leave it up to the deliverers to do that.

The other part of that is there has to be enough of a separation — an appropriate separation — between the department and the new authority. That involves, I think, a couple of different dimensions: One is that the authority needs to have a very powerful board that knows its own mind and can provide, in a sense, that separation between the authority and the government.

The second part of that though is that the authority is ultimately accountable to the government through the minister. So, it is not completely sort of autonomous. There needs to be an appropriate accountability relationship set up. In some provinces, they got it right; in other provinces, they didn't get it quite right. So, that has to be structured in a way that is effective.

The only other part about that is that the new executive team and the personnel who are going to be in the authority — they can't just simply be transfers from the department; they have to be people who are appropriate to the job. If they're currently working within the department, then they can change employers and it will be fine. But at times, that's not necessarily going to be the case. So there are going to have to be people who are newly hired into those positions.

If I haven't answered the question in the way they would like, I would be happy to respond to a supplementary question.

**Ms. White:** I assure you, even without seeing body language, we are right on track.

On page 133, after the points that come after the second paragraph, it says — and I quote: "Putting this vision into practice also requires a major shift in culture and attitude. It is going to take transformative, visionary leadership at all levels of Wellness Yukon. Yukon will need the expertise of individuals who have been involved in large-scale organizational changes to make it happen."

So, you alluded to this — and I appreciate that — but do you see Health and Social Services leading the systemic

change, or is it your opinion that the creation of Wellness Yukon will require external expertise?

**Mr. McLennan:** I think Health and Social Services embraces the concept, but I think that you are probably correct in that they will need some expertise from outside to help shape that vision and to ensure that they do recruit the right people for the job. But I think that there is a buy-in at the Department of Health and Social Services — certainly at the executive level — that they understand this direction and believe that it is the correct vision.

Greg, did you want to add to that?

**Mr. Marchildon:** No, I think that covers it, Bruce. Thank you, Mr. Chair.

**Ms. White:** So, I guess that my next question is: What happens to the Hospital Corporation within this new vision of Wellness Yukon?

**Mr. McLennan:** I think that is probably not a question that the panel can really respond to. Certainly, in the model, we would see the Hospital Corporation being subsumed by this new organization. I guess the current structure of the Hospital Corporation would no longer exist because you are essentially establishing a brand new organization that would be within this new vision.

**Ms. White:** I thank the witness for that. During budget briefings, when I veer to those types of questions, I get told by deputy ministers that this is political and that I should speak to the minister, so I appreciate your kick at the can there.

On page 134, we see the language of “client-owner”. It talks about how “Wellness Yukon uses a new term for Yukoners: client-owners. This is to recognize that, anytime they interact with Wellness Yukon, Yukoners are, all at the same time: (a) being served as clients; (b) have ownership; and (c) are collective owners of Wellness Yukon...”

I would just like you to expand on that because I feel like the vision — it’s pretty big. If you can explain to me the idea behind “client-owner”.

**Mr. McLennan:** I can respond to the member’s observation about being, I guess, frank — I guess that is what she was referring to. I can do that now because I am no longer a bureaucrat. I wouldn’t have done that when I was a deputy minister of Health and Social Services, but that’s a long time past.

To answer your specific question — and I’m going to ask Greg to add to whatever my comments are — what we saw in the Nuka model in terms of the ownership of the system — it was real. Every client who goes through the Nuka system, after receiving a service, fills out a questionnaire. That’s how their staff and their organization is rated — by what their owners — and that’s what they refer to when they talk about what we would call “clientele” — how they provide feedback to the system.

So, it’s real and it’s a transformational change — because really what you’re looking at is bottom-up accountability in terms of what the people who are using the service think about the service — whereas that’s certainly not the impression we got from people we met in terms of our consultations. They felt that they were just somebody within the system who would get

pushed from one service to another service and they didn’t really have any meaningful involvement in terms of the determination of where they were going to go or how they were going to be served. It’s a little hard to describe, but it really was quite evident when we saw the Nuka model presentation. Greg, do you want to add to that at all?

**Mr. Marchildon:** Mr. Chair, in Canada, we use the term “patient” all the time, and I know it’s very jarring to hear the word “client” or to hear the word “owner”, but in the Canadian context, it’s even more appropriate because Canadians pay for this system wherever they live through their tax funding and it’s 100-percent coverage — unlike the Nuka system, which is basically funded by the Indian Health Service through a transfer and it serves a subpopulation within Alaska.

In the Yukon, it is a universal single-payer system that is intended to serve all Yukoners. In that sense, Yukoners — by virtue of being residents and by virtue of being taxpayers — are the owners of the system, and virtually everybody will use the system at some point. So, in that sense, it is appropriate to use the terms “owner-clients” and to put the owner-clients at the very centre of the system. It is not being run for the benefit of the government. It is not being run for the benefit of the providers in the system. That takes some reorientation.

Canadians tend to be, in some ways, a little more passive. They do think of themselves as patients. Think about the origins of the word “patient” — it is a passive word. But if you think of yourself as an owner-client, you are paying for the system, you are using the system, and you have the right to be treated in a particular way and the system should be based on your needs. Thank you very much, Mr. Chair.

**Ms. White:** I thank the witnesses for that — including revisiting language from passive to active. That is super important.

I had a great deal of other questions that I wanted to speak to you about, but I think that what I leave as my final one before I hand it over to the members opposite is from page 182.

There is a lot that the report does, but I really think that it gives us goals to aim for. In 8.4 in the last paragraph, it says, “We also believe Yukon has an opportunity to be proactive by taking a national leadership role on pharmacare. In partnership with the federal government, Yukon may be able to implement a version of universal pharmacare with federal support as a trial for the rest of the country.”

The reason I wanted to bring this here is that I think that this is a beautiful vision of what could be — if you could just share with me what got you to that statement.

**Mr. McLennan:** I think where we arrived at it at that time — we suspected that, at some point in time, the federal government may reactivate the pharmacare idea — even through this pandemic, you can see that there is more interest in doing it — but the Yukon may be a perfect testing spot for doing something along these lines. In consideration of the other changes that we recommended in the pharmacare area — including looking at provided extended benefits to people in poverty — that is really the pharmacare program that the federal government was talking about in terms of the paper or the work that they had done. We thought that the Yukon would

be a perfect place, if you lobbied, where somebody could do a trial — a test in terms of how that pharmacare program would work for the rest of Canada — particularly because, in the Yukon, you have different pharmacare programs dealing with non-insured First Nations and people who are not covered by the non-insured health program.

We referenced earlier that, in other places, there is a lack of symmetry — for lack of a better term — in terms of those pharmacare programs. So, we think that this would be ideal in terms of running a trial balloon or running a test in the Yukon. Because you are small enough, you could actually see the results, and you would provide some valuable information to the federal government.

Greg, do you want to add to that?

**Mr. Marchildon:** Yes, in fact, medicare was introduced through the provinces. They set up their programs in order to become eligible for federal cost-sharing, and they did so over time. They didn't all come in at the same time. Some of them actually set up their programs before federal cost-sharing, such as Saskatchewan. All that we are suggesting here is that — in one of two ways — the federal government is also somewhat hesitant about pharmacare — because it doesn't know the costs of universal pharmacare, it's not sure how much it would be on the hook for, and the negotiations involving 13 provinces and territories will be extremely complicated.

What we suggested here is that Yukon has an opportunity to offer itself up as a pilot project, working with the federal government and using shared-cost financing to set up and establish a pharmacare program that could be studied in terms of its impact and costs and then used as a model for the rest of the country.

This is more than feasible and it would be — from the federal government's perspective — a rather small pilot project — one which would be, in a sense, more than fiscally doable. So we think there's an opportunity to be very proactive, and we've encouraged the government to think of it in this way.

**Ms. White:** I just want to thank the witnesses, the panel, and of course all the public servants who supported you throughout the process for what really feels like a groundbreaking report. Thank you for the vision and for listening and then reporting back. It has been a pleasure. I look forward to seeing you in person at some time in the future.

**Mr. Gallina:** Thank you very much, Mr. Chair. I appreciate the panel members being here today and members of this House allowing government private members to engage with the panel today.

Mr. Chair, today there have been discussions about some of the alarming examples of racism in the national care system. *Putting People First* makes recommendations in the area of First Nation cultural safety. Can the panel elaborate more about why they recommended the need for health care policies specific to First Nations here in Yukon?

**Mr. McLennan:** I guess there were two catalysts for that. One certainly was what we were hearing when we went to the different — not presentations, but the consultations. We were hearing about racism in the system.

The other thing I guess that sort of helped us through that thinking was one of the panel members — Diane Strand — she certainly had first-hand experience. She used to be on the board of the Hospital Corporation. So she brought those thoughts to our attention as well. Some of them, I don't think, were any surprise. We were familiar with the issue, but certainly getting it first-hand helps put a different lens on it. That, in essence, is how we arrived at that need.

**Mr. Gallina:** We have heard a fair bit today about the success of the Nuka model and that model of care being implemented in southeast Alaska. What I found interesting about the discussions today is referring to patients as “clients” and then to clients as “owners” over their own care. Could the panel members elaborate more on what the Nuka model could look like here in the Yukon and specifically how Yukoners could envision themselves as client-owners?

**Mr. McLennan:** Greg, would you mind taking that question on as well? It is similar to the response that you gave a little bit earlier, but you may want to expand upon that.

**Mr. Marchildon:** Basically, there needs to be an ongoing relationship where the people who use the system or the people who are caring for people who use the system have input on a regular basis in terms of the quality of the services they received, the timeliness of the services, and that the improvements are continually made by the service providers to better meet those needs, and that is what is missing. The whole idea of creating this new structure is so that — putting client-owners first ensures that the feedback that they receive from the people whom they are serving goes into continuous quality improvement overall. What we saw in the Nuka model was, in fact, that vehicle for ensuring that this was the case. So, the providers have a different perspective, but the people using the system know how they can bring their concerns and their suggestions forward, and they do so on a regular basis because they know that the providers are going to be responsive to those. They know that they are not talking to a machine. They are talking to a group of people who honestly want to do the very best that they can, and that takes some cultural shift, for sure.

It involves differences in how things are done, and I will give you an example. Take a typical nursing station or community health centre in a rural area. It will be necessary in that environment to have somebody who acts as a contact with the community, who comes from the community, who is part of the health care team and regularly in touch with the families and the community — because they come from the community, if the language is different or if, in a sense, there are peculiarities that apply to some of the families in the area in terms of their special needs, this is understood by the team that is providing care within the community.

That also means that a provider — a nurse in the community health centre — will occasionally have to leave the community health centre and actually attend at the homes of these individuals. Their first priority is to provide care in the best way possible, and if that's what's required, then that is done.

Second of all, all of the work in terms of coordinating services outside that community — the specialists, let's say, in Whitehorse or Vancouver — becomes the responsibility of the team. It is their responsibility, but it's also because of the trust relationship that they will have with the users of the system, the community members who will entrust them to manage that coordination in the best way possible and in the interest of the users. That's really what's meant by this.

**Mr. Gallina:** I appreciate the answer from panel members. That was helpful.

The Yukon Medical Association president did share concerns about consultation and engagement with physicians in the development and implementation of *Putting People First*. I know panel members have touched on this today, but can they elaborate on the specific sessions and opportunities that were made available to physicians so that I can understand and appreciate the opportunities that were made available to them?

**Mr. McLennan:** I think that, earlier on, I did address that. I can do it again if you would like. Physicians were, first of all, members of the comprehensive review steering committee. As I mentioned before, they were, if I'm not mistaken, the only caregiver group represented on that committee.

We did have meetings with Dr. Katharine Smart, who is the former head of the YMA, and we met with the panel early on and had discussions and talked about, as well, issues of determinants of health, the primary health care models, and the collaborative care model with her — not into specifics, because we hadn't formulated any recommendations at that time.

Some of the member panels also met with a group of physicians early on in the consultation process — approximately 12 YMA members and the chief medical officer of health, Dr. Hanley — and we had some discussions there in terms of where we were going and what we were planning to do. As was mentioned earlier as well, the YMA did have an opportunity to come to a presentation of the Alaska Southcentral Foundation to see how the Nuka model worked and to get a sense of that before we had actually embraced that model, but I am told that no physicians actually attended those sessions. We did meet with physicians in Dawson on two occasions to talk about how their model works — which is quite different from the fee-for-service model of other Yukon physicians. As was mentioned by Greg, there were numerous group sessions that were held through phase 1 and 2 of the consultations, but to my knowledge, no physicians actually came to any of those meetings — at least, not that I'm aware of.

I guess, finally, we didn't go back — once we started to formulate our recommendations, we did not go back to any group in terms of — we just tabled that — our role and responsibility was to the government, and so our recommendations were made to the government, and they will have to roll out and have those discussions with groups and physicians in terms of what the implications of those recommendations are.

Greg, do you want to add anything to that?

**Mr. Marchildon:** No, thank you. I have said everything that I wanted to say before. I just want once again to express my disappointment that the physicians chose not to attend the public meetings.

**Mr. Gallina:** I just want to thank the panel members for elaborating on some of the discussions that we had here today. I do appreciate it, and I do thank panel members for their work and for the community coming together to bring this report and these recommendations forward to this House and to Yukoners.

**Hon. Ms. Frost:** I would like to just thank the panel members for presenting today. It really gives a great reflection on where we are and the indication that the whole system requires some fundamental changes — but on the other hand, there was quite a lot of acknowledgement of what they heard.

I want to just spend a minute talking about that — the acknowledgment of the strengths in the Yukon system as it exists right now and the staff that we do have and the commitment from them being here and of course wanting to ensure we have a system that's best aligned and of course that meets the needs of Yukoners. So we are always wanting to take a moment to just say that Yukoners and of course the employees in Health and Social Services and the Hospital Corporation have gone above and beyond during COVID. We've learned a lot from this exercise. I just want to acknowledge the panelists for taking the extra time that they require during some really challenging times. If we learned anything from COVID, it's that we have a system that has adapted — that can change and that's accommodating to Yukoners.

With regard to the discussions around the cultural humility, the requirements — the shifting in some of the health endeavours — we have some initiatives that have happened currently. The Blackjack inquest, for example, gives us a good indication of what we need to do with nurse practitioners, cultural humility, safety training, recognition of seven indigenous languages in Yukon — language being a first language for some individuals — and making sure that we are adapting to their needs.

We note also, Mr. Chair, that of course Yukoners really appreciate the changes that have happened as well. Most recently, the aging-in-place review allowed over 1,200 Yukoners to participate in giving us some really clear indication of what their vision is.

Layered on top of this report, I just want to say that the comprehensive health review is very well-titled: *Putting People First*. The objective here is really to look at getting to the root of the gaps but also looking at putting people first and improving the system — a whole system change that better adapts to implementing the recommendations that were presented to us today and of course in the report.

With that, Mr. Chair, I thank the members — the panelists — for being here today and giving us their time and sharing their experience and of course their wealth of knowledge. That came out very clear today — that they have certainly a lot of knowledge and a lot of expertise that has guided us well in the Yukon, looking at best practices and models across the country. Using the Nuka model as a best case for Yukon, I think, is a

good decision. We look forward to the future and we look forward to implementing the recommendations.

**Chair:** Does any other member wish to get in a few minutes of questioning? Are there any other questions?

Thank you, Mr. McLennan and Mr. Marchildon. The witnesses are now excused.

**Mr. McLennan:** Thank you, Mr. Chair.

**Mr. Marchildon:** Thank you, Mr. Chair.

*Witnesses excused*

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

**Chair:** It has been moved been moved by Ms. McPhee 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**

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, and directed me to report progress.

Also, pursuant to Motion No. 257, adopted as amended earlier today, witnesses appeared before Committee of the Whole by teleconference to answer questions related to the *Putting People First* review.

**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.

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

*The House adjourned at 5:30 p.m.*

#### **The following legislative return was tabled October 19, 2020:**

34-3-35

Response to matter outstanding from discussion with Ms. White related to general debate on Vote 15, Health and Social Services, in Bill No. 204, *Fourth Appropriation Act 2019-20* — breakdown of expenses (Frost)

#### **Written notice was given of the following motions October 19, 2020:**

Motion No. 279

Re: providing the Shingrix shingles vaccination (McLeod)

Motion No. 280

Re: full-time in-person learning at all Yukon secondary schools (Kent)

Motion No. 281

Re: reinstating the stop for school bus 40 for Golden Horn Elementary School students (Kent)

Motion No. 282

Re: location of the music, art and drama (MAD) program (Kent)

Motion No. 283

Re: recognizing benefits of the local aviation industry (Van Bibber)

Motion No. 284

Re: providing a full accounting of budgeting changes for the Department of Health and Social Services (Cathers)





# Yukon Legislative Assembly

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Number 49

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 20, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

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<b>Hon. Ranj Pillai</b>	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Government House Leader Minister of Education; Justice
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Pauline Frost</b>	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

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<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

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**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, October 20, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Pillai:** Mr. Speaker, I would ask the Members of the Legislative Assembly to help me in welcoming individuals who are here today for our tribute to Small Business Week.

As well, thank you to our Business Advisory Council. I would like us to welcome: Craig Hougen, Denny Kobayashi, Neil Hartling, Paul Kishchuk, Mike Pemberton, the executive director from the Agricultural Association, Jennifer Hall, and from the Whitehorse Chamber of Commerce, Susan Simpson.

I would ask everyone to welcome them here today for our tribute.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Poverty and Homelessness Action Week

**Hon. Ms. Frost:** I rise in the House today to pay tribute to Poverty and Homelessness Action Week.

It is a fact that living in poverty or having poor access to housing negatively affects a person's health and well-being. We know that addressing poverty and homelessness is a community-wide effort that requires the full spectrum of support. In recognition of this, Housing First is a best-practice approach to ending homelessness that centers on moving people experiencing homelessness to independent and permanent housing with supports.

We are pleased to say that Housing First welcomed its first tenants in February 2020 and currently has 18 residents. The Community Outreach Services team is another support, which consists of outreach workers, social workers, and landlord engagement specialists who actively work to find and maintain appropriate housing for clients. An outreach LPN provides nursing supports to clients, many who require subsistence use of mental health supports.

The Whitehorse Emergency Shelter is another piece of the housing continuum, a 24/7 low-barrier facility offering a broad range of services, including targeted services to vulnerable and at-risk persons.

One of the most critical supports in our community though is the Anti-Poverty Coalition. For many years, the Anti-Poverty

Coalition has dedicated a week in October to raising awareness and promoting action to end poverty and homelessness in Yukon. It is a week of events and discussions, including the extremely popular event Whitehorse Connects. Whitehorse Connects provides a number of health and human services for those who are homeless, living in poverty, or among the working poor. It is happening now until 2:00 today at the Kwanlin Dün Cultural Centre and at Shipyards Park.

The theme of Poverty and Homelessness Action Week this year is systemic racism. If you see it, this is no laughing matter. This is a very real issue here in the Yukon and across the country. This is a timely topic and one that institutions and governments across the country need to address.

As a Yukon First Nation person, I know very well how important it is that cultural safety and humility be the foundational element of all government departments. We must promote, protect, and enhance the well-being of all Yukoners, no matter one's ethnicity or gender, by ensuring a continuum of quality, accessible, and appropriate services.

In closing, I want to give thanks and extend my appreciation to the many non-profit organizations and the individuals who support them and who are making a difference. While government most definitely has a role, poverty and homelessness are matters that need the whole involvement of the broader community.

*Mahsi' cho.*

*Applause*

**Ms. McLeod:** I rise on behalf of the Yukon Party Official Opposition to recognize the Yukon Anti-Poverty Coalition for their work and dedication as Poverty and Homelessness Action Week in the Yukon takes off, beginning and running throughout the week.

The coalition is set to host a number of events for Yukoners to take part in during this important week, which began yesterday morning with an opening prayer and sacred fire at the Kwanlin Dün Cultural Centre firepit. This year, events are aligned as a continuation to two very important global dates: World Food Day on October 16, and the International Day for the Eradication of Poverty on October 17.

Poverty and homelessness are especially impactful, knowing that they exist throughout our communities right here in the territory. Poverty takes many forms and is different no matter where you look, but it still surrounds us. As winter sets in, it is crucial for Yukoners to take part in the food and clothing drives throughout the communities, and if you have a chance, see if an organization can use your time as a volunteer.

Whitehorse Connects is taking place today between the Kwanlin Dün Cultural Centre and Shipyards Park, bringing health and human services to vulnerable Yukoners, some of who otherwise may not have access to a number of the services offered. Winter clothing and warm layers will be available at the KDCC, and organizers and volunteers posted at Shipyards Park will offer a pizza lunch, portraits, and door prizes offered simultaneously with services from the outreach van. Of course, Whitehorse Connects might look a little different this year, but

we are pleased to see it go ahead and the two venues offering the space required.

There will be small events and panel discussions taking place throughout the week, as well as a closing ceremony and a family-friendly outdoor movie screening to close out the week at Shipyards Park.

We would like to thank the Yukon Anti-Poverty Coalition for the work they do throughout the year — especially the work they put in to organize Poverty and Homelessness Action Week every year since 2005.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP in acknowledgment of Poverty and Homelessness Action Week. This week's theme — "Systemic Racism — Do We See It?" — challenges us as individuals, as communities, and as service providers. It tasks us to recognize our own biases and the biases that exist around us. It asks us to take a look at the systems we know through the eyes and experiences of others.

I think that the quote of Yukon Anti-Poverty Coalition Co-chair Bill Thomas in yesterday's press release really lays it all out — and I quote: "We know that systemic racism is complex, emotionally charged, and highly sensitive." "As an organization that is working to end poverty and homelessness, we continue to hear distressing stories about the treatment that black, indigenous and people of colour experience when dealing with our health, housing, education and justice systems."

My hope is that, by the end of the week, by participating in discussions and panels, we're able to look outside ourselves and understand the perspective of another. Systemic racism exists in Canada. Pretending that it doesn't won't solve anything.

Let's open our hearts and minds to the hard conversations that we need to have in order to end the systemic racism around us.

*Applause*

### **In recognition of Small Business Week**

**Hon. Mr. Pillai:** I rise today on behalf of the Yukon Liberal government to pay tribute to Small Business Week and the Business Advisory Council. Small Business Week is being recognized across Canada from October 18 to 24, Mr. Speaker. For more than 40 years, the Business Development Bank of Canada has coordinated this national celebration of entrepreneurship and their significant contribution to the economy.

The theme this year is "Forging the way forward". As we find ourselves in the midst of a COVID-19 pandemic and the economic repercussions, this is a theme that resonates Canada-wide.

In March, entrepreneurs and businesses were grappling with public health and safety measures enacted to keep Yukoners safe. Some businesses were ordered to close and others were faced with a marked reduction in the number of customers overnight. Many business owners and operators used this opportunity to flex their creativity, some pivoted their operations out of necessity, while others took time to reimagine

their businesses and identify new ways of conducting their businesses.

Wood Street Ramen, for example, closed temporarily and focused on developing their online order capability through an app. Coast Mountain Sports developed an online store as part of their new website. These are examples of some of the actions local businesses took to mitigate some of the impacts of the pandemic.

Other entrepreneurs participated in programs designed to help businesses succeed. Yukon University launched a program called PIVOT in response to the effects of the pandemic. Seventy-five local businesses received assistance through more than 40 coaches and experts, with approximately 25 percent of those businesses based in rural Yukon. This program was also adapted to provide assistance to tourism businesses and it was called Elevate.

NorthLight Innovation is another organization serving Yukon entrepreneurs. Building on the program's past success, YuKconstruct is offering its third start-up boot camp this fall with a cohort of nine businesses that are currently participating in this early stage market validation training program.

In addition to these initiatives, the Yukon government announced the Business Advisory Council as part of the economic stimulus package to support local workers and businesses impacted by the COVID-19 pandemic.

The council was established on March 25 to provide a voice for Yukon's business community. More than 30 members representing chambers of commerce and a host of retail, tourism, personal services, mining, forestry, construction, allied health, and aviation businesses gave their time to a concerted effort to navigate these uncharted waters. The council engaged the business community on a weekly basis through teleconferences over a course of six months — to monitor the economic impacts of the pandemic and gather data, provide local business intelligence, identify best practices and recommend mitigation strategies to counter the pandemic's economic impacts and give Yukon's business community a voice when it was most needed.

The Business Advisory Council also provided a platform for women in business and indigenous-led businesses to express their specific concerns and challenges to operating in these unprecedented times. To capitalize on the knowledge and expertise at its disposal and to maximize its efforts, the council formed six subcommittees that teleconference regularly to target businesses by sector such as small- and medium-sized businesses, regional economic development — including First Nation development corporations — agriculture and forestry, mining, construction, infrastructure, and tourism.

Mr. Speaker, I'm going to ask — I know we have a limitation. I want to ensure that I just give the names of the individuals who are on this committee; I think it's important to do that. Mr. Speaker, I would like to thank the individual council members for the countless hours they have contributed to this process who are providing strategic advice.

The members are: Albert Drapeau, Carl Friesen, Chris Lane, Chris Milner, Craig Hougen, Curtis Shaw, Delmar Washington, Denny Kobayashi, Doug Terry,

Elaine Chambers, Graham Lang, Jackie Olson, James Smith, Joe Sparling, John McConnell, Kayla Morrison, Lorelee Johnstone, Marilyn Jensen, Mike Pemberton, Neil Hartling, Norm McIntyre, Paul Kishchuk, Peter Densmore, Chair Rich Thompson, Shari McIntosh, Shawn Wasel, Sonny Gray, Stanley Noel, Tammy Beese, Terry Sherman, and Wendy Tayler.

Mr. Speaker, I would also like to recognize all the business owners and entrepreneurs who have contributed to Yukon's growing and diversified economy. I also wish to extend my thanks to all those who have been involved with the chambers as well. They have done a tremendous amount of work helping to organize this.

I also would just like to highlight Craig Hougen. I know that Stanley Noel also worked with you — but he chaired the small business subcommittee for the Business Advisory Council and also established a strong buy-local campaign, and that is still ongoing. I appreciate that and I think it's important to also add that, this week — as we just heard in the tributes under Poverty and Homelessness Action Week — your work and your partnership with the Yukon Anti-Poverty Coalition on the "Home" strategy. With that, I know that it has taken a little bit of time to go through this — I apologize to the members opposite — but I think it's important to say a proper thank you. We wouldn't be in the economic situation that we are in now if it wasn't for the guidance of these individuals. Thank you.

*Applause*

**Mr. Istchenko:** I rise on behalf of the Yukon Party Official Opposition to pay tribute to entrepreneurs across the Yukon during the Business Development Bank of Canada Small Business Week, taking place this week from October 18 to 24.

This has been a monumentally difficult year for small business in the Yukon — and actually across our country, Mr. Speaker. We have been fortunate here in the Yukon to have been affected only minimally on the health side with respect to the pandemic, but the economic effects for many have been just devastating. Many businesses are making it work. Some continue to thrive; others are running only on a percentage of the business they usually see. For a number of local businesses and operators, the effects of the pandemic and its economic hit have resulted in closure.

This week, we celebrate our local small businesses for their resilience and determination. Your success is a testament to the power of these qualities and the power of Yukoners. From the Business Advisory Council — we heard a little bit about them earlier from the minister — we would like to thank the individuals from across the territory who represented the industries and economic sectors that drive the Yukon for your part. Your work has been essential to ensure that the voices of the business community are heard throughout the pandemic and that their needs and situations are shared with different levels of government.

Now to our small business owners, operators, entrepreneurs, and of course their hard-working staff — with

so much uncertainty, you just keep it up, keep adapting, and doing what you need to do to make it through this.

To Yukoners: Continue to buy local and support your local coffee shop or restaurant, your local boutique, and your local bookstore. Support your fellow Yukoners and help them get through this so they can make their way through this time and once again thrive.

*Applause*

**Ms. Hanson:** I join my colleagues in rising on behalf of the Yukon New Democratic Party in celebration of Small Business Week. Each October, Small Business Week pays tribute to the entrepreneurs who contribute so much to our communities.

Small businesses provide well-paying local jobs within our territory. They bring energy, vibrancy, and uniqueness to our streets. Small business isn't for the faint of heart. It is for the brave, the patient, and the persistent. Small business owners are doers and problem-solvers. They are invested in our communities.

Our small business community is dynamic and responsive. They are the ones who sponsor sports teams and donate to fundraisers. They are our friends and neighbours, and they need us more than ever before.

We can all agree that it is always important to support the local businesses around us, but never more so than now. The uncertainty created by the COVID-19 pandemic has made the normal challenges for small businesses even more daunting. Before ordering from a huge online retailer from outside Yukon, look closer to home. If we stop to ask ourselves "Is there a local option?", all of us can be part of the keeping alive of the many unique small businesses that are so central to a healthy Yukon economy.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Pillai:** Mr. Speaker, I have for tabling three legislative returns in response to Written Questions No. 6, No. 7, and No. 10.

**Hon. Mr. Mostyn:** I have for tabling a legislative return responding to a question on October 13 from the Member for Copperbelt South regarding bats at the Ross River School.

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

Are there any reports of committees?

Are there any petitions to be presented?

## PETITIONS

### Petition No. 3

**Ms. Van Bibber:** I have for presentation the following petition, which reads:

To the Yukon Legislative Assembly,

This petition of the undersigned shows:

THAT residents and owners of properties along the Tagish River are asking to be reflected in the decisions made for the Tagish River Habitat Protection Area draft recommendations as this is our past, present and future existence and lifestyle and we are keen to protect this location along with the Tagish River Habitat Protection Area Steering Committee;

THAT Recommendation Number 21 to minimize disturbance on shorelines should have consideration for those who have properties with water access, and;

THAT Recommendation Number 22 should be revised to support one dock per lot and the availability of permits for residents;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon to ensure that realistic guidelines are created for shoreline use by residents so that water access is available, including each Tagish River lot being able to obtain a permit for a dock.

**Speaker:** Are there any further petitions to be presented?  
Are there any bills for introduction?  
Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House supports sports organization funding in response to the COVID-19 pandemic.

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

THAT this House urges the Government of Yukon to table the implementation plan of the *Putting People First* final report.

I also give notice of the following motion:

THAT this House urges the Minister of Health and Social Services to immediately address the chronic understaffing and retention issue of registered nurses at Whitehorse General Hospital.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### School council elections and honoraria

**Hon. Ms. McPhee:** Thank you and congratulations to all those who put their names forward and were recently elected to the 26 school councils across the territory. School councils and school boards have important roles and responsibilities in the governance of Yukon schools. They represent and advocate for students and families at their schools and bring community perspectives to the table with the school administration.

They are key partners in education, providing advice and perspectives on our territory's education system on an ongoing basis. Yukon school councils and the francophone school board have been key partners in ensuring that students could safely return to face-to-face learning, as well as adapting health and safety routines in each school community this fall.

We met regularly with school councils over the summer months of 2020. They provided valuable feedback, asked important questions, and advocated for their schools while planning for a safe return to classes. They worked with school administrators to provide input on school operational plans. They shared important considerations and offered creative solutions to ensure that schools adapted to the chief medical officer of health's health and safety guidelines and reflected the context of their specific schools.

In recognition of the critical role of school councils and the lack of attention to their remuneration, I am pleased to say that our government has increased the maximum honoraria of Yukon school councils and school boards. As part of our work with the Association of Yukon School Councils, Boards and Committees, the Government of Yukon reviewed the honoraria paid to school council members and chairs as these rates have not been increased since 1991. A new regulation came into effect on October 1 that has now increased the maximum honorarium rates for school councils and boards. The maximum honorarium rates for school council members have increased from \$50 to \$80 per meeting, and for school council chairs from \$62.50 to \$100 paid per meeting attended, based on a 10-meeting schedule.

Each of the 26 new school councils will determine and set their payment rates at their first meeting up to the maximum amount. Many school council members choose to donate their honoraria to their school and they could continue to do so.

School council honoraria rates come out of the school council operating funds provided annually by the Government of Yukon. We are pleased to note that we have increased school council operating funds by \$52,050 per year to support these increased honoraria rates for the 128 school council seats plus guaranteed First Nation representatives.

Maximum rates for school board trustees of the Commission scolaire francophone du Yukon were also increased by the same percentage.

Moving forward with these increases in honoraria acknowledges the important work that school councils and boards do to advocate for and support students, families, and school communities in the Yukon.

Due to the COVID-19 pandemic, school council members were asked to extend their regular terms until the school council general election could be held safely in the first week of October. Now new school council members will be joining their councils for the next two school years.

Our deep appreciation goes to all school council members and board trustees — both past and present — for their dedication and service to their school communities. Their commitment, efforts, and dedication are essential to the success of Yukon students and communities.

**Mr. Kent:** Mr. Speaker, I thank you for the opportunity to respond to this ministerial statement here today. I too want to take the opportunity to thank all the school councils, as well as the francophone school board, for their work — whether it's those who have served in the past, those who continue to serve, or those who are taking on a new role with the school council

or the school board. The work that they do and the advocacy that they do are invaluable. Without their voices and hard work, standing up for the schools and, most importantly, the students, the outcomes and results that we see would not be possible.

We were very happy to see an increase in the honoraria for school councils as well.

However, I do want to address some comments made by the minister in her statement. In the minister's statement, there was a picture painted of excellent collaboration and consultation between the minister and school councils while in fact those facts do not reflect the minister's version of events. A July 22 letter from the Association of Yukon School Councils, Boards and Committees to the minister highlights the importance of the minister hearing from and listening directly to families, students, and staff regarding the challenges of COVID-19 and the reopening. The letter goes on to state — and I quote: “This unfortunately did not occur prior to the deliberation of those specific decisions referenced above.”

Then a quote from further down in the letter goes on to say: “Despite the commitment to share information as information becomes readily available, School Council members were not made aware of these decisions until they were publicly announced.”

On the topic of the minister's lack of consultation with school councils, a July 29 *Yukon News* article states that the chair of the Association of Yukon School Councils, Boards and Committees was concerned with the lack of consultation. In that article, she states — and I will quote: “The association... has written a number of letters to the minister over the last few weeks, only receiving one response dated July 24 after changes for high school students along with school and bus guidelines were announced.”

The chair goes on to say: “The *Education Act*... clearly states in section 113 there is a duty to consult school councils on such changes. The association was not, she maintains.”

Another article from July 29, this time from the CBC, states that — and I quote: the “... chair of the Association of Yukon School Councils, Boards and Committees said parents and councils were not adequately consulted on the plan. Their association had three meetings with the department, she said, but was told the plan on the same day as the general public.”

This is of course in addition to the hundreds and hundreds of Yukoners who have joined social media groups to protest the government's lack of consultation with parents, students, families, and school councils.

This isn't the first time the minister has fought with school councils or mischaracterized what they've said. All in this House will remember back in 2017 when this same minister released the school calendar 26 days past the legal deadline. When asked about this at the time, the minister blamed school councils for this delay; however, four school councils quickly corrected the record and wrote a letter to the minister complaining about her mischaracterization of the facts.

We do agree with increasing the honoraria for school councils and we thank the minister for saying kind things about them in today's statement, but we think that the minister's actions need to line up with her words. It's one thing to say that

you think school councils are important; it's another to actually consult with them, listen to them, and to properly represent your engagement with them or what their positions are.

**Ms. White:** Mr. Speaker, we also add our voices to the congratulations to those people who have put their names forward or let their names stand for election to school councils. The Yukon NDP was optimistic that this government had made a real move to recognizing the role played by Yukon citizens who put their names forward to serve on school councils and school boards.

Mr. Speaker, we agree with the minister that school councils play an important role and carry significant responsibilities in the Government of Yukon public school system. We too recognize that school council members provide a voice for students and families on matters such as new policies, school renovations, staffing needs and issues, school programs, input on the school calendar, and ever-changing emerging issues. School council members view their role seriously. We would expect that the government would have recognized the time and effort put into the preparation for meetings and talking with the school community members that these citizen council members put in. Council and board members chose to put their names forward, not to merely rubber-stamp the Department of Education policies. They are a grassroots democracy. Their input and time deserve more than token recognition.

Mr. Speaker, the increase announced today is just that — it's token. The minister says that the increase is long overdue and that is true, but if this government is serious about reflecting the important contributions these valuable education partners make to all of Yukon's schools, why did they choose to be so parsimonious in their support? Despite the clear recognition of their important role, the government chose to scrimp when it comes to compensation for these citizens.

A simple calculation reflecting inflation since 1991 would have increased the honoraria for school council members from \$50 to over \$100. When the math is done for the rest, one realizes that talk is indeed cheap. It would have been better if the minister had replaced the talk of appreciation for the dedication and services of school communities with tangible, up-to-date remuneration for that dedication and service.

**Hon. Ms. McPhee:** School councils and school boards represent and advocate for the students and families at their schools and share community perspectives with the school administration. They are key partners, Mr. Speaker, in education, providing ongoing advice and perspectives on Yukon schools. I'm not sure if the members opposite have ever been members of a school council, but I have — and other members on this side of this House certainly have — and I clearly understand the importance of that grassroots point of view.

We met regularly, Mr. Speaker, with school councils and the Yukon francophone school board over the summer months. We met biweekly with school council chairs over the summer. I attended several of those personally, as did department

officials every two weeks. School councils have asked for that to continue, and it will continue. That kind of input on a regular basis is critical for school councils to have, as well as the Department of Education.

School councils and the Yukon francophone school board worked with school administrators to provide input on school operational plans. They shared important considerations. They offered creative solutions. Their work was taken into context and taken into account in making plans go forward. The school reopening plan was developed thanks to the collective efforts of dedicated educational professionals, including school council members.

In the opposition's attempts to criticize me, they are calling into question the skills, dedication, and expertise of our education professionals and partners. Those folks don't deserve that. An extensive team has put in countless hours to develop a plan — a single focus being what is in the best interests of students. Due to the COVID-19 pandemic, school council members were asked to extend their regular terms. We thank them extensively for that.

They also had an opportunity to participate in an election that was delayed as a result of a ministerial order under the *Civil Emergency Measures Act* — an excellent example of how that legislation could be used to the betterment of Yukoners. This is another example of how we use the authority under CEMA to provide flexibility and to respond to the needs of Yukoners. The opposition has consistently criticized our use of ministerial orders but has not taken the time to understand the purpose of them. This is a great example of how it benefitted Yukoners and the individual members of school councils. Again, I thank them for staying on in those roles. We have used ministerial orders judicially to respond to the needs of Yukoners throughout the pandemic.

Mr. Speaker, our Liberal government has increased the maximum honoraria of Yukon school councils and school boards in recognition of the valuable work of these bodies. This is the first increase since 1991. It is based on cost-of-living increases.

We will continue to work with school councils and boards across the territory to support students to be successful in their learning during the ongoing pandemic and afterward.

I want to once again take the opportunity to thank all school council members, all those who put their names forward and participated in the recent election and the board trustees, who did the same. Both past and present members of school councils — their service to their school communities is invaluable. Their efforts and dedication continue to be essential to the success of Yukon students.

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

## QUESTION PERIOD

### Question re: Hospital staffing

**Mr. Hassard:** Yesterday, the Yukon Employees' Union put out a press release indicating major concerns with staffing at Yukon hospitals. The release raised an issue at the Whitehorse General Hospital where four members of the

nursing staff resigned over a 12-hour period last week. The union says that the resignations are symptoms of a system on the verge of collapse. The minister indicated to this House yesterday that she meets frequently with the Hospital Corporation, and in fact she has a meeting upcoming shortly.

Has the minister followed up with the corporation to move up the urgency of this meeting to address what — according to the Yukon Employees' Union — is a critical situation, and when is that meeting to take place?

**Hon. Ms. Frost:** I can advise Yukoners that we do meet on a regular basis with the Hospital Corporation. I indicated to the members opposite yesterday that we would be meeting with the CEO and we have done that. We will continue, to the best of our ability, support the Hospital Corporation.

I know that the Hospital Corporation is expected to appear before the Legislative Assembly. Specific questions with respect to strategic processes at the hospital — I am sure that they can reserve the questions for then.

There was a press release today with responses to the question on the floor of the Legislative Assembly — as we speak — from the CEO at the hospital, which addresses some of the questions here today. I am certainly not privy to respond to specifics at the hospital, but I can speak very broadly about the strategies around recruitment and retention.

**Mr. Hassard:** So we have been asking the government to adequately fund the Hospital Corporation for the last several years. Yesterday's statement suggests that the Liberals are still not providing adequate funding to meet the needs of our hospitals.

The news release states that they fear for the safety of hospital employees and vulnerable patients. The Liberal government has repeatedly said that they are focused on recruitment and retention of staff — as we've heard again today. While they will soon be entering the fifth year of their mandate, it seems the situation actually has not improved.

Can the minister tell us: Does she know what prompted the sudden resignations of nursing staff at the hospital? What specific actions does this Liberal government plan to undertake to address the situation?

**Hon. Ms. Frost:** To correct the record, the Hospital Corporation received substantive increases to their budget; in fact, I tabled that yesterday. Since 2015, the increase to the Hospital Corporation — 31-percent increase in their budgets last year alone. The increase was 8.9 percent. So, we are working very closely with the Hospital Corporation.

I do want to say that the CEO just recently — just today, in fact — released a media response to misinformation on hospital staffing. That was just released by the Hospital Corporation. I will not speak to that, but I will speak to the joint efforts by the Hospital Corporation and Health and Social Services as we look at recruitment strategies and stabilizing our health professionals — and doing that collectively.

Certainly, I acknowledge that there's a challenge. There's a challenge across the country. We are in the middle of a pandemic and there are approaches that we take to address in ensuring that every Yukoner is supported, that the health professionals are here on the ground, and that no service is left

unattended with respect to health care. I want to just assure Yukoners of that.

**Mr. Hassard:** Since early in their mandate, we've been telling the Liberals that their funding to the Hospital Corporation is inadequate. Now we're seeing staffing vacancies as a result.

Can the minister tell us when all of these positions will be filled?

**Hon. Ms. Frost:** Perhaps the member opposite didn't hear the response. The budget did increase by 31 percent since 2015 and 2016. We will continue to provide the resources that the hospital requires. I want to say that we have a very good relationship there. With respect to the notices that we have received from the Hospital Corporation — part of what went out was that, in the last year, they have recruited over 70 employees — 77 in fact. Just this last month, there were 15 new hires. These are facts, Mr. Speaker.

If the members opposite want facts, I'm sure that they can get that validation when the CEO and the chair appear before the Legislative Assembly. In the meantime, we do acknowledge that we are in the midst of a pandemic and we are working very closely with our partners to ensure that the health care needs of Yukoners are met.

#### Question re: Hospital staffing

**Ms. McLeod:** Yesterday in response to questions about staffing vacancies in our community hospitals, the Minister of Health and Social Services stated — and I quote: “We don't have any vacancies in Dawson City at the moment. At the moment, there are no vacancies in Watson Lake.”

However, a CBC article this morning states — and I quote: “The corporation said there are currently 10 full-time equivalent vacancies in nursing at the Whitehorse General Hospital, two at the Watson Lake Community Hospital and one at the Dawson City Community Hospital.”

On the one hand, we have the minister telling us that there are no vacancies in Dawson City and Watson Lake, and on the other, we have the corporation stating that there are vacancies in both of those communities. Mr. Speaker, who are Yukoners to believe?

**Hon. Ms. Frost:** With respect to the positions, the nurses, and the vacancies, I can assure Yukoners that all of the positions that are left vacant in our communities — as we go through recruitment processes — like every jurisdiction, we go through the recruitment process, and if there is a vacancy, it is back-filled by a locum. We bring those supports in more particularly now under the advisement and direction of the chief medical officer of health. We will take that direction and proceed to ensure that Yukoners are well-supported, using the services that we have used historically.

I am sure that the members from the Official Opposition would be well-informed that this is the historical process. We always have to deal with vacancies in our system. As the vacancies arise, we bring in the locums and provide services so that Yukoners are not left without the supports until those vacancies are filled. This is no different today from how it was three, four, five, or 14 years ago.

**Ms. McLeod:** We asked the minister about staffing vacancies at the Watson Lake Community Hospital last fall. At the time, she stated that they would be filled by last October. Later on, access to information documents indicated that the minister misstated the facts at the time. This morning, the Yukon Hospital Corporation stated that there are two vacancies at the Watson Lake hospital and one at the Dawson City hospital.

Can the minister tell us how long these positions at these two hospitals have been vacant, and what specific actions has she taken to address these vacancies?

**Hon. Ms. Frost:** With respect to vacancies in the hospitals, we work very closely with the Hospital Corporation and the CEO to address vacancies as they become vacant. We ensure that all positions are filled — either by permanent positions or, in the interim, by a locum position.

Now, with respect to in-time information — as I noted yesterday, we have a relationship with the Hospital Corporation. They control the recruitment strategies within the hospital. My job is to ensure that the government — Health and Social Services — is obligated to work with the Hospital Corporation to ensure that services are provided to Yukoners. That is the key priority. We certainly want to ensure that every Yukoner is supported in all of our communities so that they essentially can live healthy lives where they reside — particularly in rural Yukon communities.

**Ms. McLeod:** Yesterday we highlighted how some essential health care workers in Watson Lake are at risk of being evicted due to the Yukon Housing Corporation pet policy. These include two doctors and two nurses. This problem is made worse given the staffing shortages in our communities and at the Watson Lake hospital.

Can the minister tell us if this issue has been resolved yet?

**Hon. Ms. Frost:** Again, the Housing Corporation has a relationship with the Yukon Medical Association. By virtue of that, we have an MOU, and in Watson Lake, the physicians are provided housing. Some might argue — as we're hearing from some of the physicians — the opposite to that is “Look, there is a housing shortage across the Yukon. We need to look at alternatives.”

Clearly, the rules apply to all of the tenants in all of the units — no discrimination. We have a rule that applies to the social housing clients. That cannot change for those who reside in our units that are not a part of that social housing regime. We want to ensure consistency and we are working with the Hospital Corporation to address the concerns that have been brought to our attention on the units in Watson Lake.

#### Question re: Yukon Liberal Party donations

**Ms. White:** Yesterday the Premier refused to disclose who gave over \$100,000 in anonymous donations to the Liberal Party. This is unprecedented. No party in Yukon's history has received such a high proportion of their money from secret sources. When speaking to the media after Question Period, the Premier said that he would meet with his new treasurer and discuss what kind of information could be shared.

Yukoners deserve basic transparency from the Premier, so I will give him another opportunity to share that he has nothing to hide. Will the Premier now disclose who gave over \$100,000 in anonymous donations to the Yukon Liberal Party?

**Hon. Mr. Silver:** Again, the opposition makes it sound like it's one donor who gave \$100,000. I wish — but that's not the case.

We agreed that campaign financing reform is an extremely important issue, as I have mentioned before in the Legislative Assembly. There has been some work done at Members' Services Board by all three parties. However, that work has not been completed. We are into year 4 and into an election term. Now the member opposite is bringing it up here as a grandstanding issue, as opposed to their party bringing it to Members' Services Board, where we would love to have that conversation.

We are in favour of capping donations from corporations and unions. We do not support a ban on donations from anyone outside of the Yukon. Again, we are well within the current rules. If we want to change the rules, that means all three parties coming together and working on a new plan to change the rules when it comes to campaign donating.

**Ms. White:** The Premier keeps hiding behind Members' Services Board when I ask about \$100,000 in anonymous donations that his party received last year, and I think I know why. This board meets behind closed doors, and even though I sit on it, I am not allowed to discuss anything that happens in these meetings. It's pretty convenient for the Premier, isn't it?

\$100,000 — that's more than half of what the Liberals spent in the last election, and no one outside the Liberal Party knows where it came from.

Why does the Premier refuse to tell Yukoners who is financing his party? What does he have to hide?

**Hon. Mr. Silver:** I was very clear about who is financing our donations. We talked about our fundraising opportunities. We talked very openly with the media about that.

I will note for the record that it has been four years since the last election, and the Leader of the NDP has not brought this issue to Members' Services Board. If they are serious about doing something on campaign finance reform, then they would have done that by now.

I will also note for the record that the NDP were quite happy to receive over \$20,000 in donations last year from outside of the Yukon, and on the eve of the 2016 election, the NDP raised the issue — on the eve of the 2016 election.

During the debate on the topic in 2016, the now-Leader of the Yukon Party said — and I quote: "It's not lost on me and I don't think it's lost on Yukoners that..." — the NDP — "... were utterly silent over the past few years about this issue and now — in an election year — they choose to bring this up.

"Now, to me, it is nothing more than political grandstanding."

Not my quote — the new Leader of the Yukon Party. Again, here we are — a year out from the election — and here we have the NDP talking about this in the Legislative Assembly and not in Members' Services Board, where the conversation would be welcomed by folks on this side of the House.

**Ms. White:** \$100,000 — and I'm not implying where it's coming from; I'm just guessing. Do you know why? Because the Liberals are refusing to tell the public who gave them over \$100,000, so all anyone can do is guess. Is it the same company that gave them a \$50,000 donation in the last election? Who knows? Is it the company that gave the Liberals a \$12,000 fishing trip in 2019? Maybe — but it's anyone's guess.

There's an easy way to stop the guessing game, Mr. Speaker — and that is that the Premier can simply do the right thing: Show some transparency and tell the public who finances him, like everybody else. Why won't he do it?

**Hon. Mr. Silver:** Mr. Speaker, for the record, it's the party, not me particularly. I don't take the cheques. I don't know what happens over in NDP land, but that's not what we do here.

Again, if the NDP wants to talk about campaign finance reform, bring it up at Members' Services Board; we'll happily have that conversation. Mr. Speaker, we are campaigning well within the rules of the current campaigning requirements. We had a good year of campaigning — that's for sure. We have an active volunteer base that does an exceptional job of attracting people to our fundraisers. It's a real grassroots part of this party.

We believe in the people who donate for us and to us and we thank them for those donations. We would love to have the conversation with the members opposite. Again, I've been on the record here many times now talking about how we are in favour of capping donations from corporations and unions —

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

**Hon. Mr. Silver:** — if the members opposite would listen to my answers — we would love to have that conversation at Members' Services Board with all three parties that make this decision on campaign finance reform.

#### **Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Hassard:** Thank you, Mr. Speaker. As we've discussed, the tourism relief package comes over 200 days after it became clear that the industry was going to be devastated this year. But the announcement yesterday was only for hotels. Instead of announcing all of the details for the tourism relief package at once, the minister has decided to delay future announcements. The minister apparently has decided that rather than announcing it all at once, they're going to spread out the announcements so the Liberals can get more press conferences for political gain. The industry is struggling. They need answers and certainty now.

Will the minister stop playing politics with the tourism relief fund and immediately announce the details for all sectors of the tourism industry?

**Hon. Ms. McLean:** Thanks for the question. I'm happy to get up and talk about the work that we're doing with our partners to define the further relief programs and to continue working on a recovery program.

Yesterday, I spoke quite clearly about the themes that we have within our tourism plan overall. Those are: providing tourism sector leadership; rebuilding confidence and



capabilities for tourism; supporting the recovery of tourism industry operators; refining the tourism brand; and inspiring travellers to visit.

Members opposite have talked about us not taking action over the last 224 days, as the Member for Kluane put it. Well, we had the quickest response in Canada to ensure that our businesses were absolutely supported. That included tourism. We initiated an events cancellation program that was definitely something that folks needed at that time. We instituted sick leave. We made a lot of immediate responses. There are many more. I know that the Minister of Economic Development would be happy to get on his feet and talk about other details around the responses that we made.

**Mr. Hassard:** Instead of announcing all of the tourism relief fund at once, the minister is turning it into a multi-day event rollout. That type of photo op event planning may work outside of a pandemic — when entire economic sectors aren't collapsing around us — but the tourism industry is struggling today and they need answers today.

Hundreds and hundreds of workers in Yukon businesses are out of work or closing their doors, and these folks need details today. They need to know what is being done to keep the paycheques flowing. It has been 225 days, actually, since we first asked the minister to take steps to protect the tourism industry, and there have been enough delays. The time for action is now.

When can the rest of the tourism industry expect the minister to finally announce their relief package?

**Hon. Ms. McLean:** Our industry stakeholders, associations, and boards are absolutely pleased with the announcement that was made yesterday around tourism relief and recovery. We've been working with our stakeholders along the way. I met with them immediately after the press release and we spoke about the way that things would unfold.

We are absolutely working with the industry. We have done surveys and we are currently working with the Yukon Bureau of Statistics to analyze those for the other two relief programs. Over the last 225 days, I can tell the members opposite exactly what I have been doing. I had over 58 FPT meetings — 27 of them were specific to tourism — with Minister Joly. I attended over 19 TIAY-related meetings. I have attended many of the Business Advisory Council meetings.

In total, there were over 80 meetings that we attended since spring to ensure that Yukoners had the right relief in place. This is over and above exceptional Cabinet and Management Board meetings. So, I don't know what the members opposite have been doing, but I know what we have been doing.

**Mr. Hassard:** So, on March 9, we offered to work with the government on the economic recovery to remove the politics from this issue. The Minister of Tourism and Culture said at the time that the Liberals didn't need or want our support and her exact quotes were: "... it's business as usual" and "We've got this."

So, here we are, Mr. Speaker, 225 days later and the majority of Yukon tourism businesses still don't have answers, but yesterday the minister said that there is no room for politics on this topic. We wholeheartedly agree. So, I would like to

extend our offer once again to establish an all-party committee to work with the government on the economic recovery so that all parties can work together.

So, Mr. Speaker, is the minister and this government willing to accept this support?

**Hon. Ms. McLean:** I absolutely stand by my words yesterday when I said that there is no room for politics. The members opposite cannot secretly hope for the Yukon Liberals to fail. Again, if that is in fact what they are doing, they are hoping that all Yukoners fail. The entire COVID response has been about protecting Yukoners. It has been about ensuring that Yukoners have what they need. We have worked with our partners across Canada. That is why I just outlined to you how many FPT meetings I attended — and that is not including all of my colleagues on this side of the House. That was to ensure that Yukoners had what they need.

We have worked with the business community. We have paid tribute to them today. There were many people who worked with us hand in hand, and we will continue to do that as we move forward, because again — and I have said this before — this is team Yukon. It is absolutely team Yukon. The members opposite can laugh at that, but I believe in the spirit of Yukoners. I believe that we will get through this together. There is no room for politics in this — absolutely. Thank you.

#### **Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Istchenko:** As discussed yesterday, the government announced a small portion of the tourism relief fund. While the rest of the industry has to wait for the Liberals and the minister to schedule another press conference, I would like to ask some questions about yesterday's announcement. This new funding for the accommodations industry goes only until the end of December, Mr. Speaker.

Can the minister explain why the funding ends on that date? Is the minister expecting the tourism industry to rebound by the end of December or is the government sending a signal that they are opening the borders at the end of December?

**Hon. Ms. McLean:** As we stated yesterday in our announcement, we see the Yukon accommodation businesses as being hit very hard — and that is going to continue over the winter months. We know that. Many of our tourism businesses have maxed out on our current Yukon business relief programs. Right now, we have allotted \$2.88 million. We worked closely with the accommodation sector to identify the numbers that we have before us.

So, we did a tremendous amount of research on this. I can tell you that I have received good feedback from hotel owners and those who are managing these facilities. They are quite happy with the relief that is given now. We are continuing to work with our federal partners to provide further relief to all sectors of the tourism industry — but this particular area, in terms of protecting our infrastructure — which is accommodation — without accommodation and air travel, we do not have a tourism sector. That is why we announced this program yesterday in advance of all the details of the rest of the \$15 million.

**Mr. Istchenko:** Mr. Speaker, if every expert is saying that the tourism industry will not rebound by the end of December, why have the fund end then? Why make the industry go through more uncertainty? Why not just have it go until the spring so that businesses can properly plan for the next six months? This is what we are hearing.

Is the minister purposely just setting this up so that she can do another news release and another announcement on an extension?

Everyone knows that tourism isn't coming back by the end of December. The government needs to stop contributing to this uncertainty. So, will the minister agree in the House today to extend the accommodation fund until the end of March so that businesses can start planning and have some certainty?

**Hon. Ms. McLean:** We announced up to \$2.8 million yesterday, and it was part of a larger package of \$15 million. Now, we have tabled a supplementary budget that includes \$4 million toward relief and recovery. We are working within our financial act, and we have that supplementary budget before this House. It will be up for debate. I am really looking forward to having debate — if we can get past the current supplementary budget that we have been debating and debating. I think it would be great for this House to get on with some of the other business that is before us.

We have extended our Sitting to 45 days to allow for this good debate to happen, and we are absolutely prepared to do that. I am looking forward to it.

Our commitment — it was a clear, clear, clear signal to the tourism industry that we have supported and we will continue to support the businesses that are struggling right now. We recognize that. It is going to be a long recovery for tourism — not only in Yukon but in Canada and throughout the world. We are positioning ourselves for that.

**Mr. Istchenko:** The minister is absolutely correct that the businesses are struggling, and some of the businesses — my next question is related to the relief package — and some in the business community are actually asking me this question, and so are Yukoners.

In the supplementary budget that the Tourism and Culture department tabled a couple of weeks ago — and I do look forward to getting into debate — it grows the size of the Tourism and Culture department by nine full-time equivalent employees. Will those nine FTEs at the Tourism and Culture department be working on processing applications for the tourism relief fund?

**Hon. Ms. McLean:** I think that I answered this question previously — but, yes, we have tabled a supplementary budget that includes nine extra full-time employees. That is in fact for borders. I know that I answered this question previously. These extra resources are going toward assisting with the border in Watson Lake and at the airport.

Again, we extended our Sitting for 45 days. We have debate that's coming around all of the supplementary budget — the second supplementary budget and we're happy to have those debates. I'm absolutely looking forward to it.

Again, this is something that — every department within our government has worked hard to respond to COVID-19.

This is Tourism and Culture stepping up to do our part in terms of working with the borders and ensuring that folks who are travelling through Yukon have the right information. They absolutely have been tremendous in the work that they've done. I want to thank them while I'm on my feet today for the work that they've done.

**Speaker:** The time for Question Period has now elapsed.

### Notice of opposition private members' business

**Ms. White:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, October 21, 2020. It is Motion No. 277, standing in the name of the Member for Takhini-Kopper King.

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, October 21, 2020. It is Motion No. 289, standing in the name of the Member for Porter Creek North.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** Order, please.

The matter before the Committee is continuing general debate on Vote 15, Department of Health and Social Services.

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

### Point of personal privilege

**Mr. Kent:** Just rising on a point of personal privilege. Earlier, I announced it was Motion No. 289. It is actually Motion No. 283, standing in the name of the Member for Porter Creek North.

**Chair:** Order, please.

The matter before the Committee is continuing general debate on Vote 15, Department of Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

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. 204: Fourth Appropriation Act 2019-20 — continued**

**Chair:** The matter before the Committee is continuing general debate on Vote 15, Health and Social Services, in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

**Department of Health and Social Services — continued**

**Hon. Ms. Frost:** I would like to just acknowledge that I have with me the Deputy Minister of Health and Social Services, Stephen Samis. Karen Chan is the assistant deputy minister. I just want to welcome them here and I would like to get straight into where I left off yesterday with respect to the supplementary submission on Health and Social Services for the amount of \$5.246 million.

Specific areas of overages relate to some unforeseen circumstances within health. For the record, again, for Health and Social Services, there was \$2.3 million in COVID-19-related expenses, which made up 25 percent of the budget — \$1.3 million — and then, of course, health services.

Now, for the record, the total amount — just for the benefit of Yukoners — \$5.426 million — the \$74,000 that was up for question or debate a few days ago — the difference in what was presented and what was tabled makes up 1.41 percent of the overall budget. For the broader discussion — the overall budget — it is .00017 percent, which is an indication of the small percentage of what we are speaking of here today — no indication that it doesn't warrant a priority — because certainly that is where we are in this debate. The objective here is to help us get through some of the back and forth and resolve some of the questions specific to the office of the chief medical officer of health, the Health Emergency Operations Centre, Yukon communicable diseases, environmental health, the Emergency Coordination Centre, Yukon Hospital Corporation, continuing care, and licensed childcare. Those make up the 25 percent specific to COVID — the 50 percent specific to health, social services, extended family care agreements, Family and Children's Services, mental wellness, and the Whitehorse Emergency Shelter. The other 25 percent is specifically for insured health services — and that is for the external hospital stays.

I certainly want to highlight that — comments around not being able to get through the supplementary — I am certainly open to debate on the specific topics that I have raised with respect to where we are around the legal obligations and the binding obligations to support our Yukoners — the citizens who travel outside the Yukon for medical care — and to support our extended family care agreements and more around supported services rather than apprehension and what we have seen historically — unexpected increases in support for mental health.

Of course, the Whitehorse Emergency Shelter, given that we have one full year of operations — prior to that, it didn't have any programming designed around that. It was a shelter that was acquired by this government. So we are intending to now look at some primary and health care services and looking

at a total reform in terms of our collective responsibilities — that looks at elimination of some of the very fundamental issues that affect us, and that's systemic racism, inequities, and services that affect the vulnerable population, that affect our indigenous families, and that affect our seniors.

With respect to what we've seen historically to where we are currently and what we've done and what we've learned from COVID — I think we've certainly learned a lot and we acknowledge that our government has made some pretty fast and decisive decisions to implement and support those who needed it in a state of emergency and we implemented vital programs to ensure that Yukoners and businesses can weather the storm. We looked at rent supplements and rent relief. We looked at taking a team approach, working with our partners.

As indicated in the supplementary, we have clearly looked at historical concerns and of course historical practices when it comes to Family and Children's Services — the traumas associated with residential schools, the traumas associated with apprehension of our children, the traumas associated with the lack of services in our communities. I spoke about that when I was up last — about the fact that this generation — my children's generation is the first generation in my family where the children were not apprehended. It is an indication of what we had to do when we looked at Family and Children's Services' supports to individuals and families. We had to look at the extended family care agreements to ensure that children were rightly placed in their communities — void of racial discrimination, void of lack of services, and moving us in the right direction around programs and services.

I indicated that, as an indigenous person and as a rural MLA, it's my duty and my obligation to ensure that we certainly want to look at all of the services that we provide for Yukoners — that their services are met in a timely fashion and that we remove all the barriers as much as we can — specifically around the care of our most vulnerable populations, but also the care that Yukoners need as they are going through traumatic times. That means that, when they travel outside the Yukon, we certainly want to ensure that they have supports they need as they travel.

In my culture, in our *Dinjii zhu'* way, no one gets left behind. Everyone is brought along, no matter the circumstances that you are confronted with. I will always endeavour to do that — and that is to participate in a system of change. This was demonstrated through our *Putting People First* report — which we spoke about yesterday — and that comprehensive review that was done by an expert panel speaks clearly about a system that needs change.

This Legislature certainly is no different from what we have seen across the country, and neither is Yukon. The tribute today was really about reducing homelessness and systemic racism, but it also means that, no matter the circumstances of the individual as they present themselves to the health care field or to the health centres or to the wellness centres — those individuals need to be met. They need to be met where they are and supported.

The supplementary budget covers specifically the areas that were required in terms of the emergency measures orders.

I would be happy to debate that. I would be happy to debate the social services element. Of course, the most important thing that seems to be of interest to the opposition is the Whitehorse Emergency Shelter. I would be happy to have some really great debate on how that is doing right now — the services that they provide — and the clients who are there whom we are now supporting on a daily basis. Pre-COVID, we had in excess of 350 meals provided a day. We had more than 70 people some nights, who sought shelter.

Our last point-in-time count indicated that we had 195 individuals who have defined themselves as “homeless”. That is an indication that we need to make some adaptations and adjustments to ensure that those individuals were not left without shelter, that they were provided food, and that they were provided a safe place to go on a nightly basis.

The continuing care facility is also a huge element of this supplementary budget. It talks about the costs that we had to put in place to ensure that long-term care homes had the appropriate supports to ensure that our seniors were supported.

We are extremely proud to say — in our national meetings with the federal minister and ministers across the country — that we had not one senior affected by COVID-19 because of the measures that we put in place. In fact, the Yukon is being held up as a model, whereas other jurisdictions are having some really detrimental impacts and effects of COVID-19 in their care facilities. That was because the resources had to be put in place to ensure that we had extra staff there — and extra cleaning staff there — that we put in the measures to support the seniors. We certainly did not ever want to compromise their health and well-being.

With respect to ensuring that every life matters — that is the fact. This supplementary budget is a reflection that every Yukoner’s life matters, and the debate up for today of the \$5.246 million and the overages on the supplementary — that specifically was required to ensure that we provided the essential supports and services for Yukoners during this time. We also had realized early on that the excess of children in our group homes was not acceptable — absolutely not. I will not ever want to see my child go through what I went through or any other indigenous child being apprehended or a child who is found to be in a position where the parent is not able to keep the child. We have to look at bringing the child back home and repatriating the child into their community.

Mr. Chair, the child and the supports we bring into the community are critical and essential. It’s necessary to our mental wellness supports. The counselling and supports that we brought into the communities were really intended to do just that. It’s about the department moving forward. I want to acknowledge — as I’ve acknowledged before — the difference of \$74,000 from what was submitted on day 1 — the difference was the rounding of the numbers, which I understand is common practice — but I have tabled the exact numbers and I am happy to talk about that — the exercise of justifying why the overage was necessary — and to remind Yukoners that we have an opportunity to make fundamental systemic changes, as succinctly reported by the independent expert panel on social and health services.

I have been given a pretty clear mandate that I must change the foundations that made us foreigners in our own land. We have a two-tiered system, which seems to be very much alive and well in the Yukon today. The treatment is still really there and we need to look at indigenous women and children. We need to look at our care models. We need to look at our seniors, and we need to ensure that our responsibility as a government is to ensure that we use our resources to provide services that are effective and sustainable and that eliminate health inequities and improve health outcomes for all Yukoners.

I will stand here to give voice to the people who have been underserved for far too long. I’m clearly open for discussion and debate today on the supplementary budget as presented. I would like to ask the Official Opposition and members if they fundamentally disagree with the submission — which they’ve stated previously — if they can clarify for us — then that means essentially that they do not agree with the supplementary as it was spent specifically on our legal commitments to ensure that health services were provided for the patients who had to leave the Yukon for supports and the children — having to repatriate them.

I ask that, Mr. Chair, for some indication of their support or non-support for the budget.

**Chair:** Order, please. Thank you.

Is there any further debate on Health and Social Services?

**Ms. McLeod:** I guess, before I get into questions, I just want to — the minister wanted to tell us what a minuscule amount this budget allocation was. In terms of the overall Health budget — and yes, we all agree that it’s a large budget, but I think every Yukoner will also agree that \$5 million is not lint in your pocket. So we take the \$5 million seriously — just like we would take \$1 million seriously and just like we take \$450 million seriously.

To start with, I would like to ask the minister if she could tell us whether or not there were any internal reallocations of monies that are not reflected in this document today.

**Hon. Ms. Frost:** I apologize — I had my timer on to keep track of how much time I had left.

With respect to the question about whether or not we knew what was in the vote and whether or not those things were moved around — certainly, as standard practice within the system, usually the department works within its vote. In circumstances when we go over the vote, then the discussion comes forward for debate. What we are seeing today is that the department worked within its vote allocation and determined that, at the end of the year — as we hit COVID — we were seeing an excess of requests coming in specifically to COVID and establishing the emergency centres and the support to the chief medical officer — but at the same time, we received the invoices and the indication from our external providers later on that there was an allocation needed to cover the medical travel and the extended supports there. Those things would have not been known in the previous year.

It’s very similar to the extended family care agreements. Those things were actively moving to ensure that we supported the communities.

So, with respect to the question — we worked within the vote and, after the fiscal year, realized that we had some overages. We presented that for consideration.

**Ms. McLeod:** At what point will those reallocations show up? Will they be identified in the next budget cycle?

**Hon. Ms. Frost:** What we are seeing today — what is up for debate is the \$5.246 million. I presented the budget in the Legislative Assembly — the detailed breakdown. So, I'm not certain about the members opposite — around what happened previously and in the previous year in terms of how we work within the allocation.

The specific question today around the \$5.246 million — is that a specific question to a specific line item? I would be happy to respond to that.

**Ms. McLeod:** I note that the minister is refusing to answer that simple question, which, incidentally, applies to this budget allocation.

I have some questions around the Health Emergency Operations Centre. This is a \$262,000 line item. I am wondering what the time allocation was for this \$262,000, given that the pandemic was only acknowledged by this government in about mid-March.

**Hon. Ms. Frost:** With respect to the Health Emergency Operations Centre — clearly the Member for Watson Lake would know that we were in the middle of a pandemic, operationalizing the supports on the ground to ensure that we provide the vital services to Yukoners to ensure that they were safe.

The operations centre worked very closely with the chief medical officer of health under the direction of the deputy minister. Of course, the oversight and guidance around setting that up involved the good work of the Minister of Community Services as well in ensuring that we collaborated with all of the departments throughout the month of March. We knew early on — of course, this started way back in January — so there was a good indication to Yukoners and to the rest of the world that we had to be prepared for the potential of a national pandemic — as we all should have been aware of as individuals, but as a government keeping track of what was happening on a national scale, with an indication of how this might potentially affect Canada and Yukon.

As we were responding to the potential for having an international competition occur in our small city by virtue of that, this could have detrimentally impacted and affected our smaller communities. We had representation from many countries. The response to that would have started in February — in prepping and meeting — of course, I will not speak for the minister responsible for sports — but I know that they were working very hard with the chefs de mission and the countries to ensure that we were responsive and had the supports on the ground here.

The most difficult decision was when the Arctic Winter Games were cancelled, knowing that we needed to put in place very quickly measures to ensure that the Health Emergency Operations Centre was operationalized. Those considerations were early on in the new year — and of course the whole centre was set up in March. We had to mobilize very quickly and move

the staff. The operations centre certainly played a key role in supporting the chief medical officer of health as he developed public health guidelines and supported businesses and organizations as part of his plan to protect Yukoners.

It was critically important that we looked at the Respiratory Assessment Centre as well. As well, we had to look at the self-isolation facility. We had to quickly move as we were evolving. By the same token, we had to look at our population base, and we had to make sure that we had the services available to our vulnerable populations — so mobilizing more supports. The Health Emergency Operations Centre was really set up to do that — focusing on ensuring that our government continued to coordinate and make public health responses and to look at communications and ongoing operations and policies as we were working with our municipalities and our First Nation communities.

Certainly, in March, we had to also start looking at resources, and we had to look at our employees and deploying Health and Social Services staff over to the Health Emergency Operations Centre to operationalize it and to start looking at the logistics of supports needed for Yukoners.

Also, early on, we had to really look at our *Civil Emergency Measures Act* and our plan. That meant that the team had to work very hard and fast and to move quickly at the height of a pandemic. Specifically, of course, our communications staff but also our critical health staff had to move over to support Dr. Hanley because he doesn't have all the supports. That was how it was established, and the resources that were allocated — the \$262,000 — were to ensure that we had those resources on the ground.

I can say that the isolation facility certainly came in handy when we had the Québec couple who showed up in my community in the middle of a pandemic. That is just an indication to Yukoners that the system worked. It worked well because they were gone out of the community the very next day and they were secured and put into our isolation centre. That, I think, is a good — kudos to the coordination centre, Dr. Hanley, and the staff for moving very quickly and the key role they played in ensuring that we developed the guidelines around his recommendations and ensuring that we support our critical services.

At the same time, we had to work with our education system because we were closing down the schools to accommodate the Arctic Winter Games. All of the schools were closed at that time and we had to deal with that, and that's part of this question.

So, the member opposite asked a question about the Health Emergency Operations Centre and when it was deployed. It's important for Yukoners to know why it was deployed and why it was necessary to spend \$262,000 on this particular line item.

**Ms. McLeod:** I kind of think the minister was trying to rewrite history there for a while. The question was: Given that a state of emergency was declared on March 26, the \$262,000 covered what period of time? Was the whole month of March when that money was spent? Was it from January, as the minister tried to indicate?

I'm interested to know when this money was spent. How much of it was on rental? How much was for staffing?

**Hon. Ms. Frost:** I'm certainly not trying to belittle anything or underrepresent. I'm not trying to give — as the member opposite is suggesting — this is very critical. It's very important and it's very necessary.

The resources that were spent on the Health Emergency Operations Centre were necessary. It was necessary that we operationalize the centre, that we brought in the staff, and that we moved over the supports to ensure that the chief medical officer of health had the resources around him. We had to move our staff over from Health Services and of course communication services. There was a huge amount of resources brought over. Specifics on how much was spent on staff and how much was spent on — I can tell the member opposite and for the benefit of Yukoners that, on March 23, the Health Emergency Operations Centre coordinated its public response. At that time, the HEOC brought together resources from across government. At its height, more than 80 employees were working on the operations, planning, logistics, and finance. Now, there was a critical support team that was brought together.

With respect to the supports that we provided specifically from Health Services — we certainly had to ensure that the deputy chief medical officer of health was supported, as Dr. Hanley was not available at that time. We had to bring in the resources around the deputy chief medical officer. With respect to when this was spent — I indicated that we were starting the planning in February, and then, from February, we went to the end of March. In most of March, the HEOC was operationalized and of course we extended the resources then. The calculation of what we have before us today — what it cost us during that time was \$262,000. The self-isolation facility of course was required for many Yukoners to be isolated from March — from out-of-territory. It was not geared only to Yukoners. I'm keeping that in mind with the specific breakdown. We had to deal also with the March break as we were dealing with the pandemic.

**Ms. McLeod:** If I understand what the minister has told us just now, about 80 employees were brought over from health, which would suggest to me that none of the staffing costs are in this \$262,000, given that those staffing dollars are already accounted for in the main budget of Health and Social Services. Would it be fair to say that \$262,000 was for rental and facility usage?

**Hon. Ms. Frost:** I would say that the 80 individuals whom I mentioned — the 80 staff who supported the Health Emergency Operations Centre came from all over the government. Maybe the member opposite isn't aware, but during a pandemic, the whole government participates. Everyone came together to support Yukoners.

With respect to how much we spent on each individual who was mobilized over — that was costed out against that department. With respect to additional supports that were required, we certainly had to bring additional supports in. With respect to the rental of facilities, we had the old library set up — here in this very administration building — and we also had

to set up the emergency response respiratory centre and the testing site. As part of that, we also had to look at ensuring that we had the facility readily available — the hotel and the self-isolation centre. There are many factors considered in this budget.

**Ms. McLeod:** I didn't really get an answer to my question. I took the minister at her word when she said 80 staff from health were taken into this Health Emergency Operations Centre and the associated activities. If they came from all over the territory and all of government, that's great — I don't have an issue with that; that is good.

But I still don't have a breakdown of these numbers. Perhaps the minister is unable to tell me what that breakdown is. I am happy to finally get an answer on the timing of it, which was from mid-February to the end of March. Perhaps we will never know how much was staffing and how much was for facilities.

I am going to move on to the Emergency Coordination Centre. "Social Services for deployed staff..." — so if the minister can just explain that statement — I'm not sure if that means that Social Services staff were deployed to the Emergency Coordination Centre or if they were — I will just ask the minister to explain it.

**Hon. Ms. Frost:** I'm just seeking clarification. Given that the responsibility is a dual responsibility between Community Services and Health and Social Services and the budget is to support the Health Emergency Operations Centre and the staff who were there — the Emergency Coordination Centre — as I indicated earlier, there were 80 staff deployed to the centre to support the centre from across the government.

The member opposite is indicating that she wants a specific breakdown of how much that costs — the \$23,900 that was intended under this particular line item was intended to support the staff who were deployed to ensure that they were well supported. There was a lot of overtime accrued given the critical time and the crunch that they were under to ensure that we operationalized the centre. The supports were there. There were some concerns around capacity, but there were also the necessary requirements to communicate out to our communities. The support was there specifically for the staff and Environmental Health Services, and that was what that \$23,900 was for.

**Ms. McLeod:** So, I understand that this line item says "Social Services for deployed staff..." but I still don't know, from what the minister said, what that is. Are we talking about wages? I actually have no idea. I have no concept of this.

If the minister could explain to us what "social services", in this regard, is — this money, \$23,000, went for social services. What were they?

**Hon. Ms. Frost:** The \$23,900 covered the overtime that the staff were required to work to set up and mobilize the centre. That is what this is for.

**Ms. McLeod:** Excellent.

I am going to move on to the Yukon Hospital Corporation. The Hospital Corporation was given \$170,000 to assist with their pandemic responses. When did the Hospital Corporation ask for that money?

**Hon. Ms. Frost:** Certainly, the Hospital Corporation would have worked closely with the chief medical officer of health, as we did, and that would have been early on in February — working on setting up and mobilizing the hospital to ensure that they made the adaptations necessary to eventually deal with a pandemic. It would have been in late February and throughout March.

**Ms. McLeod:** Okay — so the Hospital Corporation asked for this money in February. Early February was what the minister said to start with, so I guess — I am not going to go there. I am not going to go there because this was an overspending amount, and I suppose if you knew about it, you could have planned for it, but I won't go there.

Continuing Care, \$255,000 — I understand that this is for staffing costs. I presume that it was for all of the continuing care facilities. How many extra staff did that translate into?

**Hon. Ms. Frost:** With respect to the previous — don't want to talk about the Hospital Corporation. The same holds true for the Hospital Corporation as holds true for continuing care and all of the centres. They all had to mobilize and put the staff in place to ensure that supports were readily available.

Of course, Continuing Care — the \$255,000 was to support the Continuing Care staff to ensure that residents of our long-term care homes had the appropriate supports and were safe. Of course, we have to pay, in these circumstances, overtime. We had to bring in extra security. We had to bring in extra cleaning staff. That was all to ensure that the residents, the seniors, and the families were safe and well-served.

**Ms. McLeod:** I'm going to assume then that the extra security and cleaning staff were temporary positions. How many were there?

**Hon. Ms. Frost:** I don't have that answer. What I can say is that they were brought in to support. Specifics — I can tell the member opposite that, in Continuing Care, there was \$255,000 spent. We have a few care facilities. We have one in Dawson City and a few in Whitehorse, and of course, we have to provide supports to the Thomson Centre, Birch Lodge, Copper Ridge Place, the Whistle Bend continuing care facility, and McDonald Lodge in Dawson City.

We have senior residences as well. We have to work with ensuring that we provided supports around those facilities in other communities.

**Ms. McLeod:** I'm going to move on to licensed childcare. This, of course, is a line item of \$630,000.

Can the minister tell me how that was allocated or what its intention was?

**Hon. Ms. Frost:** With the childcare centres during the pandemic, we had to keep the childcare centres open for essential workers.

So, the \$630,000 was spent on ensuring that the direct operating grant and the supports that they customarily receive under the extended early learning agreements were continued and that we never jeopardized or compromised the childcare centres. We covered the basic supports, but we also ensured that their rents were covered, even though they were not receiving children in the childcare centres. In fact, we put in more resources and gave them more resources to ensure that they had

the necessary supplies to ensure that sanitation was a priority. Yukon was one of the very few jurisdictions that kept licensed childcare programs open during COVID-19, and it was one of the first jurisdictions to implement a robust funding model for the COVID-19 response specific to childcare centres.

We provided the enhanced direct operating grant funding to licensed childcare programs in Yukon. In total, we provided nearly \$4 million from March to the end of June. That is after the fiscal year, but prior to the fiscal year, we had to continue that so as not to jeopardize the facilities. That is still continuing, Mr. Chair. Ongoing supports are currently being offered. We will certainly ensure that we continue supporting them.

The additional funding of \$100 a month received for additional cleaning supplies is still there. We will continue to support the parents and caregivers as the childcare centres resume. They all, for the most part, have resumed full operations, but they are still getting the top-up funding to ensure that they have the supports, so we will see the increases continuing on there.

**Ms. McLeod:** My recollection of childcare centres is that they were, in fact, closed. Of course, government stepped forward and provided some ongoing funding to ensure that they did not fold or go under and that their financial obligations were met. Subsequently, of course, we reopened daycares for emergency staff.

What was the period of time that the \$630,000 covered? Was it the month of March? Was it two weeks in March? I am just trying to get a sense of that.

**Hon. Ms. Frost:** The childcare centres remained open for essential workers, and they received all of the supports that I have mentioned. That is part of this continuation of the licensed childcare centres — that we supported the childcare centres to make them readily available to essential workers — but at the same time, those centres that chose not to receive children were still getting the same amount of funding that they were receiving in January and February. There was no disruption of that. We were the first jurisdiction in the country to do this, and we continue to do that today. We are giving additional services and supports.

I want to just acknowledge that, because none of the centres were closed. They were still receiving the funding and the base funding that they were receiving previously.

**Ms. McLeod:** I'm still looking for that period of time that the \$630,000 covered. Was it for the whole month of March? Was it for half of the month of March or even previous to March?

**Hon. Ms. Frost:** I want to just say that the pandemic happened in January. Yukon mobilized in February. The question is: When was this? Well, certainly, the supplementary request is for the previous fiscal year — so this funding and this request would have been from the previous fiscal year, meaning that because the pandemic happened at the end of January, certainly we were mobilizing and working with our care centres. That would have been in mid-February to the end of March.

So, I'm not sure if the member opposite understands that the timing of the pandemic correlates with the COVID budget,

which is 25 percent of the request. Specific questions around how much was spent on overtime, how much was spent on continuing care, what type of basic supports were provided — we provided the necessary supports, and it all happened pre-March 31. That is what the submission today is for.

**Ms. McLeod:** Of course, I am well aware that this is supplementary funding for fiscal year 2019-20. I get it; I understand it. I know why I am here.

In March, we know that the government did not believe that we had anything to worry about. For the minister to try to say that this funding stretched back to January is a bit of a stretch.

As far as I know, it was business as usual for all daycares for January and February. I don't know how far into March that there was a cessation of business as usual for them, but I do know that it was business as usual for the entire rest of the country until March — I shouldn't say that; let me backtrack that — for the Yukon.

So the minister seems to be somewhat affronted by requests for specific information on how money was spent — and that's not the thing I want to ask at this point. I'm just trying to find out for how long a period does \$630,000 cover for Yukon's daycares? So I would like the minister to answer that.

The World Health Organization declared a pandemic on March 11. We were not in a pandemic situation prior to that date. If the \$630,000 was from the last three weeks of March, I would like the minister to confirm that.

**Hon. Ms. Frost:** Thank you, Mr. Chair. I guess I'm quite taken aback by the comment that we didn't have anything to worry about.

Well, certainly, we had a lot to worry about. We had a world pandemic — and if anyone was in tune with what was happening on a national and international scale, we knew that there was a pandemic happening. We had to mobilize early on in the Department of Health and Social Services. The chief medical officer of health and the mobilization of the Health Emergency Operations Centre happened well before we declared the emergency here. I want to just take a moment to acknowledge that because the staff worked above and beyond to ensure that Yukoners were well-supported. The resources provided for the childcare centres were to ensure that we provided supports to all childcare centres across the Yukon.

There are many childcare centres. There are day homes and childcare centres. In fact, we worked with the daycare centre in Watson Lake. We worked with the NGO communities and the Little Blue Daycare in Dawson City through a pilot project. We continued to support those daycares through the pandemic. Even though they were not accepting children in their daycares, they still received all of the funding on a monthly basis. This funding — the \$630,000 — was to ensure that we kept the daycares open and that they were supported so that they could mobilize and reopen when we were at a time when we wanted to reopen childcare centres.

We started planning the Arctic Winter Games certainly many, many months ago — pre-COVID. We cancelled the Arctic Winter Games on March 7. The cancelling of the Arctic Winter Games required a lot of forethought and a lot of

planning — but at the same time, we had to take into consideration the recommendations from our chief medical officer of health. That meant that we had to do the due diligence leading up to the implementation of the emergency measures process and setting up the resources and supports. That is what this funding was intended for. It was to ensure that the childcare centres remain open amidst the pandemic.

**Ms. McLeod:** Today, actually, we got something cleared up that we had tried to get cleared up some time ago, which was whether or not family day homes would be covered. The minister has confirmed today that yes, they are.

I applaud the government on working with daycares and family day homes to provide them with the funding they need to keep them afloat. But you know what — I'm going to continue to disagree with this minister when she tells me that they have been working since January on a pandemic when — as I said — the World Health Organization declared a pandemic on March 11 and it was right here in this House that the Premier said there was no pandemic — his words — so revisionist history.

I'm going to leave the daycare issue because I have a sense that I'm never going to get an answer on this. Perhaps it's just an unknown — an unknown \$630,000 is what it is.

I'm going to move on to mental wellness and substance use — which are the exact words that are in here. The description is “Unexpected increases included supports for mental health”. “Unexpected increases” — can the minister explain to me what those unexpected increases were? That has a value of \$365,000.

**Hon. Ms. Frost:** Mr. Chair, I would just like to note for the record that certainly the comments previously about fundamentally disagreeing with the position that we've been working since January — certainly, we want to always be prepared for the potential for Yukoners to be affected. That's part of good business planning. Good planning and defining a case are two different things. So, we certainly had to make sure that we have the structures established — so putting that off as insignificant, I think, is not acceptable.

I do want to say that the department — and of course the staff who dedicated their lives during this time to respond appropriately to the pandemic — went above and beyond and did a lot of the planning and a lot of the preparation to respond appropriately to the potential for the pandemic and when it would arrive. As Dr. Hanley so succinctly put it, it's not “if” it arrives, it's “when” it arrives. The “when” is the time you need to be prepared and have the resources to support the pandemic. That was what this \$1,300,000 was spent on and covered all of the specific areas in question.

With respect to the question around mental wellness supports — just referring to the supplementary submission — “Unexpected increases” for supports for mental wellness services — for the record, that was \$365,000. As the member may be aware, in the middle of a pandemic, you have to make some fundamental changes and shifts to align with the core needs of Yukoners — no longer were you able to have in-person counselling supports; no longer were you able to have community visits. You had to work virtually, which means we had to mobilize and we had to make some adjustments.



At the same time, we had to work with the referred care centre. The referred care centre had to provide services there. They're there to provide really critical supports to our most vulnerable community members — ensuring that they had the supports available as well. Our mental wellness hubs in all of our communities had to make some adjustments there, as well, ensuring that we had necessary supports.

During that time as well, not only were we in the middle of a pandemic, but we also saw significant overdoses related to the opioid crisis that we're in. We had to make adaptations and adjustments in ensuring that we were protecting our staff, but we also had to make sure that we were protecting Yukoners while at the same time not disrupting services — not disrupting the critical services that are there to support and save the lives of Yukoners.

We certainly wanted to ensure that we were well prepared to deal with the crisis, and the government and, of course, our partners looked at this state of emergency, made some rapid adjustments, and looked at vital programming to ensure that Yukoners were supported. The adjustments to the mental wellness supports were one of the critical areas where we had to make adjustments.

That particular line item for mental wellness supports is \$365,000, and that covered the whole of Yukon. As we know, there are four hubs in the Yukon and 22 counsellors. We have supports across the Yukon, so we had to make some adjustments.

We were seeing some rises in the opioid crisis, and that happened since January. So, we had to make some adjustments. I am happy to say that the resources were available at that time. As I indicated in my opening comments, I certainly don't want to leave any Yukoner without the supports that they essentially need.

**Ms. McLeod:** I just want to share with the House another quote that I found from March 16. The Premier in the House said: "Let me be specific as well: There is not a pandemic in Canada yet." I just wanted to share that. I thought it was kind of interesting.

The minister was telling us that about \$365,000 for unexpected increases included supports for mental health — but as the minister spoke about it, the minister related it to the pandemic. If I take the layout of this document, that falls under Social Services — which, I presume, covers the entire fiscal year of 2019-20 and is not related to COVID — because if it was, I would expect to see it up above, under COVID-19 expenditures.

I don't know if the minister wants to adjust any of the statements that she made in this regard, but according to her own document, \$365,000 was not COVID-related; it was system-wide. If the minister added supports through the mental wellness hubs throughout the year, I am happy to hear that information; I look forward to hearing that information. But, according to her own documents, it had nothing to do with COVID-19.

I will wait to see what the minister can say in response.

**Hon. Ms. Frost:** I am actually quite shocked. I am surprised that the member opposite would suggest that mental

wellness supports are not a part of the COVID pandemic. We know — everybody knows, Yukoners know, the members opposite have indicated — that Yukoners are under immense stress right now. Adjustments had to be made. Supports had to be on the ground. We are in the middle of a pandemic. The member opposite is suggesting — maybe they don't see it as a crisis, not a pandemic. We certainly see it as a pandemic. We see it as a crisis. We are in the middle of a crisis.

We have made significant changes in how we do our business here in Yukon, as indicated here in the Legislative Assembly. Suggesting and playing it down is, I think, not doing anyone any justice. The mental wellness supports that were necessary — were necessary previously and are even more essential now — are certainly not something that I want to underplay. I think that it is of the utmost priority, and of course, it has everything to do with the budget line item as we presented it. There are specific areas — we budgeted things — the COVID expenses, above the 25 percent. Those that were directly related to Health Services and those that were related to Social Services — generally speaking, if the member opposite was to look at the budget, the general mains, she would see that mental wellness is classified under Social Services. For the benefit of reporting, and the benefit of putting on the record, what we saw under mental wellness supports and services — we certainly don't want, for purposes of transparency and purposes of ensuring that Yukoners are supported — and, of course, for the record — mental wellness supports and substance use always fall under Social Services and that is how it is classified in the supplementary request.

If the member opposite feels that it is better suited and better fits under COVID and should not be defined where it generally is housed, that is for another debate.

I do want to say that the difficult decision sometimes is to look at our crisis, look at COVID, and then look at the mental health parameters — because, as we look at COVID, we are also in the middle of a mental health crisis. Individuals are self-isolating; individuals are having a very difficult time.

A lot of people are losing their jobs. A lot of people are staying home. There is self-isolation, and there are essential needs and core needs of Yukoners. I don't even know how to respond to the suggestion that it's not related to COVID-19. Well, mental wellness is certainly related to COVID-19. It certainly relates to an individual's psychological well-being in the middle of a pandemic — to ensure that supports are readily available. I will always ensure that, as we look at Mental Wellness and Substance Use Services supports — we had to bring in additional resources and additional supports. We have to ensure that the communities' needs were still met during this most difficult time.

As we look at the extended family care agreements, those families have to be well-supported. The children had to receive the supports that they needed as well as the grandparents and the grandmothers — ensuring that significant changes and improved services that were needed — in particular, the Referred Care Clinic as well. We saw primary care clinics across the Yukon. We saw complex mental wellness and psychological concerns that had been brought to our attention

mobilizing very quickly under the advisement and direction of our staff and under the direction of the chief medical officer of health, ensuring that we continue to expand the scope of services provided by our hub staff to include counselling for adults, children, youth, and families and, of course, substance use counselling, relationship counselling, trauma counselling, and community supports.

In some of our communities, we have seen quite a rise — it's quite sad — in suicides. The teams had to mobilize. We had to bring teams into the communities during COVID. We had to bring emergency response teams and critical incident teams into our communities. Why is that? Of course, COVID is escalating everything. It's escalating the financial pressures on the family. It didn't always call for COVID expenses, but because we are in unprecedented times, we had to make adjustments.

I really am at a loss. Of course, we want to ensure that we always support Yukoners and, in particular, the families during major crises like this. We are in the middle of a crisis, and we will continue to support Yukoners.

**Ms. McLeod:** We get presented with the document by the Minister of Health and Social Services. This document clearly lays out that COVID-19 expenditures are at 25 percent of this budget allocation, Social Services is at 50 percent, and Health Services is at another 25 percent. Now, if Mental Wellness and Substance Use Services, for \$365,000, was COVID-related — fine. That's not the problem. It's just that, according to the minister's documents here, it's for Social Services for that budget year. So, I get it. It's for COVID. We'll move it up to the right spot on the paper.

I have a question regarding the Whitehorse Emergency Shelter. A line item for \$837,000 — again, this is one of those things that's listed under Social Services for 50 percent of this budget allocation. I can only presume that it was for the budget year of 2019-20. So, maybe the minister can tell me right now, before we even start, whether or not it's for 2019-20 or only for the month of March during the pandemic.

**Hon. Ms. Frost:** That's quite interesting.

Just for reference, the COVID expenses were specifically intended for COVID-related expenses associated with how we responded to COVID. Mental wellness supports generally sit in the category of Social Services. Moving it up or moving it down — the fact of the matter is that it sits in Social Services. We had to make some adjustments to that line item to accommodate the additional pressures.

With the question around the Whitehorse Emergency Shelter — is this COVID-related, specifically to March? No, it isn't.

**Ms. McLeod:** Thank you for the response. The \$837,000 — was that money designated for general revenues for the Whitehorse Emergency Shelter or was it project-oriented?

**Hon. Ms. Frost:** The question around the budget that was allocated to the Whitehorse Emergency Shelter — just for the record, we have had one full year to manage the shelter. For the record — previously, the Whitehorse Emergency Shelter was owned by the Salvation Army. The members of the Official

Opposition built a facility for almost \$14 million and handed it over for a dollar with no programming. There was no programming support around that shelter — no resources — giving them \$3.2 million every year. That \$3.2 million was allocated to the Salvation Army to provide services to the most vulnerable population to feed, house, and clothe them, and to provide them with essential services on an annual basis. In January a year ago, we acquired that facility with discussions and with direction. In working with the Salvation Army, we re-acquired that back. Why? It was because they were not able to provide the essential services that were necessary to meet the needs of vulnerable populations in our city.

The members opposite may refresh their memories back a bit to realize that the objective of a shelter is really to ensure that we address and meet the most vulnerable needs of all Yukoners. What we saw historically was 13 people a night. Most people were locked out, services were not provided, and there were, in fact, no services and no programs — or very little. It's not a surprise to the members opposite; I am sure that they are fully aware that the Salvation Army, under their principles, were not able to allow certain things to happen because they are a Christian-based organization. They're not an NGO in the community; they're a Christian-based organization and they were there to provide services under their parameters.

The Whitehorse Emergency Shelter and the reacquisition of that to Health and Social Services was intended to provide critical and essential services to the most vulnerable in our community. What we saw in this last year — we saw a significant increase in the clientele — the folks who were coming there. The budget that was set aside by the previous government of \$3.2 million annually to provide services to 13 individuals — well, all of a sudden, we saw an increase in the shelter. We saw an increase of 350 meals a day. We saw an increase of upwards of 70 folks coming in on a daily basis. We couldn't take more because the shelter is only built to accommodate 25 individuals on a nightly basis. In fact, we had to put in cots in some of the rooms; we had to make conversions. We had to convert some of the rooms into shelter beds — predominantly for women. Most of the women in our society were not well supported at the Whitehorse Emergency Shelter. In fact, there were no women there. We were seeing an increase in youth at the shelter so we had to make some adjustments in those services.

Now, to speak about providing services for significantly more individuals — the \$3.2 million that was set aside by the previous government to finance and support 13 individuals — 13 individuals — was not appropriate. It was not sufficient. Why? Because all of a sudden, we were seeing significant increases. We also saw a need for emergency measures teams, so we brought in emergency measures teams. We started working with a referred care centre. We started working with Blood Ties Four Directions. We started bringing in more naloxone training. Mental wellness support counsellors were there. We brought social workers into the emergency shelter. That was to look at ensuring that the clients who entered the doors were never turned away — that they were always embraced and welcome and that we always were attempting to

support them so that their core and basic human rights were met.

Asking the question about if mental wellness and substance use — was this only for COVID? It is never only for COVID. This is an overexpenditure for the whole year. I referred specifically to the COVID expenses. The mental wellness and substance use has unexpected increases because we see unexpected demand and pressure at the emergency centre. Of course, that means that we have to open the doors and folks are feeling more welcome. They are feeling very much a part of the centre now, and services are aligned to meet their needs.

**Ms. McLeod:** So, the question was about whether or not \$837,000 — whether or not that overexpenditure from approved funding was for general revenue to cover off O&M for the shelter or if it was project-related. Was there some project that was going on at the shelter that needed this overexpenditure, let's call it? I am just looking for that simple answer.

**Hon. Ms. Frost:** I am not sure that I understand the question. Is this funding for projects? I can say that I just went through a whole explanation of why the funding was necessary to provide services to the clients. It meant that we saw an increase in usage at the shelter. We brought in more capacity. We brought in more supports. We had to look at ensuring that we were able to stabilize what was otherwise a shell — a facility without resources and without programming — in fact, we were not able to support the clients who were here in our city. They had nowhere to go — all of a sudden, they had a place to go.

Of course, the supports and services for the Whitehorse Emergency Shelter, the mental wellness supports, and the family and extended children supports — were put in place for our vulnerable population. Many of these supports were for our indigenous communities and our indigenous community members. The extended family care agreements, as I indicated earlier, cover 80 percent of our indigenous children in care under the extended family care agreements.

The thing with the Whitehorse Emergency Shelter is that we are seeing a significant increase in our vulnerable population. They need to be provided the services and supports. That means, of course, that we needed to bring them in. That means that programs, supports, food, shelter, and resources were now readily available. The overexpenditure of \$837,000 covered that whole year of 2019-20.

**Ms. McLeod:** I'm going to leave it. I want to thank the officials for being here today. I don't have any further questions on this supplementary overspending budget.

We had a bit of a discussion this afternoon about the pandemic and when it was declared and maybe when it wasn't. I want to draw the House's attention to a *Whitehorse Star* headline from March 13. March 13, you will recall, is when the Premier said that there was no pandemic, so the headline that day was "Parties demand action; premier brands the YP 'paranoid'". Well, isn't that something?

I just wanted to leave that with you again. Thank you to the officials, and thank you, Mr. Chair.

**Hon. Ms. Frost:** I just would also like to say for the record that for the clients whom we serve under the supplementary request — specifically for Social Services and, of course, Health Services — the supports were not there previously. This supplementary request is to really look at ensuring that we meet their needs as they present themselves. The Whitehorse Emergency Shelter is no different. The clients at the shelter were not historically funded. I am happy and proud to say that they are now welcome in a space that they can call their own. They are there and we are meeting them. Is it perfect? It is not perfect. Will we work on improvements? We most certainly will work on improvements as we do.

We have learned a lot from COVID. We have learned a lot from this exercise in terms of how we can do things differently, and we do that with our partners always in mind, ensuring that Yukoners' lives are first and foremost and that we provide essential supports that are necessary.

**Chair:** Is there any further debate on Vote 15, Department of Health and Social Services?

Seeing none, we will proceed to line-by-line debate.

***On Operation and Maintenance Expenditures***

***Total Operation and Maintenance Expenditures in the amount of \$5,246,000 agreed to***

***Total Expenditures in the amount of \$5,246,000 agreed to***

***Department of Health and Social Services agreed to***

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

**All Hon. Members:** Agreed.

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

***Recess***

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

The matter before the Committee is Vote 55, Department of Highways and Public Works in Bill No. 204, entitled *Fourth Appropriation Act 2019-20*.

**Department of Highways and Public Works**

**Chair:** Is there any general debate on Vote 55, Department of Highways and Public Works?

**Hon. Mr. Mostyn:** I want to welcome my officials to the House this afternoon. We have Paul McConnell, my deputy minister, and Jody Woodland, who is our numbers fellow.

We are here to discuss the supplementary budget for the 2019-20 fiscal year. As I have said, we are committed to treating tax dollars with respect. Our department is charged with maintaining the safety and efficiency of Yukon's public highways, bridges, airstrips, buildings, and information systems. We maximize the spending of our budget to provide the best possible service to Yukoners. We don't want to leave anything on the table when it comes to safety and ensuring that Yukoners are connected to their family, friends, doctors, homes, and communities.

However, despite diligent care and attention, sometimes situations arise that derail your plans. This year, our rapidly

changing climate and COVID pushed our budget beyond our capacity to absorb new costs. As a result of these factors, our department spent 1.7 percent, or about \$2.4 million, more than budgeted on operation and maintenance this year.

I know that the members opposite have questions and I know they want some answers, and I am prepared to do that this afternoon. So, I will open it up for debate with very little intro.

**Mr. Hassard:** I, too, would like to thank the officials and welcome them to the Legislature this afternoon. I am sure that they have been waiting patiently for the last couple of days and are very happy to be here. It is great to see them.

Mr. Chair, my first question for the minister is with regard to the new online bidding. Yukon Bids and Tenders, I guess, is the name of the new platform. I am curious — we know that the Government of Canada uses MERX and the City of Whitehorse uses Bonfire, so I am curious why Highways and Public Works chose to go with Bids and Tenders rather than aligning themselves, preferably, I guess, with the city. That would have made sense, since we do hear complaints from contractors that the city and YG don't line up, traditionally — maybe if the minister could give us a little bit of insight into that.

**Hon. Mr. Mostyn:** I really want to thank the member opposite for the question this afternoon. I want to remind the member opposite that what we are talking about is the supplementary budget for last year. This is the last budget. Bids and Tenders came into effect later — as a matter of fact, this fiscal year. We are having a budget discussion about the Supplementary No. 2, and I'm more than happy to endeavour to get him an answer for that question at the appropriate time.

**Mr. Hassard:** Very well, Mr. Chair. I honestly thought that it came in before the end of March. My apologies on that one — but I certainly am happy to move on with a few other things.

I am curious if the minister would be able to provide us with an update on the Carmacks arena.

**Hon. Mr. Mostyn:** Again, I thank the member opposite for the question. I do encourage him to ask that question during Supplementary No. 2 of my colleague, the Minister of Community Services, who is actually overlooking that project. That is not a Highways and Public Works project.

**Mr. Hassard:** I was just hoping that the Minister of Highways and Public Works might have had some valuable insight for us with regard to that particular project.

Moving on, I'm wondering if the Minister of Highways and Public Works could give us some insight on a couple of other projects, one being the Old Territorial Administration Building in Dawson City.

**Hon. Mr. Mostyn:** I thank the member opposite for the question. It's a great project. I'm more than happy to talk about it in Supplementary No. 1 — the next budget. It doesn't have any bearing at all on this supplementary discussion this afternoon.

**Mr. Hassard:** I was certainly hoping that the minister would have been a little more forthcoming since it was in fact started in 2019. I guess I will see if he's willing to expand on that or if he's going to stick to that one.

**Hon. Mr. Mostyn:** Again, this project is — I don't even believe it has been tendered yet, Mr. Chair. If it has, it's in the throes of being tendered. It is a project for 2020-21. I'm happy to discuss it at our next budget discussion.

**Mr. Hassard:** Would the minister be able to tell us if there was any design work or anything done on that project in the previous year, as it was in the five-year capital concept for that year?

**Hon. Mr. Mostyn:** Mr. Chair, I will endeavour to get an answer to the member opposite on that question. I do want to remind him that we are talking about the supplementary budget from the end of last year, which has to do with about \$2.3 million in O&M, and I'm happy to discuss that item this afternoon.

**Mr. Hassard:** I would also like to remind the minister that this is our opportunity to talk about all projects that took place in that fiscal year. I certainly hope that he will bear with me and provide us with a little bit of context into some of these projects.

I'm wondering if the minister could provide us with some information on the Wolf Creek bridge replacement project.

**Hon. Mr. Mostyn:** I am told that project was successfully completed in spring 2019 — if it's the same project. I will endeavour to get — yes, the project was successfully completed in spring 2019.

**Mr. Hassard:** I know that in the Legislature the other day, one of my colleagues asked the minister about the issue with bats in the Ross River School. I believe that he tabled something today in regard to that issue, but unfortunately, we haven't been able to see it yet. I am just wondering if I could be put on record — if the minister could tell us how much was spent in the budget dealing with the bat issue in the Ross River School and where we are with that issue.

**Hon. Mr. Mostyn:** I'm more than happy to provide a preview of the legislative return we've provided this afternoon. I hope the members opposite find it soon because it was tabled this afternoon, but I'm happy to read from it this afternoon. I will say that the health and safety of students and staff is our top priority in all our facilities, including this school. I've said that on many occasions and I'm not going to undersell that in any way, shape, or form.

Mr. Chair, the bats are nesting in the exterior roof of the school. They're not in the school; they're actually on the outside, just in the perimeter of the roof. They're there regularly. Highways and Public Works is using a portion of the \$135,000 maintenance and material budget to help mitigate the presence of these bats in the school. As the member opposite I'm sure is aware, bats are a protected species, so we can't actually — we don't want to do anything that would harm the bats, but we are making sure that we've installed fencing around the perimeter of the school — and you can see that in many of the photographs that I've seen online and everything else. The fence has been installed for quite a long period of time to keep anybody from getting anywhere near the bat guano that might be falling out of the soffits. We've taken protection to make sure the kids don't get contaminated or get into the bat guano — bat feces — around the entire perimeter of the school.

We're working collaboratively with the local biologist who is monitoring in the area and who will inform us of additional mitigation options as they arise, and we're exploring other options to prevent the return of the bats next year, including the installation of bat houses so they have a nest during their migration and wire mesh to prevent entry into the exterior roof.

As the member opposite, I'm sure, is aware, bats are a migratory species. They will be there for a period of time and then will move on to their next location.

**Mr. Hassard:** I certainly hope that they move on sooner rather than later, but I'm not so sure that will happen.

I had a question for the minister regarding the electronic signs on the Alaska Highway. They've been in place for a while now, but they are still not functioning. I'm wondering if the minister could give us an update as to why they're not functioning and when we may see them functioning in the future.

**Hon. Mr. Mostyn:** Again, no spoilers this afternoon. I'm more than happy to answer the member opposite's questions on the Supplementary No. 1 on the second appropriation. That is really where this project resides.

I am happy to do that once we get to that discussion as soon as we pass this one. Mr. Chair, I'm happy to answer the member opposite's questions, but I will do so at the appropriate time. Right now, we are talking about the last supplementary from last year.

**Mr. Hassard:** Maybe the minister isn't aware of the signs that are on the Alaska Highway both north and south of Whitehorse. Some are around Teslin and Haines Junction. Some are around Whitehorse and Jakes Corner. Those certainly aren't signs that were put up during this fiscal year, so I'm hoping that maybe the minister can rethink that one and have some information for us.

**Hon. Mr. Mostyn:** I really thank the member opposite for his question. He is, of course, right. I am so excited about the other signs we're putting up this year that I neglected the signs we put up before. They are smart information signs. They are there to warn motorists about upcoming potential threats on the highway. They will be used sparingly as conditions merit. They are part of our new smart information system on our highways.

**Mr. Hassard:** I guess the part of the question that the minister didn't answer is when they will be functioning.

**Hon. Mr. Mostyn:** I missed the last bit of the member opposite's question, but I have had it clarified, so I hope I get it right this afternoon. The member opposite was asking when they will be functioning. They do function right now. They function when there is a need to have the signs up there. We are trying not to bombard motorists with all sorts of messaging, so when there is a need — such as caribou on the highway or whatever — we will activate the signs and let motorists know that this is happening.

**Mr. Hassard:** I guess I just assumed that they must not be functioning when we see mobile signs being taken out to talk about COVID-related issues, such as ensuring that people remain two metres apart, et cetera. I just assumed that they would use the signs that are already in place.

Another question regarding those signs is: Would the minister be able to provide us with a final budget on what those signs cost to install?

**Hon. Mr. Mostyn:** I will tell my good colleague on the benches opposite that I will endeavour to get him an answer on the cost of those signs. I have put the question to the department already. When I get that response, I will endeavour to get it to him.

As far as the location of these temporary signs that we see, they were placed in very specific locations to accommodate some of the measures that we taking under COVID. That is why we are using those temporary signs and not the permanently installed signs that we have in those places. They were for specific needs. We had a few temporary signs that we were able to deploy, and that measure helped my colleague, the Minister of Community Services, to deal with the pandemic.

**Mr. Hassard:** Another question that I had for the minister was regarding Jersey barriers. I know that last year the government used two of their \$1-million contracts to keep these items produced locally, and I certainly understand the importance of that, but we had asked where these Jersey barriers would be placed throughout the Yukon. The minister told us at the time that they, in fact, had a plan as to where they would all go. We have yet to receive a copy of this plan that the minister spoke of. So, I am wondering if he could elaborate for us today on where that plan is and if we would, in fact, be able to see a copy of it, as we asked for in the past.

**Hon. Mr. Mostyn:** I am happy to talk about our roadway maintenance safety improvement program that has been implemented by this government. It started in 2019, so I'm happy to talk about it this afternoon.

Mr. Chair, the Government of Yukon takes the safety of those using our territory's highways very seriously. We have implemented a new program that will improve the quality and efficiency of highway and roadside maintenance throughout the territory. The program will result in better sightlines and right-of-way visibility, improved lane delineation, fewer hazards in the right-of-way, and the installation and maintenance of more roadside barriers along our highways.

Since 2019, \$6.5 million has been allocated toward this program. We have brushed more than 750 kilometres along Yukon's highways, 5.5 kilometres of new barriers have been installed, and approximately 2,000 kilometres of highway lines have been painted. The program has increased the hectare area of brushing by 255 percent and the length of highways brushed by 70 percent compared to previous brushing programs. We did this because, in 2017, I did cut money out of the brushing program and learned how important it was to Yukoners. I started to ask questions about how long it took the department to brush the entire length and breadth of the Yukon's 5,000-kilometre-long highway system. They didn't have such a program, Mr. Chair. I was very pleased with the department's response. In short order, they managed to come together and create a program that will see all of our 5,000 kilometres of road given standardized — and have standard procedures to have it cleared and brushed.

Over the next five years, we should have the entire length and breadth of the territory's highways improved in all of these ways. I think it is a great program. I am hearing from the public how popular it is for motorists and how it is making a real improvement in the safety of our highways. I believe that you, Mr. Chair, have seen some of these improvements first-hand. That is that on our highway improvement program.

**Mr. Hassard:** I certainly appreciate the information on the brushing as well, even though that wasn't the question.

With regard to the Jersey barriers, the minister did mention that there was 5.5 kilometres done this year. I know that there are several hundred — maybe a couple of thousand — Jersey barriers south of Whitehorse between Whitehorse and Watson Lake sitting in various gravel pits. I am wondering if the minister could inform the Legislature as to this plan that he spoke about last year as to where these barriers would be placed. Does that plan still exist? Are we able to see this plan, or are we at least able to find out where these barriers will be installed along the south end of the Alaska Highway?

I know that a few of us have spoken to highways people who are unaware of where they are going, so hopefully the minister will be able to provide us with a bit of that information.

**Hon. Mr. Mostyn:** I appreciate the member's questioning this afternoon and the questions about this tremendous program that we put in place — a first for the territory. It's going to improve all 5,000 kilometres of our territory's highways. We put in standards so we can maintain it into the future. Once we get the first wave of this program done, we will be able to bring down costs as well, because we'll just be in a maintenance mode as opposed to sort of a constant state of perpetual brush-clearing. We will actually be clearing brush every single year, but we will be doing it in a methodical and thoughtful manner that will deal with the safety and perils that we find on the side of the road in a methodical basis going forward. I have provided an awful lot of information.

I think that, since 2019, we have placed 5.5 kilometres of concrete barriers, Mr. Chair, in just a single year. Going forward, we're going to be doing it over the next five years, and of course, more of those concrete barriers that we've obtained will be placed across the territory. The member opposite on the floor of the Legislature is asking a very specific question, and I will endeavour to give him an answer.

**Mr. Hassard:** So, my understanding from that answer is that those barriers will be installed over the next five years — if the minister could just clarify that for me when he's next on his feet.

Another question that I had was: If those barriers are in certain sections of the Alaska Highway that are now at a speed limit of 90 kilometres per hour, once those barriers are installed, will the speed limit be increased to 100 kilometres per hour — as the minister has talked about the extra safety, et cetera, that has been included throughout our highways with this extra work being done?

**Hon. Mr. Mostyn:** I thank the member opposite for his question this afternoon. As I said in my earlier response, I will endeavour to get him a response to his earlier question.

As far as speed limits go — Mr. Chair, I am certainly not a traffic engineer. I know that, despite all of his talent, Mr. Woodland is not a traffic engineer, nor is Mr. McConnell. I have some really talented folks inside the Department of Highways and Public Works. They look at all the criteria and set speed limits according to that — realizing, of course, that speed limits are a matter of — to my constituents, at least — grave importance, and we take an eye to all of the criteria needed to set our speed limits. I don't have a more fulsome answer than that for the member opposite this afternoon.

**Mr. Hassard:** Since we were talking about the Jersey barriers on the north end of the highway, I am wondering if the minister could update us on how much money was identified for what we traditionally call Shawkak, I guess, in that time period?

**Hon. Mr. Mostyn:** Again, I appreciate the member opposite restricting his question to the 2019-20 fiscal year. I appreciate that, and I can tell the member that during that year we spent \$5.1 million on capital and maintenance costs along the north Alaska Highway.

**Mr. Hassard:** I'm wondering if the minister could give us an update on where he is at with the *Motor Vehicles Act*. I know that it has been some time since we have had some motion debates here on the floor of the Legislature, and the minister had informed us that the *Motor Vehicles Act* would be coming forward for an overhaul or a facelift — or whatever you may want to call it. I am wondering if the minister could provide us with an update as to where we are there.

**Hon. Mr. Mostyn:** As the member opposite has identified — and I appreciate his question on the *Motor Vehicles Act* this afternoon, because it is a very important issue. It's one that this government is tackling and it really should have been done a long time ago.

The Yukon's *Motor Vehicles Act* has not been significantly updated since it was first implemented in 1977. 1977 is a very long time ago. I could look up the cars that we were driving on the road back then, but they would be funny-looking things and probably a Pinto — something like that; we can bring it to life that way. It's a very old act and certainly very few of the cars driving around there — they would certainly be vintage and wouldn't be as efficient or reflect today's roads or motor traffic laws.

So, rewriting the act is necessary to improve the safety for all road users on Yukon highways. The new legislation will allow us to address long-standing issues with the existing act — and they're legion, Mr. Chair. We know what they are.

This large, complex piece of legislation touches on a wide range of issues important to Yukoners. The work to rewrite the act is well underway. Public engagement took place in 2019, with more than 2,800 responses provided by the public. We're committed to working with our stakeholders, municipalities, and First Nation governments to update this important legislation and make our roads safer. That's what happened in 2019, Mr. Chair. The work on the act is ongoing, and when we get to the next phase of our budget discussions, I'm more than happy to discuss what's happening this year with our *Motor Vehicles Act* rewrite.

**Mr. Hassard:** So we know that Highways and Public Works has set aside \$10 million for aviation with COVID-related issues. We know that \$3 million has already been spent and there is an additional \$7 million still in the hopper. I'm wondering if the minister could provide us with some information on where, when, and how that \$7 million will be spent.

**Hon. Mr. Mostyn:** We know that April 1, 2020, is an exciting budget year. I am more than happy to discuss it when we get to that budget year. Right now, we are talking about the supplementary budget. There were a few COVID costs in that supplementary budget. I am more than happy to discuss them here on the floor of the Legislative Assembly today. It doesn't contain the aviation funding that we have approved so far.

**Mr. Hassard:** Maybe the minister could give us an update on where we're at from his department's perspective on the Dempster fibre. I know that the Dempster fibre has kind of stalled due to permitting issues. I am wondering if the minister could update the Legislature on whether any of those permitting issues were related to Highways and Public Works or if they were permitting issues through other departments.

**Hon. Mr. Mostyn:** I really appreciate the interest that the member opposite is showing in our Dempster fibre line, which is well in hand and is scheduled to have work begun — this is a spoiler alert. This is a tantalizing glimpse at the next budget discussion that we are going to have. We can certainly discuss that in the future, and there are lots of good things to talk about there. What I will say is that, as of the time of this supplementary budget, we were in the process of negotiating with our partner, Northwestel, negotiating with communities up and down the highway, and putting the final plans in place for this fibre line. That work went really, really well in 2019. When we get to the next supplementary discussion, I am more than happy — Supplementary No. 1, *Second Appropriation Act 2020-21* — I am more than happy to talk about the work that has happened on the fibre line this year.

**Mr. Hassard:** I will just close by saying thank you again to the officials for being here today. We certainly appreciate it. Carry on.

**Chair:** Is there any further general debate on Vote 55, Department of Highways and Public Works?

Seeing none, we will proceed to line-by-line debate.

#### ***On Operation and Maintenance Expenditures***

**Ms. Hanson:** I would just appreciate it if the minister could, for the record, give a breakdown of that \$2,366,000.

**Hon. Mr. Mostyn:** Thank you to the Member for Whitehorse Centre for her question this afternoon. I am more than happy to do so.

Highway maintenance costs and heavy snowfall late in the fiscal year resulted in spending on winter maintenance activities of more than \$800,000 over the average of the three preceding years. That was one thing — highway maintenance. COVID-19, the pandemic, led to expenditures of \$336,000 on things such as PPE, overtime to support increased demand for ICT support to facilitate work-from-home shifts, and Transportation Maintenance branch, which was costs to minimize crossover shifts, increased cleaning, et cetera.

There were electricity rate increases. These increases resulted in expenditures of \$438,000 overbudget. It was partially due to the extreme cold that we had in late January. The Leader of the Official Opposition referenced this in Question Period recently. As well, the Supply Services branch resulted in \$1 million of that increase overbudget. It was to do with anticipated and budgeted savings of about \$1 million. We were unable to complete the key changes until later in the year because we were dealing with our employees. We logged the savings early but didn't actually realize them until November. That resulted in \$1 million of that as costs.

***Total Operation and Maintenance Expenditures in the amount of \$2,366,000 agreed to***

***Total Expenditures in the amount of \$2,366,000 agreed to***

***Department of Highways and Public Works agreed to***

***On Schedule A***

***Schedule A agreed to***

***On Schedule B***

***Schedule B agreed to***

***On Clause 1***

***Clause 1 agreed to***

***On Clause 2***

***Clause 2 agreed to***

***On Title***

***Title agreed to***

**Hon. Ms. McPhee:** Mr. Chair, I move that you report Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, without amendment.

**Chair:** It has been moved by Ms. McPhee that the Chair report Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, without amendment.

***Motion agreed to***

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

**Chair:** It has been moved by Ms. McPhee 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**

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, and directed me to report the bill without amendment.

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

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

## GOVERNMENT BILLS

### Bill No. 204: *Fourth Appropriation Act 2019-20* — Third Reading

**Clerk:** Third reading, Bill No. 204, standing in the name of the Hon. Mr. Silver.

**Hon. Mr. Silver:** I move that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now read a third time and do pass.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now read a third time and do pass.

**Hon. Mr. Silver:** I want to thank everybody for their comments in general debate and then into the substantive departments in the fourth appropriation. I will be very brief right now. I open up the floor to the opposition for closing comments in third reading before we go through the process.

I want to thank everybody for their comments and thank the ministers and the departments for their time in the debate in general and, as I mentioned, the substantive departments.

**Mr. Cathers:** We have had a fair bit of discussion on this legislation, this additional appropriation bill for 2019-20. What is unfortunate is that there are many areas where questions have been asked and we still don't know the answers. This fiscal year — while it does cover the start of the pandemic, most of the 2019-20 fiscal year was not a pandemic year. As my colleague, the critic for Health and Social Services and the Member for Watson Lake, noted, in some areas, according to information that the government provided us, some of the expenditures were not pandemic-related, but the minister says something different from the budget materials that they provided us. So, we are hearing conflicting stories in some areas as well.

It is important to note that this budget bill is doing cleanup for areas where the Liberal government failed to follow the *Financial Administration Act* and broke the law with overspending. In criticizing that and asking for accountability, of course, that does not mean that we disagree with every spending decision made by government within it, but that we are doing our jobs as opposition to require the government to be transparent with the public about why those decisions were made, what the money was spent on, how much was spent, and why.

Unfortunately, after seven months of refusing to call the Legislative Assembly back and physically distancing from Question Period and accountability in this Legislative Assembly, we continue to see the Premier and his ministers, under his leadership, refusing to share information about what public money was spent on. They have shared a little bit of information, but there is much that is lacking.

Budget bills are an opportunity to talk about the areas of spending within those departments, not just new appropriations in those areas. They are an opportunity to ask questions about policy, about programming changes, and so on. We have seen, unfortunately, first the Premier and then the Minister of Health and Social Services standing repeatedly and providing an excuse for why they wouldn't answer the question, but it wasn't

a very good excuse. Some of their excuses were factually incorrect.

As it relates to the pandemic portion of the spending, we do agree that some of that spending was clearly necessary. As I have stated before, as Finance critic and on behalf of the Official Opposition, in unprecedented times, we recognize that there is a need for government action, including public health restrictions and increased spending.

It is also a time that, along with that unprecedented spending and unprecedented restrictions, there should come increased public input and public consultation, increased democratic oversight and debate, and increased accountability — not less. Unfortunately, the Premier and his colleagues have insisted on going in the opposite direction and refusing to answer very reasonable questions.

We do have to recognize that there has also been some revisionist history here in debate during Committee. The Minister of Health and Social Services told my colleague, the Member for Watson Lake, that pandemic spending went back to January. That's contrary to what we heard the Premier and several ministers say during the Spring Sitting. At the start of the Spring Sitting, one minister assured us that it was business as usual, and the Premier actually dismissed opposition questions about the pandemic and its impact on the economy as being paranoid. Within a few short weeks, his words did not age very well, as the Yukon government itself declared a pandemic following the March 11 declaration by the World Health Organization of a global pandemic.

I should note, as well, for context that the budget speech itself, when it was delivered in the spring, was outdated when it was delivered, claiming that the Yukon's economy was strong, talking about record tourism numbers, and predicting that those would only grow in 2020, which was on page 5 of the budget speech. We acknowledge the fact that this government was not the only one caught off guard by the pandemic, but unfortunately from the outset, there has been a lack of transparency, a lack of public process, and a refusal to work with the opposition. As of last week, we had offered on four separate occasions to work with the government as part of an all-party committee to deal with aspects of the pandemic response. My colleague, the Leader of the Official Opposition, offered that for a fifth time today and the government again shot down the request while bizarrely claiming not to want to be dealing with this in a partisan manner, yet refusing the offer of all-party cooperation.

Again, Mr. Speaker, in my third reading remarks, I'm just summarizing some of the discussion that has occurred.

There has been a lack of transparency and a lack of willingness to tell us about money that has been moved around within departments. Again, we have heard reportedly from government staff about money being transferred from other departments to cover cost overages in Health and Social Services unrelated to the pandemic. One that we have heard — and I asked repeatedly about, as did my colleague, the critic for Health and Social Services — repeatedly from whistle-blowers is that the Whitehorse Emergency Shelter is massively over its



budget and causing expenses not only for Health and Social Services but also other departments.

In response to us asking the question as to what the total cost was, the government has dug in its heels and refused to provide the total costs to us. They have given us a tiny portion of that cost that is reflected in the \$5.2 million in illegal spending by Health and Social Services, but that doesn't reflect what is being moved around behind the scenes in the shell game that appears to be going on here where we do not know what money has been moved between programs. There has been less information provided than has often occurred in the past about money moving within programs in departments and about transfers between departments.

In the budget that they've tabled — while we see the increases, we don't see the lapses that we would expect to see in a budget of this nature. The money went somewhere.

When government won't provide us a breakdown when we ask about specific items such as the Whitehorse Emergency Shelter and they adamantly refuse to provide us with information about the total cost, it does leave us asking, "What are you hiding?" If it is public money and if you have nothing to be ashamed of, you should have no problem releasing that information. If you are proud of the programs you are operating, you should have no problems releasing that information. But if you refuse to provide the breakdown and refuse to provide total costs, it leaves us asking the question, "Why will you not share this information with the public? What are you hiding?"

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

### Point of order

**Speaker:** Minister of Energy, Mines and Resources, on a point of order.

**Hon. Mr. Pillai:** Mr. Speaker, I would like to bring your attention to Standing Order 19(g) — imputing false motives. I am sitting here listening, Mr. Speaker. I have heard "whistle-blower" — which would infer something done wrong. I have heard "hiding" funds over and over again. We sat here, and there was ample time to ask a multitude of questions on this particular topic.

That is an absolute point of order. I think it best that we carry on with the work that we have to do here and for the member opposite to get maybe more on track and in line with the thoughts that he is sharing with us today.

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

**Mr. Cathers:** I don't believe that there is a point of order. I was simply referring to information that the government won't share and asking why they wouldn't — and noting that, if there is nothing to hide, why not share it? I don't believe that I was imputing unavowed motives. I was asking a very simple question on behalf of Yukoners about why this information is not being shared.

**Hon. Mr. Silver:** The member opposite is talking about a shell game. He is talking about funds that only he believes exist. So, again, he is asking us to expose something that he is inventing.

### Speaker's ruling

**Speaker:** I will review Hansard and return to the House, if required.

The Member for Lake Laberge, please.

**Mr. Cathers:** Thank you, Mr. Speaker.

In speaking to this budget — in talking about the costs — if anyone wants to look, you can look at the publicly available information and see the fact that even the Leader of the NDP acknowledged that there is less budget information available under the Liberal government than there used to be under the Yukon Party government. For example, the member mentioned a \$32-million line item in the next budget bill that we don't have a breakdown on which I have laid out. I have asked questions with regard to a number of the items within the current budget bill — as have my colleagues — and when we do not see within a department — such as Health and Social Services — according to the government's own handout in the spring, Health and Social Services was 35 percent of total operation and maintenance spending in the Yukon government — 35 percent of the total government budget. When we don't see a breakdown of the rather large numbers that were provided and when we are provided a one-sentence explanation for \$5.2 million in illegal spending in the information that they provided with the budget, it does leave us with questions. Unfortunately, no matter how much the Premier and the Deputy Premier may wish to suggest otherwise, they haven't provided the information there.

I know that the Minister of Highways and Public Works seems to be signalling that the government has been spinning its wheels with their excuses. I agree. The excuses are now getting weaker as the days go on.

Ultimately, in these areas, if the government is proud of their spending and happy to have it stand up to the test of sunlight, provide us a breakdown. It's very simple. But unfortunately, areas including but not limited to the Whitehorse Emergency Shelter — they just won't tell us what it costs.

Mr. Speaker, I want to thank my colleagues, the critic for Health and Social Services and the critic for Highways and Public Works, for the questions that they've asked on behalf of our caucus and on behalf of Yukoners. We are wrapping up debate on this legislation not because the government has answered all the questions but because we've simply run into refusal after refusal to share information on key areas. But we will return to that as we get into other areas of the budget.

Ultimately, in this budget for 2019-20 as presented to us in the spring when the government first delivered the budget, the budget was estimated to be \$1.5 billion at the beginning of the year. We have seen changes in that and we've seen increases. Again, the pattern that this government has had of talking about getting out of the business of doing business, but in fact expanding government at every turn — including in this fall supplementary that we will be debating shortly where they've added another 88 positions — the total amount for 2019-20 — I'm just trying to find that number in front of me here — but we were surprised at the size of the increase in government staffing in this fiscal year. The fact that they went over a record

budget despite having only the last roughly two weeks of the fiscal year covering a pandemic — that means that they can't just blame their out-of-control spending on the pandemic.

It's a pattern that we're seeing, unfortunately. Not providing that information that I referred to earlier and not providing the breakdown of the costs is part of a trend of secrecy that we've seen. Earlier in the House today, we heard the Premier again refuse to provide information about \$100,000 in political donations. They have hid the information about who provided that funding to the Liberal Party. Again, there are many questions but no good answers coming from a Liberal Party that ironically ran on being more open and more transparent.

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

### Point of order

**Speaker:** The Hon. Premier, on a point of order.

**Hon. Mr. Silver:** I let this go as long as I could, but Standing Order 19(b) — speaks to matters other than the question under discussion. We're here to discuss a supplementary budget item for the 2019-20 fiscal year and the member opposite is speaking about Question Period today about topical issues. I would ask him respectfully to keep his comments and criticisms to the bill that we are debating.

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

**Mr. Cathers:** I made one very brief reference to a pattern of secrecy and referenced Question Period today. I believe that it was contextually relevant and not a greater departure in the budget speech than has been past practice in this Legislative Assembly, including by the Premier himself, who has often taken a bit of a wandering path to get to making his point here in debate. Sometimes he has fallen into the ditch on the way there.

### Speaker's ruling

**Speaker:** The preferred narrative of the Member for Lake Laberge with respect to this budget debate on Bill No. 204 — I don't disagree. I think that there is a context. It's certainly not the subject — what occurred in Question Period today is really not the subject matter of the budget debate on third reading of Bill No. 204, but you do have some ability to back up the narrative that you are putting forward. You have some latitude to do that, yes.

**Mr. Cathers:** Again, fundamentally, our largest concern with this budget is not just the fact that government had a record-high budget for the year and then went beyond it and broke the law in doing so. The excuse provided by the Premier is that he is not the first person to break the law.

### Unparliamentary language

**Speaker:** Order, please. That word — I think that we have to deal with this at this time because I anticipate that it is likely going to occur in further debate over the course of the next 35 days. Accusing another member of breaking the law is unparliamentary language and is therefore out of order.

Chairs in the past have ruled on this matter a number of times. A recent example can be found in the Chair of Committee of the Whole's statement of April 25, 2012. In that example, 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 that 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 an 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."

I would, therefore, ask members to refrain from using that term during the debate going forward.

### Withdrawal of remark

**Mr. Cathers:** If I phrased that in an unparliamentary manner, as you've indicated, that certainly was not my intent. I will rephrase that in a manner that I hope will reflect your ruling, which is that the Premier himself acknowledged that the government's actions did not comply with the *Financial Administration Act*.

**Speaker:** That's fine. That seems to be consistent with the position that I've taken.

**Mr. Cathers:** Thank you, Mr. Speaker.

So, again, the Premier has acknowledged that the government's actions did not fully follow the *Financial Administration Act*, and it is our job to ask about that, but that overspending is not even our primary concern. The primary concern is the lack of accountability and the fact that — in dealing with not only the pandemic but debate during this Sitting of the Legislative Assembly — now that we've finally resumed sitting after seven months, it appears, in my view, that the government is largely using a pandemic as an excuse for not being open and accountable and hoping that people are paying attention to other things, rather than reading the news, listening to the radio, and asking the question: "Why won't the government provide that information?" Ultimately, we believe that this is not an acceptable reason for not providing that information.

If government's spending decisions, mis-budgeting decisions, or areas where they had intended something to happen and were unable to follow through — if those are embarrassing to government, that's part of democracy. Being open about what worked and what didn't and taking your lumps if you are in a situation where the public is critical of government overspending — that's not always pleasant, but it is the job of every Cabinet minister, if they've made a mistake, to own up to it and, if they believe that circumstances simply

exceeded their original projections, to be open with the public about what happened, why it happened, when decisions were made, and why they were made.

If the government wants to reflect on whether they would do things differently another time, that, of course, is fair game. It is also our job — and we will continue to do so — to analyze where we believe the government has made mistakes and where we would do things differently, including the fact that we would certainly be more open with the public about expenditures than the government is choosing to be.

It is unfortunate that — whether it be this budget or the pattern of issuing dozens of ministerial orders without consultations that are affecting people's lives — there seems to be a casually autocratic attitude on the part of this government. They don't like hearing it here in the Legislative Assembly, but what they are failing to recognize is that people out in the Yukon who are being affected by these decisions like it even less. People's lives are being affected by government spending, by government not spending, and by decisions being made through ministerial orders.

As I mentioned during debate previously, the details of a ministerial order can mean the difference between a business pulling through the pandemic and not. The same can apply to government spending, whether it is in this budget bill or the next one that we will be debating. Unfortunately, we are seeing the government batten down the hatches, refuse to provide the breakdown, and claim that it is unreasonable for us to even ask.

So, Mr. Speaker, I will wrap up here in debate. I am sure that — unless the Premier has suddenly taken a hard look in the mirror, had an epiphany, and decided to be more accountable — we are going to see him provide excuses but not provide a breakdown. It is important to note, as I did earlier, that, in the supplementary estimates, the Premier downplayed increased spending and minimized it — in my view — hoping that people would not read the total amount and do calculations on it, but if we look at the two budget bills combined, we see the additional \$7.6 million in this budget bill along with an increase of \$114.8 million in the next budget bill, which — in these two bills — is a \$122.4-million increase in government spending — both spending that has happened and projected spending — since the spring of this year. If you compare that on a person-by-person basis for the Yukon population, that relates to over \$3,000 in increased spending per person in the territory.

While we do not disagree that some spending was necessary, we believe that ultimately government has an obligation to be transparent with the public about what it spent their money on and why — and unfortunately, that is not what we've seen from this Premier and this Liberal government.

**Speaker:** Is there any further debate on third reading of Bill No. 204?

If the member now speaks, he will close debate.

Does any other member wish to be heard on third reading debate?

**Hon. Mr. Silver:** I was trying to be brief, but I will have to address some of the ridiculous diatribe that we just heard from the member opposite.

I hope the member opposite has the courage to ask the questions that he asked in general debate on a 2019-20 budgetary item about the current budget when we have that opportunity — when the departments are here with all of the information that Yukoners need to have. I hope he does have that courage because what we have seen him doing the whole time is continuing to ask questions in general debate that he really knows are better asked through the departments. Then to complete his narrative — if his narrative were to be completed, it would be “See, I told you. They were unaccountable; they didn't answer the questions.”

He just finished up his statement by saying that we spent all this money this summer but we're not going to be accountable and we're not going to answer the questions. I don't know if he predicts the future or not, but we will have an opportunity here in this Legislative Assembly as we sit for 45 days — the longest session in known Yukon history, as far as I understand — to answer those questions. There will be an opportunity — absolutely. That's us being open and transparent. We are here in the Legislative Assembly to do that work.

Now, the member opposite can spend days in general debate asking those questions that should be asked of the departments and then say, “There you go; they didn't answer the questions.” He could do that all day long if he wants — and he has — however, a better use of the Legislative Assembly, in my opinion, is to ask those questions when he knows that not only would the member opposite get a specific answer to the direct question of a financial line item but also a comprehensive breakdown of those dollars — of exactly what those dollars are for.

So, I hope that he does have the courage to ask those questions where they're appropriately supposed to be answered; I really do hope so. We'll see; time will tell.

We also hear him saying something along the lines of a “shell game” for the Whitehorse Emergency Shelter in budgets for this year. Again, we had that conversation in general debate for last year's budget for a supplementary budget of two departments where we did tell him exactly what the breakdown was for the Whitehorse Emergency Shelter money that was allocated in this supplementary budget for that expense. No shell game — we told him — I told him in general debate and the Minister of Health and Social Services expanded upon that in the department.

But all of a sudden, people are telling him in the parking lot — people are saying that there is some kind of shell game going on. Again, if that is not imputing false or unavowed motives, I don't know. “Somebody in the parking lot told me something — there's a shell game going on.” That's democracy at its finest, Mr. Speaker — and research at its finest as well.

Let's move on to —

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

#### Point of order

**Speaker:** I said I would review Hansard on that topic and I will return. If there is another issue, I will hear the Member

for Lake Laberge, but it will require a review of what was said 20 minutes or so ago.

**Mr. Cathers:** There are two things. I think that the Premier is contravening Standing Order 19(i) in his use of language; also, he seems to be directly challenging your ruling on Standing Order 19(g) by debating the ruling after the fact. Mr. Speaker, I would ask you to call him to order for that and remind him that, if we can't debate your rulings after the fact, neither can the Premier.

### Speaker's ruling

**Speaker:** It's a bit more complicated than that because there hasn't been a ruling yet, but I agree with your position that it is not of great utility for the Premier at this time to return back 20 minutes to the exchange that occurred at that point. I did tell the House that I would review it and return at the earliest opportunity.

With respect to Standing Order 19(i), the Premier is being critical and providing a different narrative, but I think that — right now — what I have heard so far is likely still just a dispute between members.

The Honourable Premier, please.

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker. I will keep on going here. Another comment that I wanted to go back to was where the member opposite was talking about lapses in the complete 2019-20 budget and saying that, because in general debate we didn't comment on these lapses, somehow again we are not being open, and somehow by not having that dialogue in general debate before the Public Accounts come into the Legislative Assembly to determine the lapses or lack thereof — that this is somehow us being not open or not transparent. Again, Mr. Speaker, it's just one of those narratives where the member opposite believes that if he says it enough to himself or in the Legislature or in social media, it becomes true. Well, I think Yukoners deserve a little bit more than that.

They deserve to know exactly where lapses will be recorded and where there will be continuing debate once those Public Accounts get tabled here on the floor of the Legislative Assembly in due process.

Again, the members opposite are trying to — I don't know if it's clever or not, but they are trying to make it seem like if I ask all of our questions here when they don't have that information through the process yet — and of course there is a lengthy process there through Management Board and with the Office of the Auditor General, and then it gets tabled and all that information will be there, open and accountable to the public. The members opposite will make it seem — because they're getting ahead of that process — that we didn't answer those questions on lapses and that means that their narrative is correct. Well, Mr. Speaker, I'm here standing in the Legislative Assembly to tell you that it is not correct. That is not how it works, and the members opposite know that.

I will move on a bit here. The supplementary estimates enable us to make changes — even at the very late end of the fiscal year — which are required to meet the needs of Yukoners

and to deliver on those expected services in unexpected circumstances. Never has it been more important than in the onset of the pandemic that we continue to live through today. Supplementary estimates enable us to take the necessary steps to keep Yukoners safe while responding quickly to the needs articulated by our communities.

Mr. Speaker, I want to briefly acknowledge and respond to some other questions as well that we have heard in the Legislative Assembly throughout the last few days in debate on Bill No. 204 — raised by the opposition members.

With respect to the lack of public consultation with businesses, parents, and discussions about mental health, while this criticism largely pertains to debate on *Supplementary Estimates No. 1*, the government has engaged broadly with the public several times since the very onset of the pandemic. This includes engagements around education, NGOs, and community well-being. It also includes weekly government-to-government discussions with First Nation governments and Yukon communities. We also meet with the business advisory and tourism advisory committees made up of those businesses most affected by the pandemic. In total, there have been hundreds of meetings with stakeholders over the past seven months.

Mr. Speaker, we have also heard that the government was slow to recognize the pandemic — from the Official Opposition. Yukon's response to COVID-19 was as timely as other jurisdictions across Canada. On the guidance of the chief medical officer of health, we ramped up our response following the cancellation of the Arctic Winter Games on March 7.

Just one week later, we announced early support measures, including: approval to establish a sick-leave program that the nation is considering; establishing a grant program to address cancelled events; enhancing the tourism cooperative marketing fund; waiving, reimbursing, or delaying fees to stimulate business activity and relieve business losses; and other economic responses as well. These programs began to roll out at the end of March. As recently as today, hearing that it took 200 days to respond to the crisis — again, just a false narrative.

I would like to also thank the members for their contributions in debate for this bill. I would like to also acknowledge and thank opposition members for the concerns that they have raised during debate. While I believe that we have responded to the concerns based upon the *Supplementary Estimates No. 3* for 2019-20, I would once again like to issue an invitation to members to revisit some of the questions, like the lapses — ask once the Public Accounts are tabled later on this month.

I would like to close debate of this bill and move on, now that we have passed third reading.

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Disagree.

**Mr. Kent:** Disagree.

**Mr. Cathers:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. Van Bibber:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. White:** Disagree.

**Ms. Hanson:** Disagree.

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

**Speaker:** The yeas have it.

I declare the motion carried.

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

**Speaker:** I declare that Bill No. 204 has passed this House.

The time being 5:31 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:31 p.m.*

**The following legislative returns were tabled October 20, 2020:**

34-3-36

Response to Written Question No. 6 re: expropriations of placer and quartz mining claims (Pillai)

34-3-37

Response to Written Question No. 7 re: Yukon resource gateway spending (Pillai)

34-3-38

Response to Written Question No. 10 re: land withdrawals and staking bans (Pillai)

34-3-39

Response to oral question from Mr. Kent re: Ross River School remediation — bat infestation (Mostyn)





# Yukon Legislative Assembly

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Number 50

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 21, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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



**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, October 21, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Ms. Hon. Ms. McLean:** I would like to ask my colleagues to help me in welcoming Sonya Weatherbee, who is the executive director of Arts Underground. She is here for our tribute today. Thank you very much for coming.

*Applause*

## TRIBUTES

### In recognition of 50<sup>th</sup> anniversary of Yukon Art Society

**Hon. Ms. McLean:** I rise today on behalf of our Yukon Liberal government to pay tribute to the 50<sup>th</sup> anniversary of the Yukon Art Society. I would like to acknowledge that, due to COVID restrictions and the limitation in the Legislative Assembly, there are many partners who are listening to this tribute on our radio station and I would like to thank them for tuning in.

The Yukon Art Society was founded in April 1970 by a group of artists who sought to stimulate the public's interest in the already thriving arts community in the territory. One of the territory's oldest non-profits, the Yukon Art Society has become a beloved and important fixture in the Yukon arts scene — the largest visual arts organization. For 50 years, the Yukon Art Society has stayed true to its vision to support and increase exposure to Yukon artists and craftspeople.

Its reach and impact cannot be overstated. The Yukon permanent art collection is home to numerous works by founding and current members of the society. The Points of View annual exhibit, artists of the month, the annual art auction, and the long-running and popular Arts in the Park summer concert series at LePage Park all came from the heart and the hard work of this fine organization.

It is also through the effort of the Yukon Art Society that we have the wonderful Arts Underground creative hub. Made possible through a generous partnership with the Hougen Group, the important community space acts as a gallery, a museum, a studio, a classroom, and even a retail space for both artwork and supplies that give life to them.

For many years, the Arts Society had operated a small gallery in the Captain Martin House at LePage Park. The move to Arts Underground was a big change for a small grassroots organization, bringing them to Main Street and to the attention of a much bigger audience. It is a welcoming and inclusive

space where those who are passionate about art come together to learn and share with one another, hone their craft, and explore and express their imagination. Within this creative headquarters, the society operates two galleries dedicated to the exhibition of emerging and established artists.

In addition, the Hougen Heritage Gallery acts as a presentation space for heritage collections, including quarterly rotations of shows curated by both the MacBride Museum and the Friends of the Yukon Archives Society.

The Yukon Art Society also administers the artist in the school program, which allows skilled artists to provide high-quality, engaging, and culturally diverse programming to students across the Yukon. Further, through the community school touring fund, hundreds of students in Yukon communities get access to live performances with an educational focus every year. Yukon Art Society also oversees enrolment and membership in the popular created-in-the-Yukon program, which showcases authentic Yukon-made arts and crafts for visitors and locals alike.

In paying tribute today to this wonderful organization, I want to acknowledge the founders, partners, board members, mentors, organizers, and volunteers — past and present. Thank you for your incredible dedication to art in our Yukon. Yukon government is proud to support the Yukon Art Society. We look forward to the artistic offerings and innovation yet to come.

Thank you to the Yukon Art Society for 50 years of enriching the lives of Yukoners and for keeping arts in the territory vital and vibrant.

*Applause*

**Ms. Van Bibber:** I rise today on behalf of the Official Opposition to pay tribute to the Yukon Art Society. In April 1970, the Yukon Art Society formed to encourage visual artists and to assist, when they could, to encourage budding and seasoned artists. The goal is to build the arts community in Yukon and, as this anniversary of 50 years suggests, it worked.

The partners are many. Fifteen years ago, the Hougen Group of Companies joined with the addition of space at the Hougen Centre called Arts Underground. The Hougen family is very supportive of innovation and the arts and it provides the space to showcase a variety of art shows, displays, and a place for sales to happen.

Other partners are the Yukon Arts Centre, Friends of the Yukon Archives Society, and the MacBride Museum of Yukon History — all giving visual artists who may be at any stage of their craft and working in any medium a place to grow. All artists are welcome to join.

There is an annual membership fee, but a lot of perks come with the fee, such as 10-percent-off workshops, early bird registration for workshops, and exhibits and sale projects in Arts Underground, and they can retain 65 percent of the sales.

The Government of Yukon also provides support and funds for three initiatives: the artist in the school which is a program where practising artists visit schools and provide instruction or workshops to students; the community school touring fund, funded through the Department of Education,

encourages performance art with educational components to visit schools so as to expose children to a variety of art and hands-on workshops; and the created-in-the-Yukon program provides bags, stickers, and tags identifying made-in-Yukon products. These have been well-received.

Now, with so many members — I believe 150 — there is strong support and continued interest in belonging to a larger group to support and share ideas and showcase artists. Well done. If you didn't know about the Yukon Art Society or its programs, get out and visit Arts Underground and ask your children if they have ever had an artist or a musician visit their classes.

We are so fortunate to have a such a great wealth of art in our territory and so many talented people who share their talent and skills with everyone. Thank you.

*Applause*

**Ms. Hanson:** On behalf of the Yukon New Democratic Party, it is a pleasure to reflect on the importance of the initiative taken by artists like Alice Patnode and the other 14 artists who together formed the Yukon Art Society 50 years ago. From that initial dedicated group, there is no doubt that Yukon arts and culture has become the heartbeat of Yukon. This is because art is so many things; it speaks to each of us differently. As often happens, a simple reflection by a writer — itself an art form — made me think about why art has played such an important part of my life and it helps to explain why artists like those involved in the Yukon Art Society are so important to us all. Why?

Let's just consider: Art makes us think. "What is that artist trying to say? Do I get it? Does it matter? Does it outrage me? Why?" Art takes you places. The magic of art, whatever the medium, is its power to transport us to places far away and deep within.

Art makes you feel. You may feel elated or disgusted by art — inspired or saddened — but you do feel. Maybe you've been touched by the compassion displayed in the public art piece of the two seated figures by Bela Simo in Shipyards Park.

Art makes you think. You may react to art by wondering "What was the artist trying to tell me?" or "Who is that artist? Why does that art move me, disturb me, motivate me?"

Sometimes, Mr. Speaker, art makes you laugh. I defy anyone walking up to and around the giant statues of laughing people at English Bay in Vancouver to not at least smile.

Art is longer lasting than most things. Think of petroglyphs or statues dating back thousands of years, or consider that, before photography, people carried miniature paintings of loved ones — all art. You don't need language to understand art. Sometimes, sure, it's good to have a context for art — but regardless of the era or the source, it does not need words. In fact, Mr. Speaker, art can say things that words just cannot, because art shows what people were doing in times we call "prehistory" or what that sunset over the farm fields really looked like in pre-industrial times or what pain looks like or love.

The living legacy of the Yukon Art Society is its own growth from 15 to over 150 members, along with the many arts

groups and artists who have since emerged in Yukon, and we thank them for that.

*Applause*

### In recognition of facilities management workers

**Hon. Mr. Mostyn:** On behalf of all parties, I rise to pay tribute to the women and men of facilities management. Mr. Speaker, this team within Highways and Public Works never sleeps. They lie awake every night, waiting for the next emergency to strike.

It's 3:00 a.m. and the furnace malfunctions in the school. Who are you going to call? Ghostbusters? Nay, Mr. Speaker — it's facilities management that answers the call, day or night, weekday or weekend. When students get to class that morning, they have no idea that someone from facilities management was shivering until 7:55 to get that unit back up and running.

It could be a leaky pipe in a waiting room that ruptures on a Friday afternoon. Will Wonder Woman lasso that pipe shut? No, it's facilities management that treads water for as long as it takes to seal that leak. As if through a signal high in the sky, facilities management responds without hesitation, and Monday morning rolls around as if nothing ever happened.

This year, Mr. Speaker, it's COVID-19 that has stormed over us. Although the challenge was new and continues to evolve, facilities management threw on their thinking caps and jumped into their vehicles to do what needed to be done. Throughout this pandemic, the team has gone above and beyond to ensure that Yukoners are safe when they interact with our government and to ensure that government employees are safe while delivering essential services.

They have raised the bar on cleanliness by thoroughly cleaning and disinfecting high-traffic areas so that front-line staff can continue to answer the call. They have installed incredible amounts of plexiglass barriers throughout the territory to prevent the spread of COVID-19. They have done so without pause. They have worked long hours and avoided time off to ensure that Yukoners are not left without the services and programs they rely on. Like Captain Marvel, facilities management will not stop until COVID is defeated. Mr. Speaker, these unsung heroes in the shadows deserve this recognition, and I would ask you all to join me in thanking them for their selfless efforts throughout these challenging times.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Ms. Frost:** Mr. Speaker, I have for tabling today one legislative return to address questions from the Member for Watson Lake on October 19, 2020, regarding the wait-list for affordable housing.

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

Are there any reports of committees?  
Petitions.

## PETITIONS

### Petition No. 3 — received

**Clerk:** Mr. Speaker and honourable members of the Assembly, I have had the honour to review a petition, being Petition No. 3 of the Third Session of the 34<sup>th</sup> Legislative Assembly, as presented by the Member for Porter Creek North on October 20, 2020.

The petition presented by the Member for Porter Creek North meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 3 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 3 shall be provided on or before Tuesday, November 3, 2020.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Minister of Energy, Mines and Resources to ensure that commercial wood products operators have long-term access to the necessary timber to support their operations.

I also give notice of the following motion for the production of papers:

THAT this House issue an order for the return of the following from the Government of Yukon:

(1) a list showing a breakdown, by department, of the number of full-time government employees who are not residents of the Yukon;

(2) a list showing a breakdown, by department, of the number of full-time government employees who only live in the Yukon part time;

(3) a list of the management and senior management positions currently held by people who are not residents of the Yukon or who only live here part time;

(4) a list of all management and senior management positions currently held by people who are not technically classified as employees and an explanation of the nature of that alternative arrangement;

(5) a list of all management and senior management positions currently held by people who are not residents of the Yukon or who only live here part time who are not technically classified as employees; and

(6) a list showing the total number of days that deputy ministers, assistant deputy ministers, and directors have spent working for the government while residing outside the Yukon between 2017 and now.

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

THAT this House supports the aviation supports program in response to the COVID-19 pandemic.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Lobbyist registry

**Hon. Mr. Silver:** I rise today to highlight Yukon's new online lobbyist registry. The registry launched last week, and with it comes a set of new reporting requirements for all lobbying in the Yukon. The online registry will give all Yukoners the opportunity to learn about who is lobbying government, how they are lobbying, and why. Yukoners deserve to know who is communicating with government about important decisions that affect them directly.

The registry will support greater openness and transparency and accountability by making this information readily available to the public. All provinces have registries, and we recognize that lobbying is a valid way to hear concerns, issues, and opportunities that affect Yukoners.

The Yukon lobbyist registry opens the window to lobbying efforts and offers the public a more direct view of what is happening.

To ensure that the registry is independent, the Conflict of Interest Commissioner, Mr. David Jones, will oversee and monitor the registry. As an independent officer of the Legislative Assembly, Mr. Jones will provide oversight and have the power to educate and provide clarification about rules. The commissioner will also have the discretion to temporarily ban someone from lobbying if that person is convicted of an offence under the act.

We know that many stakeholders are Yukoners who genuinely want to influence and promote positive change in their community. That is why we made this process very accessible, very simple, and easy to use.

For example, unlike other jurisdictions, Yukon's registry only requires reporting over a period of time, rather than after every meeting. The online platform also allows lobbyists to receive automatic notifications about the need to report their activities. The system is user-friendly, minimizes personal costs associated with its operation, and improves transparency — all without making the process overly burdensome.

The registry defines two types of lobbyists — consultants and in-house. Consultant lobbyists act on behalf of a client and must register regardless of how much lobbying they do. In-house lobbyists are employees, heads of organizations, or board members who lobby on behalf of their organization.

I encourage anyone who is interested in learning more to visit [yukonlobbyistregistry.ca](http://yukonlobbyistregistry.ca). The *Lobbyists Registration Act* gives lobbyists a 90-day grace period before needing to register from the day the act came into force, which was October 15, 2020. This gives everyone time to learn about the process and to adapt to the new reporting requirements.

We're very proud to offer this registry in Yukon, which is the first of its kind in the north and it's a major step toward supporting greater transparency.

**Mr. Hassard:** It's a pleasure to have the opportunity to speak today about the lobbyist registry. In the Premier's statement, he said that the registry will give Yukoners the opportunity to learn about who is lobbying government.

Mr. Speaker, in that vein, I would only have one question for the Premier: Who gave the Liberals their over \$100,000 in anonymous political donations last year?

**Ms. White:** The implementation of the lobbyist registry is great news. Yukon NDP has a proud history of advocating for the creation of a lobbyist registry. My friend and the former leader of the Yukon NDP, the late Todd Hardy, along with the former MLA for Mount Lorne-Southern Lakes, the late Steve Cardiff, championed this issue prior to my time in this House. My predecessor and colleague, the MLA for Whitehorse Centre, even tabled a bill to this effect in the 33<sup>rd</sup> Assembly.

The Yukon NDP recognizes that people have every right to meet with government ministers, elected representatives, and public servants to raise issues of importance to them and to influence decisions made by government. What we have always said — and what we will say again today — is that what is not okay is to have those meetings — that exercise of influence — in secret.

We believe that lobbying is a legitimate activity. We believe that, when elected officials are lobbied, the public has a right to know about it. It's a question of transparency. I repeat that, because it's important — this in no way affects the ability of citizens to approach their elected officials. This registry is to make sure that democracy thrives because, when the light is shone on activities that may affect how government makes decisions that impact citizens, it strengthens the democracy.

Now that we have the lobbyist registry in place, we find ourselves in an extremely bizarre situation and I'll explain why. If a corporation or a company decides to lobby the government, they need to register as a lobbyist. As the Premier has said, it's because the public has a right to know about the meetings they have — and we agree; it's great.

But if that same corporation or company decides instead to give tens of thousands of dollars at a Liberal Party fundraiser or any political fundraiser, the government is saying that none of that money needs to be disclosed. How is this transparent? How is this living up to the accountability of the lobbyist registry? It appears that the Liberals may be the only ones who don't understand how absurd this is. That's why we continue to ask the Premier to tell the public who gave over \$100,000 in anonymous donations to his party last year.

The Premier has done his very best to avoid those questions. He has directed us to look toward the Yukon Party. He questioned my motives and he has tried to redirect the conversation to the Members' Services Board. Members' Services Board is a secretive committee that meets behind closed doors. It's not very open and transparent. That's how this issue is directly linked to the lobbying issue — because if

we believe in transparency and openness and if we think that the public has a right to know who meets with politicians, then surely the public has a right to know who funds politicians.

I welcome the implementation of a lobbyist registry, and I hope the Premier will show the same enthusiasm for openness and transparency when it comes to political fundraising.

**Hon. Mr. Silver:** Mr. Speaker, the creation of the lobbyist registry was an issue in the Legislature here for many years. It was something that I supported as an opposition MLA and it's obviously something that the NDP as well have championed. I'm glad that they mentioned the late Mr. Cardiff for all of his work.

It was opposed by the government of the day — the Yukon Party — which thought it was unnecessary. The creation of a lobbyist registry was a campaign commitment that our party made in the 2016 election, and I'm very proud to deliver on this commitment.

Legislation to create the registry was passed unanimously by this House in 2018 by all parties — supported by all three parties. The *Lobbyists Registration Act* came into effect on October 15, 2020 — as mentioned in my initial statements — making the registration mandatory for those who meet the criteria set out in the act.

The public can visit — as I mentioned — [yukonlobbyistregistry.ca](http://yukonlobbyistregistry.ca) or refer to the *Lobbyists Registration Act* to learn more about this. The registry launched last week, and with it comes a new set of reporting criteria and requirements for all lobbyists in the Yukon. The online registry will give Yukoners the opportunity to learn who is lobbying government, how they are lobbying, and why.

All provinces have registries, and we recognize that lobbying is a valid way to hear concerns, issues, and opportunities affecting Yukoners. As I noted, the registry is independent of government and it is overseen by Yukon Conflict of Interest Commissioner Mr. David Jones.

I will address the NDP and their comments, because they at least showed up with some information today. Mr. Speaker, the Leader of the NDP brought up the campaign financing reform here again today. As I noted yesterday, the NDP has happily collected thousands of dollars in outside donations while simultaneously pledging to ban donations from outside of Yukon. If they had a genuine interest in making these changes to our campaign financing rules, then they can bring it up at the secretive Members' Services Board, of which they are a member. They have not done so in the four years that we have been in this Legislature since the last election.

The new lobbyists registry is very accessible. It is very simple and easy to use. We are very happy to bring this forward. We are one of the last jurisdictions in Canada to have a lobbyists registry. It is a major step forward in the support for greater transparency.

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

**QUESTION PERIOD****Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Istchenko:** It has been 226 days since we first asked the Liberals to take action to protect the tourism industry. Instead of announcing the tourism package all at once, they have decided to announce it piecemeal and to spread it out into more announcements to maximize the number of news articles that they can get.

Mr. Speaker, the tourism industry cannot afford to wait any longer, so when will the Liberals announce the rest of the tourism recovery package?

**Hon. Ms. McLean:** Thank you again for the same question that we had yesterday. I am happy to stand again and speak to it.

Our government is working hard with all of our stakeholders, and we have been doing that since the beginning of COVID-19. We were one of the first jurisdictions to put out programs that would help businesses in their time of need, and that is through the Yukon business relief fund. This was absolutely open to tourism businesses. It was led by the Minister of Economic Development in a one-government approach. I am happy that Yukon tourism businesses took the opportunity to take advantage of those programs. Those programs are still in place today and are ongoing.

Our announcement this week was specific to the accommodations sector, which is maxing out. We have 19 of our hotels that are ready to max out of the programs that are currently available to them. This was an immediate need.

We are going to be working with our partners as we go forward to further identify the \$15-million commitment that our government has made to the tourism industry. We are looking forward to continuing the work.

**Mr. Istchenko:** I believe that I asked when the Liberals would announce the rest of this \$15 million.

The accommodation recovery package that the Liberals announced earlier this week expires on December 31. No one realistically expects the tourism industry to rebound by December 31, so can the Minister of Tourism and Culture explain why the accommodation relief package expires on December 31? Will she extend it to the end of March so that businesses can properly plan over the next six months?

**Hon. Ms. McLean:** I believe that I was pretty clear in my answers stating that we have \$15 million that we have earmarked for relief and recovery for the tourism industry. We will continue to work with our partners as we go forward. I know that, in my discussions with business owners and with our organizations that represent various sectors of the tourism industry, they have been pleased with the announcements that were made this week and they are going to continue to work with us as a government to ensure that the right relief programs are in place for the amount of time that's needed.

Again, I think it's a very clear indication and signal from this government that has been here supporting the tourism industry since the beginning of COVID-19 — and actually, we have had the most investment that the tourism sector has seen in the last four years. We had the first new tourism development

strategy in 18 years, Mr. Speaker. We have absolutely invested in tourism and we are going to continue to work with our partners as we go forward.

**Mr. Istchenko:** So, yesterday the Department of Economic Development issued a discussion document on the 10-year immigration strategy. The document states that the Department of Economic Development does not expect tourism to fully rebound until 2023. So, if Economic Development is saying that tourism won't rebound for three years, but the government is only providing funding for the accommodation sector for three months — why?

**Hon. Mr. Pillai:** We have listened to questions for the last two days, and my colleague has done a fantastic job of answering those questions. What has happened — first and foremost — is that I have watched the Minister of Tourism work with the Tourism Industry Association to compile data to make sure that our programs are as efficient as possible. It is a fallacy to say that there was a delay of 200 days. Our business advisory committee was put in place on March 25. By March 9, our public servants had come together to put the most progressive program in this country together to support businesses.

We do know that the tourism industry will take awhile to recover. What you have heard from my colleague is that she is here to support them throughout that journey. This is an interim measure with a commitment to continue to support after December — but I know that my colleague and I will be working with Minister Joly to ensure that we can dovetail into federal programs and maximize use of the resources that we have. That is the path that we are on and industry supports that.

**Question re: Ross River School remediation**

**Mr. Hassard:** So, last week we asked the government about a bat infestation at the Ross River School. As discussed, this has created a health hazard for the children and staff at the school, as there are bat feces covering certain areas of the school. Yesterday during Committee of the Whole, the Minister of Highways and Public Works indicated that the government cannot remove these bats because they are a protected species.

So, can the minister confirm if that is in fact the case?

**Hon. Mr. Mostyn:** I want to reiterate to the public — as we talk to Yukoners this afternoon on the Ross River School — this government takes the safety of our staff and students very seriously. A multidisciplinary team — including an architect, a structural engineer, a geotechnical engineer, a surveyor, and a biologist — continues to inspect the school quarterly.

As I said in my legislative return to the opposition in response to their questions yesterday — the response is that the health and safety of the students and staff is our top priority. Again, the bats are nesting in the exterior roof of the school.

Highways and Public Works is using the current \$135,000 maintenance and material budget for that school for things such as bat mitigation. This year we have installed fencing around the perimeter of the school, specifically where the bat feces have been found. This work was done long before the questions from the Official Opposition. We are working collaboratively with the local biologist who is monitoring the area and who will

inform us of additional mitigation options as they arise. We are exploring other options to prevent their return next year, such as the installation of bat houses so that they have a place to nest during their migration and wire mesh to prevent entry into the exterior roof.

**Mr. Hassard:** I'm not sure if the minister has heard the entire question, but I said that yesterday, during Committee of the Whole, the Minister of Highways and Public Works indicated that the government cannot remove these bats because they are a protected species. So, again, can the minister confirm if this is in fact the case?

**Hon. Mr. Mostyn:** We are working very, very hard to mitigate the problems of the Ross River School — both the bat problem — which isn't a new problem; the bats have been in and around Yukon for thousands of years, and they certainly have been in that school before. We're taking mitigations, such as the bat houses and the wire mesh in the soffits, to make sure that they don't continue to make their way in. Those measures will be looked at for implementation next year.

The member opposite — I don't know if he's suggesting that we go in there and poison the bats or kill them. I'm certainly not in favour of that approach, Mr. Speaker. We're taking an approach where we're working with a biologist to make sure those bats are taken out of the school and kept out of the school in the future so that the safety of the staff and the students is cared for. That, of course, Mr. Speaker, as I have said again and again, is our top priority.

**Mr. Hassard:** That was kind of a rather bizarre answer, but again, the minister has not yet answered that question. I'm really starting to believe that the minister misspoke yesterday. I will give him one more opportunity to in fact confirm whether or not he was correct yesterday when he said that they cannot remove these bats because they are a protected species.

**Hon. Mr. Mostyn:** Again, I will say on the floor of this House this afternoon that the safety of the staff and students of that school are my utmost responsibility and I take it very seriously, Mr. Speaker. I have indicated that I have no desire to kill or maim the bats that are in that school. I don't know if the member opposite has a thing for bats or a thing against bats. I will check with the department again — because my understanding is that they are a species that we are trying to protect. I will get the answer for the member opposite.

### Question re: Hospitalization related to youth alcohol consumption

**Ms. Hanson:** Mr. Speaker, on behalf of the government, the Minister of Health and Social Services has publicly endorsed the *Putting People First* report. The report highlighted a disturbing trend regarding the increased use of alcohol by youth 10 to 14 years of age. I am talking about children. Not surprisingly, this increased consumption of alcohol by youth has led to higher numbers of hospitalizations. Alcohol-related hospitalizations for youth aged 10 to 14 in Yukon is three times higher than the national average.

My question is quite simple: What is this government doing to address the evidence of increased hospitalization for children aged 10 to 14 due to the consumption of alcohol?

**Hon. Ms. Frost:** We certainly put the lives of Yukoners at the forefront of everything that we do, particularly our children. We are always ensuring that we bring the best services to our communities. I want to assure the member opposite that we are working very diligently and closely with all of our communities. That in fact means that we have bridged huge gaps that have not been available to us historically.

So, what we have seen through our relationship with Yukon First Nations and our communities at large is to look at ensuring that we bring health supports, social supports, and mental wellness supports into the communities with an emphasis on preventive care and preventive measures. We have done that in cooperation with our partners. We will continue to look at best efforts, recognizing and appreciating that we have a trend before us in many aspects — recognizing that and appreciating that we will do everything we can to support our youth as we progress as a government and as we move forward with implementing the *Putting People First* report.

**Ms. Hanson:** The *Putting People First* report provides some startling insights that will require cooperation across government departments. One example is the impact of changes made to the *Liquor Act* regulations that allowed for an increase in the hours of operation for liquor establishments and offsales. They can now remain open from 9:00 a.m. to 2:00 a.m., up from 14 to 17 continuous hours.

The panel reported that, since the increase in liquor offsales hours, hospitalizations caused entirely by alcohol increased by 19 percent in one year. If this government is serious about addressing addiction and its impact on our health care system, these statistics demand a response.

What action is the government taking to address the increase in hospitalizations directly linked to increased hours for licensed premises and liquor offsales?

**Hon. Mr. Streicker:** As we will all recall here, we introduced an updated *Liquor Act* last year. In that act, we wrote throughout it all that — social responsibility was a central theme throughout.

We brought together stakeholder groups to talk to us — from our licensees, from our communities, from Whitehorse — also the RCMP, Health and Social Services, the chief medical officer of health — his office — and we brought everyone together to talk about how to improve the regulations around such things as offsale hours.

We are working on that as we speak and our intention is to be — our targeted time for that is April of next year. We have been working to decrease those hours; in fact, we wrote to all of the licensees to suggest that we were heading in that direction and got their feedback on that.

We agree that there is a concern about offsales hours, and we will use the regulations through the new act to reduce those hours as reinforced by the *Putting People First* report.

**Ms. Hanson:** I'm almost encouraged by the minister's words. Last year when we were debating that legislation, there was no indication — other than using the language of "social responsibility" — that we might get there.

The *Putting People First* report shows evidence that longer hours of alcohol sales significantly increased the amount of

alcohol consumed and the rates of alcohol-related harms. The Canadian Institute for Health Information identified that in Yukon in 2018-19 — while we were doing the work around the new legislation — there were 779 hospitalizations entirely caused by alcohol. The report attributes this increase directly to the new liquor regulations. They attribute this to the allowance for extended offsales hours. The report points out that harmful use of alcohol has serious effects on individuals and puts unnecessary strain on health care resources.

Given the evidence and the minister's commitment, when will the government reverse the changes? A year from now, or two years from now, or five years, or tomorrow?

**Hon. Ms. Frost:** With respect to preventive measures and the supports that the department is putting into the communities, significant efforts have been put into preventive measures in our communities. We are working very closely with our health professionals. We have recently incorporated public health nurses within our communities, focusing on health promotion efforts with an emphasis on Yukon youth. With respect to legislation — in speaking with my colleague, the Minister of Community Services — that will come into effect in the spring. We are working very closely with our partners in our communities to ensure that all youth are protected and that we give them all the opportunities to be successful and well-supported with the services as defined under *Putting People First*.

#### **Question re: School capacity**

**Mr. Kent:** Space has become a premium in many Yukon schools. We all remember concerns brought forward earlier in this Liberal mandate where storage closets and hallways had been converted to learning spaces. We have also seen the Wood Street Centre programs relocated to a portable at Porter Creek Secondary School here in Whitehorse only to have that change once mould was discovered in that structure. We have also heard recently that the remediation is taking longer than expected in that portable, and it may not even be ready for the second semester.

So, can the minister confirm if this information is correct and give us an idea of when that portable will be ready for occupancy?

**Hon. Mr. Mostyn:** Once again, I want to thank the member opposite for this opportunity to talk about schools and building maintenance this session. Our government takes the health and wellness of Yukoners — staff and students — very seriously. Highways and Public Works maintains and assesses all Yukon government buildings on a regular basis, which includes logging and following up on any issue identified, such as mould.

When inspecting a building for potential mould growth, we follow a checklist using information from the Canadian Centre for Occupational Health and Safety to provide guidance and clear direction on actions. In the event of any issue or concern found with mould growth present, a professional restoration contractor is engaged to remediate the issue and conduct follow-up tests to ensure that the mould was successfully remediated. That process is currently underway at Porter Creek

school, and we will make sure that school is safe before we let any other students or staff go into that building.

**Mr. Kent:** Hopefully, the minister can give us an idea of when that portable will be ready for occupancy. As I mentioned, we have heard that it won't be ready for the second semester of this year.

Of course, we know that mould was also discovered in the portable that is used at Robert Service School in Dawson City and it was taken out of use. There was money in this year's budget to address the situation. Can the minister tell us how much was budgeted for this particular project and if it has been completed yet?

**Hon. Mr. Mostyn:** I understand the member's interest in this matter, and I will certainly seek to get him an answer to that question. I will endeavour to get him an answer to that question.

**Mr. Kent:** So, hopefully we will get an answer to when the Robert Service School in Dawson City — when that portable will be ready — and when the portable will be ready at Porter Creek Secondary School here in Whitehorse as well. As we know, Selkirk Street School in Riverdale has also seen ever-increasing enrolment, to the point that a portable was in the budget for that school as well. We know that the portable has been delivered to the site. I am wondering if the minister can tell us how much that portable cost and if it is currently occupied or if it is still awaiting final inspections.

**Hon. Mr. Mostyn:** I can tell the member opposite that our government is making the learning environments of our students a priority. My colleague, the Minister of Education, is building elementary schools across the territory. That is something that hasn't happened in decades.

Selkirk Elementary received a new modular classroom this summer. The school will also receive a new parking lot, with construction expected to take place next summer. That work is happening and I look forward to the next question from the member opposite.

#### **Question re: School busing**

**Mr. Cathers:** In the Department of Education briefing on the supplementary budget, we were given a document entitled "Federal Funding Priorities." Under "Continued Learning" in that document, there is a line item for additional transportation costs associated with school busing.

Can the Minister of Education tell us how much of the federal funding has been identified for school buses?

**Hon. Ms. McPhee:** I think that this would be a question that the member would have asked when they had the department officials before them, with the line items regarding school buses. I can indicate that the additional school buses that have been ordered for this school year are in the range of \$280,000. Of course, that does not account for fuel, for operation, or for drivers.

**Mr. Cathers:** It is disappointing that the minister either doesn't have a handle on this or she is refusing to provide the information in Question Period. We are asking her a simple question that relates to the safety of students during a pandemic. We were told that three more buses were on order from the

contractor to help deal with approximately 250 students who don't have transportation this year in comparison to those who did last year. We were also told that the contractor is having a difficult time recruiting and retaining drivers during the pandemic.

Can the minister tell us if these three buses have arrived and, if not, when they are scheduled to arrive? Can she also tell us if there are enough drivers to ensure that every bus can actually be on the road?

**Hon. Ms. McPhee:** The health and safety of students and staff is our first priority. School busing for the 2020-21 school year has been adapted to follow the chief medical officer of health's recommendations and the health and safety guidelines for the safe operation of school buses. These adaptations are to prevent the spread of COVID-19 and to keep communities safe and healthy, of course. That has meant that we are not able to accommodate as many children on a particular school bus as have been allowed in the past. All eligible students — all eligible students — have been assigned to school buses this year. Those school buses are taking them to and from school in a safe manner.

I believe that I answered the previous question, despite being accused of not having done so. The three school buses — I have not confirmed that they are here. I am not aware that they are here, but I will check that. I understand that they are on their way. We expect them to be here as soon as possible. I should appropriately note that our school bus service provider has been working diligently — endlessly, in fact — to make sure that children are transported to and from school in the best possible way and in a safe manner and to have them be able to continue their learning. I thank Standard Bus for that work.

**Mr. Cathers:** Mr. Speaker, it is our understanding that 250 students were excluded from this, despite the minister's claims.

When it comes to busing, we have heard complaints from almost every neighbourhood, as well as from people outside city limits, about changes that were made this year. Families are having to choose between driving their kids to school and getting to work on time or leaving work early, and it is creating a great inconvenience and interference to the ability to work for many families. Split families have lost the opportunity to have their children picked up and dropped off at different addresses. Historical stops and routes have disappeared entirely.

Can the minister tell us where the three additional buses will be deployed? Again, could she perhaps clarify her earlier response suggesting that everything is fine when that is a very different story from what we hear from parents and the department?

**Hon. Ms. McPhee:** Let's be clear about this. "Everything is fine" are the words from the member opposite. What I described was the process of adapting school busing services and what I claimed — actually, stated — and I expected the respect of this House when I did so — is that all eligible students — eligible under the *Education Act* and eligible under the education busing regulations — have been assigned to a school bus this year, and school buses are now

operating near capacity. The three buses on their way, we hope, will alleviate some of the stress of that.

In normal times, when there is greater capacity on school buses, we have been able to accommodate additional students on the school bus beyond the eligibility requirements such as busing for students attending schools outside of their attendance area or for special requests such as transportation to after-school programs or to childcare. Those students, in the pandemic world, have not been able to be accommodated this year. We work with every single family that brings forward their interests and their questions, and we have worked diligently with each and every one of them to determine whether a child could be accommodated on a school bus and still meet the health and safety guidelines required in a pandemic.

#### **Question re: School sanitization health concerns**

**Mr. Kent:** Obviously, the pandemic has changed the way we conduct our everyday lives. But it has also changed the way we work and the way we attend school. Keeping surfaces sanitized has become more prevalent than ever, especially as students have been returning to school over the past number of months.

A CBC story from yesterday quotes the President of the Yukon Teachers' Association as saying that they suspect more students and teachers are becoming ill because of sanitizing products at four Whitehorse schools and a school outside the city.

Can the minister tell us what she is doing in response to these concerns?

**Hon. Ms. McPhee:** I would be pleased to address this issue on the floor of the Legislative Assembly and to speak to Yukoners about some of the changes that have been acknowledged by the member opposite that have been required in all of our daily lives.

School staff follow health and safety guidelines and advice from the chief medical officer of health and use disinfectants and other cleaning products that are approved by Health Canada and are suitable in school settings. If students and staff have concerns — and we have been advised of this and we have been working with those individuals over the past week — but if any additional students or staff have concerns about any health or safety practices at their school — such as cleaning products or disinfectant products that are in use — we encourage them to contact their school administrator. Every school also has a health and safety representative, and we would like those matters to be brought to their attention so they can be dealt with as quickly and effectively as possible.

#### **Question re: Mental health counselling services for children**

**Ms. White:** Mental Illness Awareness Week was just over a week ago. The Minister of Health and Social Services posted a list of available services for Yukoners. These included the Canadian Mental Health Association, Yukon Mental Wellness and Substance Use Services, All Genders Yukon, and



numerous others. It's good to see many more services being offered throughout Yukon.

Where should families go who are seeking mental health counselling services for children?

**Hon. Ms. Frost:** With mental wellness and the need, during these times, for mental wellness supports and counselling services, we have many services available. I would like to encourage all families and all Yukoners to attend the mental wellness support hubs in your communities. In each one of your communities, you have a mental wellness counsellor as well as a social worker. At the same time, Mr. Speaker, we continue to expand services throughout the Yukon with the high-quality, accessible, and consistent care that's required.

An expanded scope of practice within our hubs includes counselling for adults, children, youth, and families, mental wellness and substance use counselling, and of course, during some unprecedented times in our communities, we want to ensure that mental wellness support is making a significant change to improve the supports that are there.

I want to just acknowledge that we have had to make some changes, and the changes that we had to make were to use some virtual care opportunities to reach the families — but we are working very closely with our mental wellness hubs in our communities.

**Ms. White:** When we went looking for specific counselling services, what we found was that many are linked to specific groups, such as adults attending Blood Ties Four Directions or children under five at the Child Development Centre. For school-aged children, there appear to be very few options where counsellors trained to work with children can provide services.

Going to this government's website proves frustrating and unhelpful. Who is providing mental health counselling to school-aged children in Yukon?

**Hon. Ms. Frost:** As I indicated in my previous comments, currently we have an increase of counsellors readily available to work with families during critical times. We certainly want to ensure that all families are well-supported. We have 22 counsellors now in the Yukon. Historically, as I indicated, we had two — so there are increases.

In terms of the complexity of services for school-aged children and families — Health and Social Services has worked with Family and Children's Services, and we have a team that has been established to work with all of our children and our families during these complex times. Thinking about children ages 6 to 12, we are working with our partners at the Council of Yukon First Nations. We are working through Family and Children's Services.

In addition to that, we are working with our primary care providers and our communities. We certainly want to ensure that the ongoing work to enhance mental wellness and substance use services and family and support counselling in our communities is adapted accordingly. If Yukoners have any specific concerns or questions and cannot reach a mental wellness counsellor, I encourage them to please reach out to your social worker in your community. If there is a counsellor

in your community, reach out to them. If not, reach out to mental wellness support services in Whitehorse.

**Ms. White:** During the COVID pandemic, we know that people are experiencing more mental health issues, including anxiety and depression. It has been reported that 22 percent of Canadians are experiencing higher anxiety and 13 percent are reporting greater depression. Children are not immune to these mental health concerns, but access to counselling seems to be less of a priority.

With the lack of access to recreational activities and facilities and the inability to play with friends who are not in their bubble, the mental wellness of children has taken a hit. So out of the 22 counsellors in Yukon mentioned by the minister, how many have specialized training to work with children?

**Hon. Ms. Frost:** Critical mental wellness and the supports that we provide to families are certainly priorities for us. Our counselling services — as outlined by the member opposite — mental wellness support services in our specific hubs and the Canadian Mental Health Association along with All Genders Yukon and the supports that we provide in rural Yukon communities continue to provide services out of our hubs, but we also look at expanded services.

We have just opened up the Nts'aw Chua facility in Porter Creek. That provides services on a daily basis. We have supports through the Department of Education as well. We work in close collaboration on addressing child services and mental wellness services, as required. We have mental wellness counsellors in all of our communities.

I would like to just acknowledge the great work that the mental wellness counsellors and the staff are doing during some unprecedented times — knowing that we had to bring in additional supports and of course had to adapt to the COVID pandemic to reach all Yukoners. I want to give a shout-out to them for doing such an excellent job in reaching all our families.

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

## ORDERS OF THE DAY

### OPPOSITION PRIVATE MEMBERS' BUSINESS

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

**Clerk:** Motion No. 277, standing in the name of Ms. White.

**Speaker:** It is moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to support Mi'kmaq fisheries by:

(1) denouncing the violence against Mi'kmaq people and the RCMP's failure to protect Mi'kmaq communities; and

(2) calling on the Government of Canada to work with the Sipekne'katik First Nation and all indigenous fishers to implement a moderate livelihood fishery.

**Ms. White:** So, before I get started today, I just want to acknowledge that systemic racism is complex. It is hard to talk about and it is highly sensitive. I also want to acknowledge that

I am here on the traditional territory of the Kwanlin Dün First Nation and Ta'an Kwäch'an Council as a settler or as a visitor.

There has been a hard wake-up call for Canadians in the last number of months as we have had to grapple with our own biases and the racism built within our institutions. We have seen and felt the pain through the eyes of our indigenous, black, and racialized friends and neighbours. No longer can we sit smugly up in Canada denying that racism exists here while pointing south of the border to the overt racism that we see there.

The violence that has erupted in Nova Scotia is jarring. It is hard to watch even from the other side of the country. The issue is that of Mi'kmaq fishing rights. There is information to be found all over the Internet right now, but I am choosing to reflect the information that I found from an indigenous source. The information that I will be sharing comes from APTN and I suggest that, if folks have an interest, they go to that website, as it is really informative and there are a couple of great videos to watch.

The Sipekne'katik First Nation launched its moderate livelihood fishery on September 17. The days and weeks since have been marked by threats and violence, flares fired at Mi'kmaq boats, as well as damage to traplines and the destruction of a lobster pound and property.

When you go to the APTN website, it lays it out in a way that — for people who are trying to learn, it's very helpful. It has great links.

It lays it out in such a way that you can learn. It says:

“Who is fishing? Sipekne'katik First Nation is the first band to start its own Moderate Livelihood fishery in Saulnierville, Nova Scotia — about three hours west of Halifax along the Bay of Fundy. Two other bands are also set to start their Moderate Livelihood fisheries: Paqenkek and Potlotek.”

“Who is protesting? Non-Mi'kmaw fishers are angry that Mi'kmaw fishers are dropping lobster traps out of season, to earn a living. What is missing from many reports is that the Mi'kmaq have a right to catch and sell lobsters, and decide when they can do it.”

Is it an illegal fishery? No. “The Mi'kmaq have a constitutional right to fish for a Moderate Livelihood but Canada has yet to implement the Marshall Decision and...” the Department of Fisheries and Oceans “... has not reflected the right to a Moderate Livelihood in its regulations.”

So then, if you're curious, it explains the 1999 Marshall Decision.

“In 1999, the Supreme Court of Canada (SCOC) released the Marshall Decision. The court did not give the Mi'kmaq the right to fish — but recognized and upheld that right enshrined in the Treaties.

“The judges created the term Moderate Livelihood so the Mi'kmaq can make money, but not get rich. Then the court issued a second decision with a clarification that this right can be regulated by Canada.”

Then it tells us: “How much is being fished? Contrary to what non-Mi'kmaw fishers are saying, conservation is not a concern. According to the Department of Fisheries and Oceans (DFO) the lobster stocks are healthy. The Commercial fishery,

according to the Department of Fisheries and Oceans ‘remains very healthy.’ The province says the landing of lobster has doubled in the past 20 years.

“Sipekne'katik First Nation has seven licenses and only three are being used at the moment. Each license has 50 traps for a total of 150 traps. The commercial fishery in that zone, which is much bigger than just St. Mary's Bay, allows for up to 390,000 traps.”

So that's more than 2,500 times than the Mi'kmaq.

“Commercial versus Moderate Livelihood versus Food, Social and Ceremonial Fishery — Most Mi'kmaq... bands in the Atlantic region signed commercial fishing deals after the Marshall decision — but Moderate Livelihood has never been defined.

“A Moderate Livelihood is supposed to allow a Mi'kmaw individual to make a living off resources. As a sovereign nation on unceded territory, the Mi'kmaw have jurisdiction and that is the basis to make their own rules for their fishery and that is what they're asserting right now.

“The Food, Social and Ceremonial fishery allows that catch to be eaten or used in ceremony — but it can't be sold.”

Canada has rules for food, social, ceremonial, and commercial fishing, but Mi'kmaq also have a right to a moderate livelihood fishery. But more than 20 years after the Marshall Decision, the federal government has failed to work with the Mi'kmaq communities to find what that means. In the face of this inaction, the Mi'kmaq have decided to assert their right and establish their own rules. That brings us to the issue of treaties.

“The Mi'kmaq signed Peace and Friendship Treaties in the mid 1700s and these treaties never ceded land.

“The 1752 Treaty says that the Mi'kmaq ‘shall not be hindered from, but have free liberty of Hunting & Fishing as usual.’ The SCOC upheld this right for the Mi'kmaq in the 1985 Simon case.”

Then it goes on to say: “Where we stand today — Three bands have signed new agreements — most have refused.” The Department of Fisheries and Oceans “... says that these agreements address the Moderate Livelihood issue but most say they don't. According to the bands, these agreements actually quiet rights and signing means that you agree NOT to assert Treaty Rights for the duration of the agreement and will only fish under DFO rules for the commercial fishery.

“Sipekne'katik and other communities in the Mi'kmaq Nation continue to work on their own management plans that will regulate Mi'kmaw fish harvesters to ensure conservation.

“Today, it's lobster, but the Treaty Rights extend to other resources as well.”

Under Canada's *Fisheries Act*, the federal minister is the ultimate authority, but if Canada tries to reconcile its relationship with indigenous people, it cannot continue to uphold the law as a tool of exclusion or as a tool to support economic racism in a territory. Twenty years of inaction by the federal government has led us to where we are today. The right to a moderate livelihood fishery for the Mi'kmaq is constitutionally protected, but the federal government's inability to work with indigenous communities to find an

agreement has led to the conflict that we see in a very clear display of both overt and systemic racism.

When we see the violence that has been directed at Mi'kmaw fishers, we have to ask: Where was the RCMP? Seeing indigenous fishers being intimidated, barricaded in their pound, and having their property destroyed is shocking — but this conflict isn't new and these tensions are not new.

The most recent escalation of violence toward Mi'kmaw fishers happened over several weeks. All the signs were there. So we're left to wonder what would happen if the roles were reversed. Would the reaction by the RCMP and the public be the same? I think that there are plenty of examples throughout history — but also in this day and age — that show that the reaction would be very different. It was just revealed today that, last year, the RCMP spent over \$13 million to monitor the Wet'suwet'en people and protect the interest of Coastal GasLink, a corporation trying to build a pipeline through indigenous land. How much has been spent protecting the Mi'kmaw fishers from the violence that they have been subjected to?

Today, I welcome my colleagues to join me in this uncomfortable conversation so that we can talk openly about Canada's racism problem and ultimately stand together so that we can show our support and solidarity for the Mi'kmaq people.

**Mr. Hutton:** I rise today to speak to Motion No. 277. I would like to thank the member opposite for bringing attention to this incredibly important matter as it unfolds.

While we certainly encourage Canada's indigenous peoples who have not yet done so to seek self-governance, it is not appropriate for any government to direct First Nations on how to self-govern. As such, we are proposing the following amendment, which we feel aligns with the general message supporting the rights of the Mi'kmaq people, denouncing the violence that they face, denouncing the inaction of the RCMP, and calling on the Government of Canada to work with the Sipekne'katik First Nation to implement a moderate livelihood fishery.

*Amendment proposed*

**Mr. Hutton:** I move:

THAT Motion No. 277 be amended by:

(1) deleting the phrase “and all indigenous fishers”.

**Speaker:** I have had an opportunity to review the proposed amendment with Mr. Clerk, and I can advise that it is procedurally in order.

Therefore, it is moved by the Member for Mayo-Tatchun:

THAT Motion No. 277 be amended by:

(1) deleting the phrase “and all indigenous fishers”.

**Mr. Hutton:** In speaking to the amendment, for those following outside of the House, the motion now reads:

THAT this House urges the Government of Yukon to support Mi'kmaq fisheries by:

(1) denouncing the violence against Mi'kmaq people and the RCMP's failure to protect Mi'kmaq communities; and

(2) calling on the Government of Canada to work with the Sipekne'katik First Nation to implement a moderate livelihood fishery.

Unfortunately for many of our First Nations across Canada, violence in the face of adversity is all too common. We have seen an incredible surge of hate crime across all of North America in these recent years, not just in Canada. It's shocking but, sadly, not surprising. Largely, we have a cultural and societal disconnect, which becomes increasingly apparent once you add in socio-economic disparity and economic instability.

In 1990, CBC released an article that stated the following — and I quote: “Donald Marshall Jr. spent 11 years in jail for a murder he did not commit. When he was finally acquitted, the appeal court still called him ‘the author of his own misfortune.’... after a fight lasting almost two decades, Marshall's name...” was “... finally cleared. The same cannot be said for the police, prosecutors and judges who wrongfully convicted the Mi'kmaq man. A 16,000-page royal commission report released...” in 1990 “... accuses them of racism, incompetence and miscarriage of justice at every turn. The seven-volume Marshall Inquiry report is a scathing indictment of the Nova Scotia criminal justice system. Its findings are blunt, and unequivocal: Donald Marshall Jr. was wrongfully arrested, wrongfully prosecuted, wrongfully defended, wrongfully convicted of murder, wrongfully treated during his appeal, and deceived and cheated by investigating officials... the report is also laden with recommendations to ensure such a travesty never happens again.”

Donald Marshall Jr. and his friend Sandy Seale were walking in Wentworth Park in Sydney, Nova Scotia. They struck up a conversation with two strangers, Rob Ebsary and Jimmy MacNeil. Ebsary pulled a knife and fatally stabbed Seale in the stomach, but Ebsary was not charged with the crime. Systemic racism prevailed. Donald Marshall Jr. was charged with the murder of his friend Sandy Seale.

This is 1971. Donald Marshall Jr., a 17-year-old indigenous youth, after a three-day trial, is convicted of murder, sentenced to life in prison — a maximum security prison for a 17-year-old boy. Ten days after the conviction, Jimmy MacNeil came forward to say that he was with Ebsary and saw him commit the murder. In 1974, three years later, Ebsary's daughter Donna told Sydney police that she had seen her father washing blood from a knife on the night of the murder. In both cases, the information was not passed on from the police to either the Crown or defence teams.

While incarcerated, Marshall battled depression, drugs, and alcohol. In 1983, the Nova Scotia Court of Appeal acquitted Marshall because Ebsary had admitted that he had, in fact, killed Seale. Despite this admission, the court added insult to injury and told Marshall that he was dishonest in his testimony and therefore partly to blame for his own wrongful conviction.

The Court of Appeal went on to say — and I quote: “Any miscarriage of justice is, however, more apparent than real...” — a sad state of where justice is in this country.

A royal commission was established to investigate the case. After three years and \$7 million, the damning report was

released and stated the following: “The criminal justice system failed Donald Marshall Jr. at virtually every turn, from his arrest and wrongful conviction for murder in 1971 up to, and even beyond, his acquittal by the Court of Appeal in 1983...”

The royal commission report also stated clearly that Marshall was — and I quote: “...convicted and sent to prison in part at least because he was an indigenous person.” The case became the subject of a book — and movie — in 1986 called *Justice Denied: The Law versus Donald Marshall*.

This brings us to a more recent altercation between Mr. Marshall and the law. In 1996, Donald Marshall was arrested and convicted on three counts of catching and fishing eel out of season. The Mi’kmaq took his case to court, arguing that treaties from the 1750s gave aboriginal people the right to catch fish for sale and excused them from fisheries regulations. In 1999, after taking his appeal to the Supreme Court of Canada, Marshall won the right to fish year-round. The benchmark *R. v. Marshall* decision broadened aboriginal fishing rights and ignited violence in the fishing industry. Non-indigenous fishermen in 1999 objected to what they saw as unfair treatment, and they cut 2,000 Mi’kmaq lobster traps.

Donald Marshall Jr. died on August 6, 2009 after being hospitalized for complications resulting from his lung surgery in a previous year. He was 55 years old — far too young, Mr. Speaker.

We have been seeing this type of treatment all too much recently. We saw it with the Wet’suwet’en protest this year with respect to the Coastal GasLink pipeline. We saw this with Black Lives Matter protests, which continue to raise awareness of the disproportionate violence against the black community. Even up here in our north, we saw protesters walking the streets in front of the RCMP building and demonstrating in solidarity with our people. That’s what these groups are, Mr. Speaker — our people. “Mi’kmaq” quite literally translates to “the people”, and they are no exception. They are our people.

Mixed perceptions on First Nation rights, paired with cultural and political ignorance, continue to fuel a destructive position that threatens a way of life and traditions of the First Nation cultures across Canada.

The Mi’kmaq people have a long-standing history that is supported by oral and archaeological records of seasonally patterned habitation and resource harvesting. They spend their spring and summer months harvesting the coastlines for shellfish and sea mammals, moving inland during the fall and winter months, focusing on land-based mammals for their food necessities to support their traditional way of life.

Unfortunately, the Mi’kmaq were among some of the first aboriginal people in North America to interact with European explorers and settlers. These interactions led to rapid depopulation and social and cultural disruption. It is estimated that over half the Mi’kmaq population was lost between the 1500s and 1600s.

Sadly, Mr. Speaker, violence is not something these people are unfamiliar with. This social and cultural disruption and violence continues today, evident by the burning down of the Mi’kmaq lobster pound in the early morning on Saturday — this year. Threats of violent action by non-indigenous

commercial fisheries and their supporters are unacceptable and unconstitutional, and I would expect any sensible government or human to condemn this type of behaviour without hesitation.

The Mi’kmaq have a long-standing treaty with the British Crown, dating back to 1752, which promises the Mi’kmaq people the right to hunt and fish their lands and establish trade. This isn’t just an inherent right; it is also their constitutional right, as confirmed by the Supreme Court of Canada in September 1999 through the Marshall decision.

I wish I could speak on behalf of everyone in this House when I say that violence against the Mi’kmaq people needs to end immediately. Ignorance of the history and rights of these people is no excuse for the hatred that they are experiencing right now. My heart goes out to those people, their friends, and their family who all fear for their safety while trying to earn a moderate livelihood to provide for their families in a system imposed on them.

It is our duty to call upon the Government of Canada to work with the Sipekne’katik First Nation and end the unnecessary violence, which continues to threaten their way of life. This government has and will continue to advocate for the protection of First Nations, their communities, their cultures, and their traditions. This includes the Mi’kmaq people — they are no exception.

This government has taken great steps in First Nation reconciliation and we have a lot to be proud of. Like all people, we aren’t perfect, and these waters are challenging to navigate at best, but as elected members of this Legislative Assembly, it is our responsibility to act in the best interests of all people.

We support the Mi’kmaq fisheries. We denounce the violence against the Mi’kmaq people. We advocate for the protection of the Mi’kmaq communities and we call upon the Government of Canada to work with the Sipekne’katik First Nation to resolve this unnecessary conflict.

Thank you, Mr. Speaker.

### Speaker’s statement

**Speaker:** I have some comments for the Member for Mayo-Tatchun.

Sometimes there are time constraints. I know, in my presiding over the 34<sup>th</sup> Legislature — there are time constraints — why a member might have to, I suppose, try to modify his or her comments into their comments on amending motions. In this case, the Member for Mayo-Tatchun, in my view, would have had as much time as he would have needed to make his comments to the main motion. So, I would just generally remind both the Member for Mayo-Tatchun and all members that, if you are proposing an amendment but you have comments and contributions that you would like to make, you have up to 20 minutes to do so prior to proposing an amendment.

If that’s what the member — the Leader of the Third Party was going to bring up, that’s where I was. I’m not going to judge the Member for Mayo-Tatchun’s comments. I believe it was an honest procedural misstep with respect to the content of his contributions on the amendment — because the amendment was quite discrete.

The Leader of the Third Party, on the proposed amendment.

**Ms. White:** I wasn't going to interrupt. It was beautiful. I was happy to wait.

I just wanted to thank the Government House Leader for approaching me earlier with the amendment, and I support and endorse it. I would like to call the question.

**Speaker:** Is there any further debate on the proposed amendment to Motion No. 277?

*Amendment to Motion No. 277 agreed to*

**Speaker:** Is there any further debate on the main motion as amended?

**Mr. Hassard:** It's a pleasure to rise today to speak to Motion No. 277 as amended, and I thank the Member for Takhini-Kopper King for bringing the motion forward and the Member for Mayo-Tatchun for the amendment.

As have many Canadians, my colleagues and I have watched the rising tensions in Nova Scotia related to the commercial lobster fishery with grave concern. We have seen this dispute escalate from one about economic hardship, conservation, and resource management to one of threats, intimidation, violence, and racism.

From the vantage point at the other side of the country, many may not be familiar with the issues. The Supreme Court of Canada's September 17, 1999, decision in the Donald Marshall case affirmed a treaty right to hunt, fish, and gather in pursuit of a moderate livelihood rising from the peace and friendship treaties of 1760 and 1761.

The decision affected the 34 Mi'kmaq and Maliseet First Nations in New Brunswick, Prince Edward Island, Nova Scotia, and the Gaspé region of Québec. While action has been taken over the past 21 years, successive federal governments have not succeeded in negotiating moderate livelihood agreements with all 34 First Nations. This, of course, has led to tensions and the violence that we see today.

Ultimately, we believe that the priority in this situation needs to be the safety of the citizens in that area and respect for the treaties. We need to see concrete action from the governments involved — in particular, the Government of Canada — to keep Nova Scotians safe in their communities and peacefully resolve this situation.

Having listened to the Member for Takhini-Kopper King and the Member for Mayo-Tatchun, I believe that a peaceful solution is the issue that we all want, and I want to note one concern with the current wording in the motion. In particular, I don't want to give the impression that we are targeting the rank-and-file RCMP members across the country who are on the ground. We believe that the responsibility lies with leadership and political leadership in the various governments and not the members on the front lines. However, this concern will not be impacting how we vote, as we still support the motion.

I was glad to hear various groups calling for the governments of Canada and Nova Scotia to enhance the resources available to the RCMP to ensure that indigenous and

non-indigenous citizens are kept safe. We certainly support this and encourage the political leadership to consider this request.

We want to see this situation resolved peacefully through a negotiated solution that respects the treaties, and we want to see political leadership from the Government of Canada and, in particular, from the Minister of Fisheries, Oceans and the Canadian Coast Guard and the Minister of Public Safety and Emergency Preparedness.

Thank you, Mr. Speaker. We will be supporting this motion.

**Hon. Ms. Frost:** I'm rising today to speak to the motion as amended. The main purpose and the underlying principles around the whole dispute — it's really around systemic racism — the racism as it is seen in many parts of our society and the impacts and effects it's having on our indigenous people.

What we're seeing now is very much what we've seen historically. I think that we've come from a very fortunate place here in the Yukon — great debates around homelessness and poverty and the fact that we passed some amendments to reflect the need to look at systemic racism and the elimination of racism in our very society that we live in.

Yukon, being such a special place — we have our self-government agreements that define our rights as indigenous peoples, and, of course, our self-governing agreements and our *Umbrella Final Agreement* set the tone for us in terms of how we build our relationships around indigenous partnerships specific to fish and wildlife and specific to land management. I think of it from that perspective.

I think about: What is the intention here? More than anything, what's at the surface — and we tend to skim the surface oftentimes — and that's to look at the issue before us. While there is a dispute, we're going to focus our attention on the dispute. I think that there are significant underlying issues around the rights of the indigenous people, the rights of the Mi'kmaq people to harvest and access that resource, of which they have been accustomed to for millennia. They were the first peoples of that country.

I want to just point us to some of the comments that were made, specifically by the MLA for Mayo-Tatchun. He spoke about the royal commission report, which clearly referred to the Marshall decision — the conviction and being sent to prison because of his indigenous identity. I want to just say that we have historical documentation that really defines on a national scale how we engage on a national level with our indigenous peoples — specifically the *United Nations Declaration on the Rights of Indigenous Peoples* — around the world and defines principles and practices for how we set rules and principles in place to identify with the unique circumstances of individuals and individual nations where they reside and the right to dignity, to language, and to the resources that they have been accustomed to.

I just want to make note of that, because I think that the principle of the conversation — and the underlying issue — is really not about the dispute at the surface. It's really about what has long existed, and that is the pervasive, systemic racism that

we have known to exist as a product of many of those, I guess, conversations.

I want to just say that, just a few short years ago in 1985 when Bill C-35 came into effect, we had indigenous people in this very community who were not identified as indigenous people because of the rules that applied under the *Indian Act*, which defined individuals as being non-indigenous. I'm referring to my own family. My mom, being a status First Nation Vuntut Gwitchin person, had her rights ripped away from her because she happened to marry a man — my grandfather — who was from Ontario. So, these are real issues, very alive and well and very recent and raw for all of us.

Moving on to look at the *Report of the Royal Commission on Aboriginal Peoples*, that focuses on Canada. It focuses on the systemic issues that long affected and impacted our indigenous people. It talked about restructuring systems. It talked about assimilation. Well, assimilation is fine, but assimilation also means that the rights of the individuals, no matter where they reside, and their identity need to remain protected, including the aboriginal people in relation to the non-indigenous communities. There has to be a joint — as it's defined — practical solution to a stubborn problem.

At the time that the commission report was revealed, it did say that it was a time of anger and upheaval. The country's leaders were arguing about the place of aboriginal people in the Constitution.

That never should be a question. The rights of indigenous people are always protected under the Constitution. I want to just say that we, as the Yukon Legislature — legislatures and politicians have an opportunity to participate in a fundamental shift and change in how we govern and how we interact with one another.

The difficult work during some difficult times and very challenging times — like what we're seeing on the other side of the country — impacts what we do here in our community. I always want to keep that in the very front of my vision in what I do and how I interact with my community members and with my colleagues. I'm proud to stand here as a Vuntut Gwitchin woman, representing indigenous women and the voice of indigenous people, coming with some experience in implementation and recognition of indigenous rights, knowing that it's not easy. It's not easy to influence change in our society or our legislative processes. It's a very difficult conversation to have.

Not everyone wants to have that conversation. Others will run out of the room or laugh at you and make fun of it, but seriously — it's not a laughing matter. It's a matter where we all need to stand strong with one another, face the fact that racism is alive and well, and it's up to all of us to look at elimination, rebuilding a nation — looking at some of the ancient connections and ties to the land and appreciating that and to start from a common place of understanding — and that's with dignity and respect for one another as human beings.

So I see this as a huge opportunity — if we're going to do anything in terms of standing beside and behind our brothers and sisters from across the country — to put our voices and our efforts behind them. Also, at the same time, what is happening

there is no different from what we see in our society here and now.

I see it every day. It's not easy, but it's also necessary for us to have these very difficult conversations. When we look at the reports and the commission reports — when we look at the Truth and Reconciliation Commission's reports and recommendations and when we look at all of the reports that have come up — they are always pointing to the same thing, and that's about recognition and appreciation for those individuals who have long been here before everyone.

In my language, we say *shalak naiti*, which means “all my relations”, meaning that no one is different. We are all of the same land, we are all of the same people, and there is no distinction but the utmost respect and dignity to bring us to a place of recognizing that our history in Canada has not been a great one.

As legislators, it is our opportunity, I think, to bring voice to that, to stop that business of systemic racism, and to start working together. There is no place for that.

**Hon. Mr. Silver:** I wasn't going to speak today. I knew that I was in good hands with the ministers and the team here with our statements, but I just want to add to the story from my own perspective, having been born in Nova Scotia and living here — just some parallels that I want to talk about.

My father was a lobster fisherman. He was a harbour master, as well — so he lived as a lobster fisherman all his life. He would be rolling in his grave right now if he knew what was happening back home. Interestingly enough, he came up here to Yukon, and we went all around the Yukon, travelling. You would think that he would be impressed by the glaciation and the beautiful mountains in Kluane or the Tombstone range up in Dawson or the Top of the World Highway — no, he was really interested in how great my heater was in my truck and also Harold Gatensby. He had a great meeting with Harold. He was just so impressed. It was pretty segregated back in Nova Scotia, and he was just so impressed with this massive Tlingit individual and how alike they were. They talked about fishing. They talked about the heater in my truck. They talked about all these things, and my father, Eugene, was so blown away with the fact that we are so alike — all my relations.

That's why I got up. That was powerful, because there is a bigger story here. We are alike, but at the same time, we have totally different privileges. I will go back to my days at Chevy's Rock'n Roll Forever in Antigonish. I used to have a job dancing as the DJ. That's a whole other story, Mr. Speaker.

I had read the Donald Marshall story — about the wrongful conviction of this young man and how, back when he was a kid, he was kicking over gravestones — doing just dumb stuff that we who grew up in Nova Scotia do. I could give you a list of the dumb things that I did as a kid in Nova Scotia.

But, anyway, we are in there in Chevy's Rock'n Roll Forever one night, doing my shift, and at the bar was this gentleman with his girlfriend, and then a drink came my way, and then another and another, as I was up there dancing. I finally went over to the guy and I said, “Thank you very much” — and it was Donald Marshall. We sat down and he was like

“Man, you’ve got guts to be up there.” It was a particularly slow night, Mr. Speaker — and so we sat down and we had a whole bunch of fun that night and talked until the wee hours of the morning. The bartender, who was also the manager — we stayed late, basically — and so the four of us stayed there talking. I told him about my reading the book and we just talked back and forth — and it was the same thing. I left there that night thinking “Man, we are so alike.” We are both Nova Scotians. We both come from the same place — the things that we talk about, the things that we like, the music we liked — identical.

It was years later — and just thinking about this concept — we are not alike in the privileges that we have. I would do some stupid things as a kid and I would get busted by the RCMP and I wouldn’t go to jail. I would be told to go home and I’m sure that there would have been a conversation between my dad and the RCMP, and I would be thankful for that. I would really get it at home — that is for sure — but that was it.

Donald Marshall, on the other hand, went to jail for a murder that he didn’t commit, because he didn’t enjoy the same privileges as I enjoy. I am really glad that we are having this conversation today in the Legislative Assembly. I am really glad that we are getting full support from all three parties, because they are the tough conversations that we have to have.

I have lots of friends back in the Nova Scotia fishing industry right now — good people, really good people — who are also not happy with what is going on in Nova Scotia right now as well. We have this unique opportunity right now to discuss privilege — to discuss lack of privilege and to discuss reconciliation, even when it hits that close to home.

**Hon. Mr. Pillai:** I would like to just take a few moments to share some thoughts and research on this particular topic — reflect on what has been said today and hopefully again to show my support for the motion that has been put on the floor.

I appreciate the Premier’s reflection on the stories concerning Mr. Marshall. I think, over the last week or two, it has really been — his story has been a topic of conversation. As the media has reflected on the important court case that Mr. Marshall was part of concerning the fishery and then of course speaking about his past legal challenges — it brings back lots of raw memories, I think — about hearing the stories and understanding what had happened in being very young at the time and hearing what was reflected locally and then even seeing coverage by shows like *The Fifth Estate* or others that did in-depth investigations into what happened.

I appreciate the fact that we’re — although this is about treaty obligation and so many things — systemic racism — yet we also have a chance to reflect on the legal proceedings that led to the rights post-treaty.

He accomplished a lot for being 55 years old. He spent 20 years of his life in incarceration and then came out and then — before passing on at 55 years old — was embroiled in the case after eel fishing. The raw part about it is — what I remember is that it was an indigenous man who, because he was indigenous — it was an hour and 20 minutes from the doorstep from where I grew up — because of his ethnicity, he was arrested and then

spent 11 years in jail. That was extremely scary when you’re growing up in a town of 2,000 people and there may be only four other people of colour in the town besides you — and you’re trying to understand all of this as a young person.

I still remember driving by Wentworth Park — which is a fairly nice park in the city of Sydney, Nova Scotia — and being petrified and feeling sort of a cold feeling as I drove by, trying to figure out where it happened and what must have taken place, and how Mr. Marshall was treated.

It’s interesting how I didn’t think I would be here having this discussion today back then — but anyway, I think it’s important that we reflect on the trials and tribulations that Mr. Marshall went through and then his work on that particular case and the strength, after going and being incarcerated for 11 years, to go back into a legal challenge and to fight for what he believed was right — and what was right.

I do appreciate the fact that we have had a chance to touch on that today.

When it comes to the current situation, what I tried to do today — and over the last couple of days — is that I sent a note — because it is very personal, when I look at some of what is taking place. I did send a note to Chief Mike Sack — as you can imagine, I haven’t heard back. We have mutual friends who played hockey together. I reflected on the feelings of being in the middle of something that was racially driven, the extreme violence and what that feels like when you’re in the middle of it and you’re taking part in it and have lots of experience with that.

So, watching the screen and watching him getting punched and struck — and understanding that there were people there who could have helped, but they didn’t — and reflecting on what that feels like, I was just driven to reach out to him.

I did get an opportunity to communicate today with Chief Norman Bernard from Wagmatcook, and he wanted to thank us today. I let him know that the motion was tabled by the Leader of the NDP, and he wanted to thank us for having this discussion in the Yukon. They are just about to enter into their fishery.

It’s important to note that it’s complex too. It’s not just about the fishery that is under, sort of, controversy, because it’s being structured and defined by that particular band, that nation — because many of the other 12 Mi’kmaq communities have purchased commercial licences. So, they are actually trying to use it as a business tool. Membertou — which you’ve seen in the news the last couple of days — which was Chief Terry Paul — he was just here in the last 24 months in the Yukon, and he leads the Canadian indigenous business council — I don’t think I have named the organization properly. They have bought two offshore licences, and so there is a bit of a difference. It will be interesting for us to watch this — because as it was reflected to me, there are indigenous fishers who also don’t believe that the chief and council in their nation should define — that political entity — should define that right for them and that, as a person, that should be a conversation that happens. So it’s complex in the sense of how you have that conversation and how you define that. That’s what we will watch over the next bit.

The reason I got to know Chief Norman is because of their staff — a mutual friend reached out and really wanted to know more about what happens in the Yukon. They really wanted to know about the Yukon Forum. They wanted to know how political leaders interact with First Nation governments and were intrigued by how we look at resources and how we work together. Everybody in the Legislative Assembly — I think — would agree that, although we have lots to work on, the Yukon gets it right in so many ways.

I am sure that successive governments — it doesn't matter which people or what the role is — all the MLAs here would say, as they talk to people across the country, take a moment to look. We don't have everything perfect, but if you've spent some time across this country at different points in your life, you would be able to reflect on the fact that there is something pretty special about our home here.

Again, I just want to thank the Leader of the Third Party for bringing this forward. When she stated that this is kind of an uncomfortable conversation — yes, but do you know what? When you try to have these conversations for years after years and people are uncomfortable having them with you — but they have to be had — and then we're having it here, that's refreshing. Wow, it's refreshing to be able to sit here with your other colleagues in this room and be able to put it out there and talk about stuff that, for decades, people would never talk about. I thank you for that.

With that, Mr. Speaker, I will end. Again, I thank the Assembly for us to be able to have this conversation today.

**Ms. Hanson:** Having had the opportunity to hear some of the comments made by members here today, I want to thank people and express my gratitude for people expressing some really heartfelt experiences and understandings.

I think that's really important because, when we talk about what's before us today in terms of a motion that was, on one hand, calling for the denouncing of actions taken or not taken across the country and reflecting, as we heard this afternoon, on how that same systemic racism is at play every day here in the territory — it's really, really important to me to know that we are trying to find ways to work together on that fundamental issue.

What concerns me — and I heard the Member for Mayo-Tatchun talking and I too and the Premier as well when he was speaking about the Donald Marshall case. Having lived and worked in the Maritimes as well and being a young woman when Donald Marshall was first arrested — and realizing that, 31 years after that royal commission on his wrongful conviction — as the Member for Mayo-Tatchun so rightfully recalled for the Legislature, they didn't use the words “systemic racism”, but they certainly used the word “racism” in that report. Then, to realize that, 20-some years later after the Supreme Court decision on Marshall, we're still talking about it.

When I look at what's going on — and I had the privilege of working, Mr. Speaker, for five years on Vancouver Island with people from the Nuu-Chah-Nulth First Nations — 14 First Nations who were from Port Alberni all across to the west

coast. Right now, there's an Ahousaht fisheries case that is very much the same.

The second part of this motion is really important, because I listened to Murray Sinclair on Sunday — he was on the radio on the *Cross Country Checkup* program — and he talked about the abject failure of the Government of Canada to take action. It's not as though the Government of Canada hasn't known what the right thing to do is, but it has refused to give a mandate to do so.

The Government of Canada can talk about embracing UNDRIP, embracing the Truth and Reconciliation Commission's recommendations, but when the chair of the Truth and Reconciliation Commission says that you failed abjectly because you won't do it, that's the challenge that I feel every day as a legislator and as somebody coming into this Legislative Assembly.

They are not just words. We heard the personal experience of people who are in this Chamber across the floor and on this side. That, Mr. Speaker, is why, if we're really wholeheartedly supporting this motion, we have to commit that we're going to put action to the words behind it.

I am pleased to have had an opportunity to hear and to see that my colleague's motion today — I know she felt very strongly about the importance of bringing this forward for discussion with all of us today. I thank her for that. I look forward to us not just supporting this motion but also ensuring that, at every opportunity — particularly our government leaders, the ministers who have regular contact with their federal counterparts — they convey with emphasis how strongly this House feels about this, because systemic racism is wrong wherever it is.

**Speaker:** If the member now speaks, she will close debate on Motion No. 277, as amended.

Does any other member wish to be heard?

**Ms. White:** I thank everyone for participating in today's conversation.

I thank everyone very much, actually, because I was trying to lay out a bit of the history, and I kind of — not lost my way — lost the reason why I brought this forward today. I think the importance of us standing together in solidarity with the Mi'kmaq — what it signals to the indigenous people in Yukon is also really important.

I have a friend who I actually called to just make sure that I could talk about this. They had a post this morning on Facebook that really resonated with me. The question — the RCMP refused to uphold the law because the people they were supposed to be protecting were indigenous. How does this make you feel?

The reason why I want to bring this up right now is that we're talking about — like someone here in Yukon — an indigenous person in Yukon.

Part of grappling with not even being sure how to respond to this issue is that you can see the hurt. You can see the hurt in our friends, in our neighbours, and in our families, and how do you make sure that what you are doing is supportive and you're



not adding additional harm? The comments under that post — people were using words because that was kind of what was asked for — “How does it make you feel?” — and it was angry, disappointed, sad, upset, disillusioned, furious, and nauseous, but this one just brought it home. The person said “indigenous”. That is the concern.

When we stand in solidarity on this issue, it means that we are recognizing the inherent rights of indigenous peoples across the country from coast to coast to coast, and that is incredibly important. It is also important to know that, as Canadians, we are all treaty people. When the Mi'kmaq communities are fighting for their treaty right to access their own lands and waters, we all have a duty to stand with them, and so it is critical that we denounce overt and systemic racism when we see it — not just in other countries, but here in Canada. We cannot stand by as the federal government and the RCMP fail to protect indigenous communities or we risk inviting more inaction in the future.

So, I thank my colleagues for the support that together we will be able to show on this issue, and I thank them for the honesty in the conversations that we have had today. I think that this is important, and like the Minister of Economic Development said, this conversation was impossible years ago; I don't disagree. So, the more often that these conversations happen in places like this across the country, my hope is that we are able to take these words and turn them into actions. I thank everyone for their support today.

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The yeas have it. I declare the motion as amended carried.

*Motion No. 277, as amended, agreed to*

### Motion No. 283

**Clerk:** Motion No. 283, standing in the name of Ms. Van Bibber.

**Speaker:** It has been moved by the Member for Porter Creek North:

THAT this House urges the Government of Yukon to recognize the economic benefits

and essential services to Yukon communities provided by the local aviation industry by taking actions to support it during the COVID-19 pandemic, including:

(1) ensuring that all air travel funded by the government to southern destinations be required to be with a local air carrier;

(2) ensuring that all government initiatives that involve air travel include strong provisions to mandate the use of local aviation companies; and

(3) facilitating the development of meaningful interline travel agreements between Air North and mainline air carriers.

**Ms. Van Bibber:** Thank you for the opportunity to speak about this important sector of our economy and an important part of our community — that, of course, is the aviation industry.

The motion that I brought forward states:

THAT this House urges the Government of Yukon to recognize the economic benefits and essential services to Yukon communities provided by the local aviation industry by taking actions to support it during the COVID-19 pandemic, including:

(1) ensuring that all air travel funded by the government to southern destinations be required to be with a local air carrier;

(2) ensuring that all government initiatives that involve air travel include strong provisions to mandate the use of local aviation companies; and

(3) facilitating the development of meaningful interline travel agreements between Air North and mainline air carriers.

This motion comes together after speaking directly with members of the industry and it is a step in helping them come out of this economic downturn. The local aviation industry is facing significant and unprecedented challenges during the COVID-19 pandemic. By supporting this motion, we will send a signal that this Legislative Assembly supports the aviation industry. We will be recognizing the importance of our local air transportation network in terms of providing essential passenger and cargo services to our regional communities and to southern gateway cities.

Ask any Yukoner who has ever flown Air North to go south to visit family or friends, and they will tell you what a wonderful experience it was — smiling faces at the check-in, excellent service on board, and, of course, those warm cookies. Our local aviation industry gets us where we want to go safely and comfortably. This motion also signals and recognizes the importance of our local aviation industry being here at the end of the pandemic — in terms of the convenient benefits that I

just mentioned, getting Yukoners from point A to point B, the economic benefit from providing jobs, and giving back to the community by purchasing and hiring locally — these are all great things.

But I would like to speak briefly about the benefits of the affordable airfares that are provided by our local airline. Anyone who has priced out a return flight down south to go see friends or family or maybe even just to get away for a week has probably price-shopped. Without fail, if you're price-shopping, you end up with Air North. Air North has gone above and beyond in terms of providing Yukoners with low and affordable airfare prices, especially when you compare them to their major competition. This is a huge benefit to all Yukoners.

Increasingly in our world, we have families and friends all over our country. Being able to visit them and not go broke while doing so is important for maintaining connections and maintaining our mental health. It truly enhances the quality of life for Yukoners. Ensuring that they can continue to exist and provide these airfares long into the future is a priority for Yukoners.

Of course, the aviation industry in the territory employs hundreds of Yukoners. From our airlines — both large and small — to our helicopter companies, these businesses provide so much benefit to our territory. At Air North alone, they employ over 200 Yukoners — that's just Air North.

Families and individuals make their livelihood because of these aviation companies. They depend on these industries surviving so that they can pay their bills, pay their mortgages, put food on the table, and provide for their families.

This industry is struggling because of the pandemic — and this is no fault or criticism of the government. It is just a fact that the pandemic has seriously hurt this industry. Travel is down and people are staying home, but the overhead and expenses of these businesses still exist. These companies are innovating to try to get this down, but it is still very high in this type of industry — with their income, their passengers — the demand has declined significantly.

Some have described this industry as a bit of an ecosystem. When our aviation sector is doing well, there are strong benefits to all other sectors. More people coming into and from the territory means more hotels are booked — more butts in seats with restaurants and bars. It means more people are buying from local stores and local artists. It means more people are renting RVs, driving to our communities, spending money on tourism products — and the list goes on. I think, if you talk to any of these businesses, they can tell you the value and benefits that a strong and resilient local aviation industry brings to the territory.

So, doing what we can, I think today's motion is absolutely doable, and it will go a long way to supporting these businesses — not just the aviation business in the territory, but all businesses. It will go a long way to making sure they come out at the other end of this pandemic in one piece.

Just to talk briefly about the negative impacts on the industry from the pandemic and what it means for them, I will just briefly reference some stats from the Yukon Bureau of Statistics. Air arrivals at the Erik Nielson Whitehorse

International Airport were down 96 percent. What does this mean in real terms? Well, I'll quote from an Air North update to stakeholders from September — and I quote: "Our expectation is that August 2020 will produce a post-subsidy loss of about \$200,000, which will be less than our July loss but significantly worse than our \$3.2 million profit in August 2019. This is, of course, concerning as August is normally our peak month and we are looking at a long winter ahead."

They are doing everything they can to keep things going and to prevent the need for any future layoffs, which is why we think that the Government of Yukon should mandate all government travel to use our local air carrier when flying to a southern destination.

I understand that government travel will have declined significantly from previous years, but what little we can do will help. Further, the Government of Yukon often flies up nurses and other medical professionals from the south. Actions should be taken to ensure that they use our local aviation.

The Government of Yukon spends millions — hundreds of millions — a year on contracts, grants, and transfers. We could also build into these agreements provisions that, if travel is required, we reward or require any travel that uses our local aviation.

For example, industry associations that travel a lot as part of their funding agreements with the government should be required to use Air North. Our government contractors who perhaps need to fly up a few people from the south — we can build into our contracting provisions a way to reward our favourite companies that commit to using local aviation. Every little thing will help.

In September, Air North was averaging 254 passengers per day, whereas Air Canada was averaging 145 passengers per day. At the time, Air North indicated that they did need to encourage 50 more passengers to purchase their travel locally to help them to remain sustainable.

These, of course, aren't the only things that we can do, but our ideas we are throwing out there in the hopes that we can have a constructive discussion on how to support our local aviation businesses. As has been pointed out by many, the national competitor still receiving so much of the local air traffic amounts to leakage from our local economy, which can amount to millions of dollars not staying in our communities.

Finally, to circle back to what this all means in real terms for people on the ground — in July 2019, Air North had 389 full-time equivalent employees, but by July 2020, that had dropped by 44 percent to 219. Air North estimates that if they are forced to reduce by just one daily flight, that will result in future layoffs. A September communication to stakeholders even estimated that there could be another over 100 FTEs laid off as a result.

This speaks to the urgency. It is not just Air North that is being hurt by the pandemic in our aviation industry. Air North is just the biggest example. There are at least 16 aviation companies headquartered in the Yukon, and they all need support. I think that it is important to recognize that both the federal and territorial governments have put out programs that, without them, things would have been much worse, but we can

always be better, and that takes vision and leadership. That is why we brought this motion forward today.

**Hon. Mr. Mostyn:** I don't believe I will be terribly long this afternoon. This is, on its surface, a straightforward motion that this side of the House supports in principle and in action. I appreciate my colleague's thoughts this afternoon. She had a few ideas, and I will take note of them — but I want to go into a little bit — setting the stage about some of the actions that we have taken throughout this global pandemic which has grounded aviation companies around the world. I think that's an important context for this discussion this afternoon.

We have been in close contact with the entirety of the aviation community in the Yukon throughout this pandemic. I have had conversations with virtually every single one of our aviation companies or partners and heard their concerns about pilot training in this environment, about the rising cost of their insurance — and many other things besides. We have also worked very closely with our federal government to ensure that we coordinate and maximize our support for this industry.

Shortly after — rough numbers — within a month of the cancellation of the Arctic Winter Games this past year in March, staff working at Economic Development had put together — working in incredible circumstances of shifting to home, breaking management and staff processes, learning new technology, and everything else — Economic Development put out one of the most generous, inclusive, and progressive business relief programs in the country.

I know that my colleague will talk a little bit more about this incredible support when he rises to speak this afternoon, and many others will as well.

There is scarcely a Yukoner who hasn't been positively impacted in some way by this program since it was launched a few short months ago. I know many aviation companies have pulled on this support to weather the pandemic, and my colleague across the floor has talked about making sure that our aviation companies weather the pandemic.

That is exactly what I and we — my colleagues on this side of the House — want to do. We are working tirelessly to ensure that the aviation companies that are operating in the territory make it through this global crisis that has had absolutely horrific effects in not only human costs but also economic costs — particularly for the aviation sector.

The government has forgiven lease payments at our airports at a cost of about \$780,000 from the time they were implemented in March through to the end of this year. Again, this is a measure that helps support all aviation players and their supporting industries to weather the pandemic, so that stacks on top of the business relief program we have. There have been wage subsidies offered by the federal government that have been of critical importance to the industry. I have heard that from many players. Those were recently extended.

The federal government recognized the importance of our regional air carriers and provided \$3.5 million to support them through the first months of this pandemic. The Yukon government administered this funding to ensure that essential services and medical systems remained operational and

resilient throughout this global pandemic. Of that initial funding from the federal government, \$2 million was provided to Air North to support scheduled flight service to Vancouver, Dawson, and Old Crow, as required by the Yukon Hospital Corporation to maintain minimum service levels. Another \$140,000 was provided to Alkan Air to support air ambulance services in the Yukon.

The federal government has publicly announced phase 2 of its funding to support the industry from July 1 to the end of this year. That tranche of money is about \$7 million and we are currently working very closely with all industry players to determine the best way to distribute these funds to maximize benefits to air carriers for the benefit of all Yukoners. We will have more to say about that in the coming days.

We are also working very hard to maximize government spending on local airlines when we send people south or bring people back to the Yukon during this pandemic. Last week, we were just shy of 100 percent.

It wasn't 100 percent; I think it was about 93 percent last week, but it's close. The travel desk, I know — and government departments are working very hard to make that figure as close to 100 percent as possible. This is important because I want Air North and all local aviation companies to successfully weather the pandemic, to make it to the other side when, with any luck, we achieve some sort of medical solution — either a vaccine or other medical solution — that will help us live with this new virus that started to assail us less than a year ago.

We know, through our conversations with Air North and other players in this industry, that there is enough traffic to allow it to succeed under these incredibly challenging circumstances — barely. We're working hard to do our part to narrow the gap between what Air North is carrying and what it needs to regain profitability — to stay in the air. That gap is not wide. The company is close, and my colleague has given some indication of that — probably less than 100 seats. We are working hard to do our part to narrow that gap between what Air North is carrying and what it needs to cover its costs.

But we're only one piece of that puzzle, Mr. Speaker. There are many, many, many others. I hasten to say that all Yukoners play a role in this effort. So, today, as part of this motion in which we're supporting our aviation industry, I urge everyone to fly local and buy local. Fly local and buy local. The reason is clear. This is a global crisis, Mr. Speaker, and we're all in this together. We can survive it together if we all work in tandem to protect the jobs in the airlines, the restaurants, and the retail and commercial sectors that we have in the Yukon by maximizing our support for all those businesses.

Today we're talking about the aviation industry, and the motion, Mr. Speaker, speaks about recognizing its importance. I've begun my remarks this afternoon by referring to the supports that we have put in place and the actions we have taken. They are concrete and they are profound, and we will continue them to make sure that this industry critical to the territory makes it through the pandemic.

The reason we have taken all of these actions, as I said, is because it is important. It is a critical industry for the territory. In fact, it's one of our most important local employers. Do we

recognize this? Absolutely. Now, I'll speak for a few minutes as to why.

This sector employs baggage and cargo handlers, marketers and customer service staff; it employs chefs and food producers; it employs mechanics; it employs cleaners, print shops, fuel pumpers, truck drivers, technicians, IT experts, ticket agents, and human resource staff; it employs pilots, engineers, and, I'm sure, more besides.

This sector supports the tourism industry. It is, in many cases, a tourism operator in its own right. We know how important that industry is to our territory.

This industry links our Yukon communities together. It is, in some ways, a time machine, ferrying people, fuel, food, medicine, and more to rural Yukon communities faster than trucks or cars ever could.

The industry is used to fight fires and to save stranded or sick people across the territory. It flies our families, tourists, miners, outfitters, geologists, hydrologists, archaeologists and hundreds of others to our communities and remote locations throughout our vast and beautiful territory. It has kitchens, fuel depots, garages, trucks, and, of course, aircraft. It is such a diverse employer, supplier, and transporter that its tendrils extend throughout the Yukon and our economy deeply. I think you get the picture, Mr. Speaker. It's more than just planes; it's cookies and more besides.

So, to the preamble, we on this side of the House recognize the economic benefits and essential services that this industry provides — absolutely — and we support it unreservedly and wholeheartedly.

So, in the face of this 100-year event, we have taken action to buttress the industry to keep it flying until society pioneers new medicines and tools to curb the spread of this new virus that is killing millions of people around the world. We in the Yukon have done a reasonable job on this front. We've done this through discipline and sacrifice. We've done this through hard work and ingenuity. We've done this through thoughtfulness and compassion for our fellow Yukoners. We have — through discipline, sacrifice, thoughtfulness, compassion, hard work, and ingenuity — kept people alive and salvaged a bit of our economy, which is stronger than in many places in Canada and the world.

There is more to be done, so we should be considerate and supportive of our family, friends, and neighbours. We must fly local and buy local.

I'm going to say that, in light of this, I have spoken about the motion and the fact that we've worked very hard to get the amount of Yukon government travel as close to 100 percent as possible. We have been relatively successful, I think, this year. Overall, from the beginning of the year to now, it has been somewhere around 86 percent, and I believe that's very, very high over the last 10 years — higher than probably at any other time. Through the later period of the pandemic, as I said last week, we actually hit 93 percent, so it's good.

The reason why it's not 100 percent is that, at times, there are Yukoners who are on medical travel or some other form of travel who must get down to Vancouver or to a southern destination faster than the current Air North schedule permits.

In those rare circumstances, to accommodate Yukoners in dire circumstances, we use another carrier. I think that's important.

Currently, the motion, as written, suggests that we will not accommodate these Yukoners who must get down on the other airline quickly; they will have to wait and use only the local carrier.

While it's almost possible in 100 percent of the cases, it is not possible in 100 percent of the cases. I know that the members opposite debated a very similar motion in 2012 and floated the possibility that we were not able to hit that mark either.

So, I would like to suggest a minor amendment to the motion this afternoon.

#### *Amendment proposed*

**Hon. Mr. Mostyn:** I move:

THAT Motion No. 283 be amended by:

(1) deleting the word “all” before the phrase “air travel funded by the government” and before the phrase “government initiatives that involve air travel”;

(2) deleting the phrase “be required to”;

(3) inserting the phrase “when possible” after the phrase “be with a local air carrier”; and

(4) deleting the word “facilitating” and inserting in its place the phrase “continuing to facilitate”.

**Speaker:** Copies of the proposed amendment will be distributed and reviewed.

I can say that the amendment is procedurally in order. I have had an opportunity to speak to the Clerks-at-the-Table, but this is what I would say: In order to allow members the opportunity to discuss the amendment outside of the Chamber while maintaining physical distancing due to COVID-19, we will recess for 10 minutes.

#### *Recess*

**Speaker:** I will now call the House to order after the recess.

As indicated prior to the recess, I had the opportunity to speak to the Clerks-at-the-Table. The Clerks-at-the-Table advise that the proposed amendment is procedurally in order. Therefore, it has been moved by the Minister of Highways and Public Works:

THAT Motion No. 283 be amended by:

(1) deleting the word “all” before the phrase “air travel funded by the government” and before the phrase “government initiatives that involve air travel”;

(2) deleting the phrase “be required to”;

(3) inserting the phrase “when possible” after the phrase “be with a local air carrier”; and

(4) deleting the word “facilitating” and inserting in its place the phrase “continuing to facilitate”.

**Hon. Mr. Mostyn:** In the interest of time, which is so very precious in this Chamber, I will not be that long this afternoon. What I do want to say, though, is that the amendment

that we proposed here this afternoon really reflects the current state of the airline industry in the territory. We do have two carriers here. While we all recognize — all of us in this House recognize — the very critical importance of Air North and other aviation companies in the territory, there are occasions when Yukoners need to get down south for certain reasons — most often medical reasons. In those circumstances, especially during a pandemic when you're trying to limit your exposure and your time in southern jurisdictions, the schedule of a single airline may not accommodate your appointments. Recognizing that and recognizing the initial motion, which was fundamentally something that we agree to and support wholeheartedly, it was perhaps too rigid to reflect those rare circumstances where Yukoners travelling with government support would not be able to fly on Air North.

That's the reason why the motion has been brought forward. We certainly do support our aviation industry wholeheartedly. We know that the objective of this government and of the airlines, particularly Air North, is to return the company to sustainability without subsidy. I know personally, through talking to the president of that company, that they really would prefer to do business without any government support. We all want to avoid further major losses of local employment or major price increases for our regional or gateway passengers and cargo products, and we want to maintain current levels of essential gateway and regional services.

We know how important Air North is to our economy and to our towns throughout Yukon from Old Crow to Dawson to Mayo and to all points in between. We want to make sure that this critical service to the territory is supported and maintained, which is the reason for our amendment to the motion this afternoon.

**Ms. Hanson:** I shouldn't be surprised at this stage of my life as an MLA, but I am. I would have thought that this was a fairly straightforward motion that all members of this Legislative Assembly would find no difficulty in supporting. I could have understood it if the minister opposite had wanted to make a slight amendment to the first clause with respect to ensuring that — maybe taking the word "all" out so that air travel would be required, or taking out the "be required" and putting in "when possible". But when you combine those two deletions, effectively what you have is the status quo — nothing changes.

The minister spoke to the issue of having spoken with the president of Air North, who has made it clear numerous times — publicly through his newsletters and also at shareholders meetings — that Air North is seeking to not have to be reliant on subsidies.

He has made it abundantly clear that it will require Yukon citizens and Yukon governments — all governments, all levels of government — to be looking at Air North as their carrier of preference. They need more seats occupied, Mr. Speaker. We can go into that in a while in terms of the numbers. What the minister's effectively doing is saying, "Okay, fine, we'll find

some more federal money to flow as a subsidy" — which is an insult to the industry, Mr. Speaker.

Where it becomes really clear that this is a status quo amendment is the notion that we'll change the wording instead of just saying simply that we're going to facilitate the development of meaningful interline travel agreements between Air North and mainline carriers — "we're going to continue to". Well, what has been the result so far of the work by the Government of Yukon? What work — not just on interline carriers, but going back to the whole broader issue of government support for travel with our Yukon airline — an airline that was developed in partnership with the Vuntut Gwitchin First Nation — it has become a significant contributor to our economy and took the brave step of expanding service to our sister capital of Yellowknife and Ottawa with the hope that Yukon government public servants and federal public servants travelling to and from our nation's capital would use it.

But without Treasury Board having it clear in its travel directives, without Yukon having it clear in its travel directives, without the booking systems for both governments being very clear that Air North is an option — the minister talked about how we're doing this. He says, "Trust us. We've increased our passenger load here." But he didn't say that he has made directions as the minister responsible for the public service with respect to travel directives for public servants.

I'm sadly disappointed that, yet again, we have a wishy-washy watering down of what was a fairly straightforward and honest attempt to demonstrate the commitment and support of all members of this Legislative Assembly to our vital airline industry.

**Mr. Hassard:** I would have to agree with the Member for Whitehorse Centre. It is certainly unfortunate that, once again, this government would rather go with the status quo and feel that they are doing enough. These certainly are unprecedented times, and many industries are in unprecedented situations. It is unfortunate that the government would feel that the status quo is good enough. The minister stood up and spoke to the reasons why the government had to make this amendment — why they couldn't support the motion as it was in its original state — but it is unfortunate that the minister didn't actually go and speak to the industry, speak to the airlines, and talk to them about these concerns, because chances are pretty good that the industry would have been able to calm those fears or make changes that would have, in fact, rectified the problems that he feels could arise.

I will also remind the government that this motion was, in fact, put together with input from the industry. This wasn't something that we just decided on our own and wrote up in hopes that the industry would like it. We did talk to them and had their input in presenting it.

I think that probably the most interesting thing out of it all is the fact that the minister stood up to respond to the motion, and he said that the government supported the motion in principle and in action yet, by the end of his speech, he had removed all of the action from the motion. It certainly is disappointing, Mr. Speaker, that the government continues to

talk about how we need to support the industry, especially in these unprecedented and tough times, yet when presented the opportunity to actually do that, they would rather say, “No, we are going to stick with the status quo.” As the Member for Whitehorse Centre said, she shouldn’t be surprised. I guess, honestly, I shouldn’t be surprised either.

**Hon. Mr. Pillai:** It’s important to just get to the substance of why this side of the floor feels that the motion should be amended. It’s quite simple.

First of all, later on today, we’ll get into some of the statistical information about how much was spent under the previous government for government-supported travel compared to what is spent now.

This is very simple. This is about —

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

**Hon. Mr. Pillai:** I think you just finished, so I’ll start now.

What this is about —

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

**Hon. Mr. Pillai:** Maybe I should sit down. Maybe the leader has something else to say?

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

**Hon. Mr. Pillai:** No?

Okay. So, what this is about is, put simply, that when somebody is sick and they are travelling — and they have to go to see a specialist, whether it’s in Kelowna or in Vancouver — and they are quite ill, it’s one thing to be in a situation where you’re just going to an appointment to see a specialist. It’s another thing if you are really significantly feeling the effects of the ailment that you’re dealing with. Quite simply, it’s just making sure that people have the quickest mode to get to their appointment. That is the one time, I believe, that we have to take into consideration that the primary goal is to make sure that the person, if they’re suffering from something that’s terminal or something else, can get from point A to point B as quickly as possible with the least amount of challenge. That’s it; that’s the only reason that this is on the floor.

I am more than happy to speak about multiple meetings. I spent three hours last week with the Air North senior management team. We’ll go into everything concerning the interline agreement; we’ll go through the statistical information that’s here today about how much is spent locally, the conversation about medical travel, and the complete strategy and we can go back right to last spring.

This is about one thing only: ensuring that Yukoners who are dealing with a significant health situation can get from point A to point B as quickly as possible and with the least amount of discomfort as possible. For anybody who has travelled with somebody who is extremely sick, if we can get them from one spot to another with the least amount of difficulty, respecting what they’re going through, it’s the right thing to do.

I think everybody on this floor — and we have talked about it as a caucus this week — let’s ensure that the individuals who are booking medical travel do everything they possibly can to make sure that we are using Air North. But I don’t think that anyone here, if they had a loved one — and the difference was

that a sick loved one had to sit in a particular area for X number of hours — without having the exact scenario in front of me — but I think everyone gets the point of what we’re trying to say — it’s just about respecting people who are sick. Other than that, hey, the facts show that we’re all on board to ensure that we work on an interline agreement.

We will go back in time to some of the commitments that were made by the previous government on interline agreements by their new leader which have not come to fruition, but — right now, off-mic, Mr. Speaker, the Member for Whitehorse Centre is talking about four years. You know what’s great? We are going to show you the progression of actual expenditures to this company over the last four years.

The facts are here. I don’t know why this is, again, becoming so political. We are just talking about Yukoners who should have support when they travel — understanding that we should spend every dime that we possibly can with Air North but, once in a while, we have to take into consideration the health and comfort of individuals. That is it.

**Speaker:** Is there any further debate on the proposed amendment to Motion No. 283?

Are you prepared for the question?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

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

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

**Hon. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Disagree.

**Mr. Kent:** Disagree.

**Mr. Cathers:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. Van Bibber:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. White:** Disagree.

**Ms. Hanson:** Disagree.

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

**Speaker:** The yeas have it. I declare the amendment to the motion agreed to.

*Amendment to Motion No. 283 agreed to*

**Speaker:** Is there any further debate on the main motion as amended?

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

**Point of order**

**Speaker:** Hon. Premier, on a point of order.

**Hon. Mr. Silver:** Mr. Speaker, I am not sure if it is a point of order or a point of personal privilege or whatever, but there was very heated debate in between about the intent of our amendment. It is a friendly amendment and I would request that we would have 15 minutes to work with the three parties to come up with something agreeable for an amendment that we obviously seem to all be very, very passionate about in support for Air North.

If it pleases you, as the Speaker — if we could take 15 minutes to work on language, as opposed to having a motion reflect something that is not the intent — or is perceived as something else. If the Legislative Assembly would indulge us, then we would be willing to do so.

**Mr. Kent:** As the Premier mentioned, there was some heated discussion while we were waiting to vote, so we would be agreeable to take some time and come up with some wording that works so that we can reflect a united effort to support the local aviation industry.

**Speaker:** Are members in agreement with this proposal for the recess?

**All Hon. Members:** Agreed.

**Speaker's statement**

**Speaker:** In order to allow members the opportunity to discuss this motion further outside the Chamber while maintaining physical distancing due to COVID-19, we will recess for 15 minutes.

*Recess*

**Speaker:** I will now call the House to order.

It appears that additional work is required in order to try to craft a tripartisan agreement on wording for an amendment to Motion No. 283. In order to allow members the opportunity to discuss the amendment outside of the Chamber while maintaining physical distancing due to COVID-19, we will recess for 15 minutes.

*Recess*

**Speaker:** I will now call the House to order.

Is there any further debate on the main motion as amended?

**Hon. Mr. Streicker:** I am going to very quickly move a further amendment to Motion No. 283 as amended. I would just like to thank all members for working to find language that supported the intention of all folks here in the Legislature today.

*Amendment proposed*

**Hon. Mr. Streicker:** I move that Motion No. 283 be further amended by:

(1) deleting the phrase “government initiatives that involve air travel include” and inserting in its place the phrase “every government initiative that involves air travel includes”; and

(2) deleting the phrase “continuing to facilitate” and inserting in its place the word “supporting”.

**Speaker:** I have had the opportunity to review the proposed amendment with the Clerks-at-the-Table can advise that it is procedurally in order. It is moved by the Minister of Community Services that Motion No. 283 be further amended by:

(1) deleting the phrase “government initiatives that involve air travel include” and inserting in its place the phrase “every government initiative that involves air travel includes”; and

(2) deleting the phrase “continuing to facilitate” and inserting in its place the word “supporting”.

So, I think the proposal — I will just read it quickly:

THAT this House urges the Government of Yukon to recognize the economic benefits and essential services to Yukon communities provided by the local aviation industry by taking actions to support it during the COVID-19 pandemic, including:

(1) ensuring that air travel funded by the government to southern destinations be with a local air carrier when possible;

(2) ensuring that every government initiative that involves air travel includes strong provisions to mandate the use of local aviation companies; and

(3) supporting the development of meaningful interline travel agreements between Air North and mainline air carriers.

**Hon. Mr. Streicker:** Just for the sake of expedience, I'm going to sit down and hope that we can get to the amendment so that we can move on to the main motion. Thank you.

**Speaker:** Is there any further debate on the amendment to Motion No. 283, as amended?

*Amendment to Motion No. 283, as amended, agreed to*

**Speaker:** Is there any further debate on the main motion as further amended? It has been twice amended, which may not be procedurally exactly what the Clerks want to hear, but it has been amended twice.

Does any member wish to be heard at this stage of debate on the motion?

**Hon. Mr. Pillai:** Again, I thank my colleagues in the Legislative Assembly, and thanks to the Member for Pelly-Nisutlin and the Member for Porter Creek North for working with us through that process. We, on this side of the floor, appreciate that. We had to make a correction on some of the language that was used in our first amendment, so thank you for that.

Our government certainly recognizes the economic benefits and the essential services that the local aviation industry provides to Yukon communities. In 2018, air transportation contributed \$41.4 million to the economy. The aviation sector in itself is such a crucial lifeline for the Yukon

— for the communities throughout Yukon but also for so many other sectors.

It supports tourism, mining, construction, outfitting, trades, supply chains, and health. I don't believe that there's a sector in the Yukon that doesn't rely on aviation in some way, shape, or form.

Throughout this pandemic, our government has recognized the importance of supporting our private sector. The local businesses in Yukon are part of what makes this place so very special. From the onset, with the establishment of the Business Advisory Council — where we pulled together business leaders representing all sectors to help inform our decision-making — our government has shown our commitment to listening and implementing programs to ensure that supports are in place.

The transportation sector was represented on that council, and I'm thankful for the input provided by these individuals and for the conversations that we continue to have.

I have also spent a great deal of time over the years — as MLA and as Minister of Economic Development — speaking with business owners in the aviation sector on a wide range of topics. From very early on in the pandemic, we implemented programs that were accessed across all sectors.

Mr. Speaker, the actions that are before us for discussion today are important actions to take. Some of these are actions that we had been working toward well before the pandemic hit, but they are certainly not the only ways that we can and have been supporting the sector through this extremely challenging time.

When the Arctic Winter Games were cancelled, we quickly implemented the temporary support for events program. Businesses, including those in the aviation sector, were impacted and were able to apply for funds related to the losses related to the event and specific cancellations of services, which assisted in maintaining liquidity. Irrecoverable expenses that they just didn't have the chance to realize were then covered through that program.

The Yukon business relief program was also launched in a coordinated effort with the federal northern business relief program. The Yukon business relief program paid out about \$5.5 million, as we have spoken about, to just under 500 different organizations. The transportation sector was the third-highest subscriber to the program at just over 14 percent of all of our distributed funds, which equated to just under \$800,000 of that money.

As my colleague, the Minister of Highways and Public Works, spoke to earlier, there were also funds provided to the local aviation sector through federal funding, and the Yukon government waived all commercial fees through to the end of 2020. This is just demonstrating that, on this side of the House as well as on the other side of the House, we understand the importance of our aviation sector and how critical it is to not just the well-being of our community in a social and health sense but also when we think about our economy.

We know that this is not how businesses in the Yukon wish to operate, but we also know that it is important to help bolster them through these difficult times. I have heard it over and over again. It is important to reflect on in the Assembly that, whether

it is fixed wing or rotary in that sector, they just want to go out and work and continue to have a vibrant business. They don't want to be in a situation where they are leveraging some of these programs, but in this case, I think that it is important that there is a time when government can step in and bridge those tough times.

Since April 2018, which is important to acknowledge, over 85 percent of all air travel into and out of the territory has been through Air North. I alluded to that earlier. When we were preparing for today — something that we have consistently talked about with Air North is to ensure that individuals do their very best to acknowledge how important Air North is. All it takes is to hear members of this Assembly who will reflect on what the costs were when Air North didn't exist and where we are now.

Mr. Speaker, when you look back, there has been continued growth, and now what we are seeing are all-time highs in the spending of this government. When we prepared our amendment earlier, it truly was based on the fact that we did have a discussion as a caucus. I had an opportunity last week to spend a bit of time getting some perspective from the senior team at Air North. In those discussions, we are always asking how we can help and what we can do better. The medical travel piece was something that we collectively thought was a good place to work on, and so I came back and spoke to my colleagues after that and shared those thoughts. We knew that it was not quite as simple as just transferring everything, but with the way this motion has been amended, it takes into consideration those concerns.

I know that I have been in contact with members of the organization there, and I think that they are sensitive to that. It's Air North. They always go above and beyond for all Yukoners, and so they completely understand that, but they want us to make our best efforts. They know that, in many cases, when people are flying who are in a really critical situation, they would likely be doing a medevac, but there are people who are going through tremendous discomfort, and that is really what we were getting at.

Part of the commitment that we have made that also speaks to this — we know that we are at an all-time high on expenditures, and we are always striving to even get a couple more percentage points when it comes to how we spend funds here. We also have had those discussions around medical travel, but also, when we think about just how we can amplify this "buy local", I shared with members in the House who I know were — we'll call it in the same vein as a friendly amendment, a friendly tribute. Those know that Air North was very successful this year and was honoured with a prestigious award. I'll leave it at that and save it for a tribute.

But in working with my colleagues — what a great opportunity on that particular day later this month for all three parties to come together and figure out the best way that we can amplify our voice to ensure that Yukoners, when they're making that very important decision to buy a plane ticket, understand how important it is right now.

The other commitment that we've made — and I'll be working with the Minister of Tourism and Culture on this — is



ensuring that we reach out to a number of organizations — first reaching out to both Air Canada and to WestJet. The interline agreements that are spoken about do exist. I think Air Canada has about 70 interline agreements in place right now. This is work that we are aware of. We're continuing to reach out to the major airlines. The Premier and I took part in a phone call with the CEO of Air North and the senior officials from Air Canada urging them to understand the sensitive situation that we are in, in the north, and to make some decisions that would respect northern Canadians and the investment by the Vuntut Gwitchin First Nation. It's such a unique story and such an important story for the rest of Canada to hear.

We've now committed to continuing to reach out. I think there has been some correspondence directly from Chief Tizya-Tramm to a number of individuals over the last week or two — reaching out to both Air Canada and WestJet but also to a number of federal ministers who seem to be individuals who we hope can also move this along or help facilitate.

This is not a unique topic of debate in the Assembly. Going back through Hansard, in the spring of 2012, there were some conversations about this.

At that point, the current leader of the Yukon Party was, I think, the Minister of Economic Development at the time and he just spoke about the fact that the companies — at that time — he felt the companies could work this out on their own, and may be best left — and I want to be respectful today of the cordial exchange that we have been having — but I think we're going to lean in a little bit more — that is what we would like to do.

We're going to try to get the senior leadership of both of those companies on the phone — and have the Minister of Tourism and Culture and hopefully the Chief of the Vuntut Gwitchin on that call and potentially my colleague, the Minister of Highways and Public Works — and challenge both WestJet and Air Canada to understand what would happen if we didn't have Air North, and to ask them openly if they would be committing to the same level of amazing service that Air North has. Are they going to be flying to Dawson City, or are they going to be flying to Old Crow four times a week?

I think we all know the answer to that — that they wouldn't — and so, again, trying to urge them to look at these interline agreements — I think Air North's team could give you a very eloquent reason why it's good for those bigger airlines as well. Air North is such an amazing story in that not only have they served the Yukon the way that they have, but also, they have gone into a number of different areas to ensure that they could sustain themselves. They continue to expand; they continue to build areas of human infrastructure here in the Yukon that other airlines would never — on the back end of their operations. It's just absolutely incredible to walk through their offices here in Whitehorse and to see so many disciplines that are covered within that work that's not outsourced and that is hiring Yukoners here.

We want to make sure that the individuals who have been laid off in the interim are individuals who get a chance to go back and that the company continues to thrive.

It is also important to touch on that, in the spring of this year, we also looked at our tax incentives that we could put in place. That was really with Air North in mind — when we look at the business tax regime that we have here and the ability to provide a tool and to increase the amount of money that could be raised through that tool to help them.

We hope that they will weather where things are now, and we're excited to see that Air North can be in a position where they will be able to hopefully expand.

I think it's also important that we share specifically with the federal ministers as we reach out to them. We are just waiting for the correspondence that they have received to be reviewed. Then they will be briefed — so we have that chance to reach out to them. It is really timely with the debate that happened earlier today because that is the exact example that was shared with me in a conversation last week by senior members of the Air North management team. They reflected on what was happening in Nova Scotia, and the country needs to be more aware of the story of Air North. This country needs more Air North stories — especially at a time like this where we are seeing some of the actions that we are seeing — so really going back and trying to educate some of the federal ministers around the fact that the VGFN is a self-governing First Nation. They do have chapter 22 provisions. Also, it is taking into consideration the *Canadian Free Trade Agreement* and the chapter on indigenous opportunities and trying to reflect on all of those different items that have changed just in the last couple of years.

The work on the *Canadian Free Trade Agreement* was started by my colleague from Pelly-Nisutlin and it concluded a year later with public servants and myself. So, I think that there are some elements there that can be used. We want to push our colleagues in Ottawa to understand how important it is to look at this — but also to urge them, at this particular time, to look at unique tools and ways of ensuring — again, we also know that the federal government expends significant dollars flying in and out of the Yukon. My sense was that Air North — even with their flight from Whitehorse to Ottawa — some of their hope was that they would be able to get a particular market share from the federal government.

Again, there are many different elements here that should be taken into consideration. I hope that we will continue to undertake those actions that Air North has asked us to do. We will be back here — hopefully collectively — to amplify the request to Yukoners to really dig in and make sure that every chance — whether it's flying out on Air North or even if you're not flying — just making sure that you support some of the other services, such as their food service or other things that they've done. It's so important that we try to help them when we can.

With that, I just voice my support for this. I think we should continue over the next days in the Assembly to continue to urge Yukoners. Also, I'm happy at any time during Question Period to have the opposition question me on the progress that we're making on this particular file and just making me accountable for the commitments that we've made here on the floor as we

all come together to support this extremely, extremely important Yukon company that we are all so very proud of.

**Mr. Istchenko:** I will be very, very brief. I think it's important that I say a few words in the role of opposition critic for economic and tourism recovery.

This motion talks about the local aviation industry being key to a strong Yukon. They provide hundreds of jobs, they account for millions of dollars, and they account for hundreds of Yukon employees. These businesses and these employees give back to the community. They donate and sponsor events and charities, they volunteer their time to important events, and they're very invested in our community. Doing what we can to support them through the pandemic so that they can fully recover from it is of the utmost importance. I think it's important to note that this is about supporting all of our aviation industry — big, small, fixed wing, and rotary.

I would like to read from the letter that was sent to the Premier a few days ago — and I quote: "It should go without saying that it's not only the larger carriers are affected by the COVID pandemic. Smaller carriers, both fixed wing and rotary, based in the Yukon have seen a steep drop in revenues due to the pandemic and are struggling to survive. Our firms — those smaller in nature — provide jobs and critical services across the Yukon and in northern British Columbia and are being overlooked."

Mr. Speaker, I talked about why this is so important. I'll end my comments today. I just wanted to make sure I expressed my support for this motion.

**Speaker:** Are you prepared for the question on Motion No. 283 as amended?

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The yeas have it. I declare the motion as amended carried.

*Motion No. 283, as amended, agreed to*

**Hon. Ms. McPhee:** I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:24 p.m.*

### The following legislative return was tabled October 21, 2020:

34-3-40

Response to oral question from Ms. McLeod re: affordable housing — waitlist for social housing (Frost)



# Yukon Legislative Assembly

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Number 51

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Thursday, October 22, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 22, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Ms. Frost:** I would like my colleagues to please help me in welcoming: Grace Snider; Liam Balmer; of course, our very dear friend Aldene Snider; and my dear friend Sarah Usher, my high school classmate and a lifelong friend.

Thank you for being here today.

*Applause*

**Hon. Mr. Streicker:** There are quite a few friends here today of Theatre in the Bush. Please welcome Mr. Brian Fidler and Emily Woodruff, the hosts of Theatre in the Bush; their neighbour Darrell Orban; Susan Walton, several times a performer; Ms. Freda Walton — who just turned 84 yesterday, by the way; Guin Lalena; and also a young constituent of mine, Michael Gwynne-Thompson, who is probably here for the MAD petition today but also is a theatre lover and advocate.

*Applause*

**Speaker:** Are there any further introductions of visitors? Tributes.

## TRIBUTES

### In recognition of Aldene Snider's 90<sup>th</sup> birthday

**Ms. Van Bibber:** I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Mrs. Aldene Snider, who will be celebrating her 90<sup>th</sup> birthday tomorrow, October 23.

Ken and Aldene Snider arrived in Dawson City in the early 1960s along with their five children, as Ken was assigned the position of minister for St. Paul's Anglican Church. I vividly remember Mrs. Snider bringing her children down the church aisle, wearing their Sunday best, getting them settled into the pews, and keeping the peace while her husband completed his Sunday service.

In having such a young family, the Sniders brought a different energy to our church, and they immediately became involved in the community. Her daughter, Grace, wrote a piece in the *Whitehorse Star* last Friday about her mother, and her love of and her tireless work for the St. Paul's thrift shop. It was called "I found my mom in the thrift shop", with the byline: "I honour my mom, Aldene Snider, on her 90<sup>th</sup> birthday."

I loved reading it, but my experience in that thrift shop was very similar and I could relate to many aspects of the story. It

even brought the smell of those bales of clothes back to my memory.

Mrs. Snider worked diligently for the good of the church community and I'm sure that home was always a busy, noisy place, with five — then six — children. I admired her quietness and her smile. When she walked down the wooden sidewalks in Dawson, she walked with purpose and she looked like she had something to attend to immediately. As Grace said, her mom is an introvert and is most happy out of the spotlight, unlike her gregarious husband, who teased and joked easily.

In 2009, they were chosen to be Mr. and Mrs. Yukon. It was so lovely to see them recognized for their Yukon contributions by the Yukon Order of Pioneers. They dressed in their Klondike outfits with sashes across their shoulders, always with huge smiles.

In June 2010 at the Commissioner's Ball and Tea, I was honoured to present each with the Commissioner's Award for community service and all their years of giving to people of the north.

Ms. Snider now resides in Copper Ridge Place and Grace has become innovative in how to keep in contact during this pandemic. Grace has been a voice for her mother and has made sure that Mrs. Snider relives the memories and stories she lived.

Recently, Grace and her son Liam were featured on CBC's *Northbeat* where, due to this pandemic, they showed how they could continue visiting by standing outside her bedroom window at Copper Ridge Place — smiles and waves were exchanged.

Grace also put out a call on Facebook for anybody who knew Mrs. Snider and wanted to write good wishes to send her mother a birthday card. Her goal was to receive 90. Although I'm not sure if she did get that many, over the next while, she will share those with her mom. How delightful.

I will share part of what I wrote in my card to Mrs. Snider: "There are connections one makes in life and I have such fond memories of the Snider family. We all forget things as we age and we all change — sometimes slightly and sometimes a lot, but know that you have such a beauty that shines through — keep smiling, Aldene." Happy Birthday.

*Applause*

**Hon. Ms. Frost:** I rise today on behalf of the Yukon Liberal caucus to give tribute to a very dear friend of the Gwich'in Nation, Mrs. Aldene Snider, who will turn 90 in Whitehorse tomorrow.

Born in the 1930s, Aldene has lived an absolutely incredible life of service and dedication to others. Aldene and her husband Ken — as noted — were married in Aklavik in 1950. Trained as a nurse, Aldene worked in the 1950s in Hay River, Northwest Territories. She delivered well over 30 babies in that community, as well as in many of the other Gwich'in communities that she served in.

Aldene and Ken moved to Dawson in 1960, where Ken set up a ministry at the Anglican Church. Despite their many moves across the north, Dawson became home to the family.

They became long-term residents, along with their six children. Ken and Aldene supported generations of families in

the community through their volunteer work and their work in the church. When I was a child, Ken would often fly to my community of Old Crow and provide missionary service there. He and Aldene were well-respected by the Gwich'in Nation, as they both had an amazing sense of humour and love for one another. This was evident in everything that they did and the interactions that they had with our communities.

I remember going to St. Paul's church in Dawson City with my cousin Sharon, who is also a classmate and a friend of Reverend Usher, and at one of the many services that we attended, Ken was delivering his sermons, which he usually conducted in the form of a story. As he was delivering his sermon, he would pause often as he was giving his speech, and then he would look at his beautiful wife sitting in the front pew and loudly say, "Ain't that right, Aldene?" Aldene would reply firmly, "That's right, Ken."

Another time in Dawson City, there was a knock on my door, and Ken — Reverend Snider — came to my door with a handmade gift. It was a cross that he had built in his workshop. He built many, many gifts there. He wanted to bring something to my home, I guess, and he gave me this cross and said, "Put this on your wall." It was a lovely gift, but I wondered what prompted that visit. Well, you see, it was much later, as I spoke with Aldene at the thrift store, that I sorted out that Ken had been told by Aldene to bring this gift to my cousin Sharon in honour of her new marriage. So, lovingly described as the introvert but always the brains behind everything that happened — he must do the "Ain't that right, Aldene?" — which is so beautiful. I will always remember that. The two of us laughed, and of course, Ken had to make one more cross.

Aldene was and is the matriarchal support behind her family — leading and guiding and keeping everyone on track. She is an iconic figure of the thrift store in Dawson City, where she volunteered for a total of 25 years. She volunteered toward women's supports in Dawson City as well.

During her time at the thrift store, Aldene worked devotedly to keep the space in order but also provided an open door and a safe place with a compassionate ear for anyone who entered. No matter if someone had the ability to pay, Aldene always ensured that those who visited her thrift store left with what they needed.

The family had an open-door policy in their home. The door was always unlocked to anyone who needed a warm place to sleep or something to eat. Many family members and relatives from across the Gwich'in north would arrive in Dawson City unannounced and were always welcome for a cup of tea, a bed, and food.

To honour this incredible woman and manage a celebration during a pandemic, the family have asked for birthday cards. As of yesterday, there were 64 cards sent. I encourage all of us to help them reach their goal of 90, including the one that the Premier sent yesterday — so thank you for that. What a testament of a life of service, care, and compassion for others.

To her family, the community of Dawson, and the Gwich'in Nation, she was the glue that held us all together. Mahsi' cho. Haii choo. It's an honour to tribute you today. Thank you.

*Applause*

**Ms. White:** I rise in behalf of the Yukon NDP in celebration of a momentous birthday and a very special human. Although I've never had the pleasure of meeting Mrs. Aldene Snider in person, after reading her beautiful birthday tribute by her daughter, Grace, and after hearing today's tributes, I, like many, feel like I have.

I hope that everyone has had the pleasure of getting lost in the marvels of a thrift shop — losing your sense of time as you search through bins or racks of clothing for that hidden treasure and finding the perfect item. If you have, then you know that it's the volunteers at these magical places who are the heartbeats of thrift stores.

In her love letter to her mom, I — like anyone who read the piece "I found my mom in the Thrift Shop" — have an image of Aldene Snider in mind. The warmth and quiet dedication to her community was expressed by Mrs. Snider in the form of service. Her love of people saw her volunteer at thrift stores across the north for more than 40 years. As we've heard that tomorrow is her birthday, it seems right that we celebrate her today.

I know that it will be a different sort of birthday, but birthdays are worthy of celebration. So happy 90<sup>th</sup> birthday, Aldene, and may your love of community and thrifting live on through your family.

*Applause*

### **In recognition of Ramshackle Theatre**

**Hon. Mr. Streicker:** It is my honour to rise today on behalf of all MLAs of this House. For as long as I have known Brian Fidler, he has been creating performance art. Puppets made from old cameras, Buster Keaton-inspired physical theatre, vaudeville-esque musicals, cardboard western sci-fi films — Brian's theatre company, Ramshackle Theatre, embraces baling wire and glue guns, things that are a little more rough-and-tumble than immaculate and aseptic.

Ten years ago, Brian found himself doing a lot of walks around his property with his newborn son, trying to get him to sleep. Brian started thinking about a show that could happen close to home that would showcase local raw talent and something that would emanate out of the forest and along the ridge above the Yukon River. In the fall of 2010, Theatre in the Bush was born. There are strange things doin' 'neath the midnight moon — just saying, Mr. Speaker.

Brian called up a dozen or so creative folks and invited them to put on 10-minute performances around seven outdoor stages with sets built in the bush. The evening was an immersive experience. Charming, it had a predictable amount of unpredictability. Over the years, that quirky spark has always been part of the show.

I remember Claire Ness doing a non-stop bush life clown camping piece, complete with an open bum flap in her long johns when she turned around. On the wind-blown tree set, Michael Eden Reynolds gave a chilling soliloquy of sawyer Jim, Jimmy-Jim. Jordy Walker hung guitars up in the trees and you could make eerie music from them as you pulled pulleys

up and down. On the rise set, Michel Gignac earnestly and hectically had the audience busy with pointless boy scout tasks. Miche Genest tempted us with boreal appetizers by the wall tent campfire, and Joella Hogan taught Northern Tutchone through her stories of traditional soap-making. Hazel Venzon hosted an underwear fight with a big bag of underwear — clean underwear, Mr. Speaker — which the audience shot at each other.

One year, Emily Woodruffe and Susan Walton delighted Yukoners with a synchronized swimming performance, complete with nose clips. In between the performance venues, visual artists nestled kinetic sculptures and interactive pieces in pools of light, like Tara Kolla's floating cities made from dress patterns or Jon Gelinias' sound and video installations or this year's giant squid made by Rachel and Jon Travis.

Brian picks the creators, but he doesn't curate what they do. He trusts that whoever is in the show is going to knock it out of the park — or out of the woods. Every year is filled with uncertain delights and curiosities under the stars. Brian often says to the performers, "We have the audience outside the black box of the theatre, so we don't want to put them back into that black box."

A few years ago, Magnetic North, Canada's national theatre festival, came to the Yukon, and Brian hosted a midnight show especially for them. I remember that the bus came out from town to the Pineridge neighbourhood, with a captive audience of Canada's theatres' who's who. When they stepped off the bus and into the woods, they were unaware of what was coming. I think they ended up with mouths ajar, eyes like saucers, and a quintessential taste of the Yukon.

After 10 years of storytelling and theatre for Yukoners by Yukoners, COVID hit, so Brian held two shows with smaller audiences — both of them sold out — hottest ticket in town, Mr. Speaker.

Congratulations to Theatre in the Bush.

Félicitations au Théâtre dans les Bois, un spectacle du Yukon.

### **In remembrance Canadian National War Memorial and Parliament terrorist attack**

**Mr. Istchenko:** I rise today on behalf of the Official Opposition and the government caucus to pay tribute as we acknowledge the sixth anniversary of the violent and deadly terrorist attack on the Canadian National War Memorial and Parliament in Ottawa in 2014. Just a few days before the Ottawa attack, on October 22, Warrant Officer Patrice Vincent was also killed by an ISIL-inspired terrorist in Québec.

On the morning of October 22, 2014, 24-year-old Cpl. Nathan Cirillo was on ceremonial sentry duty when he was fatally shot by a gunman at his post by the Tomb of the Unknown Soldier at the National War Memorial, the sacred memorial dedicated to all those Canadians who gave their lives in conflict, past, present, and future. As Cpl. Cirillo stood on duty, his rifle, in accordance with standard practice, was unloaded. Shortly before 10:00 that morning, the gunman attacked this brave young man, and tragically, he passed away.

The shooter then entered the main Parliament building, where he fired some more shots before he was shot and killed by House of Commons Sergeant-at-Arms Kevin Vickers and RCMP officers. This terrible event is a reminder of the compassion and courage of Canadians, from civilians to first responders. Many people came to Cpl. Cirillo's side as he lay at the foot of the National War Memorial fighting for his life.

Further, the police and security forces around Ottawa worked above and beyond as the entire city went into lockdown as they tried to understand what had just happened. This event was also a reminder that Canada is not immune to terrorism. This senseless tragedy shook Canadians across the country — even here in the Yukon.

This morning, a member of our staff was telling me that he and his wife found themselves in the middle of this, as they lived and worked in the parliamentary precinct at that time. In preparation for this tribute, I was speaking to him earlier. What he described was nothing short of terrifying. They, along with thousands of others, were immediately locked in their offices at the time. They were prevented from leaving or from going home and they only had conflicting or confusing reports on social media to try to understand what had happened. The entire city was in shutdown for a day. Bridges were closed or blocked off. Police checkpoints were set up throughout the city. Parents were prevented from picking their children up from schools as those facilities went into their security protocols. They and many other families were prevented from returning to their homes as security forces swept the streets in sections of the city that were off-limits.

That's the purpose of these attacks, Mr. Speaker — to scare us, to terrorize us, and to shake us from our daily lives. We cannot let them do this.

On that note, I just want to quote from former Prime Minister Stephen Harper in his national address to the nation at that time where he said: "But let there be no misunderstanding: we will not be intimidated. Canada will never be intimidated."

"In fact, this will lead us to strengthen our resolve and redouble our efforts and those of our national security agencies to take all necessary steps to identify and counter threats and keep Canada safe here at home..."

The next day in the House of Commons, the Prime Minister went on to say: "Here we are, in our seats, in our chamber in the very heart of our democracy and our work goes on..." That is important. One of our country's greatest strengths is our democracy. Canadians and Yukoners alike have an expectation that they can rely on. It is strong, it is resolute and it must be unbreakable. Showing up at the Legislative Assembly every day matters. We must not let anyone stop us or prevent us from showing up or doing our important work. Despite our political affiliation, we are all Yukoners and we are Canadians.

Liberal leader Justin Trudeau vowed to not let the threats define Canadians. He said: "They do not get to change us."

Just to close, I have one final quote. This one is from the former leader of Canada's Official Opposition Thomas Mulcair in response to the attack. He said that Canadians will "... stand up and we'll stand together. We'll preserve, we'll persevere."

We'll prevail. Because that's what Canadians have always done together. That's what we do best together."

Mr. Speaker, it has been six years since the terrorist attack. Two Canadian heroes were killed in service of our country and we will always remember them, but we have seen the words of our leaders ring true — we have not been intimidated. Our democracy has continued and Canadians persevered.

**Ms. White:** Today I stand on behalf of the Yukon NDP to remember the events of October 22, 2014, in our nation's capital. The death of Corporal Nathan Cirillo in the storming of Centre Block on Parliament Hill changed so many of the core beliefs that we have about Canada — that we are a peaceful country, and that our parliamentary precincts and those who protect them are well-equipped to do the important work they do on behalf of citizens and parliamentarians.

To this day, the War Memorial shooting and the parliamentary gun battle that ensued continue to haunt many. Not only those directly involved — those charged by duty to stop the gunman, who stormed Parliament after shooting Corporal Cirillo — but also the many Members of Parliament and Parliament Hill staff who suddenly found themselves in lockdown for hours after hearing gunshots ricocheting through the halls of Centre Block.

Mr. Speaker, we in this House have recognized the devastating impacts of post-traumatic stress disorder and have uniformly expressed our desire to support those who suffer from PTSD as a result of doing their job. Six years ago today, parliamentary guards reacted quickly against a threat of unknown dimensions and many suffer the consequences to this day. It is sad to learn that, despite the many public expressions of gratitude from everyone from the Governor General to politicians of all stripes, the solicitude has not extended to the security guards' employer — the Parliamentary Protective Service. Of the nearly 30 House of Commons' security guards on duty when the shooting occurred, at least 13 have since suffered serious psychological injuries. One has taken his own life. As one guard recently shared, he wishes that all of the guards had been convened for a debrief following the attack. Instead, he said, they returned to work the next day as if nothing had happened.

We need to learn from the mistakes of that day. The parliamentary guards who so quickly and instinctively acted to protect join the legions of Canadian military veterans who have pressed the federal government for years to both recognize and deal with the impacts of serious psychological injuries.

While we pray that the scenario played out on October 22, 2014, is never repeated, we must pledge to respond with real, tangible, and compassionate support for all those who defend us.

*Applause*

## TABLING RETURNS AND DOCUMENTS

**Speaker:** The Chair has for tabling the Child and Youth Advocate office 2020 annual report.

Are there any further returns or documents for tabling?

Are there any reports of committees?

Petitions.

## PETITIONS

### Petition No. 2 — response

**Hon. Ms. McPhee:** I rise today to respond to a petition brought to our Legislative Assembly about the music, art and drama program tabled on October 7, 2020.

Thank you to the students, parents, and supporters who have worked hard to participate in our democratic process and to bring us their perspectives.

Four hundred Yukoners signed this petition which called for the Yukon government to move MAD programming back to the Wood Street Centre or to the Guild Hall or other suitable location for this programming for the remainder of this school year.

Mr. Speaker, this is not a usual school year. To be able to safely return students and staff into schools during the pandemic, we have had to adapt programming across secondary schools in Whitehorse, including for the experiential programs that have been offered at the Wood Street Centre location for approximately the last 20 years.

Mr. Speaker, when I met with some of the MAD students this week to exchange ideas, we all realized that some of our efforts to communicate how and why the decision to relocate the program was made did not reach them. This was clearly not our goal.

So, I will speak about that work just for a moment. The key priority in planning for the 2020-21 school year has been and remains the health and safety of students and staff, ensuring all schools remain low-risk learning environments and complying with the advice of Yukon's chief medical officer of health. To ensure safe spacing, manage traffic flows, and limit contact between students at F.H. Collins Secondary School as part of the broader plan for secondary programming and a safe return to school, 138 grade 8 students were moved to the Wood Street Centre. This decision resulted in the temporary relocation of approximately 80 other students who are enrolled each semester in the experiential programs usually held at the Wood Street Centre. Sixty students in experiential programs were moved to Porter Creek Secondary, including those in OPES — the outdoor pursuit and experiential science program; MAD — music, art and drama; CHAOS — community, heritage, adventure, outdoors and skills; and ACES — Achievement, Challenge, Environment, Stewardship. Twenty students in PASE, Plein Air et Sciences Expérientielles, were moved to F.H. Collins.

Mr. Speaker, these were not easy decisions to make. The COVID-19 pandemic has presented us with many challenges. Many school districts across Canada are facing similar challenges to create cohort grouping, to limit the mixing of students, and to adapt learning spaces to meet health and safety guidelines so as to keep transmission low while still offering the usual range of secondary programming. We are proud that we have successfully returned all 5,700 students to face-to-face classes while maintaining schools as low-risk environments with respect to COVID-19 transmission.



Of course, we must be vigilant. Students have been back in schools for about two months now, and we continue to monitor and adapt programs, including the MAD program, so that we can meet the needs of students. Planning for the second semester is also well underway. This work is complex and it must be done with careful consideration of the impacts relating to health and safety requirements and guidelines for K to 12 settings, staffing requirements, balance and availability of mandatory and elective courses to meet graduation program requirements, and student transportation. At present, school administrators have finalized school enrolment numbers and are currently identifying some short-term additional measures needed to support students. This is a process that is going on each and every day.

We appreciate the broad community support for the music, art and drama program and its importance for students and school staff and our community, and we share that perspective. We recognize the value and the outcomes of the MAD program and the immersive experiential learning that these kinds of programs offer to Yukon students.

Department officials have had ongoing meetings and correspondence with staff, parents, students, and community members regarding the location of the MAD program. I also had meetings over the summer with representatives of the MAD students and the MAD parents and supporters. As part of our efforts to ensure the health and safety of students, staff, and communities, hosting the MAD program at Porter Creek Secondary School was the decision that was made at the time. We continue to work with these groups. I want the students to know that we hear them, we value them, and we are committed to supporting them on their learning journey.

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

## NOTICES OF MOTIONS

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

THAT this House supports the dedicated public health pandemic response to support testing and tracing in response to the COVID-19 pandemic.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Energy supply and demand

**Hon. Mr. Pillai:** Last week, the Official Opposition questioned our government's preparedness to address the territory's energy needs. I was specifically asked about the reliance on diesel generators to provide backup energy during peak demand events. I committed to the members of this House that I would look back at what had happened last winter and report back to the Assembly. Today, I'm happy to provide an update on our work with the Yukon Energy Corporation and

the contingency plans in place to ensure that Yukon's energy needs are met during peak demand events.

Let me first recount what happened last winter. Yukoners will remember that, in January, we experienced a prolonged cold snap of minus 40 Celsius weather, which created substantial demand on our energy grid. The cold weather resulted in higher diesel fuel consumption for both residential and commercial heating, together with electrical generator demands. During that cold snap, a vehicle accident on the south Klondike Highway and then an avalanche closed off access to Skagway.

Yukoners may not be aware that 70- to 80-percent of the bulk diesel fuel supplies for Yukon are received through the port of Skagway. The avalanche therefore impacted the territory's fuel supply but did not deplete it. Yukon Energy and its suppliers worked together on an active response to the situation. This included working with suppliers to truck in fuel on the Alaska Highway. Diesel was earmarked specifically for power generation.

The Energy Corporation also evaluated options for a temporary increase in hydro production, if needed. Fortunately, Yukon Energy has access to multiple suppliers of diesel fuel, and I can assure Yukoners that alternative supplies were available as contingency but were not ultimately needed.

There was enough fuel in the territory to ensure that electricity, heating, and transportation fuel demands were met as crews worked to clear the south Klondike Highway. In addition to being closed off to Whitehorse, the residents of Skagway were completely isolated after its only ferry was held up in Juneau for repairs, and inclement weather prevented air access. A Skagway high school basketball team was stranded in Juneau as well. There were just challenging weather conditions.

Yukoners understandably want to know what plans are being put in place to avoid this kind of risk from reoccurring in the future. In planning for the fuel supply of the future, Yukon Energy Corporation's procurement department will make it a requirement under future fuel contracts that a minimum inventory of diesel fuel dedicated to electricity generation be held in the territory. This will ensure that there is adequate supply on hand in the event that supply chains in the territory are disrupted.

Mr. Speaker, Yukon has been experiencing population and economic growth for well over a decade, and that trend continues. It is important for all elected officials to consider how we will meet the territory's energy needs going forward. Our Liberal government recently released *Our Clean Future — A Yukon strategy for climate change, energy, and a green economy*. That strategy includes 131 actions that the Government of Yukon will take to address the impacts of climate change while building a green economy, ensuring that Yukoners can access reliable, affordable, renewable energy over the next decade. It also identifies clear targets and goals. One of those targets is that 97 percent of our electricity will come from renewable sources by 2030, even as we experience more population and economic growth.

Mr. Speaker, in closing, I think it is interesting that the Yukon Party, again, went back and tried to tie a fuel issue to a renewable energy plan on this side of the House. We are committed to a clean energy future and I look forward to comments from the opposition.

**Mr. Hassard:** I thank the minister for the update. A number of other questions have gone unanswered that we asked over the last couple of weeks, including total fuel and set-up costs for the diesel generators. The minister's statement was interesting. He keeps talking about a megadiesel plant when no one else is. We certainly don't think that the minister's proposal for a megadiesel plant is a good idea, but the minister and the Liberals have developed an obsession with diesel plants.

As the rest of the world and the country are talking about how we can reduce our reliance on diesel, the Yukon Liberals have continued to increase the territory's reliance on diesel. They went from renting four generators in 2017 up to 17 this year. While we do not have the full costs, it appears that the Liberals have spent at a minimum \$11.3 million on their long-term vision of renting diesels. They plan on spending millions and millions more over the next decade at least.

This is about the immediate energy crisis our territory is facing and how we bridge the gap to a clean future with a reliable insurance option that is not diesel. A 2019 CBC article quoting the Yukon Energy Corporation defending the need for a new LNG plant states — and I quote: “Andrew Hall, Yukon Energy's president, said the utility doesn't always have enough hydroelectricity to cover times of high demand...”

The Yukon Energy Corporation website states — and I quote: “While we work to maximize the resources we have, build more renewables and encourage energy conservation, we need to invest in an upgraded ‘insurance plan’ to provide reliable and affordable power...” The website goes on: “Electricity generated using LNG... is proven to be the most reliable and cost-effective solution to meet our insurance plan's criteria. Rather than continuing to rent additional generators annually, it's time we upgrade our insurance plan and build a permanent...” — LNG — “... facility.”

If the minister is saying that his government's decision to cancel a new LNG plant is short-sighted, then I agree. The Liberals were short-sighted for cancelling a new, reliable LNG facility as our insurance plan in favour of their plan to spend millions renting more diesels for at least a decade to come.

Mr. Speaker, for a while the Liberal government planned and consulted on a new 20-megawatt LNG facility but then cancelled it. Despite the minister's selective memory, they were consulting on five proposed sites, including two that were essentially at existing Yukon Energy plants. So, if the Yukon started building the LNG plant two years ago, then Yukoners would own assets rather than rent from an Alberta company.

Every single dollar that the Liberals spend on renting dirty diesels is a dollar that leaves our territory and is shipped to Alberta. An LNG plant would provide a long-term foundation and insurance plan upon which the territory can build a renewable and green future, and it would help us to get away

from our reliance on diesel that this Liberal government has only made worse.

The real question comes down to: Do we want Yukoners to own our energy assets, or do we want to end up with nothing and keep shipping money to Alberta to rent dirty diesels for at least a decade to come, as the Liberals have proposed? That, Mr. Speaker, is the Liberals' plan. Under this Liberal government, Yukoners end up with nothing and will be renting diesels for at least another decade. Again, every single dollar spent on renting is a dollar that leaves the territory.

**Ms. White:** It's always great to hear about environmental policy. Whether it's the implementation of a new policy to protect Yukon's environment and splendour or policies cancelling archaic processes that pollute our air, any progress is good progress.

Unfortunately, what we have seen from this government is a trend of announcing plans and strategies but seeing little concrete action actually taking place. Worse still is the announcement of incomplete plans. *Our Clean Future* includes a 62-kilotonne CO<sub>2</sub> reduction gap that the government hasn't addressed. This means that, for a quarter of the targets set in the plan, there are no measures. That is without mentioning the fact that the mining sector still doesn't have any greenhouse gas reduction targets.

So, despite saying that we're moving away from fossil fuels, there is little indication that change is actually taking place right now. This is clear when we're looking at Yukon Energy's yearly reports.

In 2016, 98.3 percent of the energy we used was renewable. In 2017, it was 96.8 percent and in 2018 it was 92 percent. By 2019, we have fallen to having only 84 percent of our energy be renewable. What we're seeing is a clear downward trend. We're no longer able to produce enough renewable energy to power our needs despite the government's plan and intentions.

How is that being addressed? There are plans — we all know that they're plans — but after four years in power, this government's track record speaks louder than plans on paper that are years down the road from completion. All of the new renewable energy projects over the last few years have been the initiative of First Nation governments, communities, or individuals. It's time for the government to show leadership and walk the talk when it comes to renewable energy.

The minister has alluded that an announcement will be coming from Atlin and the Taku River Tlingit. We're excited about this partnership and look forward to learning more. Demand-side management is also something that I've talked about before. It's a great piece of a larger solution, but it appears that the government won't move on this until next year.

The world is facing a climate crisis. We are actively losing biodiversity, increasing pollution, increasing global temperatures, and the weather is becoming dangerously unpredictable. We could all go on. What we should do is stop talking about renewable energy and we should start acting on it. If we're going to talk about energy supply, let's look toward

solutions for today and for the future. Let's take meaningful actions on renewable energy generation now.

**Hon. Mr. Pillai:** I will do my best to respond to the comments from the opposition. I'm really trying to ensure that we had an update here based on the questions. I think, quickly — I could be mistaken, but I think when we talked about the rental of diesels, a lot of that, I had gone through in detail — all the costs associated with that. If I missed something, I can bring it to the House in written form. I have it here, but I would rather try to make a few comments.

I'm glad to be talking about this today, Mr. Speaker. All Yukoners have a stake in our territory's energy future and this issue has raised lots of questions. People are wondering if the Official Opposition — the Yukon Party — thinks it was a mistake to rent generators and ensure that we have backup. We've heard it today clearly that they believe that's a mistake. People want to know why the Yukon Party committed to building a megaplant — whether it was diesel or LNG — when Yukoners had made it clear that's not what they wanted. We wanted to go out and to show Yukoners that there was a clear choice.

Mr. Speaker, as I said, Yukon has been experiencing some population and economic growth for well over a decade. Yukoners also want to know why the Official Opposition didn't plan for these needs — because I have gone back and looked at the reports and everybody was very well aware in 2013, 2014, 2015. In fact, the opposition's planning is actually — it's quite hard to go back and listen to what I heard last week around the fact that this was short-sightedness. I think what we remember — and people who were watching this energy file — for us, we've made a commitment to build a hydro project and have generation. What we saw in 2014 and 2016 was — at least in the case of the Official Opposition — they spent \$4.3 million on tabletop studies and open houses to build a hydro project. Were they not going to have backup power? I would hope they would to keep Yukoners safe.

That's what Yukoners are asking me: Whatever happened to the next generation hydro project? That is number 1. But also, I think it's important and I'm glad that it was touched on — today, the clarification as well by the Official Opposition around LNG — because we know that their new leader supported this project — this bigger mega-energy project — but also supports fracking very closely. I can understand now why they would want to go to LNG — they want to make sure that they can frack in the Yukon and then have that particular source.

With that, I also find it interesting last week as we hear this — some of the well-known leaders across the country — Minister O'Toole or Mr. Kenney and others who are now pivoted back toward committing to those Paris accord targets. I think it's really important that, again, we're not seeing that again from the opposition.

As for the questions from the Third Party, I would just touch on the fact that, in every single case in our communities as we see renewable energy projects being built, the Yukon Development Corporation and Yukon Energy Corporation —

and in some cases, Energy, Mines and Resources — are working in partnership either through funding sources or technical support. We're doing all of those projects together and they're being built. I think saying that there's not a lot of progress in those projects really takes away from the work that's being done — the hard work right from Beaver Creek to Burwash to Haines Junction to Watson Lake to Carcross to Pelly. So, I think that's important to see.

I look forward to energy debate as we go through the fall. I think it's important that Yukoners understand where all three parties sit as we go forward.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on education system

**Mr. Kent:** So, parents are still waiting for news about if and when the government will fully reopen our Whitehorse high schools. The lack of a plan from the government to fully and safely reopen all schools will slow any reopening of the economy. Hundreds of working parents who rely on schools to ensure that they can actually get to and stay at work need to know what the plan is. For three weeks we have been asking the government what their plan is to fully and safely reopen all schools. So far, they have given no details beyond saying that it is a priority. It's great that it is a priority — this government has a million priorities — but Yukoners need and want a plan.

So, can the Minister of Education tell us today when high schools in Whitehorse will go back to full-time in-class learning?

**Hon. Ms. McPhee:** I must say that this has come up a few times and I am puzzled by the idea that students who are in grade 10 to grade 12 are somehow affecting their parents' ability to go to work. Clearly there are many things affecting individuals' abilities to go to work during a world pandemic — during a time when we have been asked to comply with the "safe six", when many people are, in fact, working at home — but the fact that teenaged students in grade 10 to grade 12 being at school for half-days is a puzzling comment to me.

The first consideration, Mr. Speaker, in planning for the 2020-21 school year, has been the health and safety of students and staff and ensuring that all schools remain low-risk learning environments for Yukon students, based on the advice of Yukon's chief medical officer of health. We have had to adapt programming for grade 10 to grade 12 students in the larger high schools in Whitehorse. These adaptations are based on advice from school administrators and the health and safety guidelines that have been produced for schools to ensure safe spacing, to manage traffic flows, and to limit the mixing of groups of students. We are continuing to work on this matter for the purpose of returning grade 10 to grade 12 children to school full time.

**Mr. Kent:** I am sure that all those parents who have reached out to us in the opposition who are having to balance between getting their kids to high school and work will be really pleased to hear that the minister is puzzled by that.

The minister says that it is her top priority to return Whitehorse high school students to full-time in-class learning. The Liberals are really good at setting priorities, as they have a million of them, but they aren't so good at coming up with plans to deliver on those priorities. These delays and this lack of a plan for getting kids back to class full time or even to get busing back to normal is going to force families to make tough choices.

On October 13, the president of the Yukon Teachers' Association told CBC that we still have kids who aren't getting to school on a regular basis because of busing. This places a burden on parents — and in particular, families with young children. So how will the government ensure that parents do not have to choose between driving their kids to school and their careers?

**Hon. Ms. McPhee:** I spoke yesterday in this Legislative Assembly about the priorities and concerns about busing. I think it should be clear that, despite the fact that the opposition may not be hearing the answers that I'm giving, at no point can they be characterized as not requiring the appropriate care for children, for students in schools, for parents and families, and for all of us in a world pandemic — in a situation that none of us have asked for and that everyone has been required to adapt to.

School busing for the 2020-21 school year has had to be adapted to follow the chief medical officer of health's health and safety guidelines for school bus operations. These adaptations are to prevent the spread of COVID-19 and to keep our community safe and keep our children on buses safe and have them get to school in a healthy and safe way — to and from school.

I can indicate, as I did yesterday, that all eligible students under the *Education Act* — and under the education regulations under the *Education Act* and busing regulations — have been assigned to a school bus this year. School buses are now operating at near-capacity. I appreciate that this causes some concern for some students who are not eligible. We are continuing to work with those families.

**Mr. Kent:** So, parents and students are struggling with learning and mental health, and that puzzles the minister. The minister has been heavily criticized by school councils and parents for her poor consultation efforts with school communities this past summer on the school reopening plans. We hope that the minister avoids a repeat of that with the return of all high school students to in-person classrooms.

She will need to meet with and consult with school councils from the Whitehorse high schools to discuss the planning process and the timing for a full reopening of grades 10 to 12. Will the minister today agree to meet with these school councils, and if she already has, can she tell us how many meetings she has had with them to discuss the planning process and timing?

**Hon. Ms. McPhee:** I can indicate that work with school councils — heavy criticism isn't coming from parents and school councils. The heavy criticism is coming from our friends across the way, and that's what they think their job is; that's fine — I'm happy to respond.

We have worked with and continue to work with the chief medical officer of health. We have worked with school councils in their work over the summer. I spent some time yesterday in this House thanking those members of school councils who were asked and who stayed on for a lengthier period of time in their term as members of school councils because of the pandemic and the opportunity for the election to be held not in May but in October. I thanked them for that dedication.

We met over the summer with many of those school councils. There were biweekly Zoom calls with the chairs of school councils. I was on many of those calls. The deputy minister was on every one of those calls, I am confident to say. The school councils have asked that those meetings continue, and we agree. We think that's a great way for us to communicate directly between school councils and the central administration and the officials for the Department of Education. As a result, those meetings will in fact continue. Working with school councils, school communities, administrators, and professional educators in order to get grades 10 to 12 back in school full time is our priority.

#### **Question re: Safe Restart Agreement childcare funding**

**Mr. Cathers:** On July 16, the Premier announced safe restart funding from the federal government but provided very little detail and was unable to answer questions. On October 1, he re-announced that funding and again provided little detail and was unable to answer questions. That day, we asked the Premier about over \$2.6 million that has been earmarked for childcare for returning workers. Again, he was unable to answer questions, so I will re-ask those questions today.

This \$2.6 million in funding is supposed to be used to support infection prevention and control measures for childcare operators and put toward enhancing staff training at two community daycares. Can the Premier confirm that this funding is earmarked for the daycares in Watson Lake and Dawson City? How much of the \$2.6 million is going toward those two daycares?

**Hon. Mr. Silver:** Mr. Speaker, there is so much misinformation in there. I will start with what is going on with the safe restart and also the northern support package as well. Then I will ask my colleague, the Minister of Health and Social Services, to address specific questions with health.

When it comes to whether it's the restart money or the northern support package, our government has been extremely focused on protecting Yukoners and supporting them through this extremely challenging time. We will continue to work in collaboration with our partners across the country, across the north — with the other premiers as well — in response to this pandemic. Our collaborative approach with our partner governments is benefiting all Yukoners, and we have worked tirelessly to support Yukoners through the pandemic.

We have answered the member opposite's questions in the past about the restart money. Part of this northern support package, on top of that, includes an additional \$12.4 million. We have another \$7.4 million for health care and another \$4.7 million to support vulnerable populations. This brings

Yukon's total allotment under the Safe Restart Agreement to approximately \$26 million to date.

The additional support will be for health care — support for the three hospitals and the rural health care services to help the chief medical officer of health and the Yukon Communicable Disease Control Unit to maintain enhanced services related to the pandemic. We will continue to update the members opposite as that money gets spent.

But again, Mr. Speaker, it's extremely important that we work collaboratively with the federal government and the other jurisdictions to make sure that we have the money that we need for the programs.

**Mr. Cathers:** I'm looking at the letter that the Premier signed to the federal government, and he seems to have forgotten what it said. Again, we've asked him questions, and again, he did not answer it. He read his briefing notes today but he appears to have forgotten the letter that he himself signed this summer.

How much of the \$2.6 million in the Safe Restart Agreement that is earmarked for childcare for returning workers is going toward prevention and control measures for childcare operators? Can the Premier answer that simple question?

**Hon. Ms. Frost:** With respect to rural childcare and childcare supports, we had great debate in the Legislative Assembly previously with respect to the supports that were provided to childcare centres during COVID times.

Now we have continued to provide the resources needed for every childcare centre. I'm happy to say that we have all of our centres open now and fully supported. During the closures, they received all of the resources to continue to keep them open.

Now we had enhanced supports. The funding that we received previously — we continue to use that to fund the centres. At the same time, we had initiated a pilot project piloting a rural childcare strategy, addressing health and safety needs in licensed childcare centres. We also looked specifically at supporting the Little Blue Daycare and the Watson Lake Daycare Centre which was very much a part of the conversation and the discussions. I'm happy to say that I've met with both organizations and their executives. I am very pleased with where they are right now, ensuring that they continue to be considered in future initiatives.

**Mr. Cathers:** At least we got the start of a partial answer from the Minister of Health and Social Services. But again, we're looking for the details. This government is all about talking points, photo ops, and platitudes. But we're looking for the details on behalf of Yukon citizens who want to know as they are dealing with the effects of the pandemic.

How much of the \$2.6 million in the Safe Restart Agreement that is earmarked for childcare for returning workers to return to the workforce is going toward enhancing staff training?

Has any of this money been used to hire more FTEs in the government workforce as part of the 88 new positions that the government is adding this fall?

**Hon. Mr. Silver:** Mr. Speaker, we will continue to update the Legislative Assembly and Yukoners, as we did this morning, with announcements. We will continue to do that.

The money that we got under the safe restart money is for program services, PPE, health care capacity, mental health testing, contact tracing, data management — and the list goes on and on. This is for money that we spend today, tomorrow, and in the next days. Whether it is questions on schools, PPE, or anything pandemic related, the members opposite assume that we can predict the future as to where the epidemiology goes. We will continue to update Yukoners with the money we spend. We are in a good place in the Yukon because of the emergency measures that we have put in and because of the programs and services that we have funded. We will continue to work with the federal government to make sure that we access more federal dollars for the needs of Yukoners.

Mr. Speaker, we are going to follow the science. We are going to work with our partners and we will not be bent by political pressure from the Yukon Party to predict the future when that is extremely impossible to do. We will work with science, not with politics, when it comes to how we spend this money. We have been very clear about the envelopes of the safe restart money. We have been very clear as well about the northern support package and the fact that we are getting base-plus money. We are so thrilled with the help from the other premiers in Canada who recognize as well the important differences of the northern territories when it comes to these supports.

#### **Question re: Dawson City infrastructure upgrades**

**Ms. White:** A few days ago, the government cancelled a tender for utility upgrades in Dawson City. The project was meant to bring water and sewer to new and unserviced lots in the community. The tender closed months ago when a pre-construction meeting had already taken place with the low bidder, a local contractor. Cancelling a tender at this stage is very uncommon.

Can the minister tell Yukoners why this tender was cancelled at this late stage in the process?

**Hon. Mr. Streicker:** What I can say is that I had conversations with the Dawson City mayor and council. Also, our department had conversations with the Dawson City staff and the decision was made to move in a new direction with the community, so that is why the tender was cancelled.

**Ms. White:** Cancelling a tender this late in the process has consequences. For contractors, it means a waste of time and money. It means that they might have passed on other contract bids in the meantime and it raises concerns about bid shopping on the future tender. For the public, it means more costs and delays. There is staff time involved in reissuing the tender, and delaying the process will likely increase the cost of materials.

How much more will this project cost because of the cancellation? Will this delay the creation of new lots in Dawson City?

**Hon. Mr. Streicker:** At all times, we work closely with our municipalities and our communities to make sure that we're working hard to help deliver lots or infrastructure for those

communities. Sometimes, we do that through a transfer payment agreement to the community and sometimes we do the work ourselves, but it's always on behalf of the community.

This work was on behalf of the City of Dawson. There are always challenges around these contracts, especially during COVID times. So, yes, there have been some delays to many contracts.

What I want to say is that, overall, we've been spending incredible amounts of money in the territory on construction work and on infrastructure projects overall. Yes, there have been some delays due to COVID, but overall, on land development and on infrastructure, we have been doing very well investing during a pandemic.

**Ms. White:** Contractors were told that the cancellation was due to a change in the scope of the project nearly 90 days after the initial tender closed. Changes in scope happen on a regular basis and don't always lead to a tender cancellation. We understand that the lowest bidder came a half-million dollars below the next bidder. The government could have tried to work with the contractor to see how much of an impact the change in scope would have had on the price tag.

Did the government attempt to resolve the issue with the contractor before cancelling the tender?

**Hon. Mr. Streicker:** I think I just said in my first response — and I will say again — that we worked with the community. We're doing this project on behalf of and for the City of Dawson. We spoke with the City of Dawson. We talked through the project with them and, through that conversation, took the decision to move in a new direction. I am sure we are following all appropriate procurement practices and we will continue to work with and for our communities.

### **Question re: Information management and protection of privacy legislation**

**Ms. Hanson:** The 2019 annual report of the Information and Privacy Commissioner set out a number of concerns and recommendations. As the minister will recall, the Commissioner made a number of recommended changes to the ATIPP act which this government chose to ignore when legislative amendments to the *Access to Information and Protection of Privacy Act* passed in November 2018. Two years later, the amended legislation still has no regulations.

Can the minister explain the delay in getting the regulations for the amended *Access to Information and Protection of Privacy Act* in place? Can the minister also tell Yukoners when they can expect to see those regulations?

**Hon. Mr. Mostyn:** I want to thank the member opposite for the question this afternoon. We had a very robust debate during the debate on the ATIPP act, and I really appreciated that discussion. What came to my attention through that debate was that the member opposite and I hold access to information and protection of privacy legislation and regulations in high regard, and it's important certainly for this side of the House and clearly to my colleague on the other side of the House.

Our government modernized Yukon's *Access to Information and Protection of Privacy Act* to provide better service and meet the changing needs of Yukoners as the

Government of Yukon continues to move toward a digital government. The new legislation improves the act by enhancing client-focused services to Yukoners while protecting their privacy, ensuring personal information held by public bodies is well-protected, and making government more transparent and accountable to the public.

The new act was passed in the fall of 2018, as the member opposite clearly knows. It will come into force as soon as regulations are drafted. We are currently drafting those regulations, and we hope to have them before the public sometime in the very near future, probably by the new year.

**Ms. Hanson:** From nothing to vague is, I guess, an improvement.

The Information and Privacy Commissioner pointed out that, of the 111 files opened in 2019, 11 of the requests for review could not be settled. These were moved to an adjudication process under the commissioner. She noted in the report that access to information programs operated by this government were in need of repair — and I quote: "This lack of understanding amongst public bodies and their staff about the access to information provisions of the..." — *Access to Information and Protection of Privacy Act* — "... led to lengthy delays in providing access to information to applicants."

Can the minister explain what changes have been put into effect to ensure that public service across government shares a common understanding of their responsibilities under the *Access to Information and Protection of Privacy Act*, and how is this being monitored?

**Hon. Mr. Mostyn:** The member opposite is working very closely with the Information and Privacy Commissioner, and I welcome that. The reality is that we are working very hard to get the regulations in place.

I know that the Department of Highways and Public Works is working diligently and very quickly to make sure that the regulations that give the teeth its power are brought before us at Cabinet and before the Yukon public very, very soon. As I said to the member opposite in my previous answer, the regulations are currently being drafted and I expect them to be in place by the end of December — perhaps in the new year.

The member opposite is talking about what plans we have to make sure that there is a consistent application to the new ATIPP law, and I am telling the member opposite this afternoon on the floor of the Legislative Assembly that we are working very closely with all government departments, so that we have training modules. The training modules — I have been told by the department — are progressive, very broad, and very thoughtful and I am sure that they will help the Government of Yukon embody ATIPP in the way that it was intended 20 years ago.

**Ms. Hanson:** Well, let's try another privacy issue. The *Putting People First* report highlighted Yukoners' feelings of frustration over the application of the *Health Information Privacy and Management Act* (HIPMA) across the health and social system. Many patients were surprised when they arrived at medical appointments to find that their medical professional did not have information from other health care providers or

access to test results. The HIPMA review was to start in August of this year.

Can the minister tell this House whether the review has started and, pending the outcome of the review, what is being done to make sure that the *Health Information Privacy and Management Act* is not being used to create barriers to effective collaborative care?

**Hon. Ms. Frost:** Great question — certainly the department is working very diligently, as noted by the member opposite, with the recommendations from *Putting People First*. Prior to that document coming out, the department was working with our partners. We worked with Highways and Public Works around the IHealth system. We have implemented various platforms, ensuring that we have a seamless journey for Yukoners as they work through health network systems. Looking at privacy, of course, is always a top priority and, under the banner of IHealth, the objective is really to look at care providers having access to critical health information no matter the location while obviously, at the same time, you want to ensure that the individual manages the information themselves — manages the data that will determine the health outcomes.

As part of that process, we are working on a huge number of initiatives across the government to bring those services closer to home, improve the coordination and the delivery of the IT systems we have, and, at the same time, look at our structures to ensure efficiencies so that every Yukoner is provided the support they need.

### Question re: Hospital staffing

**Ms. McLeod:** With regard to nursing, on Monday, the Minister of Health and Social Services stated in this Legislature — and I quote: “We don’t have any vacancies in Dawson City at the moment. At the moment, there are no vacancies in Watson Lake.” It quickly became clear that the minister was sharing incorrect information with the Legislative Assembly. By Tuesday, the Yukon Hospital Corporation corrected the minister and stated that they actually do have two vacancies at the Watson Lake hospital and one vacancy at the Dawson City hospital.

We are in the middle of a pandemic, Mr. Speaker, and not only are the community hospitals not fully staffed, but the minister is not on top of her file. On Tuesday, I asked the minister when these positions at the community hospitals would be filled and she couldn’t answer the question at the time. Can she answer the question today?

**Hon. Ms. Frost:** I would certainly be happy to speak to the issue. I have done so previously in the Legislature and I will continue to do that.

The recruitment process through the Yukon Hospital Corporation is a responsibility that falls within their purview. We have committed in this last year to work collectively with Health and Social Services to address the challenges with nursing across the country. The question that the member asked previously was specific to positions in Watson Lake. I indicated that we never leave any of our health centres vacant. We have

used locum services. We fill every position and never are we left without supports in any one of our communities.

I am very pleased to say that, during these challenging and unprecedented times, the department and staff have gone above and beyond to ensure that every Yukoner’s care needs were met in a timely fashion. With respect to the high standard of services — I think that we are hearing from the *Putting People First* report the issue — the staff are dedicated. They are dedicated now and I’m sure that the recruitment challenges that are being described are being addressed by the Yukon Hospital Corporation.

**Ms. McLeod:** On Monday, the minister shared incorrect information with this House about vacancies at the community hospitals. Now, it wasn’t the first time.

We’ve been asking the minister about vacancies at our community hospitals for over a year. We’ve been asking the minister about her underfunding of the Hospital Corporation for several years.

When will the minister take action to address the vacancies at our community hospitals?

**Hon. Ms. Frost:** I would like to perhaps correct the record because the information that the member opposite is providing is absolutely not correct. The supports provided to the Hospital Corporation since 2016 — they’ve received in excess of 30 percent of their budget to provide for the needs that they defined to us as a government.

With respect to information that I get — do I get in-time information from the hospital always? Not always — because that’s the relationship we have. They report to the minister through a payment agreement. The members know that very well. The hospital is left to manage according to the corporation’s mandate. But we have taken extra measures to ensure that we work collaboratively to address things. No doubt, Mr. Speaker, we are experiencing a recruitment challenge. It makes it more difficult in the north, but we also know that specialized positions sometimes are difficult to fill. Currently across the country, we’re hearing that this is no different.

So, Yukon is not unique to this but we are in effect working together. I have met with the corporation and will continue to meet with them. They are appearing before the Legislative Assembly. I request the members opposite to ask that specific question to the Hospital Corporation at the time as well.

**Ms. McLeod:** One day, the minister claims that there’s no vacancies at the community hospitals, and the next day, she’s corrected by officials. Of course, it’s not the first time it has happened.

With respect to funding for the Hospital Corporation: Do they currently have any financial asks before the government? Or is the government or the department currently reviewing any financial asks from the corporation?

**Hon. Ms. Frost:** I think the member opposite is perhaps not quite clear — suggesting that we’re not spending any money on the hospitals. I just made it very clear that since we took office, we provided in excess of 30 percent of additional funding than they did to the Hospital Corporation.

We have provided a lot of supports, and we will continue to ensure that we review with the Hospital Corporation their budget and their budget requests. We are doing that collectively and we are looking and working with the hospitals to address their core needs.

At the same time, we have to ensure that Yukoners are provided the services that they need and that's the responsibility of us as government — the responsibilities of the hospital, always ensuring that they have the resources for effective service delivery models to meet the needs of Yukoners to ensure that Yukoners — particularly rural Yukoners — are well supported to ensure happier, healthier lives, which I can say hasn't happened historically.

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

## ORDERS OF THE DAY

**Speaker:** We are now prepared to receive the Commissioner of Yukon, in her capacity as Lieutenant Governor, to grant assent to a bill which has passed this House.

*Commissioner Bernard enters the Chamber announced by her Aide-de-Camp*

## ASSENT TO BILLS

**Commissioner:** Please be seated.

**Speaker:** Madam Commissioner, the Assembly has, at its present session, passed a certain bill to which, in the name and on behalf of the Assembly, I respectfully request your assent.

**Clerk:** *Fourth Appropriation Act 2019-20.*

**Commissioner:** I hereby assent to the bill as enumerated by the Clerk.

*Commissioner leaves the Chamber*

**Speaker:** I will now call the House to order. Please be seated.  
Government bills.

## GOVERNMENT BILLS

### Bill No. 205: *Second Appropriation Act 2020-21 — Second Reading — adjourned debate*

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

**Hon. Mr. Pillai:** I am happy to rise and continue to speak to the spending as part of the *Supplementary Estimates No. 1* for 2020-21. As the Premier stated in his remarks, this fiscal year has required that we pivot and update spending expectations from those originally forecast.

Our Liberal government has remained committed over the past four years to strong fiscal management while balancing the interests and priorities of all Yukoners. We delivered a surplus budget this past spring and we are continuing to make

investments in Yukon's future, including the health and social services that Yukoners need to live happy, healthy lives.

Our economy was well positioned for continued growth — the lowest unemployment levels in the country, impressive levels of retail sales and construction, and growth in GDP. However, being faced with a global pandemic required that our team be agile and adapt to the new reality ahead. We needed to contemplate the immediate health and wellness of Yukoners. We needed to contemplate societal impacts and we needed to contemplate the economic impacts that resulted and that continue to be of concern.

We listened to Yukoners to hear about the circumstances that they were suddenly faced with. This included countless calls, e-mails, and meetings with the business community, First Nation and municipal governments, non-profits, associations, union representatives, bank managers, and individuals. We took part in national phone calls with financial experts, which were hosted by the CIBC bank.

We reached out to our local banking leaders to try to understand the pressures that they were under at the time and to try to identify potential trends that we should be aware of and work toward potentially mitigating if they were negative. There were long days and sleepless nights by members of our government. Our team recognized the importance of putting supports in place to help weather this pandemic.

As Minister of Economic Development, I quickly understood from my interactions with the business community that we were in extraordinary times. That is why we established the Business Advisory Council. This incredible group of individuals, who we honoured this week at tribute, represented the interests of: mining, tourism, restaurant services, development corporations, community groups, hotels, outfitters, transportation businesses, financial sectors, businesses on the legal side, chambers, the construction sector, technology, merchants, contractors, and arts and culture. They were tasked with collecting information, providing us with feedback, and making recommendations to inform our Yukon Liberal government's economic response to COVID-19.

Mr. Speaker, this group of people committed a great deal of time and effort to this work. Their knowledge and experience lent valuable perspective to our discussions and provided the information needed to identify mitigation strategies and to inform our efforts. Their collaboration was impressive. I am so grateful for the work that they agreed to undertake during these challenging times. A huge amount of gratitude goes out to each of those Business Advisory Council members.

I would like to specifically thank Mr. Rich Thompson, who was the chair of this group and who had to coordinate. He spent a tremendous amount of time on it while still dealing with immense pressures in his own day-to-day job but, again, worked with all of these individuals.

I would be remiss if I didn't recognize the employees that I have the pleasure of working with in the departments of Economic Development and Energy, Mines and Resources, the Yukon Development Corporation, and the Yukon Energy Corporation. Their ability to adapt, develop, implement, and execute on the programs we have rolled out — all in a matter



of weeks — has been absolutely amazing. There are no words to truly express the appreciation I have for the work that you have done while faced with an immense amount of pressure.

We took decisive action very quickly and early on. The first major economic hit came on March 7 with the cancellation of the Whitehorse 2020 Arctic Winter Games. Minister McLean, Minister Streicker, and I quickly came together two days later with the Yukon and Whitehorse chambers of commerce and several business owners to discuss the impacts of that decision 48 hours later.

On March 16, 2020 — a short nine days after the Arctic Winter Games cancellation — Premier Silver took strong and decisive actions when he made —

### Speaker's statement

**Speaker:** Order. Minister of Energy, Mines and Resources will be careful to identify your colleagues by their portfolios, please.

The Minister of Energy, Mines and Resources, please.

**Hon. Mr. Pillai:** Sure, Mr. Speaker. He took strong and decisive actions when he made what would be the first of many announcements on supports to come when he rolled out a stimulus package to support businesses and workers.

This included the temporary support for cancelled events program. While the Arctic Winter Games was the first major event to be cancelled as a result of COVID-19, it certainly wasn't the only one to come in the days that followed.

Planning for major events takes a great deal of lead time and effort. This particular fund covered off events which occurred between March 7 and July 31. There were 90 successful applications for 24 events, resulting in \$1.8 million rolled out over the duration of this program.

The paid sick leave program was also part of that stimulus package. Through the Department of Economic Development, we have allocated \$1.2 million for the delivery of this program which provides the very necessary funds to support Yukon workers and self-employed people to stay home when they become sick or are required to self-isolate.

We know that the financial pressures resulting from the need to stay at home are very real, and this is not the time to add to an already stressful time for Yukoners. We simply could not risk the health and safety of our community. In less than a month after the Business Advisory Council was established, we launched the Yukon business relief program. I believe the group came together on March 25 and we were announcing the start of the business relief program on April 9 — just 16 short days later.

We have allocated just over \$12 million to this fund in the supplementary budget. At the onset, the program was to help Yukon businesses that were seeing a 30-percent reduction in revenue, and eligible businesses could receive up to \$30,000 per month. As of September 24, the program has been extended through to the end of this fiscal year and it has been adapted to better align with the changing needs of Yukon's business community. Businesses experiencing an operating deficit are

now eligible and the list of eligible expenses has been expanded.

Mr. Speaker, we've continued to listen and adapt our programs to make sure they are as effective as possible. Through our partnership with the Department of Economic Development, businesses are able to access one-stop shop for the Yukon business relief program and the federal government's regional relief and recovery fund being offered through CanNor. This was all possible because of strong partnerships with our federal counterparts at every level of government.

I think it is important as well to thank the CanNor team and their leadership — and Sierra, who is there, and her work — because it was an unprecedented collaboration between CanNor and the Department of Economic Development. Those public servants truly rose to the occasion. I just appreciate what they all did for Yukon businesses and all Yukoners.

We have heard many stories of how impactful these funds have been. As of September 22, 434 Yukon businesses have received \$5.1 million in funding. In recognition of the additional risk that many lower income essential employees were also suddenly faced with, the Yukon essential workers income support program was rolled out based on what those individuals were faced with.

Through funding announced by the Government of Canada, Yukon was given flexibility to design a program best suited to our unique needs. Using the guidelines for delivery of critical, essential, and other services as the basis for eligibility, we are providing a wage subsidy of up to \$4 an hour to a maximum of \$20 for up to 16 weeks. This amount identified in the supplementary budget of just over \$4.3 million is recoverable from the Government of Canada.

Our Liberal government will continue to listen to the needs of Yukoners, and it will remain focused on ensuring that we move through this pandemic well-positioned from an economic standpoint. Whitehorse was named the most entrepreneurial city in Canada in 2018, and we are so lucky to have this incredible array of businesses here in the territory.

It has been inspiring to see businesses pivot and adapt over the course of the past several months, whether it be shifting to online commerce, offering a renewed method of delivery for services, or adjusting practices to ensure the health and safety of customers and employees. Your dedication and passion are exemplary.

If businesses can adapt in these ways, we know that government should be prepared and ready to support as well through the unexpected. That is why we have requested an additional \$2 million in funding for adaptive pandemic response. Having flexibility to swiftly adjust to meet the requirements necessary to ensure that our needs are met will remain a priority for our team.

Now is the time for us to band together to support our local economy. It is more important than ever for all Yukoners to understand the impacts of what buying local means, and our local businesses have so much to offer.

Our Liberal government understands that the mineral resource sector is one of great importance to the Yukon. Our

operating mines have done a phenomenal job of adapting to the unprecedented challenges brought on as a result of COVID-19. From adjusting shift schedules to adapting to new and challenging health and safety protocols, they continue to weather the storm. We recognize the importance of supporting the sector through all phases, from early exploration through to development.

We also understand the broad range of sectors impacted by the mineral resource sector and how a downturn in exploration can have far-reaching effects.

Hearing such concerns from businesses, the decision was made to increase expenditures for the Yukon mineral exploration program by an additional \$1.1 million, for an unprecedented total of \$2.5 million in investment. The \$2.5-million investment would allow recipients to leverage an additional \$8 million in Yukon for this exploration season. We know that exploration numbers will be down a bit this season from what was originally projected, but we also know that this boost was much-needed and appreciated by many.

Our government continues to advance the work we committed to in promoting responsible resource development balanced with environmental management and demonstratable benefits for Yukoners.

Mr. Speaker, I'm going to thank the Yukon chambers board. I had a lengthy meeting with them last evening, and we talked about the challenges this year and also the many successes, as we see a number of new companies starting to make the Yukon their home since the spring. I was communicating with one of the CEOs last night of a new company — just saying how, even under the current circumstances, the support that the government is putting into the sector, as well as — it's just such a favourable jurisdiction for investment.

It's good to see those new funds coming in and also good advice from the Yukon Chamber of Mines on the fact that we have to get our work done now to ensure that we have clear protocols in place for what we believe will be a very exciting exploration season next year, as we see unprecedented amounts of money being raised across the country in this sector.

So we see very exciting times in 2021.

A few weeks ago, the Premier, the Minister of Environment, and I launched *Our Clean Future: A Yukon strategy for climate change, energy and a green economy*. The two projects identified in the Yukon Development Corporation supplementary budget are strongly aligned with goals and actions identified within the strategy. The requested \$9.275 million in capital expenditures are fully recoverable from the Government of Canada through the green infrastructure stream of the Investing in Canada infrastructure program.

The battery storage project is the first project I would like to speak to. This project is key to harnessing the renewable energy produced through solar and wind sources. It will provide 40 megawatt hours of backup capacity to provide grid stability by maintaining generating capacity through peak demand.

At this time, Yukon Energy Corporation is undertaking a period of public consultation to determine the best site for the

battery, as has been discussed publicly over the last couple of weeks.

The second project is the Mayo to McQuesten transmission line and upgrading of the Stewart Crossing substation. The result will modernize the aging infrastructure, improving the reliability for residents in the area and ensuring that Victoria Gold's Eagle project and Alexco's Keno Hill project have access to a clean source of renewable energy provided by on-grid generation.

Our government believes that the mineral resources extracted in Yukon — where we are well-positioned to take advantage of environmental, social, and governance, or what is known as ESG, financing we believe that this criteria is the best path forward for the sector. When we contemplate that resource extraction is necessary for the future of a green economy, we can be proud to stand behind the resources that are extracted here — in particular when the process is using renewable energy sources. We are very happy that these projects proceed at this time as further stimulus to our economy as we navigate the impacts of COVID-19.

These items have been extremely welcome additions to our capital expenditures from a private sector perspective. Our government is committed to doing what is right and necessary for Yukoners and is supporting them through this challenging time. We have listened and we have taken definitive action. We are continuing to be prepared to adjust and assist going forward, whether that be as we navigate a second wave or on the road to recovery. The projects we have developed in partnership with the private sector and with other levels of government are playing a critical role to ensuring that the business community is supported. The work we have done over the past four years ensure that our physical framework is well-positioned to weather any storm that we are faced with and should not be overshadowed by the supplementary budget.

Spending has been thoroughly contemplated and we have committed to fiscal responsibility while investing in and meeting the needs for all Yukoners — whether that be the environment, our economy, or health and well-being.

I am proud of the work that we've done and I look forward to continuing this work. I am extremely grateful to the residents of Porter Creek South who have supported me through my time as their MLA. It is an honour to represent their values and needs.

Mr. Speaker, in closing, I do want to specifically thank those in Energy, Mines and Resources who put in long, long hours to deal with some of the early challenges that we had putting in the proper protocols, working above and beyond. I truly appreciate that. I also specifically thank people who worked on policy in the Department of Economic Development. I truly thank them for the work they've done. They put in a tremendous amount of effort and long hours. They knew how much was on the line and they certainly delivered. For those individuals who were building policy in real time, I just want to thank them for the work they did. They have made all Yukoners proud of that important work that they did at that particular time for all of us and the economy.

**Ms. McLeod:** As I have said, it's always a pleasure to rise in budget debates. I am going to take this opportunity to thank the people of the Watson Lake riding for their continued support.

One of the most disturbing results of this pandemic for me as an MLA has been the loss of opportunities to connect with folks through drop-in coffee times, seniors' lunches, meetings with the chamber of commerce, and the many social gatherings we used to enjoy. It just isn't the same to talk on the telephone or converse through text messages.

However, I continue to push for improvements for Watson Lake — things that will have a beneficial impact for the people of the community and throughout the riding — things like lighting, proper land development in all forms, crosswalks on the Alaska Highway, improved cellphone coverages, and a number of health-related matters.

The single most important health matter has been the travel assistance for rural Yukoners — and, indeed, for most Yukoners. I am pleased to see the government finally moving forward on implementing increases to medical travel subsidies. The Official Opposition has been requesting a review of the medical travel subsidies and rates for a number of years. We have questioned the government and presented a number of concerns and constructive solutions from constituents throughout the territory during debate. Yukoners deserve to be able to put their health first without having to worry about the hit to their financials just to travel for medical purposes. It is a step down the right path, Mr. Speaker, and it will help ease the increasing financial burdens that Yukoners experience with medical travel.

Now, this is certainly a different year for us here in the Legislative Assembly. Spending is at an all-time high with this government. Of course, this is, in part, due to COVID spending, but on the one hand, we see projects being undertaken by the government that may be a little over the top.

I tabled a letter in the House that I had written, along with the Member for Lake Laberge. His constituents are concerned that government is installing 45 street lights that they did not ask for. My constituents in Watson Lake have been asking for a few street lights to be installed along the stretch of the Robert Campbell Highway that is used by pedestrians. Now, this is in order to help increase safety to both pedestrians and motorists — so, 45 streetlights. In this letter, we proposed that the government consider reallocating some of those lights to Watson Lake. Well, that is not going to happen.

I would like to give my thanks to all those essential and front-line workers who have continued working to provide essential services to Yukoners and to the teachers, parents, and students who continue to make the best of a less-than-optimal situation and to those business owners and tourism operators who are doing everything they can to keep going despite all odds being against them during this pandemic.

I will have some questions as we move into Bill No. 205. Health and Social Services has over \$43 million in sums required in this appropriation for O&M and over \$8.6 million in capital. I will look forward to finding out where these funds

were spent and how the government made the decisions that they did to spend them.

We have almost double the deaths this year from previous years due to drug overdoses — specifically opioid-related. Mental health concerns are on the rise, and I am curious to see just how much of that extra spending went to help those who may require additional mental health supports.

I am not going to take any more time today. I look forward to getting into more in-depth discussion about the spending and more with the minister. In closing, a note to all of my constituents: I will continue to bring matters of importance to them to this House.

**Mr. Gallina:** It is an honour to continue to represent the riding of Porter Creek Centre. It is a growing, diverse riding with passionate community members who regularly share their insights and concerns about how to make their community a better place to live.

When this Liberal government took office, we did make a commitment to put Yukoners first, and this year has been a true testament to how we have worked with and for all citizens of this territory. My colleagues have touched on many aspects of these supplementary estimates, but there are a few that I would like to highlight because of their relevance to my constituents in the growing riding of Porter Creek Centre.

We recognize that sport organizations are important to Yukoners. This global pandemic has created challenges for our local athletes and organizations this year, which include limiting organized sporting events and the closure of larger events, such as the 2020 Arctic Winter Games and the Native Hockey Tournament.

I have a strong connection to multi-sport games in this territory. I'm the father of a gymnast who had been training for years to participate in the Arctic Winter Games here in Whitehorse. Needless to say, our family was devastated when the decision was made for the games to be cancelled for the safety of Yukoners and those who were planning to visit.

As we look back on that time when the decision was made, we know that it was the right thing to do. I feel that we're in the situation that we're in right now with very low COVID-19 cases and the ability to visit friends, conduct business, eat in restaurants, and play sports because of the actions by this government to keep Yukoners safe in the early days of this pandemic.

In these supplementary estimates, this government established the support for an events funding program this year to assist organizers of these events in recovering losses as a result of the pandemic. The financial request for this program is approximately \$3.5 million and has helped many organized sporting events with financial support during these exceptional times.

As a government, it is our responsibility to support our community when our decisions negatively impact social activities and events, and this was no exception. As a result of this government's decisions related to organized sports and closures of events, many organizations have been financially impacted. My colleagues worked with their federal

counterparts, who saw the federal government create a temporary relief fund of \$72 million for sport organizations. Of that, Yukon received \$1.6 million to distribute among our 38 local sports organizations.

This funding is for assisting these organizations and to help cover COVID-related expenses that were incurred over the course of this year and to assist them in moving forward and adjusting operations under the current guidelines. Fortunately, the full \$1.6 million is 100-percent recoverable from the federal government.

A primary theme and focus of this government has been the health of Yukoners. Constituents in Porter Creek Centre are wide-ranging, from younger generations who benefit from strong family, health, and educational support systems to empty nesters and elders who have varying health needs and look to government programs to provide health support as these folks transition into their golden years.

Decisions made by this government to help Yukoners address the COVID-19 pandemic were not taken lightly. We recognize the financial impact that this pandemic has had on our society at large, and we have taken many important steps to ensure that Yukoners and Yukon businesses receive the support that they require.

Although previous years have not been an exception, this government continues to work closely with our federal partners to ensure that we maintain our course in building a strong Yukon economy and transition toward economic recovery.

Our tourism industry is also suffering as a result of this pandemic. COVID has negatively impacted more than one million tourism jobs across Canada due to the restrictions of travel. Anticipation for another record year of visitation here in the territory was quickly washed away as our territory and nation tightened their restrictions on travel and began requiring a two-week isolation period when entering the territory.

The department's response came early on in this pandemic, and efforts were geared toward stabilizing Yukon tourism businesses. The development of relief programs to mitigate the impact of the pandemic was a clear priority. In these supplementary estimates, the Tourism and Culture department re-profiled portions of its budget to allow flexibility for funding support initiatives such as the tourism cooperative marketing fund and marketing campaigns targeting British Columbia residents as well as Yukoners. The tourism cooperative marketing fund itself increased to over \$1 million for 2020 and 2021. Eligibility requirements for this program were also loosened to ensure that more businesses and organizations could apply and access the necessary funding.

As part of the recovery, the Yukon Tourism Advisory Board reviewed the *Yukon Tourism Development Strategy* and determined that a new value be added that highlights the significance of the health and safety of visitors as well as Yukoners.

The tourism recovery strategy focuses on rebuilding confidence and capacity for tourism, refining Yukon's brand to inspire travellers to visit our incredible territory, preparing operators for recovery, and, of course, instilling tourism leadership.

The regional relief and recovery fund under the Canadian Northern Economic Development Agency through the federal government has provided \$3.93 million in funding to assist Yukon businesses with COVID recovery.

This loan program is running from September 2020 to March 2026 and will assist many small- and medium-sized businesses here in the territory in their recovery efforts. These interest-free loans will have principal payments deferred until December 31, 2020, and will provide Yukoners with the flexibility that they require during these economically challenging times.

Mr. Speaker, community development is equally important to constituents of Porter Creek Centre. The community development fund provides long-term sustainable social and economic assistance to Yukon communities. Between 2019 and 2020, this government approved 87 independent projects for funding for a total commitment of \$2.8 million, with over \$2 million of these dollars being disbursed since April 1, 2020.

We've seen many different projects come through, all designed to enhance the quality of life of Yukoners in creative and impactful ways, from the development of outdoor spaces for community markets, an educational program, to the curriculum and training programs for indigenous people and support for high-risk individuals. There is no shortage of creativity or willingness from Yukoners to help those in need. Yukoners want to support each other, and they want to know that their government supports them in their initiatives.

Programs like these encourage brighter and more prosperous futures, which cannot be understated during a time like now. All of these successes are the result of dedicated and hard-working Yukoners, many of whom are volunteers.

Mr. Speaker, none deserve more recognition than our essential workers. When our world began locking down, these brave people stood up and put their health and wellness on the line for the greater good of our territory. It is important that society and governments recognize the valuable role that these people play in our everyday lives. On May 19, 2020, the Yukon Essential Workers Income Support program was created in an effort to provide the much-deserved income support that lower income essential workers needed. This assistance has gone a long way in helping many of my constituents in a time of need. This program has received over 250 applications and approved over \$245,000 in funding.

Mr. Speaker, we have many programs and supports that were launched this year to assist employees and employers at large. We understand the frustrations and challenges that many Yukoners are facing and we continue to engage with Yukoners on many fronts to ensure that they do receive the supports they require.

It is a lot to ask of citizens to take two weeks away from work and to self-isolate when there isn't certainty that they are infected. The paid sick leave rebate provides options for small business owners and employees with limited paid-leave options and opportunities.

We want to ensure that we are supporting Yukoners every way that we can, especially when we have implemented public

health-related guidelines. This program provides income coverage for employees required to self-isolate as a result of developing COVID-like symptoms. We don't want Yukoners to feel like they have to choose between potentially infecting others and maintaining good financial standing in their household. This program has received over 140 applications and approved over \$270,000 in funding. We hope that Yukoners will continue to do the right thing during these trying times and know that this government is willing to support them so that they can make the right decisions no matter how difficult it may be.

Mr. Speaker, it is no secret that local businesses have been hurting. Unfortunately, we have seen some close. Some struggle to hold on, and some more fortunate ones succeed. The Yukon business relief program is an effort to help Yukon businesses survive the economic hardships presented this year. This grant program provides financial relief for fixed costs for businesses impacted by COVID-19. Eligible costs include: commercial rent and lease; telephone, cable, Internet and satellite services; business insurance; mortgage interest on owned premises; and much, much more. The government has received over 450 applications and has distributed over \$4.7 million in funding to support Yukon businesses.

Mr. Speaker, this summer has been a difficult one for many Yukoners as we rethink and adjust to new ways of connecting with one another and doing business. Change is constant and, in addressing this pandemic, these words truly speak to the situation that we are all faced with.

My Liberal colleagues and I have been working hard since the pandemic started. We have engaged with constituents to understand their frustrations and their needs and to provide many necessary supports, as well as answer important questions that they have raised with us on a regular basis.

Mr. Speaker, as an MLA, I would say that the single greatest challenge I have faced in working with my colleagues to respond to this pandemic is my limited ability to check in on people face to face to hear about how people are doing as they adjust to health measures and other restrictions. Without these personal connections, I am significantly limited in my ability to share valuable information with people that may help them and their families.

In response to these challenges, I have mobilized for my constituents in many ways. Since this past Spring Sitting, I have regularly met with my Liberal caucus colleagues to plan and adjust to this pandemic. These connections allowed me to further understand government decisions and share that information with my constituents. These connections with my colleagues also allowed me to bring forward constituent concerns and questions. I know that this input was considered by this government in how Yukoners have been supported during this pandemic.

I was able to host a constituent event this past summer on the shores of the Whistle Bend pond. I managed to select a day when it wasn't raining much, and I was able to create a forum for meaningful, physically distanced conversations with folks in an outdoor setting.

I heard concerns about what the school year would look like, with some parents wanting more remote learning options while other parents wanted to return to full-time classes. I heard from teachers who wanted more time to prepare for the upcoming school year and work to hone new operational plans. In contrast, I heard from teachers who were eager to start classes right away, knowing that the school community would come together, mobilize, and once again create a safe and loving environment for learning, because we know, Mr. Speaker, that many children have a home life that may be unstable, or even volatile.

As well, Mr. Speaker, in a way, to continue the conversation with Yukoners, the Liberal caucus hosted a virtual town hall focused on the government's response to this pandemic and keeping Yukoners safe. Over 770 people have viewed this virtual town hall where the Premier, the Minister of Education, the Minister of Community Services, and I answered questions from the public about emergency measures.

As other members have stated here in this Assembly, the way in which we connect with one another has changed in this new reality that we find ourselves in. I know my colleagues and I are committed to being open and accountable to Yukoners and will continue to find ways to hear from Yukoners and help Yukoners understand the decisions that we make as a government and continue to make ways for Yukoners to bring their issues forward and be heard.

In closing, I would like to say thank you to my team for their hard work and dedication, and I would like to thank constituents of Porter Creek Centre for allowing me to represent them here in the Legislative Assembly. The job is demanding during a normal year and considerably more so when faced with the challenges of our current times. I know this government will continue to act in the best interest of Yukoners. While balancing our decision-making is challenging, we've done our best to deliver on what Yukoners want and what they need.

I do look forward to all members of this House supporting these supplementary estimates. I'll do as far as to note from Hansard that, this Fall Sitting, the Member for Kluane has shown support for these supplementary estimates. He has stated — and I quote: “We are not necessarily opposed to any of the government's spending... We do understand that money is required to address the issue during the pandemic.”

As well, the Member for Kluane went on to state — and I quote: “While we can agree — and I can say this — that many of the actions were taken were necessary and effective...”

With that, I'm encouraged that members opposite are supportive of these supplementary estimates as a means to support Yukoners in these extremely trying times.

**Mr. Kent:** It is always a pleasure to rise to respond to budgets or money bills or speeches from the throne or any number of things in this Legislative Assembly. I think that all who are elected here — no matter which side of the House we are on — should be very honoured and feel very privileged to represent the individuals who sent us here.

As we are about to enter the last year of this government's mandate and there is an election on the horizon, like all members in the House, I would like to take the opportunity to thank my constituents in Copperbelt South. It has been just about four years since the last election, and it has been a real privilege to represent them here and to meet them on their doorsteps or in meetings, whether it is at the Golden Horn Elementary School council or in the yard at the school as I either drop off or pick up my young son who started kindergarten a year after we got elected here and is now in grade 3 at Golden Horn Elementary School — so, time certainly flies by as we approach the next election.

I would also like to thank the teachers at that school and the past principals — Ms. Close and Mr. LeBlanc — and welcome the new principal this year — Ms. Dennis — to Golden Horn Elementary School and wish her very well as the year progresses.

I have also had the opportunity to meet with a number of community associations throughout my time as the MLA and I value those opportunities. There are some awesome organizations out in the riding of Copperbelt South — whether it is involvement with the city's trails work or FireSmart or just engaging with their citizens in cleaning up garbage along the highway or pulling weeds or other things — I have had an opportunity to participate in a lot of those activities with them, and I thank them for all of their work and their commitment to the various neighbourhoods in Copperbelt South.

I would also like to thank all of the businesses out in my riding and the individuals who have engaged with me over the past number of years. It has been very informative and a pleasure to help them with their particular issues — whether it is slow Internet or issues with government departments or other governments — it has been a pleasure to represent them, as I mentioned.

I would also like to thank Mayor Curtis and the council, particularly councillors Hartland and Boyd, who I have interacted with on a number of issues over the past four years. They have been very responsive. Much of my riding lies within city limits. There is a portion that is outside city limits, but it is a government I have interacted with on a number of occasions, and I would really like to thank the mayor and council for being very responsive to the concerns that I have brought forward on behalf of residents throughout the riding who are located within the city limits.

Obviously, it has been a while since we gathered here. In March, at the height of the pandemic, we cut short our Spring Sitting and only sat for nine days. Since that time, the Yukon Party has also elected a new leader, and I would like to welcome Currie Dixon to that role. I know many of us — or all of us — are looking forward to him leading the party into the next election.

I would also like to take the opportunity to thank the MLA for Lake Laberge as well as Linda Benoit for putting their names forward during our leadership campaign. We had a record number of members vote, and there was a lot of excitement and there continues to be a lot of excitement around the Yukon Party as we move toward the next election.

Since we adjourned in the spring, I have fielded so many questions and inquiries from constituents and Yukoners alike. Many are specific to the riding, and many are specific to the territory as a whole. I would like to thank the ministers who were able to respond and act on some of the questions or queries or letters that I sent throughout the summer. Work on the roads in the Golden Horn subdivision — I thank the Minister of Highways and Public Works for being responsive to those letters and getting work crews out there late this fall to accomplish the repairs that needed to be made to the roads.

I look forward to hearing more from the Minister of Community Services when it comes to the expansion of the rural electrification program, hopefully into city limits. I know it was a throne speech commitment that was made by the Liberals last year, and we look forward to getting some answers on when we can see that implemented. I know there are many people within city limits who are anxious to access that program — but we have also heard from municipalities that have questions and concerns. We look forward to getting into Community Services debate and asking those questions.

Some of the other individuals who either live in my riding or live throughout the Yukon and whom we heard from during the pandemic — during the early phases — had questions about reopening. We have heard from people in the personal services — the salons, the hospitality sector — and, of course, tourism operators are anxious to get the full tourism recovery plan announced.

We heard a number of health concerns early on as well from the health care allies and the closure of their businesses — from the dentists who were shut down from the end of March until early in July for things other than emergency issues and then to Yukoners who were on the wait-list for elective surgeries or other procedures such as for cataracts and the challenges that they were facing when the hospital was shut down early on in the pandemic — and then it later reopened.

I have heard a number of concerns around housing affordability and the wait-list and the rent supplement program. I recently sent a letter to the Minister responsible for the Yukon Housing Corporation about this.

Mental health — we have talked about mental health issues throughout this pandemic and the negative effects. We talked about it on a motion day, and we have talked about it in Question Period. Again, we will look forward to digging in with the appropriate ministers when we get to those departments here over the next while.

Many contracting and procurement questions have arisen during the pandemic as we have migrated to the new online system. I know that my colleague, the Member for Pelly-Nisutlin, will have questions for the minister about that. There are lots of questions around the borders and the openings with all of our American friends travelling through and on the routes that have been assigned. The early mistake made by the Liberal government in listing specific businesses along the route created a real challenge. One of the things that jumped off the page — and it was brought to my attention by the Member for Watson Lake — was that, when that list of designated

businesses where travellers could stop was provided, there was only a gas station on that list from Watson Lake.

There were no hotels. There was only the one gas station — none of the other gas stations or RV parks. That created a real challenge. The work of the Member for Watson Lake caused us to question the government, and they later changed that document that they were giving out at the border so that it was a route designation, rather than naming specific businesses or picking winners and losers. That was a big concern early on in the summer that was rectified, but some of the businesses felt that this created an awful lot of damage to their operations.

We have heard from a number of Yukoners who value our outdoor spaces. There have been hunting and fishing concerns brought forward and concerns with the recent announcement of increased camping fees, as well as a petition that was tabled earlier this week. It had a small number of signatures on it for the official petition that met the forms of what the Legislative Assembly had, but an earlier petition that we tabled had, I think, some 28 or 30 signatures on it from residents along the Tagish River who are looking to ensure that not only their concerns for their property values are addressed but also their concerns about the enjoyment of that property.

The list goes on and on as far as what I have heard from individuals throughout the pandemic, the concerns that they have brought to me, and what we intend to bring forward.

I just want to spend a little bit of time now speaking about my specific critic roles. I will start by thanking the officials from Energy, Mines and Resources, as well as Education and the Yukon Development Corporation, for the briefings. Energy, Mines and Resources only has one line in the supplementary — increases to the Yukon mineral exploration program. Of course, in the shortened Spring Sitting, we never had an opportunity to debate the larger budget — the mains — from Energy, Mines and Resources, so I will have a number of questions for the minister when we get into that department on the mains as well as the YMEP program that has been enhanced through the supplementary budget. There are any number of issues that we could talk about and that we will talk about on the energy and the mining file. I look forward to engaging in that debate.

As I did mention to the minister's officials at the briefing — and I'm sure they passed that on to the minister — one topic that I will look forward to discussing is with respect to the Faro mine. I know that there are no longer dollars in the Yukon's budget with respect to the remediation of the Faro mine, but there are still some questions that I'm hoping the minister can answer when we get into debate on that specific department.

One of the other critic roles that I have is Education, and there has been no shortage of outreach and concerns from parents. There are social media groups that have concerns with grades 10 to 12 here in the Whitehorse area not being returned to in-class, full-time learning. It's a hybrid model where students are in class half the day and then, for the other half of the day, they're doing online learning either in a study hall or at home or often at their parent's workplace, if that's what's needed.

I know we have talked a lot about it in Question Period, but I'm hoping to get into some of the details with the minister

about that specific planning. One of the topics that we have talked about a lot in the early days of this Fall Sitting is with respect to the Wood Street Centre and the programs being moved from there. One of the other Facebook groups that has been created is with respect to the music, art and drama program and how that program has been negatively affected.

The minister — earlier on today during her response to the petition brought forward by the Leader of the New Democratic Party, the Member for Takhini-Kopper King — admitted that communication was poor between her and the students, so hopefully that's a step in the right direction and they can clean up that issue when it comes to communications on this. Those students have a very successful program and are feeling left out and ignored, and that's why we see the Facebook group with hundreds of Yukoners, and that's why they have brought a petition forward. That's why representatives of that program — whether past parents, past students, or past teachers — have attended the Legislative Assembly and sat in our gallery on a number of occasions early on in this Sitting.

Of course, again, unlike Energy, Mines and Resources, we did get to talk about Education in the Spring Sitting for a little while. Most of that conversation was around the COVID response, the extended spring break, what last year was going to look like — and that type of thing. We will look to ask some more questions of the minister when it comes to the school reopening plan, the federal funding and what the plans are for that, and, of course, what the minister has identified as a priority, which is getting grades 10, 11, and 12 students in Whitehorse back in class full time. We will be looking for updates from the minister on when we can expect that to happen — because many families are struggling with that arrangement. Some whom we have heard from — and I'm sure some whom others have heard from — are doing okay with it, but many whom I have talked to are having to have their children seek external counselling or mental health supports because of the new system that has been put in place by the minister and her colleagues. Others are struggling with respect to the transportation. Many of those who live in the periphery of Whitehorse are finding that they are on the bus for an extended period of time and they are missing portions of their online learning. We will be looking for some answers and some possible solutions from the minister on the transportation issue.

Some families are struggling because they find themselves having to assist those students when they are either at home or in their workspace — or, I guess, not in the study hall — but they are having to assist students with the online portion of their learning. We talked about this earlier on in Question Period today, and the minister admitted that she was puzzled that high-school-aged students were having difficulty with transportation and learning. I would encourage her to take a look at some of the Facebook pages or take a look at some of the letters that were sent to her by parents and students. Hopefully she will be able to understand the concerns and the challenges that many Yukon families are facing with the grades 10, 11, and 12 students in Whitehorse not being in class full time.

That said, the other responsibility that I have is with respect to the Yukon Development Corporation, so I look forward to — I understand that the minister at one point earlier on in this Sitting mentioned that representatives of the Development Corporation and the Energy Corporation will be appearing as witnesses, so we will look forward to getting into further detail with them at that time.

That said, I thank the House for their time today and we, of course, will not be supporting these supplementary estimates when it comes to a vote at second reading, but I look forward to hearing the remainder of the speakers here and closed, of course, by the Premier when he gets the opportunity. Again, I thank the House for their time here this afternoon.

**Ms. Hanson:** I want to thank the Member for Copperbelt South. It is refreshing to actually hear a member stand and speak without using government communication-ese or spin and to talk about, from an experiential point of view, the experience of being a Member of the Legislative Assembly — identifying the issues and concerns that each of us here has raised from our constituents. I thank him for that, because those are real, they are important, and we share them as members of this Legislative Assembly and it goes to the very crux of the thoughts that I have as I stand here today to talk in general debate about this bill and the circumstances that we find ourselves in since we had our abbreviated Sitting in the spring.

I am privileged to represent Whitehorse Centre, a riding that I am coming up on my 10<sup>th</sup> anniversary — December 10, I believe. Don't ever call an election — I am warning anybody to never call an election in November/December. I can tell you that it is dreadful to canvass at 40 below — just as a heads-up.

Whitehorse Centre is a riding that has faced many challenges, and this pandemic has and is continuing to bring many challenges, in a concentrated form, to Whitehorse Centre.

Whitehorse Centre is very diverse. If you look at the changes over the last 10 years just in housing stock — just in the demographics, it's quite astounding. When I look and talk with people who have started businesses, struggled with businesses, lost businesses over the last while, that strikes me and it causes me concern. When I see businesses or people who have come to the Yukon under the auspices of, say, the Yukon business nominee program — where they're required to invest significant amounts of money in businesses in order to be able to gain access to citizenship, ultimately, in the Yukon — and I see government taking actions — or lack of action — that are causing huge stressors for those businesses, that threaten to cause them to fail because of lack of a coordinated communication and work by government departments, I have an obligation as a Member of the Legislative Assembly to raise those concerns and to be the voice. That's my job. Each one of us has that obligation — including yourself, Mr. Deputy Speaker.

It's interesting when I hear the members opposite talking about “our team” as though it's an exclusive group. Well, quite frankly, that's offensive. We are all on this team. We are all members of this Legislative Assembly. That's our team: It's not the Yukon Liberal team. We represent the citizens of Yukon.

I'm offended and I think Yukon citizens are offended to have this notion that there's a superior team over there and they're the ones who make the decisions solely.

Quite frankly, Mr. Deputy Speaker, that has been the experience since mid-March when this Legislative Assembly abruptly — and appropriately — shut down in response to perceived threats from the COVID pandemic. But one of the issues I want to speak to today before I speak to some of the particulars about the *Supplementary Estimates No. 1* for 2020-21 has to do with how we maybe learn from the experience since March and we, as Members of the Legislative Assembly, can contemplate working together going forward — because, quite frankly, this pandemic is not over and nobody has given an end date. Nobody has said: On this date or that date, it's finished. Finis.

I think that from any objective point of view, the functions of this parliamentary democracy, if not utterly failed, could at least be described as stuttering along over the last number of months. I don't say that to be overly critical, but I am offering a critique. I offer that critique because members on this side of both opposition parties made repeated attempts over the last months to find ways to engage in a meaningful way as Members of the Legislative Assembly on the record. We were rebuffed at every attempt. We have heard from outside — external to this Legislative Assembly — observations being made about the process. Those are often totally panned by the government side, but I think we should have the humility — we hear a lot about humility — as part of the government's response. Someday I would like to see it demonstrated, but so far, I haven't. The word is there, so I am going to seize it, Mr. Deputy Speaker.

One of my colleagues from the Yukon Party earlier this Sitting made reference to — but didn't describe — a study that was done by the Samara Centre for Democracy. He didn't describe what they actually are and what they said. I'm looking at the opportunities that we have going forward as a parliamentary democracy. Just for the record, the Samara Centre for Democracy is a nonpartisan charity dedicated to strengthening Canada's democracy. It focuses on evidence and reforms needed to make Canadian politics more accessible, responsive, and inclusive.

I wondered — when I read over the last couple of years about Samara, I thought it was referencing some sort of a biblical reference, but it's actually not. Samara is the winged helicopter seed that falls from a maple tree. It is actually a symbol of Canada. From small seeds, they say, big things grow.

In looking at what was going on and how provincial and territorial legislatures had adapted or not to COVID-19, they made a number of observations. I wanted to share some of those with this House before I close with some comments with respect to *Supplementary Estimates No. 1*. I will just quote here — and for Hansard, I will provide them a copy of this so that they have it.

They say — and I quote: “The COVID-19 pandemic has affected our parliamentary democracy differently in different parts of the country... it's important that we draw lessons from the experience... especially given the risk that legislatures may



once again need to restrict their activities in response to future waves of the virus.” There is no guarantee in this game.

One of the observations that they made was that “Oversight delayed is oversight denied” so “Keeping legislatures closed until the emergency response is over means that Opposition parties may eventually be able to hold governments accountable for their choices, but aren’t able help to shape the response in real-time.”

I have heard repeatedly from government members great listings of all the wonderful things that the money has been spent on in supplementary estimates, but that’s not the sole prerogative of government, and that’s part of what the Samara Centre is saying — that by denying all Members of the Legislative Assembly to engage in that debate, you are denying the responsibility to help shape the response.

At the time they wrote this, they said: “... essential that provincial and territorial legislatures resume regular and ongoing scrutiny of their governments’ response to the pandemic in a manner that allows all Members of each legislature to take part. Legislatures should also develop contingency plans to allow scrutiny and oversight to continue should a second wave of infections force renewed restrictions on travel and public gatherings.”

That’s exactly what we have been calling for — why we have asked for SCREP or any of the other venues. We are in the 21<sup>st</sup> century. We can create the rules. That’s our job as Members of the Legislative Assembly — to create the rules to respond to the circumstances. It’s not simply to say that the status quo is fine. We heard enough about that yesterday.

One of the other observations was — and they actually use the Yukon as an example. The heading was “Haste can make waste”. They talk about how “Trying to rapidly push through legislation can lead to inappropriate measures being adopted...” — and they used Alberta’s Bill No. 10 and Newfoundland and Labrador’s Bill No. 38 — “... unnecessary stand-offs...” — as occurred in Manitoba, where they had a filibuster — “... or the need to re-examine the choices after the fact (e.g. the Yukon budget).”

They also went on to say that “... legislatures would be better served by finding ways to hold sufficient debates that allow greater participation by a larger number of Members, or by adopting only the principles only the barest minimum of legislative changes needed to respond to the pandemic should be made through emergency sessions with a reduced number of Members” — not just with government but with members, Mr. Deputy Speaker.

They also, again, make reference to Yukon. They talk about how “Cooperation is best done in public”. “As shown with the negotiations around the Yukon budget, the desire to quickly respond to the pandemic can lead to closed-door negotiations between senior Government and Opposition lawmakers.” That can happen.

They go on to talk about how “While cross-party collaboration is generally encouraging, these elite-focused processes marginalize the vast majority of MLAs who are not party leaders.” Sorry, party leader, but it is the truth.

“They also move major debates out of the legislature, with its public record of debates, making it difficult for citizens to know what options were considered, who should be held responsible, or even — in the case of the Yukon budget — what decisions were made.”

“While constructive cross-party collaboration should be encouraged, it should take place in public legislative sittings.” This is the essence of parliamentary democracy. What are we afraid of in this territory? What is the Yukon Liberal government afraid of?

So, they say: “Usual business is necessary, but not necessarily business as usual — Given that the COVID-19 pandemic may last for another year or more, provinces and territories will need to find ways of considering non-pandemic business.”

“Legislatures also must recognize that many individuals are distracted by the impact of the pandemic and that many civil society organizations are struggling financially.”

“Rather than rapidly passing bills before they can attract public attention and input, legislatures should find a way to expand their engagement with citizens.”

They talked about the virtual processes used by the Province of British Columbia — the virtual consultations that they have done.

Over the summer, there were many attempts by various members of this Legislative Assembly to suggest that we give thought to and be creative about structures. They used the heading “Whither committees?” — “Given the smaller number of Members required and the chance for focused scrutiny on issues like health and education, it is surprising that most legislatures have made little or no use of committees during the pandemic.” Well, hello — we fit right in there.

“Moving committee meetings online would provide Members with new opportunities...” — here I talk about Committee of the Whole. The opportunity is to do that. We don’t know what’s coming down the pipe. Why are we so reluctant to even talk about thinking about how we’re doing to maintain a parliamentary democracy under challenging circumstances? Failing to plan is planning to make scrutiny difficult.

I’ve heard many times from the members opposite about transparency and about accountability. I would like to have a conversation about how that’s going to happen, because having government members stand up and rhyme off pages of decisions already made and expenditures already made is not parliamentary democracy. That’s not what you got elected for; it’s not what I got elected for. Nor is it accountability, when you finally do get a summation of the supplementary estimates, to be handed a document that says, “Oh yeah, health care and public health responses — we spent \$33.7 million.” You say, “Gee, on what?” You’re told: “Well, we spent \$33.7 million.” Well, how do I have an informed discussion about that? Or — “We spent \$44.8 million on financial and economic supports.” We’re charged, as the opposition and the Official Opposition, with holding government to account.

The government alleges that it is open and transparent. So, after seven months, why do we get a rollout that tells us that, on

emergency management, coordination, and enforcement, we spent \$6 million?

Great — what does that mean? Absent the briefing notes, do any of the ministers and the back-benchers on the Liberal side know what it means? Absent the briefing notes, do any of the ministers and the back-benchers on the Liberal side know how those decisions were made? What issues were not included? What perspectives were not included? From my riding, what measures were being taken to address the real and serious concerns raised by residents and businesses in the downtown core as a result of the impact of the decisions made by the Yukon Liquor Corporation and the Department of Health and Social Services to create major conflict in an intense area in downtown and to not respond in a respectful way to the concerns being expressed over 18 months by citizens and businesses and to not take seriously the threat that some of those businesses will be out of business? Some of those residents are being forced out of their homes. How do I know? I don't get a response. I am not involved in the discussion.

When I hear a Liberal back-bencher saying that he has met with the Liberal government colleagues, I say, "How very nice." Those of us on the opposition side represent 60 percent of the electorate of Yukon. Surely if we're talking about respect, transparency, and accountability, we might find ways to work together to make the process more accountable and transparent. We might not fall back and say, "Well, that's not how we've done it. We're not prepared to consider any other options. Just trust us, and we'll tell you how well we did." Quite frankly, after four years, that has worn really thin.

There are many questions because there are so few details. My colleague, who spoke just prior to me, was very polite. I am trying to be polite, but I can tell you, Mr. Deputy Speaker, that it is very difficult at this stage of the game given the responses we have received or lack of.

**Hon. Mr. Mostyn:** It is a great pleasure today to rise to speak about the supplementary budget. It is also a privilege to represent the constituents of Whitehorse West — my privilege and my pleasure. As I have walked through the neighbourhood recently in past months and years, I'm always struck by the thoughtfulness and kindness and just the generosity of the people whom I represent in the riding.

This year in those meetings, that generosity was bestowed upon me in a time of great crisis, and that is the backdrop upon which this document, this supplementary budget, lands this year during a once-in-a-century global pandemic. The finances reflect these extraordinary circumstances in the Yukon, in Canada, and around the world.

I state this intentionally to be perfectly clear because, as I found out this weekend, there are people who do not accept the reality of this pandemic. They say that it's a hoax, that it doesn't exist, that it isn't a threat, and that the actions we have taken to protect people are not just an imposition, they are wholly unnecessary. They told me that it's not real — do the research. This, as somebody who values information — the provision of information, the dissemination of information, the reporting of information — and public safety, I find it deeply troubling. This

is where we are, in a world where an illness that has killed more than a million people in a few short months is a hoax.

Well, let me be clear: It is no hoax and there is no government on the planet that isn't struggling to navigate the predicament we all find ourselves in here in October of 2020. COVID-19 snuck into our lives 11 months ago from China in mid-November, according to a report in *The Guardian*. I note this because it provides important context.

Since November, in just 11 months, this new virus about which virtually nothing was known has killed more than a million people around the world — and shockingly, more than 20 percent of those deaths are in the United States, one of the largest and most sophisticated countries in the world with some of the best medicine. Around the world, 35 million people have fallen ill. Borders have been closed, businesses have shut down, non-essential government travel has been extinguished. In Canada, there have been 168,000 cases and about 9,500 people have died — 9,500 Canadians.

In Yukon, we have had 17 confirmed cases, and thankfully nobody has died from that illness. The Yukon has tested more than 3,800 people. All of these statistics colour the supplementary budget and we must recognize the result — zero deaths, few cases. That hasn't happened by chance. It hasn't happened by chance. It happened because Yukoners made extraordinary sacrifices in the face of this public health crisis. You stayed at home and limited visits and physical contact with your mothers, fathers, sons, daughters, brothers, sisters, aunts, cousins, and friends. You limited trips to the grocery store, practised social distancing and hand-cleansing and you wore masks. Some of you worked from home and were thoughtful, careful, and disciplined when you couldn't. You installed plexiglass in one-way aisles, social distancing markers on sidewalks, in aisles, and before cash registers. All of this — everything that we figured out and accomplished and adapted to in a very short period of time — in the seven months since the Arctic Winter Games, really — has put us in a position of relative safety, a position almost unheard of in the world.

That safety is tenuous. Some question continuing these measures. Some call them a hoax and say that it's totally unnecessary. I have had people ask me, "Well, we have no cases, so why are we proceeding down this path?" I say, without reservation, that the sacrifices we have made and continue to follow are not unnecessary in the face of the Yukon situation. We forget that the discipline and sacrifice you, as Yukoners, continue to make are the foundation of our relative safety — we forget that and we get sloppy with the rules at our peril. We must know and acknowledge that there are people walking our streets today who would be dead had it not been for our diligence, kindness, and thoughtfulness to each other throughout this pandemic so far.

I see evidence of that kindness and thoughtfulness every day in Whitehorse West. My constituents are incredible people, and I thank them daily for their support and guidance. As I walk my dogs, Dexter and Winston, every day, I started to keep an eye out for the colourful and whimsical rocks that somebody has painted and placed discreetly along the trail for youngsters to find — an impromptu scavenger hunt devised to provide a

little fun for people in troubled times — mostly children, I suspect.

I smile to myself at the consideration I've seen in the people in my riding, because every time I have met other people on those trails, without exception, they have moved safely off to the side of the trail to maintain social distancing. Often we talk, at a safe distance, about how they are coping with this pandemic. Many have stories about how difficult it has been dealing with a family member or friend struggling with physical or mental illness or a drug addiction all alone, and they are heart-rending stories.

I know the problem first-hand and empathize with anyone who has faced this problem. I'm also struck almost daily by people's personal resilience and understanding and compassion, their willingness — indeed, selflessness — to do what it takes to impede the spread of disease in the territory and across the country.

We do what is necessary to save people's lives. They understand, and that's what warms my heart. Make no mistake: The effort is paying off. As I said, it is precisely why we can be as open as we currently are. The goal of keeping Yukoners safe has driven and sustained my colleagues and I since March. It is why we worked through the summer alongside the civil service, delivering all the normal services people expect and, on top of that, building, choreographing, and delivering all the financial supports, policies, and measures to sustain the Yukon citizens and businesses most adversely affected by this pandemic.

Such public service and support lies at the very heart of government, which exists to serve the people. This pandemic has shown us where people are united and where they're divided. Our country has worked together, regardless of region or political stripe, very closely, and the results are obvious. Canada hasn't avoided every problem, but we have been responsive and, on the whole, successful.

Others have foundered, falling prey to mixed messages, snake oil peddlers, and mindless partisanship. The results have been catastrophic.

Many of these services and supports lie at the heart of this budget. Incredibly — as the Premier has noted — it is not as large a supplementary as some in the territory have seen, and it includes all of the necessary supports and protections we've been able to provide Yukoners in need.

A lot of the supports have been supported through the Premier's experience, sharing the Council of the Federation and the relationships that he has built on the Yukon's behalf. It has been helped through the experience we've all gained working with Yukoners and our peers across the country.

During a crisis, you cannot estimate the importance of experience and the relationships that come with it. It helps make us tough. It helps us make tough, decisive decisions like closing the Arctic Winter Games. It helps us make responsible decisions, such as creating supports to keep people and businesses financially sound in the face of a global crisis. It helps us make intelligent decisions like getting contracts out the door to keep people working and businesses running.

That, it has to be noted, was done because this House — this Legislative Assembly — in March of this year passed our

budget and it gave us the spending authority to be able to continue to put these contracts out. It has allowed us to convey to peers across the country and in Ottawa the challenges of our small territory and the challenges we're facing dealing with this pandemic.

The Yukon has received millions in support and we've deployed that money, alongside millions in investments of our own, to quickly help any Yukoner in need. Those Yukoners whom I have spoken with this summer appreciate the Liberal government and its federal counterpart making the necessary investments they need to weather this pandemic as well as humanly possible.

We hear the Official Opposition qualify their support; it comes with strings attached. I have to assume that they're not willing to support Yukoners if there's a deficit involved. On this we disagree. We're not willing to let the economy collapse merely to balance the books. When a crisis of this magnitude happens, we have demonstrated that we will respond responsibly to support Yukoners. Unlike our conservative colleagues across the floor, we will not hold back supports simply to balance the books.

To my constituents in Whitehorse West and Yukoners across the territory, we will not sacrifice you or subject you to needless suffering. This is the time to invest in our people at their time of need. We are with you every step of the way. We hear people compare public government with private business. This pandemic has thrown the difference into sharp relief. If you have any doubt, look at the US which is being run by a CEO like a business. Canada and the Yukon are parliamentary democracies and run as such. The difference cannot be more stark.

The government is responsible for all its citizens, not just the bottom line. It unites people in the face of a crisis; it doesn't divide it. My colleagues and I on this side of the House and across the country take this responsibility very seriously. It is why we have worked tirelessly throughout the pandemic, without a break, to ensure that our people and their businesses are supported. I have heard, in the media at the onset of this session, opposition members saying that they are eager to get back to work and that they are happy to be back at work. I am happy that they want to work, but it is clear that they don't understand governance, because the work never stops and it hasn't stopped. The government never stopped working. While other politicians took the summer to camp or held down second jobs, civil servants were working throughout the pandemic. Some said in this very House, that we took a holiday. Well, we have all heard insinuations that our incredible civil servants took a holiday as they worked from home. This is a shocking and abhorrent assertion — ignorant.

All members of this House know that, on March 19, we unanimously shut down the Legislature after agreeing to sit as long as possible to pass the budget — unanimously agreed to shut down the House. Late into the evening, the opposition finished all their questions — every one — and then we voted. After the vote, we agreed unanimously to suspend the Sitting until October 1. We unanimously agreed to suspend the Sitting

until October 1. On October 1, we resumed our Sitting, as promised.

The Member for Copperbelt South, who was very gracious this afternoon — it was lovely listening to him — said, in closing remarks, “I’m hopeful that, this fall when the House reconvenes...” — this fall, October 1, when the House reconvenes. Guess what? On October 1 — as scheduled, as promised, as normal — the House resumed and started to look at the affairs of state over the intervening months. The evidence is in Hansard; it is there for all to see.

So, I thank my colleagues, the government, and civil servants of all stripes across the country for their incredible work throughout the pandemic, supporting Canadians. A call-out for special recognition of civil servants within the Yukon government — a very small organization, relatively speaking — who have worked so very hard under incredibly difficult circumstances — you have served your fellow Yukoners with distinction. You have demonstrated incredible commitment, imagination, diligence, empathy, and professionalism during this global health crisis.

Imagine, for a moment, trying to design and roll out imaginative new supports for Yukoners in a matter of weeks, which usually takes months or years. Then imagine doing that while your home and office life is in turmoil, working from home, learning new technological tools and new management and work arrangements while balancing your family’s life and health. It has been an absolutely incredible effort on the part of our civil service.

The programs that you designed and rolled out while maintaining many of your usual duties — all the while, figuring out how to work outside your offices in the name of public safety — are of national calibre and, in some cases, are being considered for rollout nationally. This is a standout achievement for a very small jurisdiction, so thank you.

I know first-hand how challenging this has been to the Public Service Commission as it figured out how to keep Yukon government employees safe while also ensuring that their vital work can continue. Let me put a fine point on that: The work has continued in addition to the work needed to address the pandemic. It was a titanic effort.

Working closely with Highways and Public Works, the Public Service Commission orchestrated a wholesale move to work from home in the interest of public safety and to slow the pandemic. Public servants learned to use new technology and tools while deftly pivoting to address new evolving priorities as the pandemic situation unfolded and changed, sometimes on a day-to-day or week-to-week basis.

By all accounts, they have been successful in implementing a new work plan, and the proof is in the continuing advancement of our government’s agenda. I’m sure that you have all heard about our recent pilot plan to advance our obligation to have a representative public service. It began on October 1. This plan is designed to address the long-standing gap in the territory between the First Nation people who live here versus the number employed by the Yukon government.

The gap was supposed to be addressed with the passage of the land claim agreements, and it hasn’t changed in decades.

That’s shocking. I would love to hear my opposition colleagues’ views on that, but they don’t have any concrete thoughts or ideas — none they are willing to present, just insinuations and complaints and very few solutions.

I will tell you that we’re working to close the gap to make our civil service more inclusive — indeed, to abide by the historic commitments that we have made. The Public Service Commission is also addressing recommendations from the Financial Advisory Panel by redeploying the payroll function from Finance to PSC, establishing a new HR service centre division and exploring other ways to optimize Yukon government’s human resource investments and practices.

Amid the pandemic, we were also taking significant steps to improve our approach to housing for Yukon government staff. Our work aims to reduce the rental housing disparities in Yukon communities, incentivize private sector investment in rural housing, and prioritize housing for employees considered critical for community well-being.

All communities matter, Mr. Speaker, and we are full steam ahead. Highways and Public Works has many essential front-line workers who have worked throughout the pandemic and will continue to do so when and if needed to lock down again. Our Motor Vehicles branch was, I’m told, the only one in the country to remain open throughout the pandemic. It was the only one. This showed a selfless dedication to the public unique in the country. To these civil servants, I extend my deepest gratitude. To everyone else in Highways and Public Works, thank you as well.

ICT allowed employees to work from home in record time. Transportation kept our roads clear, open, and maintained. Our airports opened and operated safely. Property Management, as we heard in a tribute earlier this week, kept the buildings open, clean, and safe. They kept the territory connected and working. It was a titanic effort that must be recognized.

Mr. Speaker, there is so much more to talk about. I will say that I am confident that the work of this government from day one has made life better for Yukoners throughout the great territory that we live in, and we will continue to do so for the rest of our mandate. All communities matter, Mr. Speaker, and we demonstrate it through our actions in these unusual times every day.

**Speaker:** Is there any further debate on second reading of Bill No. 205?

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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Disagree.

**Mr. Kent:** Disagree.

**Mr. Cathers:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. Van Bibber:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. White:** Disagree.

**Ms. Hanson:** Disagree.

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

**Speaker:** The yeas have it. I declare the motion carried.

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

### **Bill No. 12: Act to Amend the Wills Act (2020) — Second Reading**

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

**Hon. Ms. McPhee:** I move that Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, be now read a second time.

**Hon. Ms. McPhee:** I'm pleased to bring forward the *Act to Amend the Wills Act (2020)* for second reading today. Our government is committed to modernizing Yukon's legislation to better represent the realities of today's society and to respond to the modern needs of Yukoners. I'm pleased that today we are honouring this commitment to Yukoners through updates to the *Wills Act* legislation — legislation that has not been amended since it was first passed in 1954.

Through our engagement that took place in November and December 2019, the Department of Justice heard what respondents wanted from an amended *Wills Act*.

As a result of the engagement process, the proposed amendments to the *Wills Act* focus largely on four main components: (1) clarifying the technical requirements for validating a will and providing powers for courts to correct common errors; (2) updating provisions involving marriage and adding provisions regarding divorce, separation, and common-law relationships; (3) ratifying the convention on international wills, which would enable Yukon wills to be valid in other countries; and (4) enabling the creation of a registry of wills in the regulations.

Mr. Speaker, it's important to mention that the proposed amendments apply only to wills created after the amendments will come into force. Wills that predate these amendments will not be impacted.

I would like to spend some time today introducing the key provisions of the proposed amendments to the *Wills Act*. By clarifying the requirements for validating an individual's will, the proposed amendments will answer previously unclear

questions regarding the mental capacity of testators and witnesses and also the conditions under which a surrogate signer can execute a will.

Currently, the *Wills Act* has no provisions related to spousal relationships other than marriage. The proposed amendments will put in place provisions for these situations that are consistent with other Yukon legislation. As is currently legislated, wills are automatically revoked upon marriage — and many people don't know that, Mr. Speaker. The amendments proposed repeal this provision and instead introduce provisions to deal with the termination of relationships and gifts to former spouses.

Further, these amendments will set out a process for dealing with gifts that fail, covering a number of situations that may occur to ensure that testators' intentions are respected.

In addition to these amendments which serve to update provisions already in the act, an additional provision has been added, enabling the creation of a wills registry in the Yukon.

The amendments will also ratify the *Convention providing a Uniform Law on the Form of an International Will*, which Canada signed on to in 1973, but individual provinces and territories must ratify each themselves. Ratifying the convention allows for Yukon wills to be valid in international jurisdictions that have also ratified, as well as enshrining in Yukon legislation the validity of wills that have been created internationally. This is an important change, because as we know, certainly pre-pandemic, Yukoners are great travellers, they are world citizens, and situations can and do occur where their wills may be international and need to be valid here or Yukon wills need to be recognized in other places.

These proposed amendments will more fully represent and protect the interests of Yukon's diverse population and will enhance safeguards for Yukoners against fraud or coercion. The majority of these amendments mirror legislation in other Canadian jurisdictions. These provisions are vital to ensuring that Yukoners keep up with best practices across Canada and that the final wishes of Yukoners are upheld across Canada or in international jurisdictions.

Our government is proud to bring forward an updated piece of legislation to better reflect today's Yukon. The items presented today demonstrate highlights of the proposed amendments that are found in Bill No. 12.

**Mr. Cathers:** I rise to this as the opposition critic for Justice. I would note that, generally speaking, we are supportive of the modernization of this to comply with the Canadian model completed in 2015 through the uniform law conference. It does seem to fit with best practices for wills.

I would, however, ask the minister to clarify the provisions and how they apply in a few situations just so that Yukoners can understand how it might apply to their lives. Whether she wishes to do so in her final speech at second reading or in Committee, I would just note that she could explain what the provisions will mean, first of all, for a situation — if someone is in a common-law relationship and they have a will, what the situation would be when one member of that common-law

couple passes away and, secondly, in the case of a common-law couple without a will, what would occur in those situations.

One additional point on that topic that I would just ask her to provide information related to is that — I have heard from some people who are in a situation where, because they have been in a common-law relationship for years with someone despite not having a will, they assume that they are treated as a spouse if they pass away and that their common-law spouse would inherit everything they had in the absence of a will.

Also, on the flip side, there are situations where I've heard from people — especially those who are perhaps entering into a relationship later in life after having already had children — where they want to protect the ability of their children to inherit and not have their new common-law partner be automatically assumed to be their spouse for the purposes of the legislation and resultingly to see that person inherit and have it supersede their intentions in the will.

Can the minister just elaborate on those points, addressing the concerns of couples on both side of that situation, with information? I would urge her, if she could, to explain some of it in plain language so that people who are reviewing what has been said are able to understand it without potentially being confused by terms such as intestate, et cetera.

I have misplaced my other note, so I will return to the other point in Committee and ask the minister to address it at that point in time. As I noted, we are generally supportive of this legislation. I would just ask her to address that question and the one that I will address to her later during general debate in Committee.

**Ms. Hanson:** I thank the minister for her comments with respect to Bill No. 12, *Act to Amend the Wills Act (2020)*. I would like to start by thanking the legislative drafters and policy folks from Justice who provided the briefing for opposition members earlier this month. It was a good, thorough briefing.

I did make the comment to the briefing team — as I have with the other pieces of legislation that came forward — that it would be very helpful for members of the opposition to also be provided with the annotated versions so that, when you see the current — rather than me and any of us sitting here with a bill and the amended bill — and it is one thing when the amendments for the *Wills Act* are 23 pages and the *Wills Act* itself is only about 14 pages.

It is quite another thing when we get to the *Condominium Act, 2015*, where both the amendment and the actual legislation are multi-pages. It would be very helpful to have that similar — you know, in my previous life — where you have an annotation — in a previous Legislative Assembly — like, in the 33<sup>rd</sup>, I believe — in fact we did have that kind of provision provided for us. It makes it much easier. We are trying to de-politicize the issues around wills, for goodness sake. People need a will.

We want to make sure that we all understand it. Again, as Members of the Legislative Assembly, if somebody asks us a question, we should be able to give them credible fact-based information. I don't think that we are asking for state secrets when we suggest that might be a way of facilitating informed

debate in the Legislative Assembly — that we all work from the same kind of sheet. The kinds of questions that may occur to me may differ from the critic for the Official Opposition or for members opposite.

That being said, I am a fervent believer in the importance of wills. Having been a child when my father was killed at age 38, leaving my mother with an intestate will and almost six kids in her care, I know from real experience that wills are important. I think that I am a proselytizer for it and my daughters are proselytizers for these. For every person they know who is thinking about getting married and having kids, one of their gifts is the form to fill out a will. I look forward to this discussion.

**Speaker:** Is there any further debate on second reading of Bill No. 12?

If the member now speaks, she will close debate.

Does any other member wish to be heard on second reading debate?

**Hon. Ms. McPhee:** I appreciate the comments from the members of the opposition. With respect to the details of Bill No. 12 which are now before the Legislative Assembly, I certainly will take note of the annotated version and how that might be of assistance to members opposite.

I will look into how those documents are provided. The briefings, I think, have been successful. As the Member for Whitehorse Centre noted, the officials are extremely well-informed and worked hard — not only the policy folks but the drafters — to bring forward this bill before the House after so many years. We're excited to have it before the Legislative Assembly for the purposes of modernizing this legislation and responding to modern Yukoners — both things.

I note that the Member for Lake Laberge has asked a number of specific questions. I think that they'll best be dealt with — and the appropriate time to do so — will be during Committee. I'm happy to answer those but I think, in this response, it might be better to make sure that we go through those one by one and are able to provide — not the legal advice but the information that's being asked for. I know that those are questions that many Yukoners have — probably about their current situation and about going forward.

What I will say is that, if and when this piece of legislation passes, it will only be with respect to future wills. Any of the current situations — wills that exist now — will be maintained under the current regime. There will be a chance for folks to look at their personal situations and decide what to do going forward. I'm happy to have us finish second reading and move into Committee where we can explore some more questions.

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 12 agreed to*

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** I will now call Committee of the Whole to order.

The matter before the Committee is general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

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. 12: Act to Amend the Wills Act (2020)

**Chair:** The matter before the Committee is general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

Is there any general debate?

**Hon. Ms. McPhee:** I'm going to ask the officials from the Department of Justice to be seated, and I thank them for joining me and all of us here today. I can introduce to the Legislative Assembly Ms. Sheri Hogeboom and Will Steinburg, who are a legislative drafter and a policy person

working on this particular project — and many other projects — at the Department of Justice. I want to thank them for being here today and for their patience in having us get to Committee of the Whole where we can answer some questions regarding this piece of legislation, Bill No. 12. I know that all of my colleagues appreciate their attendance here as well.

In my remarks earlier today during second reading, I began to discuss the changes that our government is proposing to the *Wills Act*. At this stage of the process, I'm pleased to spend a bit more time detailing the proposed amendments to the act for Committee of the Whole. As mentioned in my earlier remarks, the changes that we are proposing to the *Wills Act* reflect the responses that we received during engagement conducted in November and December of 2019.

The proposed amendments are divided into the following components: clarification of the technical requirements for validating a will; powers for courts to correct common errors and save gifts; updates to provisions regarding marriage, including new provisions and definitions concerning spouses, separation, and common-law partnerships; amendments allowing for the validity of Yukon wills in jurisdictions that have ratified the international convention and vice-versa; and a provision enabling a registry of wills to be created in the Yukon in the future.

Mr. Chair, before we discuss these amendments in greater detail, I would like to speak for a moment about the Government of Yukon's priorities, which these changes represent.

As Minister of Justice, the Premier has tasked me with the duty to protect Yukoners while respecting the diversity of our territory and the equality of all citizens. The amendments proposed to the *Wills Act* today in Bill No. 12 demonstrate the hard work of the Department of Justice toward the modernization of our territory's laws. This is certainly a priority of mine in the work that I've done since having the privilege of this job.

Yukoners deserve to know that their final wishes will be respected and upheld and that our legislation wholly reflects Yukon life. The original legislation, passed in 1954, does not represent the lives of today's Yukoners, the diversity of Yukon family structures, or today's social norms. If passed, these amendments will bring Yukon up to speed with other jurisdictions in Canada and ensure that Yukon has relevant, inclusive estate legislation.

Firstly, I would like to turn our attention to the provisions regarding spousal relationships. Yukoners' lives and families look much different from the way they did when the *Wills Act* was first passed 66 years ago. We know that today nearly one-third, or 32 percent, of Yukon couples living together are common-law. This is higher than the national average of 21.3 percent. Since the *Wills Act* was passed, the definition of "marriage" under the *Marriage Act* has changed, and some of the rights of married couples have been extended to common-law partnerships through legislation. We heard through our engagement that Yukoners want updates to the act to reflect today's legal landscape and cultural norms.

Among other changes to provisions, the proposed amendments create a framework for common-law partnerships within estate legislation that did not previously exist under the *Wills Act* or does not exist under the current *Wills Act*.

The amendments proposed today will modernize the act's spousal provisions in three key ways: by repealing the current legislated, automatic revocation of a will when a couple marries, unless explicitly stated in the will; by adding a provision regarding divorce to cancel gifts to a former spouse following termination of the relationship, unless a different intention is explicitly stated in the will based on the presumption that a testator or the person making the will does not intend to benefit their former spouse after the relationship has permanently ended and by implementing legislation that treats married and common-law spouses the same through the removal of the automatic revocation upon marriage; and lastly, by extending the divorce provision to common-law spouses following one year of separation without an intervening period of reconciliation.

These are some of the answers posed at second reading by one of the members of the opposition, and we can go into these more extensively.

Each of these three proposed amendments mirror the best practices and legislation in other Canadian jurisdictions. Updating the act with these proposed amendments ensures that all Yukon families are represented in legislation and reflected in the legislation.

I would like to now turn to another component of the proposed amendments to the *Wills Act*: the requirements for validating a will and powers for courts to correct common errors and save gifts. These amendments include provisions to prevent persons who do not have the mental capacity to fully understand the implications of the document from creating a will or from acting as a witness. A provision will also be added to clarify that no one may sign on behalf of the testator or the person making the will while also acting as a witness, which will safeguard the testator from a self-interested party who may validate the will by acting in both roles.

Further, amendments will be added to allow the court to amend or technically validate wills or gifts that would otherwise fail due to damage, a mistake, or a defect but in which it can still be determined that the testator's intentions are clear — that the intentions of the person making the will are clear.

Provisions will also delineate a system for dealing with failed gifts and set out priorities for their distribution, rather than the current process, which directs them to the remainder of the estate.

These amendments are consistent with other Canadian legislation and serve to protect testators' wishes while protecting them from fraud or coercion.

Moving on, Mr. Chair — as I mentioned earlier, another component of the amendment is the introduction of legislation that enables a wills registry to be created. During engagement, we heard from the legal community that a wills registry would be welcome. As such, we have included a provision within the amendments that would allow for one to be created in the future.

Finally, I would like to turn to the provisions regarding international wills in the Yukon. I think that this is an important modernization. It is important in the context — as I might have mentioned earlier — for Yukoners who are citizens of the world, although having to stay home just now.

The amendments we are proposing today include a provision that ratifies the international wills convention. These amendments will validate wills created in the Yukon in international jurisdictions that have also ratified the international convention. Ratifying the international wills convention introduces protections of Yukoners' either foreign property or assets. These provisions will also enhance the validity of international wills in the Yukon, a key consideration in a territory as diverse as ours.

Before closing, I would like to again underscore that these changes are applicable only to wills administered following the amendment of the *Wills Act* coming into force and not to wills that predate these amendments. I am pleased to present these changes to the *Wills Act*. The importance of modernized estate legislation here in the territory has been highlighted here today. I want to take one more chance to thank the folks who worked on this — the officials at the Department of Justice, two of whom are here with me today — Will Steinburg and Sheri Hogeboom — for their dedication and true professionalism and expertise in this area. I look forward to further discussions on these important proposed legislative amendments and to answering questions that might come forward.

**Mr. Cathers:** I would like to thank officials who provided the briefing for the information that they gave us, as well as the information that the minister provided in follow-up letters to questions that I had asked at the briefing.

I do have additional questions. I will just start out with ones that I mentioned earlier at second reading and which I would appreciate if the minister could elaborate on — those were with regard to common-law couples.

Part of the reason I'm asking that is that there are assumptions sometimes made by people about what they think the legal status would be if one partner of a common-law couple were to pass away — or perhaps they may be living together, but not really think of themselves as a common-law couple, since they just might have a different perspective on that.

So, in those cases — particularly in the first case, there's the question of — if there's a common-law couple and there's a will in place and one member of that common-law couple passes away — if the minister could explain what the situation would be with regard to the estate and inheritance. In the second situation, for a common-law couple without a will — if one of them passes away, what would be the default situation in that case? If one partner in a common-law relationship were to pass away without a will — if the minister could provide some information on both those points, that would be useful.

As I mentioned during second reading, if she could explain that using some plain-language terms in addition to the legal terms, I think that it would be helpful for people who are trying to get information about this new legislation and what it does, since some of the legal jargon is not immediately clear to people who might be looking for this information later through the



Legislative Assembly website and may not be really clear on all of those legal terms.

**Hon. Ms. McPhee:** Thank you, Mr. Chair. I think this will cover the situations asked about by the Member for Lake Laberge both in context — we're talking about in the context of Bill No. 12. The amendments made in Bill No. 12 to the *Wills Act* do not change the rights of a common-law spouse and the rights that they have under the express terms of a will. So, the first question was about — if there is a will and one of the parties passes away, nothing that will occur in these amendments will affect anything that is currently in that will or that is in that will — or the express terms or how that will should be dealt with.

Legislation governing the property of spouses is in effect — and I will come to that in a moment. There are two ways that the amended act would apply to common-law spouses, Mr. Chair. If the will includes a gift to a former common-law spouse, these would be cancelled if there was a permanent separation. So, if the couple is no longer together, unless the will said, “Even if we don't live together, this is the gift that I wish to give.” — gifts to the common-law spouse of a witness or a person who is signing a will on behalf of the person making the will, will be voided because of the changes — but that's going forward in relation to the changes that are here.

It's also important to note that these changes will not apply to any wills made before the amendments come into force and effect. So, only wills made after the legislation comes into force and effect will be affected.

With respect to the first question, if there is a will between a couple who are common-law spouses currently and one of them passes away or in the future one of them passes away, then the will will be followed. It will be complied with, and the executors of the will — or the people charged with carrying out the will — will be responsible to make sure that those wishes are met.

If there is no will in a common-law relationship and one of the parties dies, there is other legislation in the Yukon that deals with how that person's estate is distributed. Those will continue to apply in that situation. There is the *Dependants Relief Act* and the *Family Property and Support Act* might be applicable. Changes in Bill No. 12 are in compliance with those two pieces of legislation.

Again, for a common-law couple with no will and one of the parties dies, then the distribution of property or the estate of the person who passes away would be dealt with under the *Dependants Relief Act* or the *Family Property and Support Act*.

I think I will stop there. I think there are more questions about common-law situations. I will stop with those two specific answers and move on.

**Mr. Cathers:** I do appreciate that information. The minister made reference to other pieces of legislation, but perhaps if she could just — for the ease of anyone reading Hansard later — clarify. In the case of a common-law couple where one partner passes away without a will — those other pieces of legislation that she referenced — what priority would be set in the event that one member of a common-law couple

died without a will and they had children who would also potentially be obvious heirs to the estate?

**Hon. Ms. McPhee:** For reference to Hansard, the *Dependants Relief Act* and/or the *Family Property and Support Act* might apply in respect to the situations noted by the member opposite.

With respect to a spouse of a person who dies without a will — whether they are common-law or married, any rights that person has to the deceased person's estate would be under other legislation, as I said. The *Family Property and Support Act* and the *Dependants Relief Act* would apply in many of the cases, but for any situation where there is no will, there is also the *Estate Administration Act*, and it might determine how the deceased person's estate is distributed. Again, those pieces of legislation act in the absence of a will.

These acts are not changed by Bill No. 12, the *Act to Amend the Wills Act (2020)*, that is before the Legislative Assembly. I hope that's responsive.

**Mr. Cathers:** That does answer it. There have been issues in the past, including, at one point — I'll just speak to the issue at a high level so as not to compromise personal privacy — a situation where someone who had been in a long-term common-law relationship had contacted me after their partner had passed and let me know the fact that they were quite surprised, considering the many years they had been together, that when their partner passed away, in the absence of a will, there were no automatic rights being conveyed to them as a long-time common-law spouse.

I appreciate the minister clarifying that this legislation isn't really changing those provisions of the *Estate Administration Act* or of the other legislation that she referenced. That would lead one to the conclusion that, if that matter was to be addressed in some way, shape, or form, it would have to be considered separately in another legislative amendment.

I would also ask if the minister could just clarify, as it relates to common-law couples under Bill No. 12, the definition of “spouse” includes “... a person with whom a person is cohabiting as a couple and has done so for a period of at least 12 months.”

In looking at the information that the minister did provide in response to my questions at the briefing, I noticed that a number of other Canadian jurisdictions have longer terms after which somebody is deemed to be “common-law”. For example, in the case of British Columbia, it appears that two years is chosen as the length of time for a common-law couple; three years in the case of Alberta; two years in the case of Saskatchewan; two years in the case of Nova Scotia — with some others, according to the information the minister provided, not clearly stating a length of time there. Nunavut, as well, is a two-year period.

Could the minister just explain, since it looks like — from reading this — that the norm in Canada is to go longer than 12 months — it appears that the median choice of other jurisdictions is a standard of two years. Why was the decision made to put 12 months as the number in Yukon legislation, instead of going with a number closer to that two-year mark that seems to be more of the Canadian norm in that area?

**Hon. Ms. McPhee:** I thank the member opposite for the question; it's a great one. Looking at cross-jurisdictional scans is something that is done quite regularly in determining legislation and policy going forward, but the definition of "common-law spouse" here in this bill is designed to dovetail with other Yukon legislation that governs estates, including the *Dependants Relief Act* and the *Estate Administration Act*. Both of these acts define "common-law spouse" as "a person who has co-habited with another person, as a couple, for at least 12 months." So, matching the definition was designed to avoid conflicts or confusion, where more than one act might apply to a particular family or situation.

**Mr. Cathers:** My next question is with regard to handwritten wills under this legislation. The Yukon, under our current law, does accept a handwritten will that someone has prepared and hasn't had witnessed. Is that continuing to be the case going forward? Can the minister just please clarify whether there are any significant changes to what the legal status of a handwritten will would be — of course recognizing that this would apply to wills that are made out and signed after this legislation takes force?

**Hon. Ms. McPhee:** That is another great question. This is certainly something that Yukoners will be keen to know going forward with respect to these kinds of wills. To be clear, they are also known as "handwritten wills", which is a great description. They are also referred to as "holographic wills". I am not sure how that came about, but nonetheless, a holograph will is a handwritten will. There are no changes in this bill or anything in this bill that will change the current situation. Holograph wills are often a more accessible and affordable option for many people, especially in areas where legal services are not easily available. There are some of those, of course, in the territory.

Holographic wills continue to be accepted in all jurisdictions except British Columbia and Prince Edward Island. In those provinces, a holograph will can still be validated by the courts so that there is a process for that. That will not be necessary here. Nothing in Bill No. 12 will change the current state, which is, as the Member for Lake Laberge describes, an opportunity for individuals to have handwritten wills and describe what their wishes are in that form.

**Mr. Cathers:** Could the minister just clarify — using common language wherever possible for people who are trying to read this and understand it themselves — who under this new legislation will be able to witness a will if someone has chosen to go with a non-handwritten will and requires a witness? Who would be eligible to witness that will to have that will considered valid?

**Hon. Ms. McPhee:** I'm going to draw a reference to Bill No. 12, section 5. It makes reference to the fact that, in section 5(a) — "... the following subsections are added..." So, there is the wording there in Bill No. 12 that will be added to the *Wills Act*. It will describe that a person who signs a will on behalf of somebody who is making the will will be eligible to sign as a witness but to not also be an individual who benefits. So, a person who signs the will on behalf of the person making the will and at their direction may not also act as a witness. There's

a distinction there, but more specifically to answer the question asked, a person can be a witness to a will or to the signature on a will. They must be 19 years of age or older, and they must have the mental capacity to act as a witness. Those are both in that section 5.

**Mr. Cathers:** Just to clarify again for the record and for people trying to understand this area, I think it would probably be a fairly common thought that some people would think that they might prepare a will and have a family member witness it. Am I correct in understanding that, if the family member is also a beneficiary in the will, under the new legislation, they should look for someone who isn't receiving something from the will to sign it instead of a family member?

**Hon. Ms. McPhee:** I think that has always been the case. Again, we're not giving legal advice here but information. In the event that the member opposite is answering that question for someone, it has always been the case that caution should be taken that the person witnessing the signature — which is all that they're doing as a witness — to say, "I saw that person sign that document" — that they also not be a beneficiary under the will. It would be the cleanest way and the safest way for that to be the case. So, looking for someone other than a beneficiary would hopefully do away with any challenges in the future.

**Mr. Cathers:** I appreciate the information. Could the minister please indicate — for Yukoners who are considering making a will or who are considering revising their will — what resources are available to them, both online and in person, to assist them with that — particularly those that are available at no charge? Where can they look to find information about how to make a will and protect the interest of their chosen beneficiaries after they pass away?

**Hon. Ms. McPhee:** I would thank you again for another great question on behalf of Yukoners and the ability for us to provide some information in this format.

November — fast approaching — is Make a Will Month in Canada. During that period of time and that month, there are often particular programs or outreach to citizens to encourage them to make a will. Often the Canadian Bar Association has workshops or puts names forward of local bar members who are able to help individuals with that activity. There are resources at the Yukon Public Legal Education Association. They have informational booklets and resources. They're available both online and in print for individuals who would prefer that. There are other Canadian resources. I think it's incredibly important to make sure that individuals who are using some online tools are making sure that they are looking at Canadian resources. I encourage them to be sure about that.

The Yukon Public Legal Education Association is often known by the acronym "YPLEA". I think you should be able to find it very easily.

They also have an office here in town where you can visit and seek legal information from qualified lawyers who work there — again, not necessarily advice, but certainly information and help with finding resources going forward.

I'm happy to take the opportunity to encourage Yukoners to make a will. This will hopefully be in the news and people

will turn their minds to it, both because we're debating Bill No. 12 and because we're bringing long-awaited amendments to modern Yukoners for the purpose of having wills be responsive. It's so important for estate planning, for conversations with your family, for family planning going forward, and an expression of your wishes, as an individual, to your family members upon your passing.

It's a topic that many people don't like to have conversations about or that they do avoid, but hopefully speaking about the *Wills Act* and the changes that are being made here in a positive way — on the doorstep of Make a Will Month here in Canada and in the Yukon — will encourage many people to do that.

If there are other resources that come to mind over the time of us debating this, I will bring those forward — or if I have the opportunity for something that I haven't mentioned here today, I will provide that to the member opposite at a later date, but those are the resources that come to mind immediately.

**Mr. Cathers:** I do appreciate the minister's answer. In wrapping up my questions and remarks here during general debate on this legislation, I would like to thank the department staff of the day who suggested the establishment of Make a Will Month. That was something that started when I was Minister of Justice, but is an idea that I cannot claim the credit for. I would like to thank those who did suggest it for doing so, and I'm pleased to see the minister of the department continuing it.

In wrapping up my remarks, I would like to thank the minister. We have had a constructive debate on Bill No. 12, and I wanted to give credit where credit is due. The minister and the department have been helpful in responding to requests for information about Bill No. 12. As the minister and her colleagues know, we have had difficulty getting answers and financial information in debates on other pieces of legislation, including spending days in debate in the Sitting trying to get it.

I would just like to provide the notation to her colleagues that, if the government were as forthcoming with financial information as the minister has been in response to questions about Bill No. 12, we would not be criticizing them for the lack of transparency as we have been, and they would find that — like this afternoon — debate would go much, much smoother here in this Legislative Assembly when government is forthcoming with that information.

With that, I thank the minister and the officials for the information they have provided in the answers, and I will turn the floor over to the Member for Whitehorse Centre.

**Ms. Hanson:** I welcome the officials also to the Chamber for a few minutes, before we break for the day.

I would like to go back to section 3 — so just looking at the act — “Section 4 replaced” on page 1 — and this has to do with the age at which somebody can make a valid will. It replaces the section on infants' wills or something.

My question for the minister — it says that the current age that somebody can make a will — you have to be 19 years of age or older. My question is — I understood from the briefing that there were exceptions in certain circumstances — if she could outline for the House what those certain circumstances might be.

**Hon. Ms. McPhee:** I am making reference to — as the member opposite noted — section 4 in Bill No. 12. It notes that: “Section 4 is replaced with the following...” The ability to make a valid will — I am paraphrasing here — the ability to make a valid will — a person who, at the time the will was made, is 19 years of age or older and has the mental capacity to do so. There are, in that section, a number of exceptions and I think that this is what is being asked about. It notes that, despite 4(1)(a) — which I have just noted in paraphrasing it — a person who is under the age of 19 can make a will if they are a member of the regular force of National Defence Canada — regular forces under that act; if they are a member of another component of the Canadian Forces and, at the time that they are making the will, they were placed on active service under the *National Defence Act*; and individual members who are active duty service members in the Canadian Forces could make a will under the age of 19 if they are a member of the Royal Canadian Mounted Police or if they are a mariner at sea or in the course of a voyage — and if they, of course, have the mental capacity to do so.

Those exceptions are presumably based on the danger of the job or the opportunities that they have undertaken through their work. They might do so under the age of 19, and so it is appropriate to recognize that they could make wills for the purposes of setting out their estate.

**Ms. Hanson:** Those provisions sort of echo in more modern language the provisions under the previous legislation, I think. Someone can get married at age 18. What if they have a child? What if they have an estate? How is that dealt with in terms of wills?

**Hon. Ms. McPhee:** I think that the question — so that I am understanding it — is: What about individuals who are under the age of 19 and who don't fit into one of those categories? Are they not entitled to make a will? If they aren't, what are the repercussions of that for perhaps their spouse or children?

The *Dependants Relief Act* in the Yukon Territory that we mentioned earlier today in response to some other questions carves out a piece of the estate for the support of dependants, whether they be spouses or children. There is no age requirement with respect to that, so if someone had a child or a spouse under the age of 19 and did not have a will because they weren't entitled to make one under the *Wills Act* — or for whatever reasons didn't have one — and passed away, the *Dependants Relief Act* would be responsible for administering — or being the piece of legislation that's the authority for their property and estate to be carved out for the dependants. Those are defined in that piece of legislation.

Seeing the time, Mr. Chair, I move that you report progress.

**Chair:** It has been moved by Ms. McPhee that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee 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**

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, 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. Ms. McPhee:** 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. on Monday.

*The House adjourned at 5:29 p.m.*

**The following sessional paper was tabled October 22, 2020:**

34-3-51

*Advocacy Trails — 2020 Annual Report — 10 Year Review*  
— Yukon Child & Youth Advocate Office (Speaker Clarke)



# Yukon Legislative Assembly

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Number 52

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Monday, October 26, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

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#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, October 26, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Streicker:** I would ask all Members of the Legislative Assembly to please welcome here Chief Doris Bill, Elder Councillor Judy Gingell, and Councillor Charles Chief, who are here for our ministerial statement on the Kwanlin Dün First Nation *Lands Act 2020*.

If we could welcome them, please.

*Applause*

**Ms. Van Bibber:** I would ask the House to help me welcome Karen Forward, president of the Yukon Hospital Foundation, her husband and best volunteer, R.J. Hill, and board director Dana Klock.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Denim Day and the Yukoners cancer care fund

**Hon. Ms. Frost:** I rise to ask my colleagues to join me in recognizing Wednesday, October 28 as Denim Day. Denim Day is a fundraiser for the Yukoners cancer care fund. This fund helps Yukoners battling cancer and their families to cover some of the out-of-pocket costs that can be incurred during cancer care treatment.

2020 has been a year that none of us expected. It has been filled with unexpected challenges. A lot has been cancelled or postponed due to the pandemic, but cancer diagnoses haven't been put on hold. On Denim Day, Yukoners are encouraged to make a donation online and wear their jeans to show their support for the cancer care fund. I encourage my fellow members to make a donation to the cancer care fund to show their support.

In Canada, cancer is responsible for 30 percent of all deaths. Cancer has touched all of our lives in some way. Supporting the Yukon Hospital Foundation cancer care fund is one way that we can help Yukoners who are dealing with the unexpected challenges of cancer diagnoses.

Mr. Speaker, as Yukoners and as Canadians, we have access to a high-quality health care system. We have excellent options for treatment for Yukoners who must travel for care. We have a robust medical travel program. We are also fortunate

to have access to skilled and compassionate oncologists and health care professionals. All of this is vitally important, but often patients dealing with a cancer diagnosis can need other types of supports. For many patients, it can feel like a cancer diagnosis puts the rest of your life on hold.

This fund provides money directly to patients and their families which can be used for the many out-of-pocket expenses such as daycare, rent, or a mortgage, which aren't put on hold when someone is fighting cancer.

The fund was started in 2013, and to date over 250 families have accessed the funds, each receiving a grant of \$1,000. Providing this financial relief lessens the burden on those who are fighting cancer and their families, and it allows them to focus on their treatment and a path to recovery.

I encourage all members of this House, if they haven't already done so, to make a donation online and to encourage their friends and colleagues to do the same.

Mahsi' cho to all of the many volunteers who have contributed also to this great initiative.

*Applause*

**Ms. Van Bibber:** I rise today on behalf of the Yukon Party Official Opposition and on behalf of the Third Party to pay tribute to Denim Day 2020 and to the Yukoners cancer care fund. As many know, this is one of my charities of choice. Kudos to the amazing president of the Yukon Hospital Foundation, Karen Forward. This is an unusual year, when gatherings and fundraising are more difficult. As this is the main focus of her job, Karen continues to work tirelessly and cheerfully for the Yukon Hospital Foundation, plus she has the added work of the cancer care fund.

Traditionally, Denim Day is held in April, Cancer Month. We have raised almost \$25,000 over the past three years, and the fund has helped 251 families with a gift of \$1,000. This gift is to help alleviate financial stress during a patient's treatment. Many recipients have given us testimonies about their immense appreciation for the gift. I have told the foundation how they have used the money. The cancer care staff have also expressed their gratitude on behalf of their patients — from buying wood to extra health products that are not covered by insurance or public health. So many issues arise when you are told that your world has changed due to cancer.

Cancer has not stepped aside because of COVID-19 and the world pandemic. As the coronavirus has dominated our world news, our daily lives, and how we interact with all those around us, cancer still happens to our families and friends. Many organizations have found innovative ways to fundraise. Denim Day is also adapting.

This year, the day will be this coming Wednesday, October 28, so I look forward to seeing a variety of denim styles. Previously, \$5 buttons were sold at stores, and businesses were asked to challenge each other and to wear denim to work or to register for monthly donations.

Dana Klock, foundation board director, has stepped up to help us this year and requested that businesses buy blocks of \$5 buttons and wear denim on Wednesday to support this worthy cause. Check out the Yukon Hospital Foundation Facebook

page which is full of information. One can donate online very easily. I know Yukoners love to support each other. What better way to help? Get involved and see how many families we can help. Every \$5 adds up and the more buttons we sell, the more we can gift as, sadly, the need continues to grow. So, buy a button. If you don't wear buttons and don't want another item to contend with, you can still donate. Any amount would be appreciated. Get in touch with Karen Forward at the Yukon Hospital Foundation for further information and any questions you may have. Challenge others. Buy in bulk. Let's outdo the \$7,000 raised last year. Newsflash — just before, as I was walking in the House, we have beaten our \$7,000 mark and we are over that amount. Well done.

Cancer can and does cause distress, angst, and fear. Join in the campaign. Buy Denim Day buttons, become a collector of the pins, and we encourage everyone to wear denim on October 28, 2020.

Finally, thank you in advance to all who have made donations. Remember, donations don't stop on Denim Day; we accept all year. Those who need immediate help when their lives change so drastically also say "Thank you."

*Applause*

**Speaker:** Introduction of visitors outside of time provided for.

## INTRODUCTION OF VISITORS

**Hon. Mr. Streicker:** Thank you, Mr. Speaker. Could we please welcome His Worship, Mayor Dan Curtis who I think is also here in support of Kwanlin Dün's new *Lands Act 2020*.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Ms. Frost:** I have for tabling the *Yukon Child Care Board Annual Report* for 2018 to 2020, which is required under section 4(11) of the *Child Care Act*.

**Ms. Hanson:** I have for tabling a letter of resignation dated September 8, 2020, from the vice-chair of the Dawson regional land use plan.

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

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. Adel:** I rise today to give notice of the following motion:

THAT this House supports not reducing social assistance benefits for CERB beneficiaries in the response to the COVID-19 pandemic.

**Ms. White:** I rise to give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of a detailed breakdown of the \$33.695 million spent on pandemic management from the 2020-21 Health and Social Services O&M expenditures.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Kwanlin Dün First Nation *Lands Act 2020*

**Hon. Mr. Streicker:** On March 3 this year, the Kwanlin Dün Council passed Nän K'uk, their new *Lands Act 2020*, and it came into effect on October 15. The new act enables the Kwanlin Dün First Nation to manage their settlement land and to make it available to meet the residential needs of their beneficiaries and citizens.

It also provides them the authority to manage, protect, and enforce laws on their settlement land. The updated *Land Titles Act, 2015* this House passed in 2016 enables Yukon First Nations to register settlement land in the Yukon Land Titles Office without affecting aboriginal rights and title on that land.

Long-standing barriers have now been removed, including the inability of lending institutions to register a mortgage against a parcel of settlement land. This opens the doors for First Nations to pursue economic development opportunities on their land through long-term leases and other developments. The Kwanlin Dün First Nation has amended their self-government agreement to enable the registration of settlement land under Yukon's land title system.

The Kwanlin Dün First Nation has been working diligently with their citizens over many years to create a vision for the use of their land now and into the future. Today, we see much of their vision coming to life through their *Lands Act 2020*. I would like to congratulate them on all their hard work and forward thinking.

The Kwanlin Dün First Nation's Heritage, Lands and Resources department is developing policies and rules within the act as well as land registry so the department can administer the act and open the land application process.

When this is done, the Kwanlin Dün *Lands Act 2020* will be in effect and they will be able to make land available for residential, traditional, recreational, commercial, and industrial uses. This new legislation will enable the Kwanlin Dün First Nation to more effectively manage their settlement land in alignment with their values and it will create significant development and growth opportunities for the Whitehorse area.

Mr. Speaker, our government is proud to be working hand in hand with First Nations to support their land development capacity. Respectful government-to-government relationships with First Nations is a priority of our Liberal government. By working in partnership with First Nations, we have made some



innovative advancements that have paved the way for a bright future not only for First Nation citizens but for all Yukoners.

One area of focus is our integrated land development strategy to meet Yukon's current and long-term needs, including: restoring and maintaining lot inventories in Whitehorse and the communities; exploring and advancing opportunities for private sector land development; and providing broad support to First Nations in developing their land holdings for citizen housing and economic development opportunities.

I am very pleased to say that we are working with First Nations on several projects right now. For example, we are partnering with the Champagne and Aishihik First Nations to support the development of the Marshall Creek subdivision. The Lone Tree country residential and airport road industrial developments with the Teslin Tlingit Council have recently undergone a YESAB process. We are working with the Carcross/Tagish First Nation for adjacent Yukon government and Carcross/Tagish First Nation parcels and to look at a second access in Carcross. We have also initiated a joint planning process with the Kwanlin Dün First Nation for land development opportunities in the Range Point neighbourhood of Whitehorse.

We will continue to partner with First Nations and work with them to support land development activity. Congratulations again to the Kwanlin Dün First Nation on the enactment of their *Lands Act 2020*. It will bring many benefits to their citizens and to the Whitehorse area and is a significant achievement for the whole of the territory.

**Ms. Van Bibber:** Thank you for the opportunity to respond to this today. This is a positive development that I hope will have a lasting and positive impact on all Yukoners. This process goes back a number of years. Early in the summer of 2011, the former Chief of the Kwanlin Dün First Nation impressed on the territorial government the benefits of a concept of registering self-governing First Nation settlement land within the territorial Land Titles Office. With Kwanlin Dün being among the largest landholders in the City of Whitehorse, the prospect had considerable potential to address the city's land and housing shortage and realized a key component of the vision of Kwanlin Dün First Nation's agreements, therefore benefitting its citizens and all Yukoners. The pact and the promise made from one government to another became a major policy that both worked on over the next several years. The process, however, was not easy, as here we are — nine years later.

With the 2016 passage of the *Land Titles Act, 2015*, Yukon First Nations were now able to register settlement land without impacting their rights or title. Earlier this year, as the minister highlighted, the Kwanlin Dün brought in their new *Lands Act* which, I am happy to say, is now in force as of this month. This transformational change, I think, will have long-lasting impact and benefits.

While 99-year leases and other similar arrangements that allow for development on indigenous lands are in place across the country, once again, the Yukon is a trailblazer in that — in

our case — while First Nation settlement land can be registered with territorial Land Titles, First Nations maintain their right and title.

So, congratulations to the Kwanlin Dün First Nation for their hard work on this important file. As I have stated, this policy is a testament to the great achievements that can be accomplished by working in partnership. By fostering, growing, and respecting these types of relationships and partnerships, we will build a strong community and a stronger Yukon.

Congratulations and well done.

*Applause*

**Ms. Hanson:** The Yukon New Democratic Party congratulates the government and citizens of Kwanlin Dün First Nation on the proclamation of their *Lands Act 2020*, the Southern Tutchone title “Nän K'uk”, which translates as “We all look after our land”. This definitive statement of self-determination reverses decades of being ignored, or worse, as major decisions affecting Kwanlin Dün's traditional territory were made, whether it was the establishment of the community of Whitehorse with the forced relocation of the then-Whitehorse Indian band, the building of the Alaska Highway, the construction of hydroelectric projects at Whitehorse, Lewes, Marsh, or Fish Lake, or generations of land development by municipal and territorial governments — without input from the First Nation — all this came to an end on February 19, 2005, with the signing of the First Nation final and self-government agreements.

With the finalization of those agreements, the First Nation is now fully engaged in the planning and development of both settlement lands and surrounding public lands.

Mr. Speaker, during negotiations of the *Kwanlin Dün First Nation Final Agreement*, the First Nation negotiators selected many settlement land parcels based on their potential revenue generation. Kwanlin Dün First Nation is the largest landowner in the Whitehorse area. The Kwanlin Dün First Nation traditional territory land vision provides the Kwanlin Dün First Nation government with direction that supports planning for both settlement land and for other lands throughout its traditional territory. As members of this Assembly, we must remain mindful of the Kwanlin Dün First Nation land-based goals, and these include: community development; the goal of providing land for Kwanlin Dün First Nation residential and infrastructure needs; a goal focusing on wildlife to conserve areas of high ecological value and to maintain the health of wildlife populations; a goal of conserving areas of high heritage value while maintaining and creating opportunities for continued use of the lands; and the goal that seems to have attracted the most attention today of revenue generation — to make lands available to generate revenue for the benefit of the Kwanlin Dün First Nation community. We should be mindful as well that the key messages from the land vision include: that lands must be dedicated to protect important heritage areas and ensure their continued use for traditional activities; that certain community lands and portions of rural blocks should be used for revenue generation; and that remote rural blocks and their

adjacent areas should be managed primarily for traditional purposes. The vision includes that development should be minimal, with no new road access in those rural remote areas.

Combined with the work that the Kwanlin Dün First Nation government and others have done to modernize provisions of the Yukon land title system, Kwanlin Dün First Nation's land deck is testament to the commitment of this First Nation government to breathe life into the final and self-government agreements in a manner that respects traditional values and embraces opportunities for the benefit of both the Kwanlin Dün First Nation and all Yukon citizens.

**Hon. Mr. Streicker:** I would like to thank members opposite because the indication is that everyone in this House is very supportive of this milestone, and I think we are here to mark it with the Kwanlin Dün First Nation and the whole of the territory. I would like to acknowledge that, whenever we work with a municipality or a First Nation, we turn to that First Nation and ask them what their vision is for the development of land in their traditional territory or their municipal boundary. It is under their leadership about the planning that we will be supportive. I just want to say that we had a very productive meeting, probably in the last several weeks, and this was one of our main topics. Of course, we covered off many, but there was a desire to be even more proactive around this file working jointly as governments.

I think it's also a testament to the relationship between the City of Whitehorse and Kwanlin Dün First Nation. I just thank the members opposite for their comments of support and their recommendations to work in a way that continues to foster this relationship. Again, congratulations to Kwanlin Dün First Nation. I think it is a game changer for the territory.

*Applause*

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on education system

**Mr. Kent:** During Question Period on Thursday, we were asking about the minister's priority to get students in grades 10 to 12 in Whitehorse back to full-time in-class learning. We asked specifically about how this was affecting Yukoners' ability to get to work full time. In a bizarre response, the minister said — and I quote: "Clearly there are many things affecting individuals' abilities to go to work during a world pandemic..."

She went on to say — and I'll quote again: "... but the fact that teenaged students in grade 10 to grade 12 being at school for half-days is a puzzling comment to me." This comment by the minister is unfortunately out of touch with the lived reality of many parents and families. Many students struggled at the end of last school year with at-home or online learning, so now, some parents are taking time away from work to assist them. Why does this puzzle the minister?

**Hon. Ms. McPhee:** Returning grades 10 to 12 to full-time education in three of the high schools here in Whitehorse

continues to be our top priority with respect to the work going forward. During this time when school is in, we have had to adapt the programming for grades 10 to 12 students at the three largest high schools in Whitehorse. These operational adaptations were based on advice from the school administrators and the health and safety guidelines for schools to ensure safe spacing, managed traffic flows, limited mixing of groups of students — or too many students in a group. We continue to monitor and adjust the supports in the short term to meet the immediate needs of the students in the current model. We ensure that we are meeting students' learning needs as best as we can.

With respect to some of the students in this situation, they have done relatively well. We are working to support all students and continue to develop their independent learning skills and to provide services and supports for individuals who are not adjusting well to this current situation.

**Mr. Kent:** So, the minister has said she is "puzzled" that parents of grades 10 to 12 students would have their work affected by the schedule of having them in class only half time.

Due to the busing schedules, many families that live in the Whitehorse periphery are finding that much of their kids' online learning time is actually spent on the bus. As a result, some parents have made the choice to leave work and drive their kids to or from home so they won't miss any of the online portions of their learning day.

This is another example of how the Liberals' decision to have some students in class half time is affecting Yukoners' ability to work. But the minister said she is puzzled by the fact that many families are finding this difficult.

So, when will the minister get grades 10 to 12 back to full-time in-class learning?

**Hon. Ms. McPhee:** We will be able to return all grades 10 to 12 students in Whitehorse to full-time classes when it is safe to do so.

The first consideration in planning for the 2020-21 school year has been the health and safety of students and staff and ensuring that all schools remain low-risk learning environments for Yukon students, based on the advice of the chief medical officer of health.

**Mr. Kent:** So, many of the families that we've spoken with are telling us that, as a result of the current learning situation, their kids' mental health has been negatively affected and they are receiving private counselling services. Those parents often have to take time off work to ensure that their kids are getting to the services and, in some cases, are attending with them. This current situation is unsustainable for many families. The minister has stood here saying that getting all students back to full-time learning is her top priority. But as we know, the Liberal government is great at setting priorities but not so great at delivering on them.

So, when will the minister have a plan in place with timelines so families can have some certainty?

**Hon. Ms. McPhee:** I think certainty is something we would all like to strive for right now, but the concept of a world pandemic is new to us all. Everyone's lives have been disrupted. I certainly feel for the students and the parents

involved in the education system and the adjustments that have had to be made to comply with health and safety guidelines that are in place here in the territory — and frankly, across the world.

With respect to providing a plan going forward, it is being worked on every day, all day. With respect to how to return all of our students full time into school, you might remember, Mr. Speaker, that one of the priorities in this decision going forward was to have grades 10 to 12 in class every day — being connected to the teacher, their friends, and their schoolwork every day. It was a top priority.

This is complex work going forward. It is being done by the administrators and by our partners in education. It is critical work that takes time — potentially involving changes to core scheduling, to staffing, to space adaptations, and to student transportation. We truly appreciate the patience and the consideration being shown by everyone involved in supporting these students and our school communities.

### **Question re: Safe Restart Agreement childcare funding**

**Mr. Cathers:** In a letter to the Prime Minister, the Premier states that he earmarked \$2.6 million of the Safe Restart money for assisting with childcare for returning workers. The letter specifically states that part of this money will go to two community daycares. The Premier has refused to provide details and answer this simple question for four weeks.

Can the Premier confirm that this funding is earmarked for the daycares in Dawson City and Watson Lake? How much of the \$2.6 million is going toward these two daycares?

**Hon. Ms. Frost:** With respect to childcare and childcare supports during the pandemic — the member opposite raises a question or a point with respect to the supports for the Little Blue Daycare in Dawson City and the Watson Lake childcare centre. I'm very pleased to say that we have worked with these two childcare centres over the course of the last 12 to 14 months to ensure that we supported these two childcare centres, which historically were not funded or supported.

The two projects — the pilot project that we supported and sponsored — the initiatives — and we continue to do that going into the pandemic. We find now that these two childcare centres will be supported into the future. I just want to acknowledge the staff at these two childcare centres for advocating and pushing for equity, transparency, and fairness to ensure that childcare supports across the Yukon are equalized — that there are no disparities or discrepancies with how funding is allocated.

Direct operating grants — the early learning childcare funding is going to these childcare centres that we are speaking of right now.

**Mr. Cathers:** Well, this government is famous for non-answers, but the work that the minister said began seven months before the pandemic doesn't directly relate to the question that I asked.

I am not sure why the current government is so resistant to sharing information on how taxpayers' money is being spent. It took us two weeks to get the Minister of Health and Social Services to provide any details on her department's spending

and now we are on week four of trying to get details on where the Safe Restart funding is going, and the Premier is still refusing to tell us.

The Premier's letter to the Prime Minister also states that \$3.26 million has been earmarked for personal protective equipment for both health and non-health sectors. Can the Premier confirm if this money has been spent and will the government assist the private sector in procuring personal protective equipment to assist with the reopening of the economy? These are very simple questions, Mr. Speaker.

**Hon. Mr. Silver:** Mr. Speaker, we have been asked this question from the opposition a few times. We have answered every time. The member opposite is asking for information and we have given the information. The federal government committed to a total of \$19 billion toward the Safe Restart right across the country. In Yukon here, under the Safe Restart Agreement, Yukon will receive \$13.5 million in the Safe Restart portion of that funding envelope across six different areas. We have mentioned that they are going to support health care capacity and mental health, testing, contact tracing, data management, PPEs, childcare, vulnerable populations, and municipalities.

Most funding in the Safe Restart Agreement was allocated to provinces and territories on a per capita basis. We successfully argued our case to have a base-plus allocation; therefore, we do have the northern part of this funding. We have been very transparent as to what the money is being directed toward. It is just simply not enough information for the member opposite, but, again, with these types of funding envelopes, as we spend the money and as we get it allocated, we have been very up front as to what we lobbied for from the federal government in our Council of the Federation conversations and then our First Ministers' meetings conversations. We have been very transparent as to making sure that our needs reflect every single community, and we will continue to make sure that Yukoners have the provisions that they need during COVID.

**Mr. Cathers:** Mr. Speaker, the fact is that the Premier and his government are not providing the details. We are hearing high-level talking points while they continue to refuse to provide us with the real details of their spending.

The \$2.6 million that the Premier mentions in his letter to the Prime Minister that is going to childcare for returning workers — the Premier stated in the letter that part of the money is for additional support for cleaning and disinfecting childcare facilities.

Can the Premier tell us if this money has been spent already? What is the plan to ensure that these childcare facilities receive this additional support long term? While he is at it, he can answer the first two questions that I asked that he still did not answer.

**Hon. Mr. Silver:** The member opposite is correct. Some of that money does go to cleaning supplies. When we have any updates as to the money being completely spent or not, we will absolutely share that information. To say that we are not sharing information, Mr. Speaker, is just not so.

The facts are that, when we started our conversations with the federal government — the different envelopes in which the

Safe Restart Agreement money came from, we were very open. I had lots of conversations with the First Nation governments and municipal governments, as far as what their needs are on the ground floor. We then worked with our counterparts in every jurisdiction, the whole time, letting Yukoners know on a weekly basis — updating them on the conversations that we had been having at a national level. When we got the money, we told people exactly what the money was for, and now the member opposite says: “Has the money been spent completely?”

I don't have the information in front of me, as to whether or not the particular portion of that money was completely allocated, completely spent, at this time, but I will, again, state for the record that we will make sure that the monies that we asked for, that we successfully lobbied for — base-plus funding — which other jurisdictions do not get, but we do — that we will use those monies accordingly, when we do allocate them to the envelopes that were presented.

The federal government has recognized that per capita funding is insufficient and that is a huge win for the territories.

**Question re: Emergency shelter access to services**

**Ms. White:** Last week, Yukoners who picked up a meal from the food bank were told that the program would end at the end of October. Starting November 1, meals will only be available from the Whitehorse Emergency Shelter, except for dinner. The Whitehorse Emergency Shelter's drop-in hours end at 4:30 p.m., so only the people who stay at the shelter will have access to dinner.

Will drop-in hours at the shelter be extended, so that those in need of a meal can access dinner at the emergency shelter?

**Hon. Ms. Frost:** Just for the record, on November 1, the shelter will return to administering all meals on-site, with, of course, slightly modified hours of operation. There will be breakfast, lunch, and dinner provided. The efforts, with respect to the food bank and the supports there, I just want to shout out, of course, acknowledge the partnership during the pandemic — the support from the Whitehorse Food Bank was really necessary at the time and we are now acquiring those services back to the shelter and the hours are going to be extended.

**Ms. White:** So, we are still in the middle of a pandemic and winter is here, and Yukon's housing crisis is showing no sign of slowing down. People who are struggling should not have to worry about the basic need to get a meal if they need it. It is a question of dignity. Staff at the shelter and the NGO community have pulled together and helped hundreds of Yukoners over the last months, through this meal distribution program, and they showed what community means, when people needed it most.

So, just for confirmation, can the minister tell us that no person will be turned away when they need a meal from the shelter?

**Hon. Ms. Frost:** I would like to assure the member opposite and, of course, all Yukoners that the Whitehorse Emergency Shelter is in place to provide services to our most vulnerable population, ensure that they have food, shelter and, of course, the necessary services — always wanting to provide

all options. I certainly want to acknowledge that winter is upon us, and the shelter wants to ensure that all guests have a warm place to enjoy their meals. We want to ensure that our partners are fully aware of the services, and we are certainly doing that. We do not want to ever turn anyone away, as was the historical practice. It's certainly not our practice, because every person who enters the facility is well-respected and is respected for where they are, and the services are provided to them.

**Ms. White:** Just for clarification, when the minister says “guests”, is she referring to anyone who walks through the doors or only those who stay overnight at the shelter?

How will government inform Yukoners who need it that they will be able to access the meal in the evening through the emergency shelter, and what will the shelter hours be starting on November 1?

**Hon. Ms. Frost:** We spent the last week debating the supplementary budget for Health and Social Services and, in particular, for the Whitehorse Emergency Shelter. Part of the cost was to address the core needs of the shelter, and part of that was to ensure that we provide services to all of the guests. “Guests” mean the clients who appear at the shelter. No one is turned away. If you present and show a need for a meal or the services that we provide at the shelter, we certainly want to ensure that every person who enters is given the support that they require.

As well, the hours have been expanded. As of November 1, all of the services will be provided out of the Whitehorse Emergency Shelter.

**Question re: Dawson regional land use planning**

**Ms. Hanson:** On October 6, the Dawson Regional Planning Commission announced that vice-chair Art Webster had resigned. His resignation letter stated — and I quote: “The obvious conclusion to be drawn is that the staking of claims during a planning exercise is de facto land use planning. Thus the role of the commission and its ability to offer a reasoned fact based land use plan that recommends wilderness protection rather than mining for an area can be usurped by a placer miner.”

While this government continues to preach evidence-based decision-making, it turns a blind eye to evidence. How are Yukoners supposed to trust a government that goes against its own word? Can the minister point to the evidence that was used in making the decision to allow speculative staking in an area that is subject to a land use plan?

**Hon. Mr. Pillai:** Mr. Speaker, first of all, there was a tremendous amount of information that was shared that's incorrect by the member opposite.

What I will share with Yukoners is the fact that our government is committed to making sure that the land planning process is back on track. We can show the proof in that. If you want the evidence, it is seeing the fact that we're implementing the Peel plan. We're underway in sub-regional planning with Na-Cho Nyäk Dun. We had another First Nation reach out to us last week that would like to start that same work. We have multiple regional plans as well that we've been requested to undertake.

When it comes just to local area planning, the work that we've been undertaking as well — the Alaska Highway, Fox Lake, Marsh Lake, Shallow Bay — all tough conversations — I could go on — a tremendous amount of work.

We are aware that the individual had left the planning commission. Again, we're committed to working with them. I've reached out to the planning commission and we have asked for them to provide us with some names. We actually reached out to the individuals appointed by Tr'ondëk Hwëch'in because we want to ensure that we have a cohesive group of people there. I look forward to answering questions 2 and 3 as we continue with this conversation.

**Ms. Hanson:** The Minister of Community Services today spoke about listening to the First Nation communities for their vision, which is in stark contrast to the situation with respect to the Dawson regional plan.

The vice-chair's decision came as a result of this government's inability to listen to the commission, panel and experts' recommendation on policy. I quote again from his resignation letter: "... without consulting with our Commission, YG approved applications to its Yukon Mineral Exploration Program..."

This came after the commission made recommendations to implement a moratorium on mineral staking during the regional planning process.

Can the minister indicate why he ignored the Dawson Regional Planning Commission's advice and approved a policy that was in direct opposition to the recommendation made by the commission?

**Hon. Mr. Pillai:** I think one thing is certain: We've heard the letter from the former member of the Dawson commission. We've heard two different pieces of that quoted. What I think that tells us is that — we're disappointed that the individual has moved on, but it certainly shows that his mind was made up on these particular topics. What we really want is for our commission members to take information from all different perspectives, and that's really the work that they need to do, not just to make their mind up beforehand.

I'll touch on a quick point that the Member for Whitehorse Centre made. At one point, you're asking about staking, and then, in that particular instance, you were talking about an existing claim where there is work being done. So just to clarify: Those are two separate things — just to help you out there. So, we will clarify that. I look forward to question 3, and I look forward to talking about a bit more evidence that we've used to make this decision.

**Ms. Hanson:** You know, Mr. Speaker, land use planning wasn't a priority for the Yukon Party and it now appears to be the same of the Yukon Liberals. This government's inability to meet with the commission and address the speculative mineral staking issues that affect the process is confirmation of this. It appears that this government is unable or unwilling to learn from the past.

Yukoners do not want to be forced into another drawn out and divisive court battle like the Peel, but by all accounts, this government is waiting for another court battle to save them from making a decision. Why is this government reluctant to

do the right thing rather than enacting a moratorium on mineral staking pending the outcome of the Dawson regional land use planning process?

**Hon. Mr. Pillai:** I know that in this role — the Minister of Environment, who is my partner in this work is probably an individual who has almost the most experience in regional land use planning in the Yukon in her previous roles — we're fully committed. There will absolutely be tough conversations that will take place. I think that's part of it. When you bring different perspectives to the table, you're going to have that.

What we are finding — and what we need to share with Yukoners — is that after signing the Peel plan, we're now moving on implementation of the Peel plan. What we have found is that claimholders in the Peel have been affected by this — and I shared this. Now we're actually in conversations where we believe that those individuals will look at options to release the claims, but they are working with us to look at different opportunities such as credits — not unlike what had happened in the Tombstone Park work.

So, we do believe that there are ways to relinquish that tenure as we move forward. That is the route we will take. As we have committed to, when we have a draft regional plan, we will be looking at areas of conservation values. Again, as I stated, it's not too late because we're seeing that now with the regional plan.

So again, a bit of confusion — you can muddy the waters — but again, we feel strongly about where we're going and strongly about committing to looking at all perspectives and listening to Tr'ondëk Hwëch'in as we work through this together.

#### **Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Istchenko:** It has been 231 days since the Liberals were first asked to take action to protect the tourism industry and they continue to delay action. In fact, they only announced one small piece of a broader recovery package because they want to spread it out in the news and get more headlines. In short, they're playing politics with this recovery money.

Regarding the accommodation and recovery package, right now, it expires on December 31. This, despite the fact that tourism definitely won't recover by December 31.

So, tourism businesses would like a plan more than just three months out. Will the government do the right thing and extend the accommodation recovery package until the spring so that businesses can start planning now?

**Hon. Ms. McLean:** Thank you again for the repeated question. I think I've answered it several times, but I will continue to speak to Yukoners about the importance of tourism in Yukon. We have worked quickly to respond to the needs of our businesses overall in Yukon and I'm really happy that the Yukon business relief fund provided the necessary relief that was needed for our tourism sector as well.

Last week, we sent a very clear signal to the tourism industry that we are committing \$15 million toward tourism over the next three years, some of which will be expended this fiscal year. We have a supplementary before the House right

now. I announced the accommodation fund last week. This was an immediate need and we've been working with the accommodation sector on this to identify the needs that they have.

We've committed to \$15 million over the next three years. We're continuing to analyze the needs of the industry and we, on this side of the House, make decisions based on evidence and we'll continue to do that.

**Question re: Parks strategy review of fees**

**Mr. Hassard:** On September 24, the Liberal government released their parks strategy to increase fees on all Yukoners and Yukon seniors who go camping. Page 27 of the parks fee strategy says — and I'll quote: "As part of government's response to the Yukon Financial Advisory Panel report, the Department of Finance conducted a review of all fees and fines across the Government of Yukon."

So, Mr. Speaker, we filed an access to information request for that review. On October 15, we got a response indicating that the review does not exist. That leaves two options: Either the parks strategy is incorrect and no such review exists, or the Liberals are withholding information that Yukoners are entitled to under the ATIPP act.

Can the Premier tell us which it is?

**Hon. Ms. Frost:** I would like to assure the member opposite that the consultation and engagement around the parks strategy was done with Yukoners in mind. Of course, the participation of Yukoners as we drafted the parks strategy was under the advisement and the direction from our independent review by the Financial Advisory Panel — but expanding parks services, increasing accessible wilderness areas, looking at building new campgrounds, looking at services, and looking at an expanded service time by moving that further into the fall. There were a number of recommendations that came forward with respect to expanding the services that we provide through the parks strategy.

I wanted to just put that out there that the participation in the parks strategy was done with Yukoners in mind, and of course, under the direction and the input of all Yukoners.

**Mr. Hassard:** I would just like to remind the minister that the question was actually about the review on fines and fees.

Section 67(1)(b) of the ATIPP act states — and I will quote again: "A person must not wilfully ... destroy or make a record with the intention to mislead any person to believe ... (ii) that something was not done when it was done..."

The Liberal parks strategy says that the Department of Finance completed a fee review. The Department of Finance says that there is no fee review. Now, Mr. Speaker, they can't both be right.

Will the Liberals stop withholding this information that the public is entitled to have access to under the ATIPP legislation?

**Hon. Mr. Silver:** Yes, Mr. Speaker, I am doing what you are doing and wondering how much of that I want to allow, but, at the same time, whatever the member opposite is doing as far as insinuating that we are doing something like

destroying evidence — or whatever the heck the member opposite said.

Mr. Speaker, because I am not really sure what the member opposite is speaking of specifically. I don't have a note on this; I will definitely look into it. But to make an insinuation on the floor of the Legislative Assembly that somehow we on this side of the House are destroying documentation when it comes to an issue that the member opposite just brings up to me right now in the Legislative Assembly — that's beyond the pale, Mr. Speaker.

I don't know what he is speaking to, but what I will do is look into it and report back. Again, the insinuation is definitely low and very troubling.

**Mr. Hassard:** I was quoting directly from the ATIPP; I was not insinuating that the Premier had done anything.

Here are the facts: The Liberal parks strategy claims that a review of all fees and fines in government was completed by the Department of Finance, but when we ATIPP'd that review and all corresponding documentation, the Department of Finance said that no records were found. This is the second time that we submitted an ATIPP request for this review. Last year, we also submitted an ATIPP request looking for a copy of this review, and at that time we were again told that the review didn't exist.

We also know that the Premier and his staff have been caught politically interfering in the ATIPP process in the past. So, Mr. Speaker, was the Premier's staff aware of this ATIPP request at any time during the process?

**Hon. Mr. Silver:** That's a false statement by the opposition, as far as the ATIPP act. Quoting the ATIPP act is an insinuation — absolutely. I have said we will look into it — absolutely. I have said that I will look into it, Mr. Speaker, and I will look into it.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 14: *Act to Amend the Environment Act (2020)* — Second Reading**

**Clerk:** Second reading, Bill No. 14, standing in the name of the Hon. Ms. Frost.

**Hon. Ms. Frost:** I move that Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Environment that Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, be now read a second time.

**Hon. Ms. Frost:** Mr. Speaker, I will now proceed with my comments with respect to the *Environment Act* amendments for the Legislative Assembly's consideration. It is my pleasure to introduce Bill No. 14, *Act to Amend the Environment Act (2020)*, for the Legislative Assembly's consideration.

To fulfill our commitment to ban single-use bags and to action Motion No. 294, which passed in this House in October

2018, to work toward the elimination of single-use plastics, we are tabling amendments to the *Environment Act*. These amendments will enable us to ban single-use items, such as bags and other products, through regulation. Single-use products and packages like plastic and paper bags are harmful to the environment and costly to deal with once they are discarded. A key action to address this problem is to reduce the amount of single-use products and packages that we use.

We are amending the *Environment Act* to strengthen the territory's waste-reduction efforts to enable government to better regulate certain types of single-use products and packages, including an ability to ban them. It will help Yukon align with municipal, national, and international efforts to reduce waste in our environment and landfills, and we will start by establishing a regulation under the act to ban single-use bags. We are working to have the regulation banning single-use bags and plastics in place by mid-year of 2021.

For the moment, health and safety during this pandemic is top of mind for all of us — so as an example, if the ban on single-use products was in effect in the future and we experience another public health emergency where the use of a banned single-use product was deemed safer for the public, an exemption to the ban could be established under the *Civil Emergency Measures Act* or the *Public Health Act*. Stakeholders will have an opportunity to help shape this regulation, and the coming-into-force date will be determined based on input and circumstances related to the pandemic.

Some of you may recall that on October 7, 2020, Canada announced that it will ban certain single-use items made from hard-to-recycle plastics by the end of 2021. This includes such items as grocery checkout bags, straws, stir sticks, six-pack rings, plastic cutlery, and food takeout containers. The *Environment Act* amendments set a broader foundation for the territory to ban other single-use items in the future. In addition, our proposed ban on single-use bags will be in place in advance of the federal ban, which isn't expected until the end of 2021. In closing, it has been a privilege to introduce this bill, and I look forward to hearing from the other members here today.

**Mr. Istchenko:** I rise today to speak at second reading to Bill No. 14, *Act to Amend the Environment Act (2020)*. As described in the documentation, this bill was designed to enable the Commissioner in Executive Council to make regulations respecting single-use products and packages for the purpose of reducing waste, litter, and harm to the environment.

This is not a new issue; we have discussed this issue in the Legislature several times over the last couple of years. Addressing the issue of waste to both reduce the burden on our landfills and to protect our environment is a worthy goal, of course. This discussion has changed over the years as various governments at various levels have considered how to best address the issue of solid waste in our territory.

In the Yukon, we have seen action taken at the municipal level. In the City of Dawson, we have seen a ban on single-use plastics. In the City of Whitehorse, we have seen focus on recycling. A local company and group of entrepreneurs have developed a business providing curbside pickup of recycled

products. Whitehorse Blue Bin Recycling currently offers curbside recycling collection to all urban neighbourhoods in Whitehorse. These young entrepreneurs now provide an essential service used by many throughout the city and they have done a lot of work to help us address our waste management issues. This service includes biweekly curbside collection of all household recycling, a 14-gallon blue bin upon sign up, four large clear bags for the container stream restock after each collection, and a yellow bag for the paper stream. There are also two recycling depots in Whitehorse — one is a private business, P&M Recycling, which offers collections of refundables and non-refundable products. This is another example of a private sector business stepping up to assist with our waste management. The other is a social enterprise model which serves the general public and businesses in Whitehorse, and it provides processing facilities for all Yukon communities.

At the federal level, we have recently seen the Government of Canada announce that they will be banning certain single-use plastics starting next year. The national ban will include grocery check-out bags, straws, stir sticks, six-pack rings, plastic cutlery, and food take-out containers made from hard-to-recycle plastics like black plastic packaging. According to the federal government, regulations will be finalized by the end of 2021.

We have also seen some action from provinces and territories. For instance, next door in the Northwest Territories, the government there implemented a single-use retail bag program back in 2011. Since February 1, 2011, all paper, plastic, and biodegradable bags cost 25 cents at Northwest Territories stores.

The retail store pays a distributor 25 cents for every paper or plastic or biodegradable bag that they received from the distributor. The distributor pays the environment fund 25 cents for each bag provided to Northwest Territories stores. All retailers and distributors must register with the Government of the Northwest Territories. It is worth noting that the restaurant sector is not included in that program. So, Mr. Speaker, when I look across the Yukon and the country, I see a lot of different actions being taken on this issue. All of these actions from these various levels of government are each a bit different in their definition and implementation.

That brings me to one of the areas of question or concern that I will have about this bill. We'll be looking for more information from the minister and the government when we get to Committee of the Whole. While I recognize that this is simply enabling legislation and that the true details will come in the regulations, I am hoping that the minister can give us some indication how she plans on creating the definition of "single-use products".

We have heard from some businesses that the lack of clarity about what will and will not be included in this is making it difficult for them to prepare. In some jurisdictions, bans have applied strictly to plastic bags. In some jurisdictions, products are subject to a fee or a tax. In some jurisdictions, the definitions have been much broader. For example, in Northwest Territories, a plastic bag program includes the restaurant sector. This is in recognition of the challenges associated with

balancing the need for environmental stewardship with food safety.

We've heard that this minister is considering including all materials like paper bags and paper packaging in the regulations under this act. If this is true, we know that many businesses will have concerns, especially those in food service and restaurants — and in particular, the quick-serve restaurant sector.

So, the lack of detail around what will or will not be included in this regulation that the minister will bring forward makes it very difficult to consider this legislation. While it is not uncommon for the Legislature to pass enabling legislation that it will further implement through regulation, in this particular case, the lack of definition has created concern among the businesses in the community.

I hope the minister is able to get into this in her closing speech and to answer more detailed questions in Committee.

The next issue that I would like to touch on relates to timing. It seems hardly coincidental that the Yukon Liberals would table legislation on this issue within weeks of the federal government doing the same.

So, I would like to know more about how the Yukon Liberals worked with their federal counterparts on the timing of this legislation. Is this legislation redundant because of the federal legislation? Or are the materials covered by this legislation going to be different from what the federal government is covering? These are questions that we would like the minister to address.

The next issue with regard to timing is the role of single-use plastics during the pandemic. This is important. Since the COVID-19 pandemic began, we have seen an increased reliance on single-use products. For example, grocery stores that had previously banned plastic bags changed their policies. There is a surge in reliance on takeout delivery from restaurants. Single-use products like masks and gloves have become regular features of everyday life. In fact, it has become hard to imagine how some food services businesses would have survived without single-use plastics.

We would like to ask the minister about their plans for the timing of implementation of this legislation. We hope that the minister will be careful and thoughtful about when she decides to take any action that would disrupt the economic recovery of our territory and our restaurant and food service businesses.

The final point that I would like to make is about the lack of consultation. When this bill was tabled, we reached out to several Yukon businesses that will be affected by this. Many of them were surprised to even hear about it. Unfortunately, I was not surprised to hear that the government didn't consult with, or even give a courtesy heads-up to, the business community. The Liberals have developed a bit of a reputation for fighting with them or not caring about what the business community thinks.

A few businesses pointed out that, last year — following a motion from the MLA for Copperbelt North — they had been assured that, before any legislation was tabled, they would have the opportunity to participate in some sort of committee to help them shape their legislation. This never happened and those

businesses do feel that they weren't consulted, nor do they feel that the Liberals have lived up to their commitments.

Another topic that I would like to address is how this legislation, and regulations following it, will interact with the food service regulations. By not working with, listening to, and getting input from industry before tabling the legislation, there may be unintended negative impacts on our food and beverage industries. This is something that will affect many local businesses. It will particularly affect businesses that have been hit hard by the pandemic. We hope that the minister actually listens to the local business community when they begin crafting these regulations.

I think that all Yukon businesses want to operate responsibly. They do. They want to keep our territory clean and beautiful, but they need to be engaged with and listened to about the creation of regulations that will affect their ability to operate safely. So far, this government has failed to engage them, listen to them, or live up to their commitments, so we hope that this changes and that the Liberals make good on the promise that was made by the Member for Copperbelt North following this motion last year.

We have several questions and concerns that I have begun to outline today. We are looking forward to exploring these issues in Committee. We will be supporting the bill today at second reading so that we can get into Committee of the Whole, where we can ask these questions on behalf of Yukon small business owners.

Finally, we hope that the minister will be able to answer these questions that have come directly to us from local businesses that are trying to recover from the economic downturn caused by the pandemic.

**Ms. White:** In speaking to Bill No. 14 today, I want to acknowledge that it has been quite a path to get us to this point. I think back to hearing stories from my grandma about when her and my grandfather got married in the early 1950s, and how they got this brand new, very fancy, very new-wave dish set, and it was made out of plastic. Since that point, plastic has seeped into every aspect of our lives. We know that part of the reason why we are trying to address this is because of microbeads. The plastic breaks down and it doesn't ever really go away.

It has been a long time to get to this point. In this Legislative Assembly on October 17, 2018, I put forward a motion — it was Motion No. 294 — and it was asking that the Yukon government make the move toward eliminating the distribution of single-use plastic bags and it kind of went on with that. We had a great conversation back in 2018.

In early 2019, there was a survey put out by the Yukon government where they were asking folks — business folks as well — what they thought about putting on a deposit. So it would be 25 cents for a plastic bag as a way to curb people's usage. We know that, at that point in time, the business community was not into having the onus of the responsibility of having to deal with that, so they encouraged an outright ban. Then there was a statement on it and other motions. We were



asking for timelines and it was for the summer of 2020, but I will take the fall of 2020. I think this is great. Here we are now.

I want to give full credit to the folks who were behind this bill in the department because the one thing that I thought was really important during the briefing was that they really conscientiously chose the language. So, it is really important that they are using the language of “single-use products and packages.”

What we see with the federal legislation — which there has been lots of communication about online — is that we can’t just push people, for example, from a single-use plastic carrier bag to a paper bag because the amount of energy required for a paper bag is sometimes more intense and sometimes its reuse is less. So, the federal government, I think, has had a lot of feedback that says that we appreciate where you have gone, but I think you missed the mark. Super proud of the people here, who were part of the drafting and the research — this is saying that they didn’t miss the mark. They 100-percent knew that they didn’t want to drive people to single-use paper bags, that they were talking about reusable, and they were talking about those options.

So, I think that is a really important thing to acknowledge — is that they didn’t fall into the pitfall of just trying to target single-use plastics and they recognize that it’s about single-use products.

You know, we talk at length about different things that we can do and we talk about how we should lead by example. Well, culturally in North America, we have a garbage problem, if we are really honest. No longer is it the idea of purchasing things for the long term. We live in a very disposable society and I would urge anyone who has never had the opportunity to get a tour of the waste management facility of the City of Whitehorse, because you will understand our garbage problem. In the last decade, the amount of waste per person has increased astronomically.

So, I am, of course, supportive of anything that will help us move toward that. Again, full kudos to the group who recognized the importance of language and that we are not going to drive from one single-use product to another and that we are looking at long-term solutions.

I look forward to Committee of the Whole conversations.

**Mr. Hutton:** I rise today to speak to Bill No. 14, entitled *Act to Amend the Environment Act (2020)*.

Single-use plastics are found in every aspect of our everyday life — one of the largest culprits of environmental harm that our natural world faces today. It is estimated that nine percent of single-use plastics are recycled annually. Twelve percent of plastics make it as far as incineration, while the remaining 79 percent are dumped either in landfills or they make their way into the Earth’s environment, namely, our planet’s oceans.

The long-standing issue with plastic is that the vast majority of it isn’t biodegradable. Unlike food, paper, and animal by-products, plastic does not rot, but rather, it hangs around in the environment for hundreds of years.

Each year, humans are responsible for the production of 400 million metric tonnes of plastic, 40 percent of which are single-use. For perspective, our single-use plastic annual production would match the weight of 228 million full-sized bull moose every year. It’s hard to visualize and grasp the magnitude of how much plastic that is, but it’s not hard to understand that our carelessness and disposal culture has created a problem which impacts ecosystems and nature’s balance, which we depend on for our very survival.

Our animals often mistake single-use plastic as food, Mr. Speaker. If the animal doesn’t choke or suffocate from ingestion, it certainly soaks up other harmful chemicals, including bisphenol A, flame retardants, and polyvinyl chloride or PVC. We then eat these animals because we rely on them as part of our circle of life. We aren’t just poisoning the natural environment, Mr. Speaker — we’re poisoning ourselves.

A study in the *Journal of Environment Science and Technology* estimates that humans are consuming between 39,000 to 52,000 microplastic particles each year. Even more shocking is a study that came out a couple of weeks ago about plastic baby bottles — the latest culprits identified. The hotter the rinse water used, the more microplastic particles are released and shed from these bottles and then ingested. They number into the thousands for each bottle that is washed — and the hotter the water, the worse it is. While no science has been able to determine the long-term impacts of consuming this much plastic, a study at King’s College London has hypothesized that the cumulative effect of ingesting plastic is that, ultimately, it could be toxic to us.

An estimated 8.8 million tonnes of plastic waste pollutes our oceans each year. This is akin to dumping an entire dump truck’s worth of plastic into the oceans every minute. It makes its way around the globe, traversing the ocean currents, eventually reaching our rivers and streams and polluting our salmon — our food — and then our people eat it.

By 2050, plastic pollution is expected to outweigh the global fish population. By the year 3000, the plastic we produce today will still be here.

Mr. Speaker, banning single-use plastics is only the tip of the iceberg. It’s a step in the right direction but ultimately we need a cultural shift. We need people to recognize that our disposable culture is creating a crisis and that our current ways of living are not long-term sustainable.

I would like to take this opportunity to thank two of the communities in my riding — the Village of Mayo and the Village of Carmacks — for banning single-use plastics well ahead of this government. They recognized the importance of such actions and I commend them for their efforts. It’s estimated in the Yukon that 7.6 million single-use bags are used each year. It’s about 200 plastic bags per Yukoner. As Yukoners, it’s our responsibility to uphold the standards necessary to preserve and protect this beautiful land we call our home.

There are many things we can do to help slow the plastic tide. Use reusable coffee mugs instead of disposable ones. Avoid non-recycled plastic bottles and straws. Support efforts to reduce our dependence on single-use plastics. But most

importantly, people need to be informed. If the people do not understand why this is important, they will not support it. It's important that we trust our scientists, that we heed their advice, and that we act responsibly as it is in our best interests.

I'm a firm believer that you get what you give in life. If we respect the land, the land will provide. If we protect our land, we protect our way of life. If we pollute our land, we pollute ourselves, our families, our friends. If we ignore these issues, it only gets worse.

I don't know about the other members of this House, Mr. Speaker, but I prefer my moose bisphenol A-free. I'm sure my grandson does too.

**Hon. Mr. Streicker:** First of all, I would like to thank everybody for speaking to this bill before us. I'm very happy that we have this act to amend the *Environment Act* — Bill No. 14 — because it brings improvements to solid-waste management.

I'll just begin with a few comments with respect to what I heard from some of the members opposite. First of all, thank you to the Member for Takhini-Kopper King for her motion and she — I think — introduced the petition last year around single-use products. Her motion was asking us to work toward elimination.

That is what we have here in front of us — the enabling of the ability to do that. When we first looked at the *Environment Act*, we saw that there wasn't a provision in there that would allow for regulations that would allow us to be able to eliminate single-use products. This is the moment where it comes in, and it gives that opening, that enabling opportunity.

I will also note that I listened to the Member for Kluane talk about talking with the business community. He also was speaking about the Northwest Territories and the surcharge that they introduced some years ago on single-use bags. It was 25 cents, and when we modelled our first approach to this and brought it here into this Legislature and talked about it, it was based on the equivalent of a designated material regulation, like beverage containers, except it was on single-use bags and it was going to be 25 cents. But, when we went and spoke with the business community, they asked us very directly to please not do that. What they asked was that we just ban it. So, this today is a request from debate here in this House and from talking with the business community.

The point at which we get to that discussion about timing — broadly, we understand what categories we are in, but there is some devil in the detail, and I think we need to look at that. Those things are in conversation with the business community. That is the time, and I understand that the dialogue has begun. I am sure that it will be ongoing. I think that we need to be respectful, as the Minister of Environment has noted, about the reality of COVID right now. Yes, we want to get there, we know that this is the right direction, but we also have to understand where our citizens and businesses are at.

Overall, what I can say is that — and unfortunately — waste has been increasing. On a per-person basis for us in Canada or in the Yukon and probably in the world, it has been going up. We need to find ways to turn it around.

Let me take a moment to talk about how we are working to help make waste management more environmentally and financially sustainable for all Yukoners. I will just begin by saying that changing waste consumption behaviours takes heavy lifting, but I think that all Yukoners understand that it is where we need to go and that all Yukoners are willing to do their part and we are seeing some progress.

In 2017, we initiated the Ministerial Committee on Solid Waste which consists of representatives of the Association of Yukon Communities, including the City of Whitehorse, the Department of Environment, and the Department of Community Services. We talk often with the business sector and also those who work in dealing with waste.

I want to acknowledge that, when I first took on the role of Minister of Community Services, one of the key issues that the Association of Yukon Communities asked me to work on — because it had been such a long-standing difficult issue — was how we deal with waste in this territory, and we needed to revise it from the ground up.

I asked this committee to make recommendations for how we should improve — territory-wide — our solid-waste management system, because we knew at the time that the status quo for waste management in the Yukon was not financially or environmentally sustainable and that it was time to take action.

In 2018, the committee developed a report which focused on the following key recommendations.

First, regionalization — the committee recommended that we work to regionalize landfill sites, meaning that we should reduce the number of operating landfills in the territory to reduce environmental liabilities and improve municipal landfills so that they could serve their regions.

Second, that we bring in user fees. The committee recommended that we implement user fees across the territory and start charging users, industry, and governments equitably for their part in disposing of waste in order to help cover the rising costs of managing waste. It was meant to be level across the territory.

Third, best practices — the committee also recommended that we ensure best practices are followed at all landfills around the territory and improve landfills for all waste managers, operators, and users.

Since the release of that report, we have been working hard on turning these recommendations into action. We began by expanding our recycling system to include tires and electronics and e-waste under the designated material regulations. The designated material regulations ask that consumers who buy items that are difficult and costly to recycle, like tires and electronics, pay a surcharge up front. This surcharge helps cover the cost of recycling that product at the end of its life.

Let me just say, after those designated material regulation charges came into place, I try to volunteer each year at some of the community landfills and I saw a huge difference on both tires and electronics.

Recycling in the Yukon has unique challenges. We are lucky to live in a community where many people are passionate about recycling and where organizations like Raven Recycling,

P&M Recycling, the Whitehorse Blue Bin Recycling Society, and the Klondike Conservation Society work hard to make recycling available to the public, but the fact is that our recycling needs to get shipped south to reach markets, and this costs money. Tools like the designated materials regulations and beverage container regulations make it possible to recycle in the Yukon. Thanks to the beverage container regulations, the surcharge on beverage containers have covered the costs of recycling these items. The surcharge we're collecting on tires and electronics are also making an impact on ensuring that our recycling system becomes more financially sustainable.

Through the surcharges we introduced when we expanded the designated materials regulations to include tires and electronics, we are covering about 75 to 85 percent of the costs of recycling those items. This was our goal at the outset of this initiative and I am proud that we have been able to reach it. Expanding the designated materials regulations to include tires and e-waste was a bold move that improved our territory's recycling system and is just one example of how we're moving toward a user-pay system.

Another example is the introduction of tipping fees. This year, we introduced tipping fees at the waste facilities closest to Whitehorse — Deep Creek, Marsh Lake, Mount Lorne, Tagish, and Carcross. This is just our first step. We plan to see tipping fees introduced across the territory by 2021 or whenever municipalities are ready to implement fees at their facilities. Tipping fees ensure that everyone is equally responsible for paying to dispose of waste no matter which landfill or waste facility they use. This keeps people from dump shopping to avoid tipping fees that overload smaller landfills with waste.

Tipping fees also level the playing field and ensure that everyone is equally responsible for paying for the costs of waste. By collecting tipping fees, we are helping to offset some of the costs of waste management and we are building a more financially sustainable waste management system as a result. I just want to say, Mr. Speaker, that I have been to the nearby landfills — near the City of Whitehorse — and there has been a huge difference since we introduced tipping fees.

We have also made big improvements to both municipal waste facilities and the Yukon government's sites. With proper investments in our solid-waste management system, landfills will be able to serve their communities at modern standards for years to come. We have recently invested in expanding the cells we use for waste disposal, purchasing new bins for recycling, and installing electricity and modern payment systems at some sites — and punch cards too.

We have completed major improvements at the Deep Creek and Marsh Lake sites to create more room for storage of both waste and recycling. In addition to providing more space for growing waste volumes, these improvements will ensure the safety of staff and facility users, improve the reliability of building heating and electric fences, and allow future efficiency improvements, such as household waste compactors. By doing so, we are following the committee's recommendations to operate using best practices at our waste facilities.

These changes have not been easy. We have had many difficult conversations with businesses, residents, and industry, but difficult conversations are important. Through those conversations, we learned that all share the same values when it comes to caring for our environment and managing waste properly. Despite the challenges, we moved ahead with these changes in order to ensure that our waste management system will be more financially and environmentally sustainable for future generations.

Even though we have taken concerted action on the committee's recommendations, our work doesn't end here. I have tasked the Ministerial Committee on Solid Waste to examine our territory's recycling system, and investigate how we can continue to improve it. The committee is still actively supporting government, using expertise from waste managers, from all over the Yukon. In the meantime, we are exploring other ways to implement a user-pay system. We are currently working with industry experts, regulators, and producer responsibility organizations to find out how we can implement extended producer responsibility in the Yukon, and we are considering other items to add to the *Designated Materials Regulation*. By the way, extended producer responsibility is sort of like the gold standard, if we can get there.

Our ban on single-use bags is a sign of our commitment to strong action on waste reduction and responsible waste management, and we want to work with Yukoners and Yukon businesses. To help support this work, our heavy-lifting waste campaign is encouraging Yukoners to think about waste reduction, and take simple steps in their own lives to reduce the waste they produce.

Right now, we are running a contest on social media — you may have heard about it on the radio this morning — that invites people to share their waste-reduction tips for a chance to win \$100 at a grocery store of their choice across the territory. I encourage all Yukoners to check out Yukon WasteSavers on Facebook to participate.

I am very proud — I would like to also thank the Member for Takhini-Kopper King for her compliments to the staff for their work on this piece of legislation. I know that our teams have been working very hard to improve solid-waste management in the territory, and I look forward to supporting more initiatives in the future.

I would like to close by reminding the House that we just had Waste Reduction Week — although I think of every week as Waste Reduction Week — and reducing the amount of waste we produce and moving toward a circular economy is one of the biggest challenges of our time. We've learned that the challenges of waste persist, even when we're facing other large challenges during this pandemic.

From government to industry to individuals, we all need to be part of the solution and to think about our role in building a circular economy.

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

Does any other member wish to be heard on second reading of Bill No. 14?

**Hon. Ms. Frost:** I would like to thank my colleagues on all sides of the House for their words on Bill No. 14 to amend the *Environment Act*. I would like to also extend my appreciation to the staff, municipalities, and our partners for their efforts — and of course lots of hours, lots of time, and lots of energy put into the debate and the discussions.

Going back two short years ago, when we had in the Legislative Assembly — we spoke about the motion to look toward elimination of single-use plastics. Certainly, there was a lot of public engagement. The Minister of Community Services speaks about that in his presentation with respect to the business community, the municipalities, and the First Nations speaking very loudly and clearly to us with respect to their preference, and the preference of banning single-use bags and expanding that from plastics.

With that, the foundation for the banning of single-use items — certainly that's a discussion that we need to have. I also wanted to just say that we have looked at how our actions need to be reflected in that we are already moving in the right direction with respect to zero plastic waste. I'm very proud to acknowledge the communities that have stepped up and are putting forward their best efforts as well, making sure that they are doing their part.

The Minister of Community Services speaks about that, and waste reduction in our communities and our municipalities — the communities of Carmacks and Mayo, and the City of Dawson — I know that in my little community of Vuntut Gwitchin, single-use bags are not an option there. That was done just by the community members themselves recognizing that whatever ends up in the landfill site now is disposed of and burned in the facility because the incinerator doesn't work. It hasn't worked for quite a few years. We are working toward addressing that. We want to ensure that every landfill and every possible opportunity to recycle — that single-use bags and products in our communities are recycled.

Just a note: In order for us to do the recycling, the youth in the community partnered with Air North to send out the recycling products. I know that it's important — and it's important that we take the effort together. This is a responsibility of all Members of the Legislative Assembly. It's a responsibility of all of our communities.

I just want to emphasize that we are committed to following this through. Just this past week, our staff continued to meet with the Whitehorse Chamber of Commerce as we proceed with developing regulations and as we start looking at putting in place plans. The consultation is very active and we will continue to ensure that we keep the lines of communication open and that we continue to proceed as we look at this bill. In terms of listening to communities, we certainly want to ensure that they are acknowledged and that we provide opportunities for future discussions.

So, I'm happy to close debate on second reading of this bill. Protecting our environment is a collective responsibility for all of us. I'm proud of our work as a government to take action on strengthening the territory's waste-reduction efforts. Again, I just want to give a huge mahsi' cho to all of the

communities that have stepped up and participated in this process and who are already moving in the right direction to eliminate single-use bags in their communities and looking at reducing to zero waste in their communities.

Mahsi'.

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 14 agreed to*

**Hon. Ms. McPhee:** 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 (Mr. Hutton):** Order, please. Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection 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. 9: Sexual Orientation and Gender Identity Protection Act — continued**

**Chair:** The matter before the Committee is continuing general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*.

Is there any further general debate?

**Hon. Ms. McLean:** I would like to welcome back our officials today for a continuation of Committee of the Whole on Bill No. 9, the *Sexual Orientation and Gender Identity Protection Act*. I would like to also acknowledge our guests here today: Joe Wickenhauser, the executive director; and I'm happy to have Emily Tredger, who is the president of Queer Yukon. So, thank you very much for being here today with us.

Where I left off during Committee of the Whole, we were going into deeper detail around this bill. I will continue on with that narrative. This legislation provides further clarification that conversion therapy cannot be insured by Health Services. In no instance will the Government of Yukon pay for conversion therapy. This legislation is one of the most comprehensive bans in the country. It prohibits anyone from performing conversion therapy on a minor. This includes health professionals. It also includes people in a position of trust or authority.

We also wanted to make sure that outlined appropriate repercussions for practising conversion therapy. This act would protect minors from harm, as well as adults who have a substitute decision-maker or guardian appointed — harm caused by practices, treatments, or services that are provided with the intent of changing a person's sexual orientation or gender identity. We are proposing that anyone who violates this ban is liable for a fine of up to \$10,000, imprisonment of up to six months, or both.

Our legislation is about mitigating harm. It is important that we recognize that there is still so much more work to be done for LGBTQ2S+ inclusion. This bill is a step in the right direction, but let me emphasize that this bill is far from the last step that we will take to remove discrimination and to foster inclusion.

Our government has made several changes to legislation, policies, and practices to support a diverse, inclusive society that promotes LGBTQ2S+ rights, equality, and freedom from discrimination.

Banning conversion therapy is a priority that came out of our LGBTQ2S+ public engagement. It also came out of a petition that was signed and tabled in this Legislative Assembly. The engagement was facilitated by a Vancouver-based LGBTQ2S+ organization called QMUNITY. They worked with local LGBTQ2S+ organizations to develop their priorities. We released two "what we heard" documents from the engagement and QMUNITY released a report with over 70 recommendations and best practices.

The public engagement took place from November 2018 to the end of June 2019. We heard loud and clear that there is no place for conversion therapy here. We have also received letters from multiple Yukon organizations that echoed the call to ban conversion therapy. They stated their concerns about the negative impacts that conversion therapy could have on someone. The federal government has also recognized this by sending a letter in June 2019 to all provincial and territorial jurisdictions, urging us all to take steps to ban conversion therapy.

The Government of Canada tabled legislation on March 8, 2020, with the intent of banning and criminalizing conversion therapy. As I stated in my previous speech, the time for amendments to the *Criminal Code* becoming law remains unclear.

We will continue to monitor the progress of this legislation. I might add that the federal government retabled the bill on the same day that we brought this back to the House, on October 1.

There are some differences in our proposed legislation and the federal government's legislation. The proposed federal government bill prohibits advertising to provide conversion therapy and receiving a financial or material benefit obtained from the provision of conversion therapy. Yukon's bill prevents conversion therapy from being provided to adults who have a guardian or a substitute decision-maker, and the federal bill does not. Under the federal bill, causing a person to undergo conversion therapy against their will has a maximum term of five years' imprisonment. Yukon's bill also sets out that conversion therapy is not an insured service under the *Health Care Insurance Plan Act*. It is also important to note that the amendments to the federal bill may happen during their legislative process, so we will monitor the progress of the federal legislation, but our goal remains the same — to ensure a ban on conversion therapy in Yukon. We are not slowing down. This legislation is still a priority for the Government of Yukon.

Another way in which we continue to work toward inclusion of LGBTQ2S+ Yukoners is through our action plan that we are currently developing. We are working with partners to finalize and implement an action plan on LGBTQ2S+ inclusion in Government of Yukon legislation, policies, programs, services, and practices. Prior to this work, the Government of Yukon conducted a review of legislation, policies, and services to see how they could be more inclusive of LGBTQ2S+ Yukoners. As a result, as previously mentioned, a number of acts have been updated, including the *Vital Statistics Act*, the *Human Rights Act*, the *Gender Diversity and Related Amendments Act*, the *Equality of Spouses Statute Law Amendment Act (2018)*, the *Public Service Labour Relations Act*, and the *Married Women's Property Act* was repealed.

These initiatives mark significant progress to updating our legislation and ensuring that we deliver the right services to our community. I look forward to discussion today in Committee of the Whole and look forward to questions from members opposite.

**Ms. McLeod:** Shortly after this bill was tabled, we were offered a comprehensive briefing on the legislation by departmental officials. The briefing, we thought, was thorough and very helpful in understanding this legislation, and we would like to thank the officials for that briefing and note that all our questions were answered at that time. We have no further questions for Committee.

I would, once again, like to thank the officials who worked on the drafting and preparation of the bill. We will be supporting this legislation.

**Chair:** Is there any further general debate on Bill No. 9?

**Hon. Ms. McLean:** I thank the member opposite from the Official Opposition for those comments today. When we wrapped up debate in the second reading, there were some statements made by the Member for Lake Laberge. I'm happy to hear a shift in terms of the Official Opposition's position today.

That being said, I think that there were comments that were made and I really want to hold my hands up and commend the students from the Porter Creek Secondary School Gender and Sexuality Alliance for quickly responding. As they were here that day to hear the debate, soon after they left, the Member for Lake Laberge made some pretty, I think, disturbing comments to them — or to the issue that was on the floor and to the bill that we're debating today. I want to commend them for putting their thoughts in writing.

The Porter Creek Secondary School Gender and Sexuality Alliance wrote a letter to Mr. Brad Cathers at the Yukon Legislative Assembly on October 8, 2020. It says: "Dear Mr. Cathers..." — I would like to make this a part of the record —

### Chair's statement

**Chair:** I would remind the member to refer to members by their ridings.

**Hon. Ms. McLean:** Oh, sorry. Yes, yes.

**Chair:** Thank you.

**Hon. Ms. McLean:** This is in the letter and I would like to read it verbatim.

"Dear Mr. Cathers, the Porter Creek Secondary School Gender and Sexuality Alliance —

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

### Point of order

**Chair:** Mr. Kent, on a point of order.

**Mr. Kent:** Thank you. You just reminded the member not to use members' names and then she did it again. I would just ask you to have her refrain from using member's names on the floor of the House.

Thank you.

### Chair's ruling

**Chair:** If you could, please refrain from doing that, Ms. McLean.

**Hon. Ms. McLean:** Thank you very much.

"The Porter Creek Secondary School's Gender and Sexuality Alliance is writing to you today in regards to your statement in the Yukon Legislative Assembly on October 1, 2020 during the second reading of Bill No. 9 or the Sexual Orientation and Gender Identity Protection Act.

"As youth, we look to our elected officials to show leadership and guidance on the issues of the day. Last year, we communicated to the Members of the Yukon Legislative Assembly that we were seeking protection from those who would attempt to erase our sexual orientation or gender identities. We asked that our government ban conversion therapy to protect one of the marginalized groups in Yukon society. We asked you to protect *us*.

"Although we thank you for your vote in favour of banning conversation therapy; we were very disappointed in the words that you spoke on the floor of the Yukon Legislative Assembly in the moments preceding the vote. You claimed there is "no evidence" that conversion therapy has or is happening in Yukon. We disagree. We are curious as to how you came to this conclusion? Did you consult with members of the LGBTQ2S+ community? We know, with absolute certainty, that conversion therapy has been practiced in our territory. With the absence of any laws to protect our LGBTQ2S+ peers, there has never been a process through which to report and record such abuses as they have occurred.

"We are the individuals for whom conversion therapy affects most. We wonder why you did not consult us to better understand our point-of-view and concerns on the matter? Why did you rise to speak about the apprehension that your cis-heterosexual constituents have about this legislation that will ultimately have zero impact on their lives — unless they are abusing LGBTQ2S+ youth? We told you this is what WE needed. What more is there to discuss?

"Let us be clear. You do not get to have an opinion about what we need to keep ourselves safe. And that is ultimately what we are trying to do. Keep ourselves safe from harm. The word "protection" even appears in the name of the bill.

"We believe that you are abjectly wrong about the issues at hand and we wonder how you have come to be the type of person who we cannot consider an ally or a friend?

"You stated that it is important that all of the opinions of your constituents are listened to. We could not agree more. But that does not mean that you should give those antiquated opinions a platform on the floor of the Yukon Legislative Assembly.

"In school, when a student conveys a homophobic or transphobic opinion in class, we and our teachers see it as an opportunity to educate that student. You had the same opportunity to educate your constituents, those with out-of-date opinions, and teach them that an inclusive and accepting Yukon is a healthy and prosperous Yukon.

"That being said, we wish to remind you that we live in a democracy, not a theocracy. We do not base our laws on biblical scripture. And the right of individuals to practise narrow-minded religions does not supersede our right to exist.

"Please educate yourself on LGBTQ2S+ history and the issues facing members in our proud Yukon LGBTQ2S+

community. Our Rainbow Room door remains open to you to help you on that journey.

“Regards,

“Students of the Porter Creek Secondary School’s Gender and Sexuality Alliance”

It was cc’d to me, the Minister of Justice, to the Leader of the New Democratic Party, members of your caucus, as well as other allies in the community.

I know, Mr. Chair, that there have been some replies to that, but I just really wanted to bring that into the record today. I am happy that there has been a change of heart on the part of the Official Opposition, and I am looking forward to further debate, and questions from the Third Party.

**Chair:** Is there any further general debate on Bill No. 9?

**Ms. White:** I thank the minister for sharing the letter from the Porter Creek GSA. They are actually listening right now on the radio, because it was too problematic for them to try to get down at this point in time.

There were a couple of things that happened after we had the initial conversation in the Assembly. That included an opinion piece that was written by a local individual for CBC. Lori Fox submitted an opinion piece. I appreciate the minister for talking about what happened when the kids left the Chamber — because I read about it after, and it was only because the GSA themselves took a look and read through the transcripts in the Hansard of the day — and it was not okay.

We talk often about how it’s important to call it out, and this is partially what this legislation is. It is making sure that we prevent things.

I did want to read an excerpt from Lori Fox’s opinion piece. It was submitted to the CBC and was published on October 7, 2020. It says that the Member for Lake Laberge’s statements “... assume that cis-heterosexuals should have a say in both the legitimacy and safety of queer bodies.

“They don’t.

“The safety, equality and autonomy of queer lives is not yours to give; it’s ours to take.

“Addressing these heteronormative assumptions within our politics and community as we discuss this bill is especially important in light of the wildly troubling actions of the RCMP at a recent queer event, which they attended, against the community’s wishes.

“Even as Yukon politicians quibble over the semantics of a bill about queer people, proposed by queer people, to protect queer people, what faith should we have in its enforcement, when the Yukon RCMP do not respect our wishes, act without our consent outside their law-enforcement jurisdiction and then have the audacity to cry that it is they who are being discriminated against when censured?

“Bills can be passed and laws can be changed, but until the territory and its political and action arms — politicians and the RCMP — grasp that queer and transgender lives are valid and autonomous outside of cis-heterosexual approval and show us we are equal, no real change can be made.

“That means listening to us, adhering to the boundaries we set between our communities, and having those laws enforced by people who respect us.

“Until then, bills like this are only lip-service to the queer community.”

Mr. Chair, the reason why I think that is really important to read that in is that, in conversation — and I appreciate what we are trying to do with this, but there is so much further to go. I mean, reading the comments under that CBC article is part of it. When media sources allow hate speech to be shared as valid comments, it is a concern. I was trying to think about how to compare this in a way that everyone can understand — and it’s that human rights and protections aren’t pie. When we make sure that other people have those protections or have those rights, it doesn’t mean that our piece of the pie is smaller. It doesn’t mean that we are losing out. It means that they are gaining and that they also get a piece of the pie.

It’s important to know that the heterosexuals in our community — those of us who are heteronormative, and those of us who won’t be affected by this bill — aren’t losing rights. We are not. We are just extending protections.

I do want to thank the deputy minister responsible for the Women’s Directorate and, of course, the legislative drafter, because when we discussed this, it was plainly laid out.

At this point in time, we have seen it plainly laid out by the minister. So, the Yukon NDP will be supporting this, and we have no questions in clause-by-clause debate.

**Hon. Ms. McLean:** Mr. Chair, I really wanted to just acknowledge the comments put forward by the Leader of the New Democratic Party, the Third Party, today. I think we’re very much aligned on our positions here.

As I stated in my opening comments, I know that there is a lot of work that is still left to be done. We committed to working in collaborating in every respect as we go forward. I mean, I read the articles as well, and the opinion piece. We’re having a conversation now in our community — I know that when we started down this path almost four years ago, when I received the mandate to do this work, I accepted it with an absolute open heart. I know, again, that we have a long way to go, but I think we have come a long way, where we can have that kind of dialogue happening within our community. We’ll continue to build allies. I think that there is an awful lot of opportunity for institutions to work together — such as the RCMP — and we’re continuing to follow up.

Our deputy minister met quickly with the folks from Queer Yukon and All Genders Yukon to discuss that incident. We’re continuing to follow up with the chief superintendent of M Division because I think that those conversations are important. It’s important that we have them.

I think that those are my comments for now. We can go into clause-by-clause debate. I’m assuming there are not going to be a lot of questions but we can go into that now, Mr. Chair.

**Chair:** Is there any further general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*? Seeing none, we will proceed to clause-by-clause debate.

**Ms. White:** Pursuant to Standing Order 14.3, I request unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, read and agreed to.

**Unanimous consent re deeming all clauses and the title of Bill No. 9 read and agreed to**

**Chair:** Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*Clauses 1 to 7 deemed read and agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. McLean:** Mr. Chair, I move that you report Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, without amendment.

**Chair:** It has been moved by Ms. McLean that the Chair report Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

**Bill No. 10: Act to Amend the Employment Standards Act (2020)**

**Chair:** The matter before the Committee is general debate on Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*.

Is there any general debate?

**Hon. Mr. Streicker:** First, Mr. Chair, I would like to welcome to the House Louise Michaud, our Assistant Deputy Minister of Community Services in Corporate Policy and Consumer Affairs, and welcome back Ms. Bhreagh Dabbs, who was here earlier this afternoon, and who is legislative counsel.

I am pleased to rise to speak to Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*. The purpose of this bill is to provide access to paid and unpaid leave for victims of domestic or sexualized violence working in territorially regulated industries and professions here in the Yukon.

People of any gender or sexuality may experience domestic and sexualized violence, though it is far more likely to be experienced by women. It often impacts a victim's life, family, and workplace, and unfortunately, the Yukon has rates of gender-based violence that are three times higher than the

national average. While already high, these rates have increased even more during the COVID-19 pandemic, as they have elsewhere in Canada and around the world.

This leave will provide employees time to get the support they choose, if they, their children, people for whom they are caregivers, or people with whom they are close friends experience domestic or sexualized violence. This will allow victims of sexualized violence to access this employment leave, no matter whether the perpetrator is an intimate partner, family member, acquaintance, or a stranger.

The employment and economic security that this leave will provide is an important and necessary support when dealing with domestic or sexualized violence. It is important to note that some working people already face a great deal of employment uncertainty due to the ongoing pandemic. Economic security remains as important as ever.

This leave will provide five days of paid leave and five days of unpaid leave, which can be taken in increments. If required, a longer term leave of up to 15 unpaid weeks can be taken. This leave must be taken consecutively, unless the employer consents to it being taken non-consecutively.

Paid, short-term leave and unpaid long-term leave will be available after 90 days of employment. Unpaid short-term leave will be available immediately. This leave will provide the time, flexibility, and economic security of victims of domestic or sexualized violence to get the support that they need. Paid leave provides a way to lower one barrier for victims by minimizing financial hardship, ensuring job security, and providing victims the time to access medical, legal, and other supports.

The eligibility criteria reflects a broader definition of "family" and "caregivers". This may be particularly relevant and supportive for indigenous people where a broader definition of "family" is common.

People with a history of domestic or sexualized violence have a more disrupted work history, so the impact on their wages is greater. They may have to change jobs more frequently. They often work more casual and part-time jobs, as compared to their peers who are not dealing with violence.

We know that long-term healing and stability cannot happen as long as victims must deal with job or financial insecurity. We also know that in the short term, operational requirements and staffing for private sector businesses may be impacted if or when employees access this leave. However, there are long-term benefits for both the employer and employee. Domestic and sexualized violence follows victims and their families to their work.

We know that Canadian employers lose just under \$78 million annually because of the direct and indirect impacts of domestic violence. Coworkers are also affected as they are often stressed or concerned about the abusive situation. Studies show that long-term productivity increases when the threat of domestic violence is removed, as it affects employee focus, retention, and absenteeism.

We heard from other jurisdictions that implementation of this leave is a difficult part of this legislation. Both employees and employers need support when accessing or providing this leave. That is why, starting in May, the Women's Directorate



and Community Services will begin engaging with stakeholders to seek input in a number of areas, including: the education resources needed by employees and victims; the education resources and training by employers; strategies on how to make information in the leave easily accessible to victims and caregivers; identifying what it can be used for and when; processes to ensure a low administrative burden to accessing the leave; and communicating the rights of an employee and employer when this leave is accessed.

We will be talking with groups representing women, indigenous women, and the LGBTQ2S+ community, as well as health organizations. We will also engage with the business community, which will be responsible for providing leave. As victims are in a vulnerable time in their lives, we do not want to create the potential for retraumatizing them through a request for leave.

Through education and resources, we will support both employers and employees to ensure this does not occur. Support materials will be made available through the Employment Standards and Residential Tenancies office and online through yukon.ca.

It will take time to put in place the materials and supports to implement this leave for domestic violence and sexualized violence, though it won't take long. This leave will be available as soon as resources are ready.

We thank in advance the organizations that have helped us with their input. Availability of this leave will provide job protection to support Yukoners when they need to seek help and access services at a vulnerable time in their lives. I wish to thank the departments of Community Services and Justice for their work in preparing this bill.

This leave will be very important for victims of domestic or sexualized violence. This violence may result in a victim having to make some major changes in their life. We hope that this leave will help them in their journey to healing and a better and safer life.

Thank you, and I look forward to answering questions.

**Ms. Van Bibber:** I too welcome the officials into the House this afternoon. I don't have many questions, but I do have a few. I thank the minister for providing a few of them in his opening statement.

Can the minister outline what preliminary consultations were carried out with the public — either organizations or individuals — prior to the drafting process of this bill?

**Hon. Mr. Streicker:** A couple of points — and hopefully I heard the question well. If I didn't, I will just check back again with the Member for Porter Creek North.

You will recall, Mr. Chair, that we brought forward amendments to the *Employment Standards Act* last year. During that time, we were having conversations with many groups, including starting to have conversations around domestic violence. Because there were changes happening across jurisdictions in Canada, we wanted to both get those earlier amendments to the *Employment Standards Act* moving forward and then work to bring in this set. We had some conversations leading up to today about what type of engagement we would also have to get to implementation. They

were informal conversations with both the support groups and the business community. I know, for example, in talking with the Minister responsible for the Women's Directorate, that they have had ongoing conversations about ways in which to support victims of domestic violence.

**Ms. Van Bibber:** The consultations that are coming up will start in May, as you have said. I was wondering if there is a list of stakeholder groups and whether you will add on if the interest is there and if people come forward.

**Hon. Mr. Streicker:** First of all, I would like to correct a comment that I made earlier in my opening remarks. We had an original timeline for when we were going to engage and, based on conversations we have had here during second reading, I asked if we could please move that forward. I have just been informed by staff that indeed we are going to move it forward, so it's going to happen, let's say, shortly. I don't know if it's weeks, but it's soon — well before May.

The member opposite asked for groups. I will just read this out. I am happy as well to table this because it is a fairly long list, so here I go — these are groups that serve victims: Dawson City Women's Shelter; Help and Hope for Families from Watson Lake; women's transition home; Public Service Alliance of Canada's Whitehorse and Dawson City Regional Women's Committee; Victoria Faulkner Women's Centre; Yukon Status of Women Council; Women's Legal Advocate; Whitehorse Emergency Shelter; Queer Yukon; All Genders Yukon; and Northern Gender Alliance.

We also have organizations working with indigenous women who are dealing with domestic violence: Yukon Aboriginal Women's Council, Whitehorse Aboriginal Women's Circle, Liard Aboriginal Women's Society, First Nation health departments, Skookum Jim Friendship Centre, and the Council of Yukon First Nations' health commission.

Finally, we have employer organizations and business advocacy organizations: the Yukon Chamber of Commerce, the Whitehorse Chamber of Commerce, local chambers of commerce, First Nation development corporations, the Yukon First Nation Chamber of Commerce, and the Yukon Chamber of Mines.

**Ms. Van Bibber:** I know that this amendment to the *Employment Standards Act* is very similar to the rollout that BC had recently. I was wondering if there was an opportunity for individuals who may have experienced these types of violence to share what their optimal leave provisions would look like for them. So, if a person is subjected to these types of violence, did people speak to them about what optimal leave from the workplace looks like?

**Hon. Mr. Streicker:** First of all, I think we are looking to hear from those people with lived experience about what is a good approach or not, and I think that is partly what all of those conversations are about with the groups that I was talking about. I think, as well, that, in talking with the team that is dealing with it — Ms. Michaud is the ADM who would have employment standards underneath it.

There was also discussion about how we don't work to revictimize folks and to make it low barrier for how they approach the Employment Standards branch. So, that is part of

this whole idea of working with the employers and the employees ahead of time to set up the supports that will be needed to get the leave provisions active in the community. I feel that I am straying outside of my area here — not that I don't think that this is a very important question — I do think that it is — but I would always defer to those folks who deal with trauma and how they work with the victims of violence. Typically, my role is about setting the legislation up so that it is supportive and then, I think, getting those supports in place for those people who are victims of violence.

**Ms. Van Bibber:** Thank you, minister, for that. I understand the privacy issues as well.

Has there been a cost analysis done on the provision of this particular leave option and whether it might present a financial hardship to some employers in Yukon?

**Hon. Mr. Streicker:** There has been some cost analysis. It is not a simple sort of thing to say — we can work out roughly how much we think employers will be paying out to support their staff. So there is a number there that we can work out and it depends on the uptake. We recognize that, as many people who have come forward to receive this type of support, there are others who do not, and so we know that some of it remains hidden and unknown. What I want to say, Mr. Chair, is that there are also intangible costs or advantages to employers, because productivity changes. When your staff have been victimized and they are unsupported, then they are often not as productive.

Earlier, I read out a statistic in my opening remarks, which was talking about lost revenue due to people who have been suffering from domestic violence. That number, for Canadian employers, is in the range of \$78 million. If we just did a quick calculation, that would be — I have to make sure I get this right, Mr. Chair, but I think that would be — anyway, I'll work out the math, but we are about one one-thousandth of the population. That would be about \$78,000 to the Yukon in loss.

There are intangibles here regarding the productivity for our businesses. The way I tend to answer this is that yes, we've run some of the numbers but, overall, what we anticipate is that this would be an improvement for not only the lives of Yukoners, but also for these businesses in the long run.

**Ms. Van Bibber:** Because it's such a change, I know that you will have some businesses that will say that it's going to be difficult to make this happen because I have to replace employees — et cetera, et cetera. Is there a plan for rolling out this information to the public to ensure employees are aware of the existence of this new leave? Or is it up to the legislation? Once it's enacted, is it left up to the employers?

**Hon. Mr. Streicker:** Yes, so the plan in our implementation strategy was to engage with both the employers and the support groups — including maybe some lived experience — and then to — partly based on that feedback from working with them — develop a strategy around how we're going to communicate it broadly and how we're going to work to inform those businesses. Often, the chambers assist by reaching out through their memberships more broadly to employers. As I mentioned earlier, we're working with the Public Service Alliance of Canada, for example. So there are

other ways we can get to employees to let them know. We will probably partner with those organizations to communicate this.

Again, I appreciate what the Member for Porter Creek North is saying and that there might be some businesses that are affected by this — but, of course, it's also true right now that some of those businesses are affected by not having this in place. If there are employees who are victims of domestic violence, we know that those businesses are affected that way right now. Overall, we think that this will be a benefit. We understand that there are some upfront costs to addressing someone who comes forward for this leave provision, but we hope and believe that, over time, this will create a healthier workforce, which will make those businesses healthier overall.

**Ms. Van Bibber:** I too think that this is a good step forward to helping women or persons who are in these situations. We look forward to hearing the results of the consultations and further work down the road.

Thank you again to the staff who are here today and I thank the minister.

**Ms. White:** I, of course, thank the minister for being here today. He has no choice, but I do thank his officials who have a bit more choice in the matter.

As always, I really appreciated the briefing and the notes that came along with it. One of the things that the minister was — I guess the question I have is — when the decision is made to do something similar to this decision about anyone who faces domestic violence or sexualized violence having the ability to have paid time off work — I can understand the business aspect. I can understand losing employees — and the training and all the rest of it — but would this be considered something that is value-based? So, the government recognizes the value in making sure that people are able to care for themselves — I guess my question is: How was the decision to move this amendment forward decided? Was it values-based — or other?

**Hon. Mr. Streicker:** It is a very interesting question. I do think that some of this is values-based. I will say that at all times we look across the country to try to understand what trends are. We saw this trend. Even when we brought forward the amendments to the act last year, I think that we were identifying then that this was important. I think that we have talked about the importance of working with vulnerable folks and being able to provide supports — a broader sense of equity for all — and I think that this did hit the mark, in terms of values. I think that we have this broad goal, where we have said, through — just one second, Mr. Chair — yes, like I was saying, we have tried to come up with sort of broad directions that we are trying to take the territory in. This is part of that overall direction and that is a values-based exercise. So, I think that the answer to the question is yes.

**Ms. White:** I thank the minister for that. This is the benefit of being government — you can make decisions that you think are for the betterment of everyone. So, I appreciate that.

It was just mostly that the ability to make decisions and change laws is the power and privilege of government. I do think it's important that we look across the whole and make decisions based on that. That was the reason. It wasn't a

“gotcha” question. It was just pleasant conversation about why we make the decisions that we do.

The only other questions that I have can be addressed easily in clause-by-clause debate, so I will just wait until we get there.

**Hon. Mr. Streicker:** I just want to follow up with the Member for Takhini-Kopper King. I took it as a straightforward and sincere question, and that is how I felt — not in any way a “gotcha” question. I will say one thing: I think that we here collectively change the laws. I think that the government has the responsibility to propose those bills that come in here. I thank the member opposite for her thoughts and comments.

**Ms. White:** Just to follow that up, I agree — but with a majority government, sometimes laws get changed — not necessarily in this case — without the all-party agreement, which, I believe, this one will find. This is an easy one to put our support behind, because we also agree that people should be supported.

**Chair:** Is there any further debate on Bill No. 10?

Seeing none, we will proceed with clause-by-clause debate.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

**Ms. White:** This is the definition section of the changes here, and I think that it’s important. I am going to ask the minister to skip down to “sexualized violence, in relation to a person”. I think it’s really important because we are including language in here of gender identity and gender expression, which is critical. I appreciate that we have made efforts to change our human rights legislation and that we continue to make efforts to make sure our legislation is up to date. If the minister wants to celebrate the definition under there, then I would be happy to have him do that.

**Hon. Mr. Streicker:** I appreciate the opportunity. There is a notion — as we move forward and we move off of cisgender-normative kind of predominance in our world — that if we’re going to build an inclusive world, we need to do it at all levels. This is an important level.

The Minister responsible for the Women’s Directorate, I know, has been working. I think really early on, we took a scan of our legislation to try to see where there were challenges and we started to bring those forward in tranches to improve them.

I would like to thank the members of this Legislature for their support in trying to update the legislation.

I just checked with our drafters and this is the standard now when we’re drafting legislation. This is no exception to the new direction.

**Ms. White:** I appreciate that I was just able to catch myself. Clause 4 is almost the entire changes to this act and I’m glad that — I didn’t see number 5, which I want to talk to about next.

Clause 4(5) says: “An employee who is eligible for a leave of absence under subsection (4)”. If the minister can walk us through how it was decided what an employee would be entitled to — we know that there are different types of employees. There is someone who is a permanent employee or we have someone who makes an hourly wage or people who are on contract. This section lays out who is eligible. Then he can follow it up, because subsection 6 talks about the way payment happens — so if he can talk about subsection 5 and subsection 6.

**Hon. Mr. Streicker:** Under these definitions, we have here some of the technical pieces about how this will roll out. The first thing to note under clause 4(5), I believe, is that as soon as an employee is hired, they are eligible for the five days of unpaid leave. After they have been there for 90 days of employment, that is where the five days of paid leave would become eligible and, also, the 15 weeks of leave without pay. Again — as I said in opening remarks — typically that would be consecutively unless, with support from their employer, it could happen over non-consecutive periods.

Some of this is based on looking at other jurisdictions and some of it is based on the principle that when someone is first hired, they need to work at that place and become, I guess, a permanent employee before the employer — have invested in that work — in order for the employer to be able to invest back in them as well.

Under section 4(6), if someone has regular working hours, it is pretty easy to understand what those five days of leave might look like. The challenge is that many jobs have rather irregular hours, and so you need a way in which to average out that amount of work to get to an average amount of compensation due. So, the way it works is to look over the past four weeks and to use a percentage — I believe that it is five percent — of that amount over the past four weeks, which would give a daily rate to be paid out for those five days of paid leave.

**Ms. White:** If he could explain section 4(7), please. So, it says that: “An employee is not entitled to a leave of absence...”. If he could explain that section, please.

**Hon. Mr. Streicker:** There are times when it is people who are close to us who are perpetrating the violence, or for the victims of violence, sometimes it is their intimate partner who is the perpetrator — all too often, actually. So, you could get a situation where the perpetrator is the person applying for leave in order to support the victim. So, this section 4(7) basically says that if the employee is the perpetrator of the violence, they, themselves, are not then eligible for that leave. That is what is here under section 4(7).

**Ms. White:** I do appreciate that, but when the minister was laying it out ahead of time, he said that it was not about revictimizing victims of violence. I appreciate it that it’s here and says that this person shouldn’t be allowed to do it, but how do we prove it? Obviously, we are going to take people at their word because that’s what we should do, but I’m just questioning why it is included there.

**Hon. Mr. Streicker:** Again, a good question. The vantage point that I think we need to take here is from the victims — the victims of some violence.

If, for example, there was a victim of violence and the person who created that trauma and was responsible for that trauma was in their home with them, that may be the revictimization — putting someone at risk after trying to do just the opposite. The point here is to do our best to protect victims. Of course, there may be times when victims choose not to disclose and also choose to be supported by the person who has perpetrated that violence. That we won't necessarily know, but I think the whole point here is that, by talking with the support organizations about how victims come forward to share without retraumatizing — those are the types of questions that we are to work through with those organizations to find a way so that those persons who have been victimized can disclose in a safe way and a supported way and get, in this case, some leave from their work, both paid and unpaid. You know, because they're going to have to at least make a statement to their employer, we want to do that in a way which is not going to retraumatize them. Some of that will be based on that engagement that we're talking about following up with once this bill passes the House.

**Ms. White:** I appreciate that answer, but it almost sounds then like both the victim and perpetrator need to work in the same place in order — I guess, my point is that I appreciate that it's included in the legislation. It will be really interesting to see how the groups that are being consulted say that it should be — how it should be followed.

I'm just highlighting that of course our job is to believe victims. When we include the language that says that a perpetrator is not allowed to take the leave to support the person whom they have abused, it becomes really complicated. Is the victim of abuse supposed to contact that person's employer to say that they've been — my question is that it just goes down this long rabbit hole and I'm just trying to figure out how it looks. I appreciate that the groups that will be consulted will have a much better idea than I do on how that should be included. I'm just trying to figure it out.

**Hon. Mr. Streicker:** Again, these are the — we've played some of these "what if" scenarios in conversations, but this is exactly the type of conversation that, I think, needs to be had through that engagement with those support — those service organizations to understand and the employer organizations to understand how to disclose information. It needs to be done in a way that protects the privacy of individuals to respect the victims' declarations.

We know that there are times when domestic violence happens domestically, and if what we do through this leave is to set it up so we are putting the victim in a vulnerable position, then we haven't hit the mark. The question is great, because, of course, we don't anticipate that a victim and the perpetrator necessarily work at the same place, so how does that get disclosed? That is an excellent question, and that is one of the ones that we feel we need to work through with these organizations as part of the engagement.

**Ms. White:** I thank the minister for that. Clause 4(10): "An employer may require an employee who requests a leave

of absence under this section to provide the employer with notice of the leave in the form approved by the director." We are asking a victim of violence to submit paperwork from an employer that has been approved by the Employment Standards Board, I'm guessing. It goes on in subsection 11 saying that they don't need to provide third party verification but they still need to submit the form. Are we not getting close to the revictimization that the minister said we were trying not to do?

**Hon. Mr. Streicker:** The first thing that I want to just clarify is that we are not expecting the employee to submit a form to the director. The form needs to be created by the director. The reason is that we don't want a myriad of forms. It wouldn't matter that they have some differences. What matters is that they are not — for example, we will not have a form that requires a doctor's certificate. We don't want such a thing because we think that it would be revictimizing. So we will ensure that the form is standardized and that it will be created, again, out of this engagement with groups — but it will be as simple as possible so that it does not do any revictimization, and it will be standard so that it is one form used by all employers.

The form itself — by doing this, we can guarantee that there are certain questions asked — the minimum that would be needed to track and account for which type of leave is being taken, without going into questions that would be inappropriate in this type of situation. That is why we are working to make it a standard that is used by all and that the job of making that standard will fall to the director.

**Ms. White:** I appreciate that, but the language in subsection (10) says that an employer "may require". It doesn't say that an employer "will require". So, when the minister talks about tracking the information, the types of leave and the different things available, this legislation says "may"; it doesn't say "will". Does that mean that if I owned a coffee shop, the Employment Standards Board would contact me and give me the form if I wanted to use it? Would someone approach me? Would I approach the board if I needed a form?

I can understand that it means that the form will be created and it will be available for everyone, but when the minister just talked about tracking different kinds of leave, that makes it sound like people will be asked to fill out a form, but it says "may". I am just looking for clarification.

**Hon. Mr. Streicker:** If employers don't require a form, no problem. That is their discretion. If they are going to require something, we will have them use the standard, hence the word "may". What we will do is make the standard available through the website for all employers, so that they can't go too far, is what we are saying. Again, we will get that form out of that engagement that we are talking about. That is that implementation phase. The reason we put in "may" is because we thought that some employers may not require it at all — that is their discretion.

**Ms. White:** I thank the minister for that clarification, and of course, thank those officials present. I thank them for their help in this report and I look forward to this becoming law, and that people are able to access this important leave.

**Chair:** Is there any further debate on Clause 4?

*Clause 4 agreed to*  
*On Clause 5*  
*Clause 5 agreed to*  
*On Clause 6*  
*Clause 6 agreed to*  
*On Title*  
*Title agreed to*

**Hon. Mr. Streicker:** Mr. Chair, I move that you report Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, without amendment.

**Chair:** It has been moved by Mr. Streicker that the Chair report Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is continuing general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

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. 12: Act to Amend the Wills Act (2020)**

**Chair:** The matter before the Committee is continuing general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

Is there any further general debate?

Ms. McPhee has 18 minutes, 26 seconds.

**Hon. Ms. McPhee:** Thank you, Mr. Chair. I have no intention of taking 18 minutes. At this part of the process, I will take a moment to welcome back Sheri Hogeboom and Will Steinburg. They worked as drafters and policy director on this Bill No. 12 before the Legislative Assembly. They were here the other day to assist with information provided to the Legislative Assembly and to Yukoners and have joined me again today. For that, I thank them very much. I believe I was answering questions from the Member for Whitehorse Centre and I'm happy to continue that.

**Ms. Hanson:** Yes, I did want to pick up on the minister's answer last week, and I don't want to belabour the point, but the comment she made was that — I had asked the question, with respect to why the provision was, with respect to the age of 19, and that we have exemptions in the modernized — but basically very much the same as it was in the old act — that a person who is under the age of 19 can make a will if they are a member of the National Defence, a member of the regular forces, Canadian Forces, who are in active service in RCMP — I can't even imagine being an RCMP at under the age of 19, just in terms of qualifying — and a mariner at sea or in the course of a voyage.

I do understand that our *Marriage Act* requires somebody to be 19 in order to get married without the consent of their parents. I'm not recommending that people get married under the age of 19, but it seems to me that, similar to having exemptions for somebody who is at sea or these other exemptions that are listed and enumerated in section 2(a)(i), (ii), (iii), (iv), why wouldn't we make an exemption if there is parental consent for a marriage pursuant to the *Marriage Act* for somebody under the age of 19, because presumably they're "mature enough" to be married and may in fact be mature enough to have a child and an estate? Why wouldn't we have made an exemption for that kind of situation rather than saying, well, the *Dependants Relief Act* is going to deal with it? It doesn't seem to be respectful in the sense that, if we respect them enough to say, "You can get married with consent" and act as if they're adult and mature enough to be in that status — similarly, we would say that they are mature enough to be a mariner or whatever — it is a question of curiosity, Mr. Chair, but it seems to me that the logic doesn't follow. I understand that there may be historic precedents, but unfortunately, lots of people get married — or some people get married — under that age.

**Hon. Ms. McPhee:** Thank you for the question. I appreciate the comments from the member opposite. It is not really about maturity. I certainly don't disagree with some of the comments made, but people must be 19 years or older to witness or to make a will here in the Yukon Territory because that is the age of majority for the Yukon. That is set out in the territory's *Age of Majority Act*. This was, of course, designed to align with that legislation so that there wouldn't be issues with respect to having pieces of legislation saying different things for the age of majority.

What I can say, in addition to that, is that, in this Bill No. 12, there will be provisions that allow a court to look at the intention of the person making the will, whether that would be through a court application process or otherwise. Certainly, there would be an opportunity for a court to recognize a will made by an 18-year-old or someone even younger if there was a situation where they had done so and ultimately their wishes were clear and someone brought that to the court process to say that here is a situation in which a will has been made — we respect it and expect that it should be validated and the gifts distributed, despite the fact that the person was under the age of majority when it was made.

I believe that the provisions that will change this process and allow courts to look at the intentions of the person making the will — not in a more interventionist way, but in a way that is designed to respect the person's wishes — would be one way in which something like that could be addressed.

**Ms. Hanson:** During the briefing, there was a number of explanations given, and I just want to clarify or make sure that I did understand. When you look at section 5 being amended, and it says — so basically, if we look at the legislation — section 5 — they have added in (1.01) that comes after paragraph (d) of section 5(1). So, could the minister explain what the implications of that are? As I understood it, you have to have three people involved in witnessing a will. I am asking

the minister to clarify because I don't quite get it. I understand that two had to sign in the presence of the person making the will, but does that make up the three, or are there three separate witnesses who are required?

**Hon. Ms. McPhee:** If the member opposite could just make the section reference again. I missed the section reference she was meaning.

**Ms. Hanson:** In section 5, the following subsections are added: So, section 5 amended — so it's 4 on page 3 — and it refers to section 5(1) of the *Wills Act*. They are adding a new subsection after the subsection (1).

**Hon. Ms. McPhee:** Thank you for the chance to get some additional information. The reference to section 5 that was made in the question, and the addition of (1.01), deals with a situation that is permitted in the current *Wills Act* where, if someone is incapable of physically signing, they are allowed to have someone sign on their behalf. That is a provision in the current *Wills Act* and will be maintained under these amendments as well.

In the event that it is my will and I am unable to physically sign, and I say, "Person A, will you please sign on my behalf?" — so they are signing the actual will. It would still need to be that person plus two witnesses, and that's the provision there. The question asked is correct in that there would technically need to be three people, but that provision is to make that more clear.

The other provision set out in that (1.01) amendment is — the person who has been asked to sign on my behalf in the example that I have given cannot be a witness, and they also cannot be a beneficiary or someone to whom a gift is going — for maybe obvious reasons, but it should be someone independent both of the witnessing of the will and of the gifts that are bestowed by the will.

**Ms. Hanson:** I appreciate that explanation. I hadn't picked up on the nuance about the person not being able to do that. I just want to clarify that any witness is not eligible to be a beneficiary of a will.

**Hon. Ms. McPhee:** Yes, that is generally best practice across the country. I can check to see if it is prohibited, but it certainly is prohibited in some of these amendments going forward. For clarity, a witness should not also be a beneficiary, nor should a person who is signing on someone's behalf. Those would be relatively unusual circumstances, but they certainly do occur where someone is physically incapable of doing it for whatever reason, but can give instructions to have a will.

**Ms. Hanson:** I just want to confirm for the record because someone had asked me this: In the *Wills Act* — and I love the title "formalities" — basically it says in section 5(2) — we're not changing the fact that people can continue to make wills in handwriting and that they do not require witnesses. That is a holographic will and no witnesses are required for that, but it must be entirely in handwriting.

**Hon. Ms. McPhee:** The answer is yes. Holograph wills will still be valid even if these amendments go forward in Bill No. 12 and change the current state of the *Wills Act*, so a holograph will is currently valid under our wills legislation and will continue to be so.

**Ms. Hanson:** I would appreciate if the minister could explain — I tried reading section 6 of the current *Wills Act* and it has lots of testimoniums and very strange language. I think that the intent is that — if the minister could confirm this — first of all, it talks about where you can sign it, but then there is a lot of language around if someone writes something underneath the signature and what that means or does not mean, and if it validates or invalidates any provisions that they try to do there. This replacing section 6 has been condensed — could she explain what that condensed version means?

**Hon. Ms. McPhee:** The amendments will simplify the rules for the placement of the will-maker's signature. Under our current *Wills Act*, misplacing a signature can be fatal to a will or to gifts that are made in a will. Exceptions to the general rule that a signature must be at the end of the document are included in the current act, but these are overly strict and technical. In the amended provision, the general rule for placement of the signature and the consequences of a misplacement will be set out in plain language. The new provisions will also set out a presumption that any instructions below the signature are not intended to be part of the will and that any instructions put into the will after it is signed are not effective. That's the idea for clarity.

As a general rule, a will is not invalidated due to the improper placement of a signature as long as it appears that the signature is meant to give effect to the will. The idea of writing something below the signature is probably a bit historical and traditional, but there being no place to add something above the signature — you want to make sure that the presumption is that the person signed it at the end of the document, saying that all of the material items ahead of that signature are their intentions. By the same token, the very strict rule in the current legislation — that it's just invalid immediately — is not practical either. There is a presumption that writing underneath the signature is not intended to be part of the instructions of the person making the will, so that will remain, but gifts or directions added to a will after it has been signed are not effective. In order to add gifts, directions, or intentions, a person making a will must comply with the requirements for alterations or to make a new will. For clarity, this includes wills that are signed by another person, as we were just speaking about, acting on behalf of a person making a will, according to their instructions. I hope that clears it up a bit.

We are trying to make sure that it is a bit more clear and that there is no absolute prohibition, if someone were to make an error or sign every page — or something like that — so that it is not a situation where the intentions of the person making the will are somehow unclear or can't be determined by those people administering the will.

**Ms. Hanson:** I thank the minister for that explanation. I think that, by the end of this, I will fully understand wills.

In section 9, it is amended — section 9.01(1) is amended and I understood that the changes required by the Uniform Law Conference of Canada — it has to do with — as I understand it — the mental competence of witnesses or whether or not they become incompetent — even if they become incompetent afterwards. If the minister could explain what the difference is

between the language of section 9.01(1) in the amendment and section 9(1) in the current act: Why are they different? What is different about the language in terms of the implications of it?

**Hon. Ms. McPhee:** That section referenced in section 9 by the member opposite is designed to make clear that people who sign the will on behalf of a person making a will — so, as we were just speaking about, the idea that I cannot sign a will for whatever reason — physically or otherwise — and I ask someone else to do it, that section has been added to make it absolutely clear that a person who does that on behalf of a person making a will or their spouse are prohibited from receiving gifts under the will.

The voiding of gifts to surrogate signers — that's another possible term — and their spouses will remove incentive for them — for anyone — to unduly influence a person making a will. British Columbia, Alberta, Manitoba, and Ontario have all extended the rule against gifts to witnesses to include surrogate signers and doing so is recommended by the Uniform Law Conference of Canada and that has been adopted here. I should add, by surrogate signers or their spouses. Those are the provisions in that part of the bill in section 9 to respond to that.

**Ms. Hanson:** I thank the minister, but I think the minister was actually answering the next question I was going to ask, which was the placement of a new provision which speaks, as I understood it — as she just described — to an intention to prevent fraud or coercion. I was just asking — I thought that the explanation that I had heard that there was a new replacement of the existing subsection (1) in section 9 with language that was talking about mental incompetence and something about the Uniform Law Conference of Canada. I just wanted to know what the difference in the — just basically how the use of different language changes the provision. Or does it?

**Hon. Ms. McPhee:** The member opposite — and know I couldn't guess the next question. Sorry that I went ahead a little bit.

To go back to the question in reference to section 9 — I spoke about 9.01, of course, recently. Section 9 is that — the clarity there was to produce language that would be in subsection 9(1) and it would be changed so that the will can be invalid if the witness is not competent. This was to align with the uniform law conference recommendations as well, but our current legislation says that the witness must be competent at the time and it was unclear whether that was at the time of the signing of the will, which possibly, it could have been. If there was an issue with the competency of a witness surviving the administration of the will or being useful during the administration of the will and their ability to testify or explain what they understood the testator's intention to be — or something like that — it seemed a little unclear. So, along with the recommendations, the language has been changed in section 9(1) to remove the words “at the time” and to simply be very clear that the person assigned or chosen to be a witness must be capable and competent of doing so.

**Ms. Hanson:** I thank the minister for that clarification. Just a couple of words makes a difference.

In section 10, as amended — well, I don't understand it — but in reading the revocation piece in the existing *Wills Act*, my

understanding is that it is to provide for an automatic revocation upon marriage. Then when I read through section 10, “Revocation of gifts for former spouses”, could the minister just explain in plain language what section 10 does and what the to and fro is about? Who is affected here? I understand that it applies to both married and common-law couples.

I have questions about it. Is it as long as they're together at the time of the person's death? There is a section here that talks about, as I understand it, if there is a reconciliation of divorced spouses, they could then become beneficiaries.

I was just curious as to the definition of “reconciled” in terms of getting back together. I'm sure it would be fascinating for lawyers to figure that one out.

**Hon. Ms. McPhee:** I am going to start by making a reference to section 10, as was made in the question. Sections requiring the automatic revocation of a will when the person making the will marries are repealed. That is the current state of the law. In this act, that automatic revocation — so your will is no longer valid upon marriage — would not be the case. It would be an individual's choice to change a will, of course, but it wouldn't necessarily be automatic, which is sort of a more modern way of dealing with issues around marriage or traditional marriage.

In order to answer the question, which I think is also in there — about what happens following separation or divorce — following the termination of a marriage or common-law relationship, any gifts to the person's former spouse would be cancelled, similar to many other Canadian jurisdictions. I will get to what the definition of those are in just a second. Appointments of a former spouse as an executor or a trustee would also be cancelled. The rest of the will would remain in place and would be interpreted as if the former spouse died before the person who made the will and who we would be dealing with — or who anyone would be dealing with as an administrator or an executor. These changes will not apply if there are any instructions in the will showing that the person making the will intended a different outcome following their divorce or separation. Individuals might still have a friendship, parenting — all kinds of relationships — and it might say, “I don't want any of those things to have effect. My executor is my former spouse, and I want that to remain.” So, they could specifically speak to that.

Then there is some guidance about how we would know if a relationship had permanently ended. The amendments in Bill No. 12 define when a spouse becomes a former spouse. This is marked by either a divorce, a declaration that the marriage was void, or a separation of a year without a reasonable expectation that the spouses will live together again — complicated, as all of these matters can be. These are the same criteria that are found — there is another alignment here — in the *Family Property and Support Act*, which also defines when a marriage has ended permanently, which is helpful.

If spouses experience a breakdown of their relationship — this is in reference to the concept of reconciliation — and later reconcile and resume living as spouses, gifts and appointments to that spouse will not be affected as long as they are living as spouses when the person who made the will dies.

For married spouses, reconciliation is defined in Canadian law by the *Divorce Act* as a resumption of cohabitation lasting more than 90 days within one year of separation. For common-law spouses, this would mean that the couple must resume living together for at least one year prior to the death of the person who has made the will.

It's complicated but still more clear and with more protection, in my submission on this bill to the Legislative Assembly, than is in the current piece of legislation — so, the idea being to make these amendments to make clarification for individuals who are making a will.

Mr. Chair, I note the time, and I move that you report progress.

**Chair:** It has been moved by Ms. McPhee that the Chair report progress.

Are you agreed?

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee 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**

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, and directed me to report the bill without amendment.

Mr. Speaker, Committee of the Whole has also considered Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, and directed me to report the bill without amendment.

Finally, Mr. Speaker, Committee of the Whole has also considered Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, and directed me to report progress.

**Speaker:** Thank you. 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. Ms. McPhee:** I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:26 p.m.*

**The following sessional paper was tabled October 26, 2020:**

34-3-52

*Yukon Child Care Board Annual Report 2018-2020 (Frost)*





# Yukon Legislative Assembly

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Number 53

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 27, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

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<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Government House Leader Minister of Education; Justice
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Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Tuesday, October 27, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Mr. Gallina:** I would like members to welcome my lovely wife, Sarah Gallina, who has joined us here today for our tribute to Breast Cancer Awareness Month.

*Applause*

**Speaker:** Are there any tributes?

## TRIBUTES

### In recognition of Breast Cancer Awareness Month

**Mr. Gallina:** I rise today on behalf of the Yukon Liberal government to pay tribute to Breast Cancer Awareness Month.

Mr. Speaker, breast cancer is still the most common cancer in the territory, and I think that we have all known someone affected by this. A cancer diagnosis of any kind has an incredible impact on the person, and on their families and friends. Many of us here have a story about someone they know who has battled cancer. Today, I am giving this tribute to someone who has been deeply impacted by breast cancer, and I will take this time to celebrate my Auntie PJ.

When PJ came into my life, she had been battling breast cancer for a number of years. Through a strong will, healthy relationships, and an unwavering desire to live, she fought the terrible disease into remission. It was during this time of inner peace with PJ, that I saw someone blossom into a radiant, beautiful woman with strength and conviction — someone who cherished every breath of every day. She was an inspiration to anyone she came into contact with.

I remember this time with her. My daughters were toddlers then, and my wife Sarah and I were discovering the treasures of our growing family. Our days with PJ were filled with stories by candlelight, scavenger hunts for all sorts of odd and unique treasures, music and costume parties, tasty food, and laughs — lots of laughs.

As many as one in eight Canadian women will develop breast cancer, and when you consider the number of people who this affects, the impacts of this disease are far-reaching. I believe that Yukon's response to breast cancer support is one of the shining examples of what makes this such an amazing territory. There are the dedicated health care professionals who support cancer patients through their journey, and share the suffering and the successes with their families. Thank you to all of the people who have chosen a career in the health care field.

Your work is important and the support that you provide truly matters.

Then there are the volunteers who coordinate the annual Run for Mom fundraising event. It was different this year, but the organizers put together an excellent virtual option, which is a tribute to the tenacity of these humans.

There is also the Hospital Foundation, which fundraises all year for the cancer care fund. As you heard in tributes yesterday, the work that this team does is incredibly important and it is so appreciated by Yukoners across the territory. Supporting Yukoners to be at home as much as possible is so important and means so much to cancer patients and to their families.

Early detection is another important aspect of cancer treatment and support. There are hard-working organizations in our community helping women to get informed and access the information that they need. The Yukon Sexual Health Clinic and Yukon Women's MidLife Health Clinic are two such organizations, and I want to thank them for the important work that they do.

When you or a family member are diagnosed with cancer, it is devastating. I am so grateful to our community for all that they do to promote a feeling of hope and love for everyone who experiences this.

Mr. Speaker, on October 31, 2012, PJ passed away from the disease that came out of remission. Earlier that night, just as Sarah and I were getting ready with the girls to trick-or-treat with friends, we got the call — the call from family to say that PJ was passing on and that, in her last moments, they felt that PJ would love to hear our voices — especially those of the little Gallina girls who had become so fond of PJ and her quirky and beautiful ways. So, there in my living room, Sarah and I watched three little munchkins dressed as a lion, a tiger, and a monkey say their goodbyes. At that moment, I know that the girls were playing one of their games with her — how fitting. I'm not sure that my girls really understood how special that conversation was, but I know that PJ did.

To this day, my family still finds little treasures of inspiration around our house that were left for us as a way for someone who has passed on to reach out and say hello. My favourite is one that I recently discovered that said, "Paolo, be a man, and skip." I do, Mr. Speaker. I do.

To those we have lost to breast cancer: We miss you and we love you. To Yukoners who have survived breast cancer: You are so strong. To those battling cancer today: We are with you and we send you strength. To all: We do share your experience, and we hold our hands out to you and we support you.

*Applause*

**Ms. McLeod:** I rise on behalf of the Official Opposition to recognize October as Breast Cancer Awareness Month in Canada. Breast Cancer Awareness Month is important because, while we are all aware that breast cancer exists, not many are aware of just how many women it affects.

Many of us know someone or numerous people in our communities, families, or circles who have been touched by

this disease. For those who visualize through numbers, the statistics around breast cancer are staggering. Breast cancer represents 25 percent of all new cancer cases diagnosed in Canada in 2020. It is estimated that 27,400 women will be diagnosed with this disease, and it is expected that 240 men will be diagnosed as well.

Further incidence and mortality statistics are just as daunting, and it's a scary and confusing time for those who are newly diagnosed with cancer. We are fortunate here in the Yukon to have a wonderful team of professionals who have your back, and they deserve our thanks and our recognition. The cancer care coordinator is a hospital staff member who helps individuals and families navigate their journey, from answering questions to finding resources and helping you understand tests and treatments. Of course, we hear often how the staff at Karen's Room are tremendous through chemotherapy treatments.

Mr. Speaker, I would also like to give thanks to those who work year after year to fundraise for a great cause. Karen's Fund was created in October 2000 in memory of Karen Wiederkehr, who passed away at age 37 due to breast cancer. The fund provides a financial gift to women undergoing treatment for breast cancer to help them cover out-of-pocket costs. This is a wonderful way that we as Yukoners can donate to help other Yukoners directly with financial stresses that they face. Please see how you can contribute to such a great cause.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP caucus to acknowledge October as Breast Cancer Awareness Month. There isn't a single person in this House who has not been touched by breast cancer — whether it be a mother, sister, co-worker, friend or a brother, we all know someone. Yukon, as in the rest of Canada, one in eight women will be diagnosed with breast cancer. The good news, however, is that fewer women are dying from breast cancer and some of those reasons include earlier detection through regular mammography screening and advances in screening technology and improved treatments that lead to improved cures and outcomes.

We're fortunate to live in a place where we're surrounded by go-getters and visionaries — people who see a problem or a need and, instead of sitting back and feeling despondent, they tackle the problem head-on and figure out the best way to help. These same folks knew that money raised in Yukon for breast cancer prevention and awareness could stay in Yukon to directly help Yukoners, and they took the steps to make that happen. With successful fundraisers like the Run for Mom and Mardi Bra, when possible, money that is raised in the Yukon stays in Yukon and is directed where it will do the most good.

We wish to thank all those who donate their time, energy, and resources to support those facing the challenge of breast cancer. Thank you to the many, many people who continue to fundraise, volunteer, advocate, and support those living with and fighting breast cancer.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Mostyn:** I have for tabling a legislative return responding to a motion for the production of papers from the Member for Porter Creek North regarding 22 Wann Road.

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

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

THAT this House congratulates the Saskatchewan Party, the British Columbia New Democratic Party, and the Progressive Conservative Party of New Brunswick in recently forming majority governments in their respective provinces; and

THAT this House congratulates the Kwanlin Dün First Nation, the Little Salmon Carmacks First Nation, and the Carcross/Tagish First Nation in successfully holding leadership elections.

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

THAT this House urges the Premier to explain why the *Yukon Parks Strategy* says that the government completed a review of all fees and fines across government, but when access to information requests are submitted requesting copies of the review, the government claims that it does not exist.

**Mr. Hassard:** I rise to give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of the review of all fees and fines across the Government of Yukon that was completed by the Department of Finance as referenced in the *Yukon Parks Strategy*.

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

THAT this House supports the additional funding for disability services in response to the COVID-19 pandemic.

**Speaker:** Are there any further notices of motions?

Is there a statement by a minister?

### MINISTERIAL STATEMENT

#### 2020 Yukon Agriculture Policy

**Hon. Mr. Pillai:** Mr. Speaker, I rise today to speak about the new 2020 Yukon Agriculture Policy, Cultivating Our Future.

Where would we be today without our farmers across this country and close to home? Through the past months, with all

the challenges thrown at us during the COVID-19 pandemic, we have seen a strong supply chain stay intact. I would like to thank the members of our farm community for their hard work during this difficult time.

Locally raised and grown products have been available through many retailers and restaurants. These include brown free-range eggs from the Little Red Hen Eggs from Al and Cathy Stannard; a wide assortment of meats from Yukon Born and Raised Meats; local pork at Bigway and other locations from Fox Ridge Farm — Kathy and Collin Remillard; potatoes and carrots and other veggies from Yukon Grain Farm — Steve and Bonnie Mackenzie-Grieve and their whole team; herbs and other greens from ColdAcre; veggies from Sarah Ouellette; out on the Klondike Highway, you will find Tum Tum's Meats; and further up the highway in Dawson, BonTon Butcherie and Charcuterie; and cheeses from Klondike Valley Creamery.

There was also a wide variety of locally grown products available at the Fireweed Community Market this summer from producers, including: Celestial Greens; Circle D Ranch; Elemental Farm; Frost Hardy Farm; Icy Waters; Redpoll Farms; Sundog Veggies; Takhini River Ranch; the Farm Gate; and Yukon Gardens. I would like to say a big thank you to Yukoners for supporting local farmers and for shopping local.

In support of the agricultural community this past summer, we launched the Cultivating Our Future: 2020 Yukon Agriculture Policy. We made the announcement at Yukon Gardens, where Lorne and Kelsey Metropolit have a fantastic greenhouse operation. This new policy is the result of several years of work in consultation with agriculture industry representatives, First Nations, and the public. I would like to thank everyone for their hard work on this plan and their hard work to plan, discuss, and write this new policy. The result of this will guide our work to further develop the agriculture industry for Yukon from now until 2030. Cultivating Our Future outlines how the Government of Yukon will support the continued growth of Yukon's agricultural industry and our ability to be more self-sufficient in food production over the next decade.

Who would have known when we got down to work on this policy that Yukon and the world would now be looking at unprecedented changes in the way we operate our economies and our day-to-day lives? Work on our Cultivating Our Future policy started well prior to the COVID-19 pandemic, but the implementation of this policy provides an opportunity to examine how we live, how we do business, and how we produce food, especially at the local level. We know that Yukoners have a strong interest in local food production and eat locally.

Recent events surrounding the closures of borders and impacts on large-scale food production have only increased the interest of Yukoners in developing our capacity to produce food in our territory and in our own backyards. There is tremendous interest in local food and local markets. Yukon's capacity to produce food is growing. We have beef, dairy, hog, and poultry operations, and an emerging sheep and goat industry. We have market gardens and we have value-added producers making

items such as birch syrup and preserves. We have community- and First Nation-based farms and greenhouses.

We want this capacity and the related economic development opportunities surrounding local agriculture to continue. That is what the Cultivating Our Future policy is about — planning for the future of Yukon agriculture. I sincerely thank everyone for participating in the process of creating this policy and those who will participate in making its vision a reality over the next decade.

**Mr. Cathers:** I am pleased to rise today to respond to the ministerial statement about the updated agriculture policy. I would like to begin by thanking the farmers, market gardeners, and processors, as well as other businesses and people who contributed to the development of this updated policy — and, of course, thank the department staff for their work on it.

I remember a time, not so many years ago, when the Yukon's agriculture sector was not treated seriously by some. Today, through the determined work of Yukoners, the production of locally grown food and other agricultural products has increased substantially, and Yukon-grown food can be found in grocery stores, at community markets, in restaurants, and through farm-gate sales.

During the early weeks of the pandemic, disruptions to supply chains resulted in shortages of some products in our grocery stores — including foods, in some cases — but I was happy to see that Yukon Grain Farm potatoes, Little Red Hen eggs, and other locally grown foods were reliably found on store shelves.

I would like to thank Steve and Bonnie and Al and Cathy for that, as well as to acknowledge some of the many other farmers and processors who produce the food we rely on in the territory — including Fox Ridge Farm, Sarah's Harvest, Circle D Ranch, Yukon Born and Raised Meats, Sundog Veggies, Takhini River Ranch, the Farm Gate, Sourdough Sodbusters, Yukon Gardens, Celestial Farms, Heart Bar Ranch, the Stockleys, Aurora Mountain Farm, C&D Feeds, the Feed Store, ColdAcre Food Systems, El Dorado Game Ranch, Horse Haven Ranch, Dusty Trail Yukon, M'Clintock Valley Farm, LeBarge Ranch, Ibex Valley Greenhouse, Nielsen Farms, Tum Tum's Black Gilt Meats, and Sunnyside Farm — to name but a few of the farmers who provide food products and supplies that are relied on by our farming sector, as well as market gardening.

I would just like to thank all of them for their work, because without — while an agriculture policy is important, ultimately, the reason that we have a successful farming sector is the hard work of Yukon citizens.

We are pleased to see that the government has continued to work with the agriculture sector — building on work that we did in government, including the 2006 agricultural policy and the local food policy. We support the four main objectives of the policy and many of the goals within it.

I am pleased to see the inclusion of the reference to the farm code in this, as well as the commitment to investigate joint agricultural land preparation with Yukon First Nations, to name but a couple of the topics, but I do need to highlight a few

problems with it, as well as risks to the future success of the agriculture industry.

First among these, is a matter separate from the policy, but very integrally connected to the success of farming. There is a need for farmers to have access to commercial waste disposal at affordable, predictable rates. This summer, that ended. I wrote to two ministers about this, and I am pleased that there was some action, but the action does not go far enough. It may not result in resumed service and it is resulting in unpredictability for our farming sector and the industry that supported them.

I am pleased, as well, in this, to see the mention of the right to farm, but we also see risks to the value of that title, including the government's reference to the environmental farm plans and the new manner in which they intend to apply them in this policy, as well as a draft wetlands policy, which poses a risk to the certainty of farm, of title and your ability to use your land.

We have also seen other problems that the government has not taken action on, including the problem with their fuel tax rebate, which I have raised with the Premier but have not seen action on. We see as well that the carbon tax increased the cost of feed, fencing, and building supplies without providing farmers the ability to get that money back through a rebate. That has simply increased the cost of farming.

Again, generally we are supportive of the policy, but I would encourage the minister and his colleagues to take the issues that I have raised very seriously, because they are important to the success of this sector.

**Ms. White:** As the planet changes, food security has never been more important for Yukon than it is today. We see Yukoners from all walks of life and experiences turning toward the land, looking for solutions to help make us more self-sufficient.

The agriculture industry in Yukon is unlike any other industry. Yukon farmers celebrate the accomplishments of their neighbours. It is truly special to see folks freely sharing their own experiences in an effort to ease the learning of others. A few years ago, the minister — the Member for Lake Laberge — and I were on a tour set up by the Agriculture branch. The three of us were walking toward outbuildings with a farmer and talking about challenges that the farmer faced. The cost of power was highlighted. I asked why the rate of power for some industries like mining, which they have access to, is not available to farms, so I hope that the minister might be able to give us an update in his closing remarks as to whether or not changes are being considered.

This summer, I had the pleasure of visiting community farms across the territory. I visited the decades-old community garden run by Alice Boland for the Little Salmon Carmacks First Nation, and I met with Chief Angela Demit, who spoke with hope about a greenhouse project in Beaver Creek that the White River First Nation would love to see succeed. I saw the work being done in Haines Junction, Mayo, Dawson City, and here all around Whitehorse, and it is so exciting.

The Fireweed Market and the many community markets across the territory are always special events. Their meaning is

much deeper than the transactions that take place at these markets. The connection between producers and consumers often turns into friendships, and it is those relationships that bring everyone involved closer to the land and the people involved in producing the food that we all need and appreciate.

I would also like to salute the many people in the restaurant and the hospitality industry who have partnered with local producers to bring Yukon's products to their clients. This kind of cooperation is invaluable to farmers and has allowed Yukoners and visitors alike to experience an ever-increasing variety of local products.

I look forward to experiencing first-hand where Yukon farmers take us.

**Hon. Mr. Pillai:** In response to the questions and comments, the member opposite spoke about the fact that this policy didn't focus on the success of farming and talked a bit about the right to farm and some of the challenges that we have had lately around garbage disposal.

First, I'll say that the garbage disposal is not identified in our strategy. This is something that's new. I know that my colleague, the Minister of Community Services, has been working diligently with another level of government that is a major player within this.

I think it's important — I'm going to quote the president of the Agricultural Association because, really, what this speaks to is the fact that the Agricultural Association — what's key, even though there is a bit of challenge to some of the aspects of the strategy, it really focused on the fact that this came from farmers. In this piece, it says it took a long time. I agree, but it wasn't easy to meet everyone's expectations. A lot of people sat around the table and provided valuable input over two years. The Growers of Organic Food Yukon, the Agricultural Association, Yukon Young Farmers, the Yukon Hog Producers Association, the Fireweed Community Market Society, the Game Growers Association, First Nations, the general public, the municipal governments, and many, many agriculture-based stakeholders — some with opposing views — all were consulted and consulted again to finely hone this document. This document was formulated by the people, for the people, and it took exactly as long as it needed to take. I think that shows we've always been committed to making sure that people are heard and that we take the time to get these policies right. It's very important that you — again, for the member opposite's understanding, this is coming from, not only the farm community, but the majority of these individuals are his constituents which is where this work has come from. I do appreciate some of the points there.

As well, to the Leader of the Third Party, I'm definitely committed to having a longer discussion. That was a great point that the Member for Takhini-Kopper King brought up on her collaborative visit. The point to make — organized by the Agriculture branch — requested because I thought it was good to sit with my two colleagues to do that work. In that, what we found is that the pricing mechanism for electricity is actually quite favourable compared to other jurisdictions for the farming community, but when you take into consideration that a lot of

energy use maybe is used in irrigation and other things, they're actually using fossil fuel and they're using diesel. What I've asked our departments to do is look at how we can potentially enhance infrastructure and three-phase power in these particular areas which then will give farmers the opportunity to not use diesel but then to use electricity.

That is some of the work. I know ATCO has done a bit of the infrastructure work on Takhini Road and now we're looking out in the Member for Lake Laberge's riding to see if there are other places of high-density agriculture.

I will state that I'm very happy with the work that I have had the opportunity to do with my colleague, the Minister of Environment. I think we have hit a real balance on other things that came up during those visits with my colleagues from across the way on some of the challenges on elk. I think that we have done some great work. Again, congratulations to all who took part in this very successful process in building this strategy.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on education system

**Mr. Kent:** The Liberals have received a failing grade when it comes to their handling of the school reopening. Parents, teachers, and students have all been critical of various aspects. They have highlighted the hardships and difficulties that have been created by the decision to not allow grades 10 to 12 students to return to full-time in-class learning in Whitehorse. Last week, the minister stated on the floor of this Legislature that she was puzzled that people were finding this difficult, but for the last four weeks, we have raised concerns about families that are having to seek mental health supports as a result of this, and many of them have to pay for it out of their own pockets.

What assistance is the minister offering to these families to offset these costs?

**Hon. Ms. McPhee:** There has been much criticism from the opposition about the school reopening plan. We had a plan; we executed that plan; we still have a plan. The plan was developed with the advice and the guidelines of the chief medical officer of health, through the hard work of administrators, teachers, educators, school councils, First Nations, and other partners. That plan was executed, and it was a plan that resulted in the return of almost 5,700 students back to school every day for the past two months, safely in the midst of a pandemic. Individual families who are struggling through this process — and there are lots of individuals who are struggling through the pandemic process; certainly, families with children in school are no exception. We have asked that they reach out to their school counsellors, to their teachers, to the educators and professionals who work in each of their schools, and that assessments for individuals who need additional supports can be done at that level. We will continue that work on a case-by-case basis so that no student is left behind.

**Mr. Kent:** I think it's important for the minister to understand that the criticism is coming from Yukoners and their families. It's not just coming from members of the opposition.

My question was about assistance to offset costs associated with additional mental health supports. Many families are finding that their students are having a difficult time adjusting to the changes at the schools. With reduced in-class learning, students are becoming stressed or having difficulty remaining focused. The minister needs to understand that this is the lived reality of many Yukoners right now. Families are finding themselves having to enlist the support of tutors to help their students through this difficult situation. The problem is that there are long lineups as a result of increased demand created by the part-time in-class learning.

What action is the minister going to take to address the tutoring shortage created by her decisions?

**Hon. Ms. McPhee:** Mr. Speaker, I think it's important to remind the members of the opposition — I know Yukoners know this — that these decisions were taken on the basis of promoting the health and safety and protecting the health and safety of Yukon children as they safely returned to school.

School counsellors are experienced and certified teaching professionals, Mr. Speaker, who support students in achieving their personal, social, emotional, and academic development and their career potential. Their role in schools is to provide advice, guidance, and resources to help address students' learning needs and to help them plan for life after school, including post-secondary school or career planning.

If students require supports, Mr. Speaker, beyond what the school counsellor can provide, the school counsellor can refer them to appropriate health care professionals such as professional mental health counsellors, social workers, tutors, and others who can provide specialized support. We're asking families who need this kind of support — individual students and their support networks — their families, their extended families — to please reach out to a trusted educational professional at their school so the help that they need can be properly assessed, determined, and supported by the Department of Education and by all of the professionals who work in our schools across the territory whose primary goal it is to support students.

**Mr. Kent:** Mr. Speaker, the challenge is that the minister speaks about referring to tutors, but those tutors aren't available right now because of increased demand. So, my question was: What is the minister doing to reduce that tutor shortage?

But I will follow up with my third question here: As of September 30, approximately \$733,000 of the \$4.1 million federal back-to-school funding had been committed to. In a briefing document from officials, we were told that approximately \$195,000 had been allocated to additional supports for students; however, there is no mention of hiring additional teachers or educational assistants in this briefing document.

So, can the minister tell us if she has directed the department to hire more front-line educators? If so, how many can we expect and when can we expect them?

**Hon. Ms. McPhee:** Mr. Speaker, it is critical that students remain at the centre of all of the decisions that are made by the professional educators who are working with students in their schools. We have asked that administrators assess what they need on a daily basis — on an ongoing basis — not only what they need for the purposes of responding to students' schools but what they need to respond to the health and safety measures for each individual school and each individual student and their learning needs. That work is ongoing.

We have great confidence in the professionalism of our teachers, of our administrators, and of the support staff in schools, whose primary goal it is to work with students and to determine what it is that they need at this extremely difficult time — extremely unusual time — not a normal school year. They are all working hard — very hard — to make sure that the students are at the centre of their decision-making and that those decisions are supported by the Department of Education central administration and the funds that are available through the federal government and through the Government of Yukon to do that work.

**Question re: COVID-19 pandemic impact on education system**

**Mr. Hassard:** Mr. Speaker, the lack of consultation with parents and school councils on the subject of getting students back to school has come back to bite the Liberals. As we have repeatedly been bringing to the attention of the government so far during this Fall Sitting, there are serious concerns with how the minister rolled out the return-to-school plans for grades 10 to 12 students. Parents, teachers, and students are telling us that the plan is creating difficulties for them. When we highlighted these difficulties, the minister dismissed them. We will once again give the minister a chance to give a proper answer to affected parents and students.

When will the grades 10 to 12 students in Yukon schools be returning to in-person classes full time?

**Hon. Ms. McPhee:** I am pleased again to be able to deliver this message to Yukon families, which, of course, they are hearing through the schools, through the administration. I should indicate that the grades 10 to 12 students will return to full-time classes when it is safe to do so. In the three Yukon schools that have been affected here in Whitehorse, the school reopening plan was based on a plan developed by education partners, administrators, teachers, experts in the field, officials at the Department of Education, and our First Nation partners and others, on the advice of the chief medical officer of health, in order to make sure that the adaptations that were put in place resulted in the appropriate spacing for students, the appropriate ability to move around a school, and the appropriate respect of the “safe six” requirements during the pandemic.

**Mr. Hassard:** Mr. Speaker, yesterday the minister stated — and I will quote: “We will be able to return all grades 10 to 12 students in Whitehorse to full-time classes when it is safe to do so.” Now, we heard the minister say that again today. So, can the minister explain how it is safe for a grade 9 student at F.H. Collins Secondary School to attend full-time classes but

it is unsafe for a grade 10 student at F.H. Collins to attend full-time classes?

**Hon. Ms. McPhee:** I'm happy to answer that question. I'm going to assume that the member opposite is not asking about the recommendations made by the chief medical officer of health, because of course those questions should go to that office.

We have made the plan going forward with respect to students returning safely to class on the basis of the recommendation made by the chief medical officer of health. We have had to adapt grades 10 to 12 students at the three larger high schools in Whitehorse. These operational adaptations are based on the advice of school administrators and the health and safety guidelines for schools to ensure safe spacing, managed traffic flows, and to limit the mixing of certain groups of students.

We continue to monitor and adjust the supports in the short term to meet the immediate school needs and student needs in the current model, and it continues to be our priority to have the safe return of grades 10 to 12 in class, full time, when it is safe to do so in the space that is available in those three schools.

**Mr. Hassard:** Mr. Speaker, maybe the question I should be asking the minister is what she thinks her role is in all of this. But I'll move on, Mr. Speaker.

Going back to her remarks from yesterday, she stated — and again I will quote: “We will be able to return all grades 10 to 12 students in Whitehorse to full-time classes when it is safe to do so.” So, can the minister tell us what needs to change or what parameters she is waiting for to return grades 10 to 12 students in Whitehorse to full-time in-person classes?

**Hon. Ms. McPhee:** I think that it's critical to understand — and I know that Yukoners and parents do — that returning grades 10 to 12 to full-time education is a priority for the schools, for the educators, and certainly for this government.

We have opened schools with the best possible plan put forward. I said earlier — and I don't necessarily want to repeat myself — but based on the administrators, the experts in the field, and the chief medical officer of health, that is how the plan came about. We certainly appreciate the patience and the consideration being shown by everyone involved, including students, parents, and school communities.

One of the priorities, of course, was to have students in school every day. Many of the suggestions that come forward did not include having grades 10 to 12 with their teacher five days a week. That was not acceptable as an opportunity for those students. We continued to work with the secondary school administrators, partners, Yukon First Nations, and school communities to ensure that programs are meeting the needs of students to the greatest extent possible at this very unusual time. We are all working to support all students to continue to develop their independent learning skills and to help build resilience in all learners, so that they are prepared to achieve their educational goals.



**Question re: Child and Family Services Act Review Advisory Committee recommendations**

**Ms. White:** The *Child and Family Services Act* was proclaimed in 2010, but only after the previous government had failed to meaningfully engage with Yukon First Nations and they had withdrawn from the process. So there was scepticism when the minister appointed a committee to review the act in May of 2018. Committee members spent 18 months consulting with individuals, communities, and governments on necessary changes to the act. They gave their word to Yukoners, based on the minister's commitment to them, that this project would not be lip service or end up as another report collecting dust.

The report, *Embracing the Children of Yesterday, Today and Tomorrow*, was presented to the minister in July of 2019 and tabled here one year ago. Since then, Yukoners have heard little about what changes will be implemented.

Can the minister share what recommendations from this report have been or will be implemented to better support children?

**Hon. Ms. Frost:** I would like to first acknowledge the great work of reviewing the *Child and Family Services Act*. A lot of effort has gone into ensuring that we take the measures necessary to support our children and our families. We have done an extensive review, as required, around the actions and we have done that with Yukon First Nations. Part of the most recent discussions that we have had was around ensuring that every child is supported in our territory. Of course, that means that we need to look at our partners and acknowledge the work that was done by Yukon First Nations and the work that was done by the *Child and Family Services Act* Review Advisory Committee on *Embracing the Children of Yesterday, Today and Tomorrow*. We certainly learned a lot from past wrongs and are always focusing on the future and what we can do better, and that involves cooperation and partnership with all of our partners as we look at supportive legislation and the changes as we move forward.

**Ms. White:** In July of this year, the committee again wrote to the minister. They point out that their 2019 report provides a road map to build capacity and outlines an approach designed to eliminate systemic oppression and racism. The minister made a commitment to Yukoners at the beginning of their review to follow up on that report. With the public release of the report, the advisory committee had high hopes that this government would be taking action to implement the 149 recommendations, but ongoing e-mails to the minister from committee members have expressed their disappointment at the lack of follow-up.

Can the minister tell Yukoners if there is a strategic plan with clear actions and timelines stemming from this report and when it will be shared with Yukoners?

**Hon. Ms. Frost:** As indicated, we are working in partnership with Yukon First Nations and addressing the actions put forward by the advisory committee. We are continuing to work and certainly look at cooperation and partnership as we look at legislative adjustments. We look at changes that are required. Significant work has already been done with the honouring connections project, which is massive

and huge. It speaks about reconciliation and reconciliation and systemic racism at the heart of how we deal with our children in the Yukon.

I would say that we are moving. We have progressed and made significant advancements with respect to the implementation of the recommendations. The department is doing a really great job in looking at regularly updating and looking at progress and doing that in partnership. We have met with 12 Yukon First Nation governments. We have participated directly in the *Child and Family Services Act*. We have participated in moving the milestones, and we will continue to work to achieve that by eliminating systemic racism, providing equitable services for all children in the Yukon.

**Ms. White:** In the recent *Putting People First* report, the panel commented that the government had not yet responded to the *Embracing the Children of Yesterday, Today and Tomorrow* recommendations. The panel point out in their report that it would be prudent for this government to give consideration on how the *Child and Family Services Act* can be organized to support the core principles and vision of the new wellness model. This government publicly acknowledged that the report and the recommendations made had important implications for all Yukoners and the *Putting People First* panel was invited as witnesses to this Assembly to answer questions of members.

Will the minister show the same respect for the work that was done and invite the committee members who reviewed the *Child and Family Services Act* to appear before this Assembly to speak about their work and recommendations?

**Hon. Ms. Frost:** The required actions by the advisory committee are embedded in all of the work that we do with Yukon First Nations. That work is ongoing while we carry out our mandate that was embedded certainly into the *Putting People First*. It's just another indication of the great work of the department. So, all of the work that we have done with respect to the youth and child advocate, with respect to the *Child and Family Services Act* review, with respect to *Putting People First*, the repatriation and the movement of putting our children back where they rightfully belong within our communities through the extended family care agreements — at the core of the collaboration is the desire to ensure that all of our legislation recognizes that all children have the right to be healthy — emotionally, physically, and spiritually — safe, secure, and to feel loved and valued and respected in their culture. That's the core of the work that the department is doing. That's the core of the work that's currently being discussed with respect to the implementation. I'm very pleased with where we are. I think that we've moved significant milestones and we will continue to do that great work with our strategic efforts.

**Question re: Auditor General report on education system**

**Mr. Kent:** In July 2019, the Auditor General of Canada published their report on Yukon's education system.

The audit highlights the work the Department of Education needs to do to improve the services we deliver to kindergarten

through grade 12 students. The Auditor General provided clear direction on the areas of our education system that are most in need of improvement. One of the recommendations was to — and I quote: “... develop and implement a strategy to address the long-standing gaps in student performance... particularly those of Yukon First Nations and rural students.”

The government agreed with that recommendation and committed to develop and implement an outcome improvement strategy for these students.

Can the minister tell us if this strategy is in place yet?

**Hon. Ms. McPhee:** The Auditor General’s report was a critical opportunity for the Department of Education to align its work with that of the priorities of First Nation educators primarily and the opportunity for us to identify the Auditor General’s guidance to identify issues with respect to where improvements could be made in the Yukon education system.

We want to ensure that Yukon schools are meeting the needs of Yukon First Nation students and all students and offering all students opportunities to learn about Yukon First Nation histories, cultures, languages, and ways of knowing, doing, and being in all Yukon schools. Culturally inclusive and welcoming learning environments need to support students at every school.

The Canadian Auditor General’s report has provided a framework and an excellent working plan to go forward. There is a plan that is being developed in consultation with our partners, and work has begun on many facets of the recommendations made by the Auditor General last June.

**Mr. Kent:** My question was on the development and implementation of an outcome-improvement strategy. It was a specific recommendation and response by the Department of Education, so hopefully the minister can address that.

So, in response, the Auditor General also said that the government should conduct a full review of its service and supports for inclusive education. In response, the government agreed and committed to the Auditor General that — I quote again: “The review will start in fall 2019 and provide recommendations by spring 2020...”

However, as with many things with the Liberals, they were not able to live up to their commitments or timelines. In fact, long before COVID required the government to delay the review throughout the summer, the Liberals broke their commitment to the AG and did not even start the review until February 2020. So, given that the recommendations were originally due by spring of 2020, to be implemented by this school year, can the minister tell us why the review did not start in fall 2019 as planned, and can the minister now tell us when the recommendations for the review for inclusive education will now be completed?

**Hon. Ms. McPhee:** I should note with respect to the question regarding the Auditor General’s report that there were seven important recommendations made that the Government of Yukon — the Department of Education — in its entirety has accepted all of those recommendations. They will result in the work going forward, which has already begun, in response.

I said last June, but I want to correct that — the Auditor General’s report was released in June of 2019, to be clear. You

can view the audit report as well as the transcript from the hearings that were held before the Public Accounts where Yukon Department of Education officials answered all the questions of the opposition with respect to that plan going forward. Certainly, that information is available to the public as well.

With respect to the review of inclusive and special education, it has begun. I am not sure about the date reference that the member opposite made; I will confirm that. It is certainly ongoing. His question with respect to why it has been delayed is quite simply: COVID-19. Unfortunately, personal visits, the gathering of information from family members, students, and those most affected by that work has had to be delayed. It is back on track.

**Mr. Kent:** Just for the minister, the Public Accounts Committee is an all-party committee of this Legislature; it is not just opposition members.

We aren’t asking about Auditor General recommendations that have been accepted, but what we are asking about are the actions taken and the commitments made by the department and the minister. One of those is with respect to school growth plans. They are the road maps to improvement for Yukon schools. Under the *Education Act*, each school administration must prepare a school growth plan that identifies one to three years of educational priorities and goals for the school. The Auditor General also found that the government was not living up to these requirements. I will quote from the report: “The Department of Education should implement its required oversight mechanisms to provide summary reports to the Minister and complete teacher evaluations.” The government agreed to this recommendation as well and said that they would begin implementing an improved process for oversight by the end of the 2019-20 school year.

Can the minister confirm if this was completed on schedule?

**Hon. Ms. McPhee:** What I can confirm is that work is ongoing, as per the 2019 recommendation from the Auditor General. The timeline — let me say this, to be clear: We have been working with a consultant with respect to the review of inclusive and special education, of which the question currently before the Legislative Assembly is a part — who is leading the review of inclusive and special education with respect to those programs, the importance of those programs, and the services that they provide to Yukon families — which is absolutely critical that there are improvements made in this area. It has clearly been an issue in the past, and improvements must be made on behalf of students.

The timeline for the review has been extended into the 2020-21 school year, and the extension will provide more time and opportunities, both for this review of the special education and the school growth plans, to safely connect with others, to gather perspectives on these programs and services from students, from families, from central administration, and school staff, Yukon First Nation partners, and school communities — all critical to feed their perspectives, their points of view, their suggestions, their ideas, and their knowledge and expertise into this process.

**Question re: Community banking services contract**

**Ms. Van Bibber:** In July, the government announced that they had signed a new community bank contract and would be transitioning bank services in our communities from TD to CIBC. This transition was supposed to be completed by October 15. However, almost two weeks later, the communities of Mayo and Carmacks are still without banking services.

Can the minister tell us why this is and when these two communities will have a bank?

**Hon. Mr. Silver:** Thank you to the member opposite for the question. We do have a new bank contract. Through a competitive procurement process, the Government of Yukon did get a new service contract put in place with CIBC with transition to this new provider. Again, having taken place in and around September 2020, the contract, for reference here, is providing banking services for government operations and to ensure banking services in the Yukon communities that would not otherwise be serviced by commercial services.

The banking services are extremely essential for our community residents, for First Nations and municipal governments as well, local businesses, tourists, and also our own operations in the communities. We will be working with these groups and we're working through some of the issues to make sure that we have as smooth of a transition as possible over the coming years.

We are working with TD, which was the previous service provider as well, and CIBC to minimize service disruptions to communities, individuals, and government organizations. Current levels of services will be maintained with the new provider. We do recognize that there are some issues in a few communities as we go through a transition and we are working with the bank providers to make sure that we have as smooth of a transition as possible.

**Ms. Van Bibber:** Since the Liberals have implemented these changes to community banking, we have heard complaints from almost every community. Yukoners are wondering why they are now being forced to do all their banking online. They're wondering why they're no longer able to pay bills at the bank, such as power and phone bills.

Can the minister tell us why the new community banking contract has resulted in worse services and in some cases no services for Yukoners who live in our communities?

**Hon. Mr. Silver:** I don't know if the member opposite misspoke or not, but there are three communities right now that are having issues in the transition — not all communities. Every other community is — as far as my notes go; I'll check into this again, but I updated this note as of today, and we have three communities that are having issues with the transition, but there are regular hours for all of the other communities listed in the service contract.

So, I will check into that. I'm hearing off-mic comments from the Yukon Party now, so I will double-check that. As I said, my notes are from this morning, where I saw three communities having a little bit more difficulty in that transition.

We believe that having reliable and convenient access to banking services is extremely important and it ensures that Yukoners and communities can take care of personal financial

matters and be part of the economic growth of the territory. Most community users will not need to change their accounts either — or institutions — as many of the services can be provided regardless of the institution. Transition in communities is happening as we speak.

We do admit that there are a couple of communities right now where there are some problems to be worked out. But we are pleased with the competitive bid process that got us to this place, and we are willing to continue to make banking services in the communities better than they were in the past.

**Ms. Van Bibber:** The Liberal government's July press release claims that the government was working to ensure that there would be minimal disruption to services in communities. However, not only has there been disruption to services, some are not even getting the service.

We know that the Association of Yukon Communities had asked to be involved in the procurement process for the new community banking contract. However, the Liberals chose not to involve them. Had they been involved, we believe that many of these issues would have been addressed before they became problems.

Why did the government leave the Association of Yukon Communities out of the process?

**Hon. Mr. Silver:** Mr. Speaker, we didn't change anything as far as how the banking contracts from the government have been implemented over the years. I will look to see if, when the Yukon Party was in government, they reached out to AYC and see what the reason would be for us changing that particular procurement opportunity. I don't think that is the point.

I do know that this was a competitive procurement process and I do know that we do now have a bank service in all of these communities. We are expanding — once we get some of the problems worked out in a few of those smaller communities that we are still working with right now to make sure that this procurement policy gets implemented — after that gets worked out, we will have better services in the communities than under the previous government.

**Speaker:** The time for Question Period has now elapsed.

**Notice of government private members' business**

**Hon. Ms. McPhee:** Mr. Speaker, pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of government private members to be called on Wednesday, October 28, 2020. They are Motion No. 236, standing in the name of the Member for Copperbelt North, and Motion No. 237, standing in the name of the Member for Porter Creek Centre.

**Speaker:** We will now proceed to Orders of the Day.

**ORDERS OF THE DAY**

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Mr. Hutton):** The matter before the Committee is general debate on Bill No. 14, entitled *Act to Amend the Environment Act (2020)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### Bill No. 14: *Act to Amend the Environment Act (2020)*

**Chair:** The matter before the Committee is general debate on Bill No. 14, entitled *Act to Amend the Environment Act (2020)*.

Is there any general debate?

**Hon. Ms. Frost:** I have with me today Bryna Cable, director of environmental protection, to help with debate and discussions around the *Environment Act*.

I am pleased to speak today in Committee on Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, which will provide the legislative framework to regulate single-use products and packaging, including the ability to ban single-use bags.

As a quick summary, we are aiming to enable the ban of single-use items, such as bags and other products, through regulations. Single-use products and packages, like plastic and paper bags, are harmful to the environment and costly to deal with once they are discarded. A key action to address this problem is to reduce the amount of single-use products and packages we use. Being able to regulate single-use items will help Yukoners align with municipal, national, and international efforts to reduce waste in our environment and landfills. Taking this initial step to amend the *Environment Act* will allow us to proceed to establish a regulation under the act to ban single-use bags and, in the future, other types of products and packaging when needed.

Mr. Chair, as I mentioned in second reading, stakeholders will have the opportunity to help shape this regulation and the coming-into-force date will be determined based on input and circumstances related to the pandemic.

I wanted to just go to some specific notes with respect to the review process. In leading us up to this place today, extensive consultation had been conducted. Just most recently, Bryna Cable and the Deputy Minister of Environment met with the Whitehorse Chamber of Commerce to really look at the next

steps. The executive director provided comments back. I will just make note, for the record, of the specific comments received. They provided a comprehensive update as to next steps, which I will pass along to business owners the quote. The Whitehorse Chamber of Commerce offered to co-host the session in the future to look more at the regulatory process underway. We have reached out to the community and we will continue to work with the community.

On the last debate and discussions we had, there were specific questions and I would like for us to go there now. On October 26, the Member for Kluane had specific questions on why we were amending the act. Single-use products and packages like plastics and papers are harmful, as indicated, to the environment. Amendments to the act are necessary to enable the creation of rules so that single-use products like Styrofoam cups and packages can be regulated, including the ability to ban items. These amendments will strengthen the territory's waste-reduction efforts and help Yukon align with municipal, national, and international efforts to reduce waste in the environment and landfills.

As announced last fall, single-use bags are the first product that will be banned by regulation under these new act provisions. Public review of proposed regulations is required under the act. So, these regulations will be developed with input, ensuring that rules are fair and only apply to the extent necessary to achieve waste-reduction goals. The opening comments were really about that — it was about the connections that have already been made and the continuation of ensuring that we do that.

With respect to other jurisdictions and what they are doing: In June 2019, the Canadian jurisdictions approved a zero plastic waste strategy, led by the Canadian Council of Ministers of the Environment. In that same month, the Government of Canada announced an intention to ban harmful single-use plastics, such as plastic bags and other products, as early as 2021. This was supported by scientific evidence.

So, the Village of Carmacks, the Village of Mayo, and the Village of Dawson City have already banned single-use plastic bags at the municipal level, and that also holds true for Vuntut Gwitchin. PEI also banned plastic bags, so there is great consideration for what is happening at the national level, as we look at implementing the regulations and the conversations that are to be had.

I think the other question was with respect to: Are these amendments redundant? These amendments will strengthen the territory's waste-reduction efforts and help Yukoners align with municipal, national, and international efforts to reduce waste in our environment and landfill. The federal ban will be achieved by adding these items to the *Canadian Environmental Protection Act*, as it is enforced on the reduction of harmful plastics in the environment.

Our made-in-Yukon regulations will be made under the *Environment Act* regulations and will focus on reducing single-use products — both plastic and paper items.

So, what we heard from stakeholders — the consideration of certain charges on single-use bags was not an option, during the engagement in 2019. The local industry and retailers were

supporting a complete ban instead. Smaller retailers — we have had some discussions around the administration and the burden that placed on surcharges for customers. Certainly, banning the product was one way of addressing that, and I understand the efforts that went forward — or the amendments and the suggestions that came forward to us from our stakeholder groups.

With respect to the *Environment Act* and the regulations, I believe there was a question around the definition of “single use” with respect to the products and packages. Specifically, the environment amendments will enable regulations to define “single use” with respect to products and packages — enabling regulations of manufacturing supply and distribution of these products and packages for different classes of people such as retailers and restaurateurs. Will stakeholders have a chance to participate in the development of the regulations? I spoke about that. I indicated that we have already gone through that — the initial stage of having those conversations and further cooperation will take effect with the chambers to reach out and hopefully the intent is to facilitate through them further discussions.

So, sections 28 and 29 of the *Environment Act* require stakeholders in public engagement on the development of regulations. The stakeholders were informed of potential amendments to ban bags in August and were invited to discuss this with Environment staff.

We hope that the stakeholders and the public have further opportunities, Mr. Chair, on feedback and we hope to engage with stakeholders for 60 days after Christmas. The engagement will inform how we design single-use bags — pardon me, how we define “single-use bags” — and when the ban will come into effect so that businesses have time to get rid of stock and prepare for the ban.

There was another question with respect to food industries and the impact. The specific clause that we’re going to be discussing in the amendment, clause 110.01(1)(d), allows for the exclusion of certain bags to ensure that, among other things, food safety is maintained. Stakeholders in the food service industry will have the opportunity to provide feedback on the regulation to address specific food-handling considerations.

With that in mind, certainly there are risks and challenges as we are in the midst of a pandemic, so the chief medical officer of health and safety provided some recommendations for consideration as we look at our service industry as it exists now. So, there are some precautions around that. Of course, the department is working very closely with the industry — understanding that there may be questions regarding the health and safety of reusable containers during the pandemic. The chief medical officer of health has stated that COVID-19 transmission, from his perspective, there is no reason that reusable bags cannot be used in stores. Some stores have made some efforts not to use reusable bags, but that was the direction of the chief medical officer of health.

The pieces of legislation that deal specifically with when and how an emergency is declared — that runs through the chief medical officer of health, and, of course, the amendments and the adjustments will be made into the future as well, so

there will be some flexibility in the regulations to allow for those things to happen in pandemic times.

There was a question also — when will the regulations for a ban come into force? The bag ban implementation and timelines will likely be sometime in the middle of 2021, but the specific date will depend on feedback received during the public review. That will be the 60 days after Christmas.

When will a bag ban be enforced? That was the next question that the member asked. Enforcement of the future ban on single-use bags will be complaint-driven and carried out by the Government of Yukon inspection officers. There are some efforts already being put in place with respect to how we manage the implementation of the *Environment Act*.

I would like to now walk through the amendments, clause by clause. I will take my seat and see where we are, and I will check in with the members. I do have the specific clauses and some comments with respect to the amendments, or we can take questions specific to the sections. I will take my seat and get some feedback on how the members would like to proceed with that.

**Mr. Istchenko:** I want to thank the staff for being here today and supporting the minister. I will have a few questions before we proceed line by line. They are a little more in-depth than some of the answers that I just received.

The minister has listed several different products in the discussions on this issue. In the bill itself, the description of the regulation-making power is respecting single-use products and packages. In the minister’s comments during second reading — and this is important — she said that the act was aimed at responding to Motion No. 294. As the members will recall, that committed the government to: eliminate the distribution of single-use plastic bags; eliminate the use of single-use plastic food and beverage containers, including straws, utensils, and lids; and reduce the amount of packaging throughout the retail industry.

Later in her second reading speech, the minister said — and I quote: “These amendments will enable us to ban single-use items...” Then she said: “Single-use products and packages like plastic and paper bags are harmful to the environment...” Then the minister said that the legislation was going to allow us to go even further than what the federal government has announced.

For background, the federal government announced that they are banning grocery checkout bags, straws, stir sticks, six-pack rings, plastic cutlery, and food takeout containers made from hard-to-recycle plastics like black plastic packaging. So, we heard the minister talk about plastic bags, paper bags, single-use bags, packaging, takeout containers, cutlery, and many other products. While I know that these products are all similar in concept, they each present very different realities when it comes to the regulations. So, my question is: Can the minister tell us what she is actually planning on banning with the new regulation-making power that this act will give her?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question. With respect to Canada’s announcement that it will ban certain single-use items made from hard-to-recycle plastics by the end of 2021 and then going

on to specifically identify what those items are and the broader comment around the *Environment Act* amendments and the foundation on which the *Environment Act* sets, I think, the tone for Yukon — the broader foundation for the territory to ban other single-use items in the future — this is enabling legislation. It allows us to look at the future and look at future possibilities. For now, the discussion that we have had with industry folks and with our partners was to look at single-use bags. The discussion was about whether or not we look at surcharges or banning those bag items.

The regulations now with respect to this government — it is, by the way, not my decision; it's the decision of the stakeholders, the decision of the communities and the participation of our members to direct and provide the necessary feedback with respect to the legislation to allow and enable some future efforts around zero waste in the Yukon. My colleague, the Minister of Community Services, really honed in on where we are with recyclables, reusables, and the pressures we are seeing on our landfill facilities, which really drive how we engage and look at the legislation going forward.

This really is based on input and on how we make the best decision and choices going forward, keeping in mind that it is enabling legislation that allows us then to adapt according to the direction of Yukoners.

**Mr. Istchenko:** I just want to follow up on that. The minister said that this bill represents her government's response to Motion No. 294, which committed the government to eliminating the number of products.

Does the minister feel that this legislation will fulfill that commitment?

**Hon. Ms. Frost:** Mr. Chair, on October 3, 2019, the Hon. Angélique Bernard, Commissioner of Yukon, announced in the Speech from the Throne that the government would be implementing a ban on single-use bags within the next year. Then, with respect to a motion that the member opposite speaks to, this regulation will allow us to carry forward on the ban of single-use bags.

**Mr. Istchenko:** In the previous response, the minister also said, when I asked her about what she's actually planning on banning, she spoke about banning or surcharge. Can she clarify if some items will then have a surcharge or if some items will be banned?

**Hon. Ms. Frost:** For discussion today, we're discussing the single-use bags and the banning of single-use bags. The regulations will allow us — and that's, I think, the future conversation that we're having right now that we will have with Yukoners around what that will look like. The enabling legislation will allow us to have broader discussions around that.

**Mr. Istchenko:** The minister said, in her opening comment, that the regulations will be in place next year. In light of COVID and everything else, is that still the plan? Does she have more of a definite timeline?

**Hon. Ms. Frost:** So, I will maybe go back and I will just remind the member opposite that the chief medical officer of health indicated that he didn't have any issues with issuing reusable bags, so it is less about COVID. I think that the

consultation and the implementation is more about the ability to have that engagement with our stakeholders. So, the target was to look at the middle of 2021. The consultation and engagement that will precede this — and that is after December 25 — will really be based on the feedback and the timing of how we phase this in, and that will be determined by our partners and our stakeholders. Part of it really has to do with how quickly they can get rid of the single-use bags that they have been accustomed to using, and how quickly can we implement without putting any more jeopardy on the businesses.

So, there may be opportunities to phase in. We're not ruling out any options. I think that we are really trying to be as flexible as we can be during these challenging times that we are in so as not to put additional pressures on any one of our businesses.

**Mr. Istchenko:** Mr. Chair, I might remind the minister that she talks about banning single-use plastic bags, but actually we are talking about single-use plastic bags and we are talking about single-use plastic food beverage containers, including straws, utensils and lids. I made a long list there before; it is not just single-use plastic bags.

My next question is: Does the minister plan on listing these products captured by the regulations through an appendix or a list which will be then periodically updated?

**Hon. Ms. Frost:** The member opposite speaks about single-use products. Certainly, as indicated, the enabling regulation speaks about single-use bags. That's the conversation we are having now. With respect to regulations and how that will be defined in the future with respect to products, regulations of course will be reviewed periodically. It's important to note that the single-use items as discussed by the federal government and international governments was really about harmful impacts and the effect those products have on the environment. The Minister of Community Services spoke about that yesterday. It's certainly something businesses in the business community have indicated as well.

As we look at the products and deem whether those products are detrimentally harmful to the environment, the legislation — being an enabling legislation — will allow the government, the stakeholders, and the partners — the municipalities and the First Nation partners — to look at what those products and those items are.

So, for now, I would say that the regulations will be reviewed on a periodic basis. Of course, keep in mind that products will be assessed as we go through the regulation process and the consultation, and then of course looking down the road after we get through the implementation.

**Mr. Istchenko:** Does the minister anticipate using the same definitions as the federal government has used in their plastics ban?

**Hon. Ms. Frost:** I'm just seeking clarification from the person who has the most knowledge, given that the director of environmental protection has been actively involved in terms of national assessments and reviews on what has transpired across the globe, and specifically looking at what Canada is doing, and then looking at the engagement with Yukoners. I

want to just say that Canada — as we look at the national framework with respect to the federal government's direction on plastic products and the definition that they have taken with respect to their regulations — speaks only to plastic products, given that the intention is really about the harmful impacts and the toxins that are found in plastics and the impacts and effect that they have on the environment. Here we are talking about single-use bags, meaning plastic and paper bags. We would then look at our regulations to allow, in the future, making necessary adjustments if necessary as we look at other products.

My previous answer with respect to other single-use items, as discussed by our government in the proposed amendment, really just honed in on this area of single-use bags and then the opportunity to have future conversations with our stakeholders as we look at the regulations.

**Mr. Istchenko:** Mr. Chair, I am not sure, but I don't think the minister answered my question. We have heard the minister talk about plastic bags, paper bags, single-use plastics, packaging, takeout containers, and cutlery. I said this earlier in the House today. If you look at that, I also listed what the federal government had announced. They are quite similar, so that is why I was asking that question: Does the minister anticipate using the same definitions as the federal government has used in their plastics ban?

**Hon. Ms. Frost:** Just for clarification — as we look at the process that we are embarking on here in the Yukon, specific to the Yukon — of course, we are always looking at how we align on a national scale with respect to the environment and looking at zero-waste reduction. When we speak about zero-waste reduction, we speak in the context of products other than single-use bags. The regulations will allow us, as we look at exemptions in the future, to have those conversations with our stakeholders and our partners, so the question is: Are we following the federal government's definition? We have a Yukon-unique process that we're following. The unique process defines — as we discussed with our stakeholders — the approach of single-use bags. Of course, we certainly want to make sure that we keep that in mind as we go forward and look at future efforts of other products — future discussions and conversations we have with our stakeholders around other products that we might define in our conversations around exemptions or around the implementation of banning certain products. We certainly wouldn't want to do it without our stakeholders, so future conversations — I think that for now this is how we are approaching it.

**Mr. Istchenko:** Mr. Chair, as we have discussed already here today, the federal government has announced some fairly broad actions banning single-use plastics. Based on what we have understood so far about the minister's intentions, it seems like the federal ban will largely accomplish what the minister is planning.

Was the minister aware of the upcoming federal action on this?

**Hon. Ms. Frost:** I would say not so much about whether I'm aware. I think the department has worked very closely with their federal counterparts — their territorial and provincial counterparts — and continue to collaborate with the provincial

and territorial governments on solutions like the Canada-wide plan for zero waste. I would venture to say that's the answer that we want to give. It's not specifically about what I want; it's about the best practices. We look at ways to ensure that we look at products in the Yukon. We certainly want to work with our partners, the municipalities, the First Nation communities, and of course Community Services around recycling and sustainability and working closely with our municipal partners and of course the public on recycling and of course industry and retailers. It's really about that; it's not about whether or not we knew. We certainly are aware of what's happening. That's the conversation that we've had with our stakeholder partners. I'm always looking at best practices and looking at the national targets, but we also know that Yukoners are very adamant and very concerned about the environment and environmental protections and the sustainability of the environment going into the future.

As indicated, some of the communities are already proceeding with the banning of single-use products — single-use bags — in their communities and going so far as to look at the potlatches that they're having and making sure that they take measures that are necessary to protect the environment.

So, there are a lot of really great efforts already underway across the Yukon. I want to just acknowledge that the efforts are there as we look at the approaches that we're taking in the Yukon.

**Mr. Istchenko:** So, it sounds like the minister was aware of this upcoming federal action. Did the minister coordinate the timing of these announcements with the federal government?

**Hon. Ms. Frost:** Just with the federal government's targets — I was trying to get an indication of when that came in and when the decision was made and issued. The federal government's mandate was really around the zero-waste strategy and the indication of whether or not Yukon aligned with that. Certainly, the question was around whether we took that into consideration. We were moving already and looking at this. This has been a long-term process and it just so happened that those things aligned somewhat, in that they have a target of 2020-21. We had the same target, but this was not pre-planned or orchestrated in any way; it just so happened to work out that way.

**Mr. Istchenko:** So, the minister said, in her second reading speech, that the legislation will allow the Yukon to ban even more products than what the federal government is planning. I am just wondering what else she is planning to ban, using new legislative powers. Just a little while ago, she talked about paper bags. The federal government is planning on banning plastic grocery bags — not paper bags.

Is the minister suggesting that the Yukon government is planning on banning both paper and plastic bags?

**Hon. Ms. Frost:** The answer to the question is yes. It includes single-use bags — plastic and paper. The legislation being enabling legislation, we'll really look at the future and look at the evidence that's required to make decisions around other products. Certainly, we want to make sure that we engage with our partners as we go ahead and proceed with that. Our made-in-Yukon regulations really are focusing on single-use

bags and, in the future, looking at other products, but that will be done with principles in mind around the evidence required to make those decisions and the harmful effects and impacts it's having on the environment. That will be done in collaboration with our stakeholders and our partners.

**Mr. Istchenko:** So, it seems like the federal ban will likely be in place before the Yukon's.

Does that make the regulatory package the minister keeps talking about and planning unnecessary?

**Hon. Ms. Frost:** I'm just getting an indication of the timelines. As I understand it, the federal government's objective is to have their regulations implemented by the end of 2021 and we are looking at the middle of 2021, so Yukon's approach will likely take effect before the federal government's regulations come into effect.

**Mr. Istchenko:** I want to now dig into consultation a little bit. We heard from several businesses about this legislation, and they were not aware of any consultation being done on this legislation. Can the minister confirm that this is the case?

**Hon. Ms. Frost:** With respect to the consultation, the extensive consultation had taken place during the spring of 2019 as we were proceeding with the option of looking at the surcharges, and then, of course, the recommendation came back that the industry and the stakeholders wanted to look at banning single-use bags. From that point, my understanding from the staff is that they have met with the chamber, and they are now proceeding with the next phase of that. That process started in August, and it will continue on.

The offer from the Whitehorse chamber to proceed with co-hosting an event of stakeholders will take effect very shortly. We want to ensure that we get as much feedback as we can, recognizing and appreciating that during COVID we need to look at alternatives, so the department has taken innovative approaches in making sure that we reach out through various lines of communication to ensure that we don't miss anyone or any interest group.

**Mr. Istchenko:** The restaurant industry, in particular, will be significantly affected by this legislation and definitely by the subsequent regulations. That industry has been particularly hard hit by this pandemic we are in. Can the minister comment on the timing of bringing this action forward when this industry is already facing such incredible challenges?

**Hon. Ms. Frost:** What we've heard, in terms of stakeholders and our public with respect to some retailers specific to the quick-food industries and looking at some of the concerns that they brought forward — the department has had extensive discussions and engagement with that industry as they've taken a look at this drafting. There will be future opportunities for the quick-service industry to bring forward some practical recommendations as we look at the regulations, keeping in mind that, as we look at health and safety requirements from that industry, we certainly want to make reasonable efforts to address the concerns that are being brought forward. This is a huge opportunity also to look at providing necessary supports where supports are required —

not to provide undo hardship for anyone, but provide an opportunity for reasonable approaches going forward.

**Mr. Istchenko:** On October, 19, 2020, the Whitehorse Chamber of Commerce wrote the government about this bill. They said: "Dear Deputy Ministers Bailey and King,

"Hoping this finds you both well. This correspondence is in regard to Bill No. 14, *Act to Amend the Environment Act (2020)*, that I understand is scheduled to be introduced during the Fall 2020 Sitting of the Yukon Legislative Assembly. I've recently been contacted by business owners representing the restaurant sector of our membership, who want to ensure that Government of Yukon plans to include feedback on regulations around packaging use and the potential impact(s) this will have on their businesses.

"As you may or may not be aware, in April 2019, the..." Whitehorse Chamber of Commerce "... distributed information and the YG survey link to membership and asked for feedback. A breakfast session, co-hosted with Yukon government, brought members of the private sector and departmental personnel together to discuss single-use products. During this session, private sector business owners identified their interest in being part of, and informing, discussions around single-use materials and they are still committed to doing this.

"Owners and operators have valuable, practical information to share and..." the Whitehorse Chamber of Commerce "... is requesting a meeting to discuss: timelines for regulations; input that has/has yet to be included in the development of regulations; and, flagging and discussing potential issues around the practicality of package use as it specifically pertains to the restaurant sector.

"Considering that Bill No. 14 is on the YLA schedule for the fall session, this is a time-sensitive request and we look forward to hearing from you at your earliest convenience to set up a virtual or in-person meeting with two or three business owners and myself in attendance."

So, it seems clear that the Whitehorse Chamber of Commerce was concerned enough to formalize this request in a letter. There seem to be two key requests in this letter. The first is that they want input and the second is that they want to meet, with some urgency.

The government and the minister spoke a little bit about this earlier, but has the government responded to this letter, and, if so, what was the response?

**Hon. Ms. Frost:** I also received a letter from executive director Susan Guatto from the Whitehorse Chamber of Commerce just a couple of days ago stating that she is very pleased with the meeting that was had with the deputy minister and the director of Environmental Protection Service. The objective, as indicated by the executive director, is that they are pleased with the report and the comprehensiveness and the thoroughness of the update. As to next steps, the executive director indicated she would pass these along to the industry and the business owners and then, in fact, offered to co-host.

The joint consultation of the commitment by the Whitehorse Chamber of Commerce to the department was to host a joint consultation early in the new year. So, that's as of



a couple of days ago. I just wanted to make those notes because I do know that the industry folks are quite keen to participate. The Whitehorse Chamber of Commerce is really keen to coordinate and facilitate with the department. I'm quite pleased about that. I think that it's a good indication that we're moving in the right direction.

**Mr. Istchenko:** I thank the minister for that answer.

I have spoken to this in the House before. When the Northwest Territories took action with regard to plastic bags, they excluded the restaurant sector because of, like we've heard and said, the significant impact it would have on those businesses.

So, will the minister consider excluding the restaurant sector from her plans?

**Hon. Ms. Frost:** I'm trying to get a little clarification around how and what happened in the Northwest Territories because that's certainly a different process than we are going through here. Northwest Territories went to fees — a fee process — and here we're — as recommended by our industry folks — they preferred to go with a ban on single-use bags.

So, with respect to whether or not we are going to exclude restaurants from the plan, I would suggest that it is a consideration that we would have in the future as we look at regulations. Right now, we're talking about single-use bags and the banning of single-use bags. We certainly want to keep in mind that, as we go ahead and look at the joint consultation and the discussions with our chambers co-hosting — and future consultation is certainly something that we want to keep in mind and pose those questions to industry folks.

**Mr. Istchenko:** Mr. Chair, I guess I will make it a little bit simpler: Does the minister actually think that it is possible to exclude possible sectors or does she view this regulation as sort of all or nothing?

**Hon. Ms. Frost:** I will maybe go back to the section that speaks about the enabling process of this, which is to look at what potentially could happen in the future, not suggesting that it is possible — of course, it is possible to look at exclusions. The objective is to do that in consultation, but for now, I think that one of the pieces of the act is to allow for what sector of our society we are speaking about and how we look at that in the future. For now, we are talking about single-use bags and the implementation of single-use bags as opposed to looking at what sector will be detrimentally impacted, affected, or exempted from a process. We want to talk about the implementation of the regulations and the act allowing us to proceed in a certain direction.

I want to just say that the opportunity through this enabling legislation will keep that window of opportunity always open to have a discussion about what the industry folks are suggesting and the recommendations that we are receiving back.

**Mr. Istchenko:** Mr. Chair, that concludes my questions for the minister during general debate. I do want to thank the staff again for being here today and I will turn it over to the Leader of the Third Party.

**Ms. White:** Mr. Chair, we often talk in here about how our questions or our points of view come from our different

values and different priorities, so I come at this thinking that this is an example of us setting what we hope for. We want to reduce the amount of waste and we want to increase the amount of diversion from the landfills, and what better way to do it than by changing our habits and stopping the use of things. It was mentioned by the minister or the Minister of Community Services yesterday — there was reference to the extended producer responsibility, the EPR system. That is typically more of a federal decision. We say that it is extended producer responsibility. It's the responsibility of the manufacturers to change how they package things. But how does the minister view this first step toward amending the *Environment Act* and moving toward sustainable systems? We have talked in the past about either partnering with British Columbia or Alberta to try to deal with those waste streams, but how does this minister view this as being a step toward changing the future?

**Hon. Ms. Frost:** Mr. Chair, the extended producer responsibility — in terms of looking at a more sustainable effort going forward — with the federal government's mandate and their obligations, what I understand is that the responsibility of waste management rests with the provincial and territorial governments, so we certainly have an obligation to look at that.

I know that my colleague, the Minister of Community Services, has been doing some really great work around the efforts of solid-waste reduction across the Yukon, looking at best practices, but also looking at doing a review currently through the Ministerial Committee on Solid Waste.

The Ministerial Committee on Solid Waste is looking at what's happening in BC, for example, and how then we best align with what's happening there as opposed to creating something that's unique to the Yukon, trying to look at a process being brought forward.

Single-use products and packages and bags — of course, we have indicated that they are extremely harmful to the environment and are certainly the most costly to deal with as we look at waste reduction and recycling. The amendments are necessary to enable the creation of certain rules as we go forward with respect to single-use products. The amendments will strengthen our waste-reduction efforts and help Yukon align with municipal, national, and international efforts to reduce waste in our environment and in our landfills.

The department is certainly looking at having a further review as we look at the recommendations of the Ministerial Committee on Solid Waste. That requires some further input as well from our municipalities. Of course, that is where the landfills are situated, so the question from the member opposite is around where we are with respect to implementation. I think it is really just keeping in mind that there is a committee established to look at solid-waste management in the Yukon.

**Ms. White:** I think that where I was coming from was re-envisioning what the future could be and what I think this legislation is. It is enabling the future and I appreciate the points that were given, but, yes, I was just trying to change the conversation if I am honest about it. I was just trying to find a more positive way to talk about things.

During our briefing, we were told that draft regulations had been started. What is the timeline before they are able to go out for consultation?

**Hon. Ms. Frost:** The January, February — 60 days after December or after Christmas — is what I understand is going to be the consultation period.

**Ms. White:** Great — and will it be open to all people or will it be targeted consultation?

**Hon. Ms. Frost:** It is an open process. It is a public consultation process.

I think that, just for reference, it is important that we try to get the message out, because with COVID, we want to make sure that we don't have any challenges. That means that we will work with our stakeholder partners and they in turn will reach out to their partners, much as we are doing through the Whitehorse chamber.

**Ms. White:** I thank the minister for that answer. One of the things that I highlighted after the briefing yesterday and in the comments that I made in second reading was the importance and the foresight of the drafters in Yukon to recognize some of the criticisms that the federal government's legislation has been met with around the narrowness and the concern that what the federal government's legislation was going to do was to push people from one single-use item toward another — especially toward paper bags. I just really want to highlight and signal my appreciation for this legislation where it talks about defining "single use" with respect to products and packages. I think that's important because it does give us the ability in the future to address and to re-evaluate as we go forward. My hope always is that, with the advancements in technology, we will see the minimization in that waste. So, I just really wanted to highlight that as something that we should celebrate in Yukon — the forward thinking of these amendments.

**Hon. Ms. Frost:** Thanks to the member for the comments. I really think, as indicated, that it is a huge opportunity, and it's a huge one for Yukoners. We are moving in the right direction with respect to solid-waste reduction. As we look at implementation, we will always get the push and pull on whether or not we are meeting all of the objectives. I think that the intention is really to look at evaluating as we go forward, and the regulation allows us to do just that. It is enabling, so it allows us to have future conversations — which is a huge benefit, I think, for us, rather than being so prescriptive as to define now something that we may change in the future.

**Mr. Istchenko:** I wasn't going to get back up, but now we have been able to narrow some of these down a little bit and have a bit more detail. The minister said that she is not planning to ban the same type of plastics as the federal government. She is currently only contemplating plastic bags and paper bags.

I do want to note that the description in the bill itself says that the legislation is aimed at single-use products and packaging. So, we are already learning a bit more from this minister about what she is planning. I have just a couple of questions here about what the term "single-use bags" means. Can the minister provide us with a definition of what a "single-use plastic bag" is?

**Hon. Ms. Frost:** The definition will be created in the regulations, and that regulation has yet to be completed or drafted.

**Mr. Istchenko:** Will that include the little bags that we use for vegetables at the grocery store?

**Hon. Ms. Frost:** Under section 110.01(1)(d), it speaks about exemptions, and that will be defined in regulations. Really, I think, we speak about primary bags. So, you go to the grocery store and you buy a bag of apples — it comes in a bag that is already pre-packaged — that is a primary bag. So, those are some of the things that we would speak about in part of the regulations — which bags would be exempt, in terms of single-use bags.

**Mr. Istchenko:** I thank the minister for the answer. I just want to get on record here for a few more things. I asked about the little bags for vegetables at a grocery store. I am wondering if it will include plastic takeout bags that one would receive quick-food service in — for instance, McDonald's takeout bags — or, if you buy a single doughnut at Tim Hortons, it comes with a paper bag. Will that be banned? Does it include single-use sample bags used by the mineral exploration industry for collection of rock and soil samples?

The minister had mentioned earlier in debate that there has been extensive consultation with the food service industry. I just want her to elaborate again on this consultation, because I brought up quite a few different bags there, and we are not really getting an answer on whether they will be banned, or they won't be banned, or if it will come in the regulations, or if it might be a primary or secondary.

**Hon. Ms. Frost:** Section 1(d) of the rules allow for the rules to be established that exclude certain types of single-use products and packages from the restrictive or prohibition measures that will be defined in regulations. The member opposite speaks about specific bags for specific purposes.

For example, when we speak about exemptions for single-use bags, including bags necessary for food safety, certainly the consideration would be that you would make an exemption when there are food safety considerations. When you look at transportation of foods, that would be considered also under the food safety category. If you look at purchasing from a deli, you would look at food safety requirements. When we perhaps start looking at medical and privacy rules, you would consider that as well. Those are some of the things we would consider as an exemption.

Purposely speaking, as we look at primary bags for products — as the member opposite indicated, for vegetables and such — those are things that perhaps would be exempted and that would be defined in a regulation process.

**Mr. Istchenko:** That was the last of my questions.

**Chair:** Is there any further general debate?

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

**Mr. Istchenko:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, read and agreed to.

**Unanimous consent re deeming all clauses and the title of Bill No. 14 read and agreed to**

**Chair:** Mr. Istchenko has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*Clauses 1 and 2 deemed read and agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. Frost:** Mr. Chair, I move that Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, be reported without amendment.

**Chair:** It has been moved by Ms. Frost that Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, be reported without amendment.

*Motion agreed to*

**Chair:** That concludes Committee of the Whole's consideration of Bill No. 14.

The matter now before the Committee is continuing general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

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 together.

**Bill No. 12: Act to Amend the Wills Act (2020) — continued**

**Chair:** The matter before the Committee is continuing general debate on Bill No. 12, *Act to Amend the Wills Act (2020)*.

Is there any further general debate?

**Hon. Ms. McPhee:** I am just going to take a moment to welcome back Sheri Hogeboom, drafter with Legal Services, and Will Steinburg, who worked extensively on the policy with respect to Bill No. 12.

I note that we ended yesterday with some questions coming from the Member for Whitehorse Centre. I am certainly happy to continue answering questions if there are others with respect to the bill that is before the House and any of the details therein or general questions about the process.

**Mr. Cathers:** I would just note that I had addressed my questions earlier. I had understood that the Third Party did have some questions, so I would just briefly speak and give them a moment if they wish to ask questions in general debate.

Again, I would just like to thank the minister and the officials. I was satisfied with the information provided in response to my questions.

**Chair:** Is there any further general debate on Bill No. 12?

**Hon. Ms. McPhee:** Just to confirm — I thank the Member for Lake Laberge for making that note — if we could just confirm if there are any other questions on behalf of the critic for the Third Party, or we can proceed to the clause-by-clause debate, as you wish.

**Chair:** Is there any further general debate?

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

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

*Clause 4 agreed to*

*On Clause 5*

*Clause 5 agreed to*

*On Clause 6*

*Clause 6 agreed to*

*On Clause 7*

*Clause 7 agreed to*

*On Clause 8*

*Clause 8 agreed to*

*On Clause 9*

*Clause 9 agreed to*

*On Clause 10*

*Clause 10 agreed to*

*On Clause 11*

*Clause 11 agreed to*

*On Clause 12*

*Clause 12 agreed to*

*On Clause 13*

*Clause 13 agreed to*

*On Clause 14*

*Clause 14 agreed to*

*On Clause 15*

*Clause 15 agreed to*

*On Clause 16*

*Clause 16 agreed to*

*On Clause 17*

**Ms. White:** Mr. Chair, is clause 17 in subsection 35 meant to be an enabling provision? Is there an intention to move it or is this about just enabling the provisions?

**Hon. Ms. McPhee:** Mr. Chair, this is an enabling clause — in answer to the question. First of all, it's an important future step if Yukoners determine that it is something that should be brought to implementation. Implementing a registry is a complex task that exists in some jurisdictions, but not in all in the country. It's a complex task which involves further policy work. The factors that need to be considered are things like the privacy implications, costs, location of such a registry, and the administrative needs. All those would need to be considered prior to advancing the development of regulations, but with these changes, certainly, hopefully there is more modernization if need be. Maybe Bill No. 12 has it right and there won't need

to be too many future *Wills Act* amendments, but since 1954, not having addressed this, it is a more modern approach in some jurisdictions and this enables it to happen if Yukoners determine that is an important step going forward.

*Clause 17 agreed to*

*On Clause 18*

*Clause 18 agreed to*

*On Clause 19*

*Clause 19 agreed to*

*On Clause 20*

*Clause 20 agreed to*

*On Clause 21*

*Clause 21 agreed to*

*On Clause 22*

**Ms. White:** Mr. Chair, this part talks about the validity of wills, which I think is important to highlight. If the minister can just explain to us how it ensures that none of the provisions that we've been discussing invalidate wills — I think this is important.

**Hon. Ms. McPhee:** I thank the member opposite for the question. This is something we would want to make sure we emphasize. I did speak about it in the second reading address to the Legislative Assembly, as well as in the Committee of the Whole address, but I think it bears repeating. A will that was made in compliance with the current legislation before the amendments come into force cannot become invalid because of the amendments. Wills currently in place that are validly made under the current legislation will remain so. If a will was cancelled because of the marriage of the person making the will who are following the rules in the current version of the act — what we hope will be the previous version of the act — that will is not effective again, even though revocation upon marriage has been repealed by these amendments. That is just one example. Because the amendments will change the automatic revocation of marriage, again, a will made under the current legislation — properly made — will remain in force and effect.

*Clause 22 agreed to*

*On Clause 23*

*Clause 23 agreed to*

*On Schedule*

*Schedule agreed to*

*On Annex*

*Annex agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. McPhee:** Mr. Chair, I move that you report Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, without amendment.

**Chair:** It has been moved by Ms. McPhee that the Chair report Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, without amendment.

*Motion agreed to*

**Chair:** That concludes Committee of the Whole's consideration of Bill No. 12.

The matter now before the Committee is general debate on Bill No. 205, entitled *Second Appropriation Act 2020-21*.

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. 205: *Second Appropriation Act 2020-21***

**Chair:** The matter before the Committee is general debate on Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Is there any general debate?

**Hon. Mr. Silver:** I am pleased to rise today in Committee of the Whole to outline the spending requested as part of the first supplementary estimates for 2020-21. I would like to introduce my guest, the Deputy Minister of Finance, Scott Thompson. Scott joined the department at the start of March. He and his family are a lovely complement to the Yukon, fitting right in and just in time for the budget to drop and for a world pandemic to come to the Yukon.

Things have obviously changed, Mr. Chair, since we tabled the budget at the start of March. Our day-to-day lives have definitely changed. This pandemic has changed almost everything — how we get groceries or even get dinner, for that matter. It has changed how we greet each other and how our workplaces are organized. It has brought new terms into our lives, like “physical distancing” and the “safe six”. While some of these changes are small, they are definitely significant and they add up. They have affected many Yukoners as friends or family get sick in other provinces. Many Yukon businesses have struggled to make ends meet with little tourism and the decreases in our hospitality opportunities. Yukoners have faced evictions when those businesses couldn't pay them anymore. Workplaces are finding it hard to find ways to protect their staff — with plexiglass partitions, facilitating work from home, and ensuring a high level of sanitation.

As a government, we knew that it was essential to ensure that we could help Yukoners weather the storm. That storm continues. The changes that we bring forward today for discussion are largely COVID-related but will not reflect the total costs of dealing with this pandemic, obviously. This is a starting point of the forecast cost to government of supports and responses. In responding to the pandemic, some departments have been able to absorb smaller costs, such as overtime and modifications to workspaces. The key to all of this, however, is ensuring the continuity of core services delivered while also responding quickly and effectively to the pandemic. That is also why you will see non-COVID-related items in the supplementary estimates.

In any given year, we see estimates change for reasons beyond our control and that is why we have supplementary estimates — so that if we need to change the estimates for a certain program or projects, we can. It means that we can take

advantage of recoveries as well from the federal government as they become available, or we can adjust our forecasting if a capital project needs to be adjusted or pushed to a following year. None of these decisions are ever taken lightly.

I do want to thank the hard-working staff across government — folks who are listening in now — who ensure that this is the case. While bringing a relatively large supplementary estimate, they have kept financial responsibility at the forefront and I thank them for their dedication.

I would like to spend a few minutes detailing variances in spending between the main estimates and the supplementary estimates. In total, the 2020-21 first supplementary estimate contains \$92.2 million in additional spending. This is made up of \$95.9 million in additional operation and maintenance spending and a decrease of \$3.7 million in capital spending. We are projecting a \$10-million decrease in own-source revenues from taxes and fees, while transfers from Canada remain the same. There is also a \$58-million increase in operation and maintenance recoveries and a decrease of \$5.9 million in recoveries on the capital side.

We started this fiscal year with a projected \$4.1-million surplus. Our response to the COVID-19 pandemic and the budgetary changes they require is forecasted to result in a \$31.6-million deficit. This a variance of \$35.7 million, or a change in the fiscal position equivalent to 2.5 percent of our total expenditures, or \$880 per Yukoner. To put this in perspective, the average change in fiscal position of all provinces and territories is \$1,910 per person.

As we continue to navigate the latest global environment, we have had to make very tough decisions, but the right decisions, for now and for the future. Let me turn to some details on those decisions.

As I mentioned, 2020 is expected to see \$95.9 million in additional spending for operation and maintenance. The largest contributor, by far, is an additional \$88.7 million for responses to the COVID-19 pandemic. This includes \$33.7 million in new spending on health care and public health responses to the pandemic. This covers, among other things, the cost of the respiratory assessment centre, the COVID response unit, testing and contact tracing, PPE, support for vulnerable populations, and daycare supports.

There is also \$44.8 million in economic and fiscal supports for businesses, families, and individuals hit hardest by the pandemic. This includes \$4.3 million for income support for essential workers, \$1.2 million for the paid sick leave program, and \$12 million for the Yukon business relief program that provides non-repayable grants to cover specific fixed costs for businesses.

There is also \$1.8 million to support businesses impacted by the cancellation of events, like the Arctic Winter Games, due to COVID-19 public health restrictions and another \$1 million to enhance the tourism cooperative marketing fund. There is another \$4.2 million for school reopening during COVID-19 and \$3.9 million for the Emergency Coordination Centre and border enforcement.

There was \$1.1 million allocated to support mineral exploration projects to maintain industry interests during the

pandemic. There is \$10 million allocated to supporting the aviation industry in Yukon. This is an example of our strong relationship with the federal government as this funding is recoverable from Canada to support essential air services in the north during the pandemic, including medevac services.

Some changes are not directly for COVID support, as I said earlier, but are still related. An example includes \$95,000 for an increased volume of flu vaccines this year. While some other government priorities have been delayed while we focus on pandemic responses, it is still critically important that we continue making progress on Yukon's other priorities. One example is a \$1.7-million increase to O&M for our government's initial actions in response to *Putting People First — the final report of the comprehensive review of Yukon's health and social programs and services*. This new spending will provide increased medical travel supports, a new nurse practitioner in Carmacks, and enhancements to Yukon's pharmaceutical programs. It also expands the implementation of the IHealth information network, a modernized and integrated health information network for the territory.

There was also additional spending of \$400,000 for extended family care agreements, to encourage more children to live with extended family, as well as a funding agreement of \$2.4 million for early learning and childcare.

Other O&M spends across government include \$186,000 for Yukon school council elections and \$400,000 for the national coordination office of the Ministerial Conference on the Canadian Francophonie. We have \$311,000 for maintaining and operating the Mayo aerodrome, \$718,000 for emergency washout repairs on our highways, \$285,000 for the Victim Services family information liaison unit, and \$169,000 for program delivery increases for the Yukon strategy on Missing and Murdered Indigenous Women and Girls, LGBTQ2S+, the Victoria Faulkner Women's Centre, the Whitehorse affordable family housing program, and the indigenous women's equity fund.

There were also a few notable changes to capital spending. The overall \$3.7-million decrease in capital spending is mainly the result of delays in the Dempster fibre project. Delays in the permitting process mean that most of the work on the Dempster fibre project plan this year — \$19.5 million in work — will be deferred to the next fiscal year. This decrease is partially offset by accelerating progress on two energy projects by Yukon Energy Corporation. These include the Mayo to McQuesten transmission project and also a battery storage project.

Both of these projects address the power requirements for a growing territory, and industries will account for \$9.3 million in spending in 2020-21, all of which is fully recoverable by the government.

There is also an additional \$4.9 million capital investment in the expanded IHealth information network.

We are also seeing \$510,000 in additional work at the Whistle Bend continuing care facility — work that would not be completed last year, and it is therefore brought into this year.

The first supplementary estimates reflect an increase of \$58 million in operation and maintenance recoveries. Over 90 percent of these new recoveries are related to the COVID-19

pandemic. It shows the collaborative approach and positive relationship between the federal government and all provinces and territories in addressing urgent needs during this pandemic. There is a decrease in recoveries on the capital side. As mentioned, this is a result of delays in the Dempster fibre project as much of the planned spending this year was recoverable.

At the same time, new areas of capital spending also leveraged federal funding opportunities with 100 percent of our new energy investments recoverable and some of our investments in the IHealth information network also recoverable.

There is also a decrease in revenues to the tune of \$10 million. This is related to the impacts of COVID-19 on our tax revenues and fees. While Yukon's economy is still projected to continue to grow this year, it will grow at a smaller rate than assumed when we tabled our budget prior to the pandemic. This means that we expect to receive less personal income, corporate income, and fuel oil taxes to the tune of \$7.1 million. We are also expecting less revenue from camping, hunting, and fishing fees because of travel restrictions. On top of that, there is also less revenue because we have waived certain fees as part of our economic and financial assistance to businesses.

One of the ways that we are helping businesses came before we even knew the true impacts of the pandemic, and that was through the *Budget Measures Implementation Act, 2020*. We reduced the small business tax rate from two percent to zero, a significant move to support small local businesses by saving them an approximate \$2 million per year. It also expanded the eligibility of the small business investment tax credit. Together, these measures are expected to save Yukoners more than \$2 million per year. As well, the act modernized and simplified the *Insurance Premium Tax Act*, bringing those rates in line with what is typically seen in the rest of the country. Even with savings for businesses, these changes are expected to create an additional \$1 million in resources for government programs.

I will conclude my remarks by restating the purpose of the supplementary estimates. They are used to convey unexpected changes to the main estimates and so must be responsive to the needs of Yukoners while remaining fiscally responsible. We recognize that supporting Yukoners comes at a financial cost, and we are not where we estimated we would be way back in March. That is why these are called the main "estimates". They are estimates based on information that we have in the months leading up to issuing the budget. We have moved from a \$4.1-million surplus to a \$31.6-million deficit. This is the price of supporting businesses and our families. This is the cost of responding and protecting Yukoners by acting quickly and by being nimble and adaptive. We are ensuring that Yukoners and their businesses and industries receive the supports that they need and will continue to need.

By leveraging significant funds from the federal government, we are keeping the territory in a good position to come out of the pandemic as well. We will come out of it healthy. Yukoners are a very resilient bunch, but if we are

realistic about the pandemic, then we need to know that it's not going away overnight and we are in it for the long haul.

So, let's talk about it and have a healthy debate in the House. I invite members to request further details on any areas included in the supplementary estimates. I'm happy to answer, to the best of my ability, in general debate. My ministers would be pleased to address the more specific questions in their department votes.

I do have a list also, Mr. Chair, of some questions that the members opposite have asked in other budgetary years that are more pertinent to general debate here today. I will get into the answers to those questions, but before — we're getting late in the day here, so I'll cede the floor to the members opposite to see if there are any more questions. In my response there, I'll start down the list of some of these answers to some of those very specific questions.

**Mr. Cathers:** In beginning my remarks as Official Opposition Finance critic, I do want to acknowledge the fact that the one thing we do agree with the Premier on is that this has been a very difficult year for people. It certainly has required Yukoners, Canadians, and people around the world to make adjustments in their lives — some minor and some significant.

It's also worth reminding people that, while almost everyone is experiencing some difficulty related to the pandemic, not everyone is experiencing the same amount of difficulty. Some people are making uncomfortable adjustments. Other people are looking at their future and trying to figure out how they're going to recover from the impact that the pandemic has had on their business or their lives in some other way.

Some people are seeing, particularly in hard-hit sectors like the tourism sector — people who approached 2020 with optimism are now, in some cases, just trying to figure out how to put one foot in front of the other, plan their way through, and hopefully recover from this. It has a big impact for small business owners in whatever sectors tend to be heavily invested personally in their business. For many of those people, it can also be a situation where not only their business is at risk, but they are at substantial risk personally in terms of their financial future. I want to acknowledge that in beginning my remarks.

There are a few areas, as the Premier can no doubt guess, where we are concerned with some of the decisions made by government. To be clear, we do agree that additional spending is necessary in a pandemic. The amount of additional spending and the areas where that spending has occurred are, in some cases, of concern to us. Government appears to be using the pandemic as an excuse to, yet again, grow government in areas that don't directly relate to our hospitals and health care.

Because health is so integrally important to the pandemic, I want to remind the Finance minister that we have been criticizing the government since the beginning of the mandate for insufficient funding for the Yukon Hospital Corporation. Repeatedly, the response has been some version of "everything is fine; everything is okay", stop bothering them with these questions. We touched on this in the spring at the beginning of the debate on the budget for this fiscal year. At the time, I am

just going to briefly quote from Hansard for March 10, at the beginning of page 990. I noted, in beginning my remarks, that in every — and I quote “... budget we expressed concern about funding for the Hospital Corporation. Every time we raised this concern, the Premier assured us everything is fine; everything is okay.

“But as my colleague, the Health critic, pointed out in November when the Hospital Corporation witnesses appeared, we were told by department officials in the spring budget briefings that \$2.8 million requested by the hospital in the previous fiscal year for their core needs wasn’t provided until the start of the 2019-20 fiscal year.

“Questions were asked as well by my colleague of the hospital chair and CEO about funding for the current year. While the CEO wasn’t prepared to speak about how much core funding hadn’t been approved for the current year — as Hansard will show — again, for the record of Hansard, I’m referring to page 861 and 862 from November 26, 2019: “The hospital CEO wasn’t prepared to speak about how much core funding hasn’t been approved for the current year, but he confirmed that they are waiting for a — and I quote: ‘pending decision’ on ‘core funding’ and for the orthopaedic program.”

I apologize for that one long sentence — that was just a direct quote from the transcript from the spring. Again, returning to Hansard from March 10, when debating the budget we have in front of us here today — I said at the time: “As well, the confirmation we received was that they were waiting for money, both for the core budget and the orthopaedic program. I’m just referring to an earlier reference on page 861. The hospital CEO told us “... they would only have a balanced budget for 2019-20 if a pending decision by government on ‘core funding’ was approved. He also said — and I quote: ‘We had set a budget early in the year, and we are, right now, looking at making sure that core funding has been established in its entirety.’”

“Then we received the information provided by department officials in the budget briefing related to these third supplementary estimates and, according to the handout that we were provided, we see that there is a \$4.6 million amount provided to Yukon Hospital Corporation — and again quoting from that handout: ‘Yukon Hospital Corporation — Funding for various areas, mainly to address funding shortfalls.’”

I will just end my quote at that point. But that is a recap on the spring, and the fact that we know that government provided inadequate funding for the hospital in a previous fiscal year.

Unfortunately, this isn’t a new problem. The relevance of it today is that we have seen the pattern of chronic underfunding by this Liberal government of the Hospital Corporation. During a pandemic, that is creating strains, such as the one that boiled over into the news recently related to nurses and the pressure on them at the hospital.

A pattern of chronic underfunding of the hospital is something that we knew from the outset was guaranteed to eventually cause significant problems. In fact, I think it’s fair to say that both staff and managers there would agree that, in every year that the underfunding occurred, it caused problems.

But those problems become progressively bigger as time goes on and as you enter a pandemic.

Again, just to remind the Premier and his colleagues, the debates that we have had with this Liberal government about funding for the Hospital Corporation include in their first budget where I, after raising with the Premier my concern about the lack of funding for the Hospital Corporation — we heard the Minister of Health and Social Services say — and this is quoting from May 15, 2017, Hansard, on page 430. The minister said: “Could we and could this government have afforded an additional \$5.2 million in 2017-18 for the Hospital Corporation? No, so what is the accountability attached to that \$5.2 million that was the request, which puts the total up — that automatic built-in increase of four percent? Well you can’t automatically build in an increase of four percent...”

We have had this pattern, year after year, and unfortunately, we are seeing the impacts today. We have also seen that the government has been very resistant to suggestions coming from the Official Opposition and has really — in terms including “pandemic management” — dug in their heels at every occasion rather than taking good suggestions and incorporating them into their plans, whether it be our repeated offer and proposal of forming an all-party committee to assist them with the pandemic response or simple suggestions that we have made in debate in this Assembly. Unfortunately, when government stubbornly ignores advice from others and ignores their input for partisan reasons, there are impacts. We don’t profess to have all of the answers, but we do have some of the answers in part because we listen to Yukoners who talk to us about the problems with how the government is managing things both during the pandemic and prior to it. When the government ignores us, they are not just ignoring us; they are ignoring the Yukoners who contacted us and are turning a deaf ear and a blind eye to their concerns.

We know that, as I mentioned — and as the Premier and I discussed on March 10, 2020, in beginning debate on the first budget bill that government brought forward this year. From page 991, I said: “... the reason we’re going after it is that the numbers that we are provided say that there is a problem and the Premier keeps dismissing it. We’re on month 12 of the 2019-20 fiscal year. The hospital is only now getting the \$4.6 million it needs for core funding and the expensive — valuable but expensive — orthopedics program they’ve been absorbing until this point in time. I am quoting from the document that we were given by Health and Social Services officials, just as we were previously.”

One more quick excerpt: “... \$4.6 million that the hospital already needed during the current fiscal year and that they are only finally getting in the 12<sup>th</sup> month. If the Premier doesn’t realize that this is a problem, he needs to take a serious look at it, read the documents in front of him, and recognize that our health care is important. That includes adequate funding for the Hospital Corporation.”

So, here we are today. If the Premier and his colleagues are wondering why they saw the recent announcements in the news about problems that they did in terms of staffing and retention of nurses at the Hospital Corporation, they only need to go

upstairs and look in the mirror to figure out where the problem is, because they are directly responsible for chronically underfunding the hospital throughout their mandate.

Now, I want to talk about another area that we have seen the government establish a pattern in and that is in growing government in non-urgent areas. Now, this spring we saw the government, after already increasing the size of the government workforce by over 10 percent, adding on additional FTEs — full-time equivalent positions. Again, in this fall budget, according to the handout they provided, we see a situation where the number for this year, according to what they told us, is an increase of 118.9 positions in the fiscal year. At a time when people across the territory are, in some cases, tightening their belts just trying to make it through the pandemic, when business owners are trying to figure out how to make property tax payments on their personal dwellings or pay for the rural electrification and well charges on their property that, prior to the pandemic, they expected to be able to pay this year, when business owners are trying to figure out if they can keep employees on, what's this Liberal government's solution? They seem to have gone to their default response of growing government, hiring more employees, and if the pattern to date holds true, many of those employees will not even be from the Yukon; they will likely be hired from outside the territory. While, of course, we do recognize the benefit and the talent that can be brought in from hiring people from Outside, in doing so, this government has a pattern of passing over qualified Yukoners, who could have done jobs in areas everywhere from — in Emergency Medical Services, we have heard it repeatedly from paramedics who have been passed over repeatedly. We have heard it in other areas as well across government, and unfortunately, that is due to the policies of this government.

I am just going to return to — actually, just another question regarding the FTEs there: Can the Premier confirm what the 118.9 full-time equivalent positions that he is adding this year — once they are added to government, what is the total number of FTEs in government going to stand at, after the addition of those positions?

**Hon. Mr. Silver:** Okay, lots there. I am not going take the barbs and wires and all of the language that has been used by the member opposite every time he gets to his feet; I am going to go right to the specific questions.

He was concerned about the amount of spending. In my introductory comments, I identified that if you take a look at — in this supplementary budget — concerns about COVID spending — he said that, and I am paraphrasing here, but — “We are concerned about the amount of money that they're spending.” It has worked out to 2.5 percent of our total expenditures, or \$880 per Yukoner. Now, to put this into perspective, compared to other jurisdictions, the average in all other jurisdictions is double that. It is \$1,910 per person. When you take a look at other jurisdictions and spending and our fiscal position, the change — the delta that they are in — I think that we are spending within our means very well.

I think that the credit there goes to the departments, the directors, the ADMs, the managers — all the way up through — who never stopped working, from the first signs of COVID

all the way through to make sure that we continued the programs and services but, at the same time, did it in a fiscally responsible manner.

So, I will disagree with the member opposite that we are spending amok or whatever narrative he is trying to create — that is simply not the case.

When it comes to the Hospital Corporation increase, it is very interesting. The member opposite is like a broken record on this particular issue and the Minister of Health and Social Services has risen to her feet a few times on this issue to say that, since we formed government, the increase to the Hospital Corporation was 30 percent — 29 percent, 30 percent — since the Yukon Party. If you even take in the CPI, so the index or inflation, that is a substantial increase. Last year alone, increased spending to the Hospital Corporation was 8.9 percent. If the member opposite is saying that, with those increases, we are woefully underfunding the hospital, we can just imagine how woefully underfunded it was under the Yukon Party. That is a substantial increase.

The member opposite tries to create a narrative that is just simply not the case. Health and Social Services met the hospital's request for 2021 and provided the whole funding complement up front as well. Again, it is a good partnership working with the Health and Social Services department and the Hospital Corporation to increase, not decrease, the amount of money for the corporation. Again, if the member opposite thinks that a 30-percent increase in the funding of the Hospital Corporation over those four years now, including close to a 9-percent increase this year, is not enough, well, then, I'm wondering what exactly he is proposing. In his government, they didn't increase it that much. Maybe when they were in power, it was woefully underfunded, but that is a substantial increase. That is a substantial increase to the Hospital Corporation.

The member opposite then went on to FTEs.

Sorry, just before I go there, again, when we are talking specifically about the supplementary budget, which is what we are here to debate today, when we take a look at the \$33.7 million in the balance of the supplementary estimates for COVID response for Health and Social Services, \$6,012,424 was provided in this supplementary budget for the Hospital Corporation for COVID. So, again, Mr. Chair, that speaks to the relationship that the Department of Health and Social Services has with the Hospital Corporation, making sure that we meet Yukoners where they are and making sure that, again, in this year, COVID-related expenses are identified, but in the last four years, there was a nearly 30-percent increase in the yearly increases to the budgetary process to the Hospital Corporation.

The member opposite then pivoted to saying that we are out of control as far as the FTEs. I would like to know from the member opposite: Which FTEs and which departments would he cut? What is his plan? Are they cutting FTEs in particular departments or are they going to cut — maybe because his questions are about Health and Social Services, is that where the member opposite would be cutting?



The 2020-21 main estimates — as of that time, we had 5,104.8 full-time equivalents — or FTEs — reported for the Government of Yukon to support programs and services. In the *Supplementary Estimates No. 1*, there is an increase of 13 permanents and 75.2 term FTEs, or 1.7 percent, from the 2020-21 main estimates. The majority of these increases in supports are attributable to the Government of Yukon's response to the COVID-19 pandemic. Again, which one of those supports did the member opposite want us to cut?

It also provides a continued high level of service that is expected by Yukoners. We will continue to provide the services that Yukoners have come to enjoy.

During the first portion of the year, the government also temporarily redistributed staff in various departments to assist in the COVID-related supports, as necessary — very nimble — very quick-minded and very nimble — again, a credit to the departments' unbelievable response from the government perspective. The majority of the staff have now returned back to their substantive positions, and the government has taken steps to strategically recruit the staff necessary to support COVID-19 measures and also the public health services over the long run. We have learned as a government — the government officials and public servants stepped into action immediately and got into different positions, fighting a pandemic, and learned from that experience. I have been on the floor praising the Department of Highways and Public Works for the work that they have done in getting the virtual clients ready for folks to be able to work from home — unbelievable work compressed into a few hours and weeks compared to what the schedule was going to be — again, allowing individual workers to be able to be very, very resilient and responsive to the needs.

The conversations that we have been having since with public servants is about what a stronger complement of public servants that we do have. We have folks who have increased their skillsets, increased their communication capacity — not only internally within the government but also with First Nation governments and municipal governments. It is really important work.

That's good for now, I think. Maybe there are more questions from the member opposite. I did say that I have some specific answers to some other questions that the member opposite asked. I don't want the member opposite to have to repeat himself, so I will answer a few of those right now.

On October 8, the member opposite asked where money from decreases to departments went — specifically policing. Was it redirected to cost overruns in other departments like Health and Social Services? Specifically, the RCMP reductions and overruns in some departments — for example, Justice; that was his question. The *Territorial Police Service Agreement* was underbudget by approximately \$808,000. The First Nation policing budget required an additional \$510,000, thus resulting in a net lapse in this area of \$298,000. *Supplementary Estimates No. 3* does not redirect or transfer funds from one department to another nor does it identify offsets, contrary to what the member opposite would make you believe. The supplementary

estimate increased the vote in the departments where this is necessary, and all lapses are presented in the Public Accounts.

I will answer another one here. The member opposite asked for us to provide the cumulative total by department for personnel lapses. This does not relate to the 2019-20 *Supplementary Estimates No. 3*. It is where he was asking the question. I had committed that the Public Accounts will contain this information by department. I will note as well that the Yukon Public Accounts will show lapses for departments and programs. Personnel costs are mentioned in a note without variance information, for the member opposite.

There is one more specific question here — with some dollar values for the member opposite. The question from the member opposite was: What was the total cost of operating the Whitehorse Emergency Shelter? How much did Health and Social Services spend? How much did the Department of Highways and Public Works spend under Property Management? Were there other amounts from other departments? At the time, my response was that this doesn't relate to the bill that was in front of us at that time. I did say, though, that there was \$265,000 in staff and operations for the operation of the emergency centre in that particular bill that was on the floor when the member opposite asked the question. A better answer will be provided by Health and Social Services, Community Services, and Yukon Public Accounts. I do have a further breakdown from Finance. A total of \$5,022,130 in operation and maintenance, and also \$96,000 in capital. If you take a look at it from a departmental breakdown, that would be Community Services, \$31,500 for medical supplies, uniforms, program materials; Justice would have been \$65,147 for a community safety plan; and Health and Social Services, \$4,396,683 — and wages is \$3,587,927 of that number and operation and expenditures such as programs, materials, phones, et cetera was \$810,756. Of course, the \$4.3 million is broken down into two sections: the \$3.5 million and then the roughly \$800,000 for those particular needs.

Highways and Public Works — \$528,800 for utility costs, labour, installation of propane and doors, and capital costs of \$96,000 was for doors and rooftop access design. Again, Mr. Chair, as you can imagine, very specific numbers. That wasn't up for the debate at the time so I didn't have those numbers on me at that time. Those are some of the questions asked on October 8 that are now pertinent to this budget and this process, so I wanted to make that information available to the member opposite.

**Mr. Cathers:** I do appreciate that the Premier did answer some of the questions I had asked.

In the area of health, though, the Premier, in one part of his response to me, used the term "unbelievable response". That is how I would characterize the government's response when it comes to hospital funding. It conflicts with the information that we have been given by officials, it conflicts with what the minister herself said in the House, and it conflicts with the budget handouts we have been given by department officials, as well as the testimony of Hospital Corporation officials when they appeared in the Assembly.

I would ask the Premier — I know he doesn't like to provide breakdowns — to provide us with a legislative return or with a separate tabled document showing us where funding has been increased to the Hospital Corporation, because it certainly does not, by any of the information we have actually seen or heard from credible sources, appear to be reflecting increases in their core budget. Additional new programs, such as, for example, Meditech, which is now IHealth — we're very pleased to see that. We have been calling for it since at least May 15, 2017, when looking at the debate that I had with the Premier and the Minister of Health and Social Services at the time. We are very pleased to see them moving forward with it, but that additional money for a new electronic systems upgrade is valuable, but doesn't reflect core budget needs.

The Premier appears to be at best comparing apples and oranges. It may be a case of Liberal math. Until we have actually seen proof and evidence of it, the Minister of Health and Social Services has, on multiple occasions, had to walk back comments made in the Legislative Assembly where she has given incorrect information, and the Premier is not new to that himself. So, we are asking for a breakdown to demonstrate where that occurred.

We do recognize that the government has taken some steps this year to increase funding for the hospital. The point that I am making is that the pattern of neglect and the minister herself saying that they could only give the hospital a one-percent increase, as we discussed in debate in 2017 — as I mentioned earlier in my remarks — when we heard hospital officials confirming a shortage in funding for the 2019-20 fiscal year, all of those cost pressures create issues at the hospital leading up to the pandemic, which lead to the kind of problems that we've seen recently in terms of staffing.

I want to again move on to the number about the increases in government employees. I would point out that the Premier, in one of his responses, did confuse CPI and inflation. They are not the same thing, and the Premier should be aware of that as Finance minister. We recognize that when you have an area such as when the hospital funding is not growing to keep up with the rate of inflation, that is going to create unsustainable pressure going forward.

Moving back to the question of government employees, the Premier, of course, is trying to cast the question: Well, what would someone cut? But we are talking about a government that talked a good line at the start of its time in office about controlling the growth of government, and getting out of the business of doing business and all of these things. Yet, their response at every turn seems to be that their solution to every problem — real or perceived — seems to be to hire more government staff. As I pointed out, we have a time where Yukon families, especially many business owners and people who have been employed in the private sector — especially exposed sectors that have seen a downturn this year — there are a lot of Yukoners who are really struggling right now trying to get through the pandemic. When they hear that government is adding 118 new positions this year, which is on top of the 450 that the Premier confirmed were added — and I am referencing his comments to me during debate on March 21, 2019. The

Premier confirmed — and I quote: “Again, if all of these positions are hired, the total growth of FTEs by the end of the fiscal year will be 450...”

So, if you add that 118 on top of 450, we get a number in excess of 560 new government positions that have been created by this government, which again — since the numbers have varied from government — is hard to always be sure whether they have changed the numbers from the last we heard, but it certainly looks like a rate of growth in excess of 12 percent in government in the time that they have been in office, which, of course, is just four years now. So, it's a substantial rate of growth of government per year. Meanwhile — especially at this time, during the pandemic — Yukoners who are struggling are not really happy to see government just reflexively increase spending while going deeper into a deficit and leaving a bill that future governments and future generations will have to pay.

In doing my research for this budget debate too, I was noting as well, the time when the Premier — let me just back up a bit. As the Premier will recall, this summer, we expressed concern about the government's lack of a democratic approach in the dozens of ministerial orders that they have issued, as well as getting the federal government to increase the debt limit to double it during the middle of a pandemic without a single bit of debate in this Legislative Assembly about that decision. But we did have a prior debate when — after we had heard about the Premier's testimony to a federal committee, we asked the Premier about whether he was going to get an increase to the debt. In fact, the Premier emphatically denied that they had any interest in getting an increase to the debt. That is if you go back to May 2017 — what the Premier told us and what the government has actually done have been two very, very different things. So, it's concerning. Perhaps the Premier can explain why he emphatically denied any interest in increasing the borrowing limit and then turned around and did the opposite thing.

**Hon. Mr. Silver:** I'll start with the member opposite stating that the numbers are conflicting. The numbers aren't conflicting. The member opposite just refuses to believe the information that the department officials are providing.

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

**Hon. Mr. Silver:** I don't know if he has a question — he's yelling at me from the opposition there. So, basically, it just doesn't fit his narrative.

You know, we've put in, over our four years — coming on four years now — a 29-percent increase to the Hospital Corporation, including, this year alone, nearly a nine-percent increase. Again, that conflicts with his information that we are somehow strangling — have a stranglehold on the corporation, which is just not true. That's a substantial increase from the funding levels from the member opposite. Again, we can agree to disagree on that, but these numbers are coming from the department officials. I will let them know that the member opposite doesn't believe the numbers that I'm giving him. I'm sure the public servants will be happy to hear that.

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

**Point of order**

**Chair:** Mr. Cathers, on a point of order.

**Mr. Cathers:** The Premier seems to be in contravention of Standing Order 19(g), imputing unavowed motives to another member. That certainly is not what I indicated. I didn't indicate any lack of confidence in department officials. I did ask the Premier to actually provide us with a breakdown of the numbers and he still has not provided us that information. He can understand that we're a little skeptical.

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

**Hon. Mr. Silver:** This is clearly a dispute among members. The member opposite uses the painting brush like Picasso over there to paint pictures all the time. I'm merely giving my point of view on this.

**Chair's ruling**

**Chair:** On the point of order, I tend to agree with Mr. Silver. There is no point of order. It is a dispute among members, clearly.

**Hon. Mr. Silver:** Thank you very much, Mr. Chair. CPI is a measure of averages, changes, and prices over time that customers pay on a basket of goods and services, commonly known as inflation. That would be the definition of the CPI, Mr. Chair.

Essentially, it is a qualification of an aggregate pricing level in the economy. I don't know what his definition of CPI is, but I'm getting my definition, right now, from the Internet. So, we'll go from there. I'm sure he'll have something to say about that.

Again, when it comes to the numbers — the actual FTEs — very accountable telling about these numbers, this year in our mains we had 5,104.8 FTEs, plus we are now increasing that by 88.2. This is full time and part time, as we explained already. Of course, I won't go back and explain that again — the total now being 5,193 FTEs.

But I want to go back. The member opposite has a very selective memory as to increases. In 2019, the increase in FTEs that he referenced included a substantial number of positions at the Whistle Bend continuing care facility. I will jog your memory, Mr. Chair. The Yukon Party announced in the Legislative Assembly a 300-bed facility, which was a surprise to the departments, and then went ahead with a design for a 150-bed facility without actually calculating or forecasting the operation and maintenance budget, including FTEs. I don't know exactly why they would do something like that but, when we came into government, we had to do the hard work of getting those supports in place. Also the Whitehorse Emergency Shelter, also home care — again, I'm wondering for which one of these FTEs the member opposite is saying, "You shouldn't be growing government and you shouldn't be putting money toward these individuals because..." — I don't know, but that would be the reason there was an increase in FTEs in 2019 — a substantial reason for those increases.

The member opposite then is going over to debt limits. Yukon's borrowing limit was last increased in 2012 under the Yukon Party government to \$400 million. We did hear staffers

from the Yukon Party this summer saying that, if we are going to increase the debt limit, bring back the Legislative Assembly. I don't recall the Yukon Party asking in the Legislative Assembly to increase debt limits on the numerous occasions in which they increased the debt limits, yet from their staff posts this summer, we are supposed to do something that they felt that they didn't have to do.

Our current borrowing limit is \$209 million, most of which occurred under the previous government and covers loans for the Yukon Hospital Corporation and the Yukon Development Corporation. I told the House in 2018 that we raised the issue with the federal Finance minister. The member opposite would make it seem like I never said that, but he is quoting from Hansard and I don't think he is going to quote from that, but it is true. In 2018, I said that we raised the issue with the federal minister. The draft 10-year renewable electricity plan includes proposed projects that would cost in excess of \$500 million. Federal funding will be key to this — absolutely — to make sure that we keep the affordable plans for consumers and to minimize risks, but I guess what we are hearing from the member opposite is that we shouldn't be looking to invest heavily in renewable. Sorry — the \$209 million that I mentioned is the amount borrowed so far. It is not the borrowing limit — my mistake.

Again, the member opposite was correct in saying that this is a federal government decision, that it's not a Cabinet decision, even though their staffers are making it seem like it was a Cabinet decision that needs legislative scrutiny, which obviously didn't happen under the Yukon Party government, but now has to happen under our government, according to them. An increase in the debt limit does not mean that the money will be spent right away. It does give us the flexibility to move ahead on major capital projects. Like I said, this could include major infrastructure projects to support our green energy plans.

We cannot build a major infrastructure without incurring debt. I will direct my colleague across the way's attention to the Mayo B project under their watch. I guess the Yukon Party is not supportive of us increasing the borrowing limit, yet the borrowing limit was increased under the Yukon Party.

Anyway, our current borrowing limit is \$800 million. It is set by two regulations under the *Yukon Act*, which is a Canadian regulation. It is allocated between the Government of Yukon and the corporations, as we all know, and the limit was increased earlier this year, as mentioned by the member opposite. Of that \$800 million borrowing limit, set by Yukon borrowing limits regulations, \$590.5 million, or 73.8 percent, is still currently available to fulfill outstanding and future approvals of debt.

We are very pleased to present evidence of strong fiscal management, as noted in our double A credit rating that was issued by Standard and Poor's Global. It is interesting to note, as well, under this context, that S&P Global's rating, Yukon, affirmed a strong financial position, with a double A stable credit rating for this year. The rating is further confirmation that sound and stable financial management in the past has

continued and provided the scope to respond proactively in the pandemic.

A quote from Standard and Poor's rating report — and I quote: "We believe that the territory's debt policy is prudent: debt limits are legislated and outstanding balances are well below the limits."

Further quotes from the S&P's report — and I quote: "Yukon will continue to benefit from a very manageable debt burden and ample liquidity over the next few years..." I quote again: "... in the next two years, Yukon will maintain strong fiscal performance..."

I think that is important, Mr. Chair. The member opposite would paint a picture of us having to do something that his government didn't have to do, as far as Cabinet or legislative approval, which is not how it is done — and it wasn't done under his party either. But also raising questions about whether or not we are in a stable position when it comes to our debt and our debt limits — from Standard and Poor's credit rating, we are in an enviable position to most other jurisdictions in Canada.

**Mr. Cathers:** Mr. Chair, it is interesting that the Premier gets the federal government to double the debt limit after denying an interest in it previously, and then somehow compares that to previous increases that were far lesser amounts related to hydro projects, which — as the Premier knows — are right now currently preventing the Yukon government from having to burn more diesel. So, perhaps he would oppose those renewable energy projects like he opposed the construction of community hospitals in his own community of Dawson City and in Watson Lake.

Again, among the things that the government doesn't seem to get about both spending the public money and the orders that they have issued repeatedly under the *Civil Emergency Measures Act* this year is that we are talking about the public's money. We are talking about people's lives, when it comes to the *Civil Emergency Measures Act* orders. Ultimately, the government doesn't have much to lose by talking to people, but rather than doing their slanted engagement surveys — which we repeatedly hear complaints from Yukoners that they seem to try to steer people toward the answer that they want — actually doing public consultation on the details.

I have heard — and I have mentioned before in this House, and I am going to mention it again until the government actually listens and responds accordingly, which may or may not ever happen — if government were to ask people whose lives are being affected by the ministerial orders under the *Civil Emergency Measures Act* what is working, what isn't, and how they can improve it, they would get good feedback. Not every person's suggestion could be incorporated. We are well aware of the fact that it is not possible in a time like this to make every single person happy with every single decision, but that doesn't mean that the government shouldn't ask. There is not the slightest doubt in my mind that if government were to ask businesses and others affected by the orders for input on how they could be improved, there would be good suggestions that came forward. The same applies to the public finances. It also includes the decision to ask for an increase to the debt limit.

The government's plan is, apparently, to make a decision to sink future generations in debt without public consultation on that. This ultimately is money that Yukoners, their kids, and their grandkids will have to pay if this Liberal government chooses to go into debt.

It doesn't hurt government to ask people for their feedback, to see whether they would support it, and to present to them the full picture rather than simply asking high-level questions like: Do you like renewable energy projects? Might you support borrowing money for them? But to actually give them the details of the impact, both on power rates and the future taxation impact as a result of those decisions — ultimately, the decision is very likely to change in some way based on public input. The nature of how it will change can't always be predicted because the elected members of this Assembly do not have all the answers. We don't know everything that will be heard from affected businesses and citizens until they've had an opportunity to provide that. I can tell the Premier that I personally — and I know a number of my colleagues too — have benefited from talking to people, hearing their input, and using that input to improve what your previous plans were.

Now I want to again note, just briefly on the topic of the Whitehorse Emergency Shelter — as I was looking through previous debates on this matter — that previously, at one point, the Premier was telling us that the 40 positions associated with that facility would be temporary. We questioned it, but the Premier assured us then that the plan was for those positions to be temporary. Now we see that a project that went through without — the government made its decision to enter into it without Management Board approval. They still have yet to provide us with key details on the scope of the operation and they haven't told us what the total budget is now. We've heard disturbing reports that it has gone substantially overbudget. We know that previously officials told us it was costing \$4 million. The Premier told us it was only costing \$3.5 million, and that they've added money in this budget — I believe around \$800,000 that we know of this year related to the cost of it, but we still don't know the grand total. Ultimately, even if the government is proud of the programs that it is running, there is no reason that it shouldn't tell the public the full cost.

I want to go on to another area that we talked about in the spring briefly before we wrap up today. I asked the Premier at the time about the number of placer miners who are currently waiting for a water licence and if there were statistics on how many of those placer miners have been waiting in excess of one year and how many have been waiting for as long as two years. We know that people who are affected are often people in his own riding and are seeing their businesses impacted — including during this increasingly difficult time with the pandemic — by those delays. We know that the Premier has come out in support of the public hearing being held by the Water Board. We know that the draft wetlands policy has significant negative impacts on placer miners as well as agriculture, but we still are waiting for information from this government on how long the delays already are. Perhaps when the Premier next rises, he can provide that information as well

as provide us information about the negative impact on titled agricultural property from the proposed draft wetlands policy.

Seeing the time, Mr. Chair, I move that you report progress.

**Chair:** It has been moved by Mr. Cathers that the Chair report progress.

Are you agreed?

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee 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**

**Chair:** Mr. Speaker, Committee of the Whole has considered Bill No. 14, entitled *Act to Amend the Environment Act (2020)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 205, entitled *Second Appropriation Act 2020-21*, 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.

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

*The House adjourned at 5:30 p.m.*

### **The following legislative return was tabled October 27, 2020:**

34-3-41

Response to Motion for the Production of Papers No. 19  
re: 22 Wann Road costs (Mostyn)

### **Written notice was given of the following motion October 27, 2020:**

Motion No. 295

Re: congratulating the Kwanlin Dün First Nation, the Little Salmon Carmacks First Nation, and the Carcross/Tagish First Nation on holding leadership elections (Mr. Gallina)





# Yukon Legislative Assembly

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Number 54

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 28, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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



**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, October 28, 2020 — 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 a matter regarding the Order Paper. Motion No. 293, notice of which was given yesterday by the Member for Copperbelt South, was not placed on today's Notice Paper, as the motion is not in order. Standing Order 29(1) of the Standing Orders of the Yukon Legislative Assembly states — and I quote: “A motion is used to propose that the Assembly (a) do something; (b) order something to be done; or (c) express an opinion on a matter.”

In Motion No. 293, the Assembly is not being asked to do something, nor is the motion ordering something be done, or asking the Assembly to express an opinion on a matter. Instead, the motion seeks an explanation to do with a statement in the *Yukon Parks Strategy*. The Chair reminds members that they have a number of ways that they can seek this kind of information, including in the form of written questions or questions during oral Question Period.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Streicker:** Please welcome a number of guests who are here today to listen to the tribute that we are going to pay to Charlie McLaren. We have Sharon Norman, Deborah Pitt, TamaraLyn Young, Ross Dorward, Tim Turner-Davis, Chuck Austin, Fred Van Delft, Wade Hanna, Sharon Russell, Chris Reynolds, Jon Schmidt, Peter Densmore, and Blair Corley. If we could welcome them, please.

*Applause*

**Hon. Ms. McPhee:** I am asking my colleagues to join me in welcoming Jean-Sebastien Blais and Marc Champagne here as the president and executive director of the Commission scolaire francophone du Yukon for today's ministerial statement. Welcome.

*Applause*

**Speaker:** Tributes.

**TRIBUTES**

**In remembrance of Charles McLaren**

**Hon. Mr. Streicker:** I rise today on behalf of the Yukon Liberal government and the Yukon NDP to pay tribute to the late Charles McLaren — Charlie.

Charlie was a fire chief, an architect, a physicist, an artist, and an adventurer. Charlie passed away in June of this year.

I first met Charlie as an architect. Charlie was a truly exceptional and prodigious member of the architectural profession. He was talented, prolific, and dedicated to his work. He was also unabashed in sharing his opinions. Charlie was determined to speak his mind and tell it like it is — frequently writing his thoughts in letters to the editor.

His successful projects are everywhere in the territory. His contribution to the built environment — to the fabric of our communities — is remarkable.

Here are just some of Charlie's projects: Tombstone Territorial Park visitor reception centre, the Da Kù Cultural Centre in Haines Junction, the Workers' Compensation building and addition and the Nuvo Building across the street, Pelly Crossing's arena and community hall, the Selkirk First Nation's administration building addition, Kilrich, Klondike Motors, the Frank Slim building in Shipyards Park, Mah's Point — our first six-story building here in Whitehorse — Ross River's sixplex, Mayo seniors housing, Gateway housing, Aspen Court in Riverdale, the Crocus Glen housing development, a Pentecostal church, Tr'ondëk Hwëch'in's administration building in Dawson, Parkside Place housing, l'Association franco-yukonnaise's main admin building, Christ the King Elementary School's addition, Ross River School, Hidden Valley School, Holy Family School, Whitehorse General Hospital's ambulance station, the City of Whitehorse's Public Safety Building at the top of Two Mile Hill, the Carcross fire hall, City of Whitehorse Fire Hall Number One, the Whitehorse airport fire hall addition, and the Golden Horn fire hall — where, to top it all off, Charlie was the volunteer fire chief.

I spoke with several of Charlie's colleagues after he passed. I know they were working to complete building projects he had underway. Here is how one of them put it to me: “Charlie was the last of the old school architects, with a terrific skill set... fair at all times in spite of his occasional grumpiness. He gave great value to all.” He will be missed.

I next got to know Charlie as an advocate for safety and community preparedness. We spoke often about interface fire risk and how Golden Horn would be critical in keeping Whitehorse safe. Based on our conversations, we chose to run this very specific scenario as part of Operation Nanook with the Canadian Armed Forces last year.

He was a vital member of the Yukon fire service and a strong leader for Golden Horn and the Southern Lakes. For over 26 years, Charlie served the communities of Whitehorse, Marsh Lake, Mount Lorne, and Golden Horn as a volunteer for, and then as chief of, the Golden Horn volunteer fire department.

Charlie was proactive within his community and was always calm in the face of challenges during many incidents over the years. He was passionate about his crew, his community, and firefighting. During his tenure as chief, Charlie promoted a comprehensive team approach to the fire service. Under his leadership, the Golden Horn fire hall was an inclusive place where firefighters enjoyed spending time and working together to solve problems.

Charlie organized top-of-the-line training for his crew, providing scenario-based and challenging learning opportunities to volunteer firefighters in the Golden Horn community. When Charlie retired as the Golden Horn fire chief in 2019, he left a legacy of an organized and well-trained department on the path to success of professional service delivery.

As I have already noted, Charlie also left his mark on the Yukon fire service by designing multiple fire halls in the territory. Charlie leaves a legacy of an active fire hall dedicated to protecting Golden Horn and the surrounding communities. He will be missed.

This past summer, during the pandemic — during this awful, awful year — Charlie learned that he had terminal cancer, so he and Sharon got married. He will be missed.

Today, on Denim Day, we are grateful for Charlie's years of community service, his dedication to keeping his neighbours and all Yukoners safe, his contribution to building our territory, his love of Sharon and his friends, and his love of the Yukon.

*Applause*

**Mr. Cathers:** While I will be much shorter than the minister, I do want to, on behalf of the Yukon Party Official Opposition, rise to pay tribute to Charles McLaren as well as extend our thanks for all of his contributions to the Yukon, including his service to the community and the Yukon as a fire chief and volunteer firefighter, and thanks as well for his work as an architect.

As the minister noted, he is responsible for the design of a long list of buildings throughout the Yukon. I would like to particularly thank him for his excellent work in designing multiple fire halls as well as ambulance stations and schools and thank him for the high-quality, functional, and efficient designs that he was responsible for. I would like to close by expressing my sincere condolences to his family, his friends, and all of his colleagues.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Ms. McLean:** Pursuant to section 7(7) of the *Historic Resources Act*, I have for tabling the Yukon Heritage Resources Board annual report for 2019-20.

**Hon. Mr. Pillai:** I have for tabling a legislative return concerning questions that were asked last week by the Official Opposition.

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House support the tourism cooperative marketing fund in response to the COVID-19 pandemic.

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

THAT this House urges the Government of Yukon to recognize the contribution that Yukon community museums and cultural centres make to tourism and to include the Yukon Historical and Museums Association in discussions and planning for the COVID-19 tourism recovery plan.

I also give notice of the following motion:

THAT the chair and members of the *Child and Family Services Act* Review Advisory Committee appear as witnesses in Committee of the Whole prior to the end of the 2020 Fall Sitting of the Yukon Legislative Assembly.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to encourage ATCO Electric Yukon to clearly communicate the impact of and rationale for planned outages to minimize safety concerns and inconvenience to area residents.

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

THAT this House congratulate BMC Minerals on their receipt of a positive recommendation from the Yukon Environmental and Socio-economic Assessment Board for the ABM mine at the Kudz Ze Kayah project.

**Mr. Hassard:** I rise to give notice of the following motion for the production of papers:

THAT this House urges the Minister of Highways and Public Works to provide:

(1) the original budget and final cost for the francophone high school; and

(2) how long it was delayed from the original completion date.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Le Centre scolaire secondaire communautaire Paul-Émile Mercier

**Hon. Ms. McPhee:** I am pleased to inform Yukoners about some recent milestones in the relationship between the Government of Yukon and the Yukon francophone school board, la Commission scolaire francophone du Yukon, also known as CSFY.

In 2009, the CSFY filed a lawsuit against the government of the day alleging that it was failing to meet its obligations under section 23 of the Charter and requesting several court

orders to increase its management and control of French first language education in the Yukon.

After a long trial and appeal process, rather than conduct another trial, the parties established a settlement committee to try to resolve outstanding issues from the lawsuit. This settlement committee worked diligently and persistently over the past four years and, this spring, successfully reached a settlement, ending the legal battle that lasted over a decade.

Our government worked with the settlement committee to clarify the roles and responsibilities in managing French first language education in the Yukon in a way that respects the requirements of the *Yukon Education Act* and the *Canadian Charter of Rights and Freedoms* with respect to minority language education rights.

I would like to take this opportunity to acknowledge and commend the many government and CSFY officials for their combined efforts and commitment to this complex work and their achievement.

Mr. Speaker, we have established the future path for the administration of French first language education in the territory as one of respect and cooperation. Part of the settlement included the building of a French first language secondary school. I am proud to say that the final touches are underway for the new school which is on track to open for students in mid-November.

This innovative school and its community spaces will provide modern, flexible learning spaces for students and community groups. It is a great example of a successful project that was designed, managed, and built locally on time and on budget. This project has increased local skills and is a testament to Yukon craftsmanship.

The school is part of the campus model for the Riverdale education reserve where students, groups, communities, and cultures can gather, learn, and play in a variety of facilities. The CSFY held a community contest to come up with a name for the high school. The winner was: Le Centre scolaire secondaire communautaire Paul-Émile Mercier. Paul-Émile Mercier was a francophone Yukoner responsible for mapping important Yukon river navigation routes during the turn of the last century.

Permission to use his name was granted by the former federal MP for Outremont, Québec and former leader of the federal NDP, Thomas Mulcair, who is Mr. Mercier's great-grandson.

Mr. Speaker, the settlement of the lawsuit and the construction of the new school reflects a renewed partnership between our government and the CSFY. We look forward to our continued good work together to effectively support the learning needs of French first language students and all Yukon students.

**Mr. Kent:** I am pleased to stand here today in response to this ministerial statement. I would like to congratulate Yukon's francophone community on being able to occupy this new facility in the near future, and I thank Ketza Construction and all the contractors who worked on this project.

In 2013, when I was Minister of Education, we began discussions with CSFY and the francophone community about what a high school would look like and where it would be located. I attended a public meeting at École Émilie Tremblay and heard from parents and students on both sides of the issue at the time. That work continued for the balance of our government's mandate and, in the end, the current site was chosen. Now we see a brand new school soon to be occupied by students.

I do have some questions for the minister that I hope she is able to answer here today, however. On June 28, 2016, the minister in her role as the co-chair of the F.H. Collins Secondary School Council wrote to the former Minister of Education Doug Graham expressing several concerns about the new francophone school and its location. That e-mail has been tabled in the House and I will table it again here today. In it, the minister complained about the F.H. Collins school community deserving to have their project completed before any more construction took place. The minister also complained about an influx of traffic into Riverdale and the disruptions that would cause. The minister said that there was no evidence that francophone students would be retained in the new school if it was located close to F.H. Collins. Finally, the minister complained that F.H. Collins would not want to share the tech wing with francophone students.

I am hoping that the minister can tell us if she has changed her mind on all these issues and what prompted her to do so. We know that this project has been delayed and is substantially overbudget. An April 2019 article in the *Whitehorse Star* stated — and I quote: “The overall budgeted cost for the francophone high school in Riverdale has grown from \$27.5 million to \$35.3 million — just shy of an \$8-million increase in under a year.” So, \$7.5 million of that original budget was to come from the federal government. We know that the project is over a year late in being completed. I am hoping that the minister can confirm the full amount of construction and if additional funds were asked for and received from Canada as a result.

The other issue I wanted to raise with the minister is around capacity of the school. In the e-mail that I just tabled, the minister, a school council co-chair at the time, was complaining that the new school was being built for 250 students. In June of 2017, the minister reduced the capacity to 200, according to a CBC article that stated — and I quote: “The school would be designed for 200 students, which is many times the current enrolment of Whitehorse's French-language high school program”, and the minister says that “... it's appropriate to plan for future growth.”

Then, on December 13, 2018, a *Whitehorse Star* article stated: “It is during that school year (2020-2021) that up to 150 students from Grades 7 through 12 will call the new site home after being moved from École Émilie-Tremblay.”

Why did the minister shrink the school capacity by 100 students from what it was originally designed for in June 2016 before she was elected? When does she anticipate that it will be full, given current enrolment numbers?

So, Mr. Speaker, in conclusion, I would again like to wish all of the students, teachers, and parents well as they embark on

an exciting new chapter in their learning with this brand new facility located here in Whitehorse.

**Ms. White:** Ça me fait plaisir d'avoir la chance de parler du nouveau Centre scolaire secondaire communautaire Paul-Émile-Mercier, ou CSSC Mercier.

L'École Émilie-Tremblay grandie plus rapidement en étudiant qu'en locaux depuis plusieurs années. Sans pouvoir accommoder plus d'étudiants, les Franco-Yukonnais n'avaient pas la chance d'atteindre leur plein potentiel et de même pour les ayants droit yukonnais.

Ça fait maintenant plusieurs années que les problèmes d'espace à Émilie-Tremblay se font ressentir dans toute la communauté de Whitehorse. C'est un problème qui existe depuis plus d'une décennie. Je me souviens d'avoir eu comme camarades de classe en immersion française des élèves de l'École Émilie-Tremblay qui avaient changé d'école pour cette raison.

Après que le gouvernement du Yukon refuse de faire face au problème, c'est la Commission scolaire francophone du Yukon, numéro 23, qui l'a poursuivi pour garantir aux Franco-Yukonnais leurs droits à l'éducation en langue minoritaire. Le CSSC Mercier est un testament à ce droit et à l'apprentissage en français.

La nouvelle école est un exemple de ce qu'une école secondaire devrait être aujourd'hui. L'espace a été créé avec les étudiants en tête et encouragera le développement et l'apprentissage de ceux-ci dans les années à venir.

J'espère que le gouvernement du Yukon apprendra lui aussi de cette nouvelle école, et prendra pour acquis que la construction d'écoles au Yukon est une opportunité de renouveler notre dévouement à l'éducation.

Félicitations pour la construction du Centre scolaire secondaire communautaire Paul-Émile-Mercier par des compagnies d'ici, pour des gens d'ici.

Félicitations à la communauté franco-yukonnaise de s'être tenue debout et pour avoir défendu le droit à une éducation de qualité pour toutes et tous.

**Hon. Ms. McPhee:** I definitely want to take this opportunity to thank our visitors here today for attending. I'm happy to thank the members opposite for some of their comments.

As Minister of Justice and Minister of Education, on this particular file, I wore two hats when it came to working to resolve the issue. I want to thank the officials in both departments for their work on this file over the last four years and certainly the officials and staff at the CSFY. I'm taking the opportunity to acknowledge and to thank them and both the officials and the trustees for their effort and truly for their commitment to reaching this settlement. There were many meetings and there were many times when we had bumps in the road, but at no time was there ever a question about our interest in resolving this matter together and making a positive relationship going forward.

The settlement reflects a renewed partnership between our government and the CSFY, focused on the learning needs of

Yukon students. Going to court to resolve issues is extremely expensive. The previous Yukon Party government spent some \$3 million in legal fees initially fighting this case for many years through the courts. That is \$3 million that could have been spent to pay for student services, for services for students or teachers, or for improving our learning environments.

Yukoners will also recall another major court case, the Peel land use plan, where over \$500,000 was spent through the courts process. This is not the way that our government wants to resolve issues. We have taken a different approach, and a successful resolution of both the Peel land use plan and now the settlement of the lawsuit with the CSFY demonstrates that this approach can work.

As I mentioned earlier, the French secondary school is almost complete and we're excited that students will be able to move in soon. I understand there are some 82 students ready to move into that location and they are excited to do so. The location in Riverdale is next to F.H. Collins and it will maximize the opportunity to share some spaces and to serve our students and our community.

I'm also pleased to say that the new secondary school was built by a local Yukon community, Ketza Construction — the president of which was here earlier. Yukoners will be pleased to know that this project has increased local skills and is a true testament to Yukon craftsmanship.

The settlement — I had the opportunity to visit the school while it was being built and to speak with many of the tradespeople on-site — the architect and others. They are so proud of this building — and they should be.

The settlement of the lawsuit and the construction of the new school reflects a renewed partnership between our government and the CSFY — a new approach to solving problems and a new approach to dealing with issues that arise in our community. We look forward to our continued work together to effectively support the learning needs of the French first language students and all Yukon students.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on education system

**Mr. Kent:** On CBC Radio this morning, we heard directly from parents who are finding that the Liberal government's decisions around school busing are making their lives more difficult. We have seen articles quoting parents who are very critical of the government, and we have also seen social media traffic critical of the Liberals' decisions around busing, including a post from one parent who had to spend money to put their kid in a cab this morning because they were not allowed on the bus.

So, we have parent after parent coming out and criticizing the government's reopening plans. However, the minister has claimed for weeks that it is only the opposition criticizing her government's poorly-thought-out school reopening plan.

So, will the minister now acknowledge that her decisions on the school reopening plan are making life more difficult for many Yukon families?

**Hon. Ms. McPhee:** I am pleased to be able to rise today to address this question. Yukoners are, of course, appropriately concerned about the effect on their lives of COVID-19 and the COVID-19 pandemic and the restrictions that have been adapted and adopted for the purposes of keeping us all safe.

Yukoners have worked amazingly hard over the last number of months to keep each other safe, but we must be vigilant. The so-called second wave has certainly reached Canada. In our estimation here as Yukoners, it has reached us here as well. There are new cases — small clusters — however, we must remain vigilant. We must also all take our breaths and have some perspective with respect to this situation. It is not going to end soon.

With respect to Yukoners' concerns — we are hearing parents. We are dealing with families on a one-by-one basis. I have a lot of additional information, which I am happy to get to in the additional questions which no doubt will also be on this subject. But I really wanted to take the opportunity to thank all those involved with our schools — with our school busing with students, in particular — who have put the students first, who are thinking about those students, who are being patient and kind with one another, and who are being vigilant.

**Mr. Kent:** Last week, the minister was very dismissive of parents' concerns, saying that it actually puzzled her that they were concerned about her reopening plan. The minister said that high schools in Whitehorse will return to full-time in-person instruction when it is safe, but she cannot tell us why it is safe for a grade 9 student to attend full time but it is not safe for a grade 10 student at the same high school to attend full time.

Yesterday, we asked her this, and she dismissed the question. We were just trying to understand why the minister made this decision and would hope that they would be willing to explain that decision.

I will just remind the minister that, on July 22, the Premier was asked who made the decisions around the school reopening plan, and he confirmed that all the decisions were made by the minister and the Liberal Cabinet. All we want is for the minister to explain how she arrived at the conclusion that a grade 9 student can attend full time but their sibling in grade 10 cannot.

**Hon. Ms. McPhee:** I just want to clarify some of the information presented there. I certainly haven't been dismissive of anybody's concerns. I have not and would not be dismissive of a Yukon constituent in any case. This is a serious matter; these are serious concerns. Children in school and the safe return of children in school has been a top priority for us — certainly for the work that I have been doing since the middle of March when the pandemic arrived here in the territory with a bang — although it existed in Canada before that.

The operational adaptations with respect to having the grades 10 to 12 students at the three larger high schools in school part time — or half time — were based on a number of criteria. They were based on the recommendations from the chief medical officer of health; they were based on operational

adaptations developed by those schools; they were based on the administration's advice, teachers' advice, school councils, and others involved in the safe operation of those schools.

They were based on advice from the health and safety guidelines, and they were based on the concept of ensuring safe spacing, managing traffic flows, and limiting the mixing of groups of students in those three largest high schools.

**Mr. Kent:** Just to remind the minister — because she left out her colleagues — that on July 22, the Premier was asked who made the decision around the school reopening, and he confirmed that all decisions were made by the minister and the Liberal Cabinet.

Another question we asked the minister yesterday was about her lack of a plan for getting classes back to full time at Whitehorse high schools. Specifically, we asked: What are the conditions required for the minister and the Liberal government to deem it safe enough for students to go back to full time? Yukon parents want to know this so that they can plan and they know when their kids can go back to school full time.

So, we'll ask again: Can the minister tell us what needs to change or what parameters she is waiting for to return grades 10 to 12 students in Whitehorse to full-time in-person classes?

**Hon. Ms. McPhee:** I'm happy to have the repeat question. I'm happy to have the opportunity to speak to Yukoners again about the answer.

We will only be able to return all grades 10 to 12 students to Whitehorse full-time classes in the three schools that are affected here in Whitehorse when it is deemed safe to do so.

The operational adaptations have been based on advice from the chief medical officer of health. It continues to be our priority to return as many students to classes in schools full time within the health and safety guidelines for the K to 12 school students and those settings as soon as it is possible to do so. Our planning is underway for the longer term secondary program adaptations for the second semester to ensure that we are meeting students' learning needs.

We are assessing this on a daily basis. It is complex work that takes time. The potential of involving changes — it could involve changes to course scheduling, to staffing, to place and space adaptations, and to student transportation.

We truly appreciate, Mr. Speaker, the patience and the consideration being shown by everyone and we ask everyone to please focus on the needs of students and to support them through this very difficult time.

#### **Question re: School busing**

**Mr. Cathers:** Mr. Speaker, 111 days ago, the Liberals announced that they would not be allowing grades 10 to 12 to return to full-time in-person instruction. This is also when they announced a new limited school bus schedule that excludes hundreds of students.

Yukoners have been looking for a plan from the government to fix these issues and they still have no answers from this government. The reality is that changes to busing and online instruction are having negative impacts on Yukoners. A parent told us that their high school student spends hours on the bus to school to only attend a half day and then they have to

spend hours on the bus getting back home after their half day, which means that they're unable to do their online learning for that part of the half day.

Can the minister tell us when she will finally provide a plan to fix this problem?

**Hon. Ms. McPhee:** I think I've said it, but I'm happy to repeat: We will be able to return grades 10 to 12 to full-time class at the three largest high schools here in Whitehorse when it is safe to do so. The members opposite don't seem to understand that this is based on safety protocols — health and safety concepts. The opportunity for grades 10 to 12 students to be in front of a teacher five days a week is an important aspect. It's also based on encouraging students and supporting them through independent learning as they end their high school careers.

The adaptations have been necessary to support the spread of COVID-19 and to keep communities safe and healthy.

**Mr. Cathers:** The minister needs to back up her words with action because, otherwise, they are just empty words. This is another case of autocratic top-down decision-making by this government. The reality is that the minister's decisions have created huge issues for Yukon students and families. Many families are finding that they are left behind when it comes to busing. This means that families are having to decide whether parents show up to work late or leave work early to drive and pick up their children. Approximately 250 students who had school bus transportation last year no longer have it due to the minister's decisions.

Yukoners have been waiting for a plan from the Liberals for over 100 days, but so far, they have received nothing. Will the minister commit that every student in every household who was provided a spot on school buses last school year will once again be provided a spot during this school year? When will she make that happen?

**Hon. Ms. McPhee:** Sorry, Mr. Speaker, it is just not possible to do that. The pandemic is changing on a daily basis. We have more information and we make decisions with the best information that we have at the time. We are continually reassessing that information so that we can make decisions on behalf of Yukon students to support them through this very difficult time.

School busing in the 2020-21 school year has been adapted to follow the chief medical officer of health's guidelines specifically for school bus operations. These adaptations are necessary to prevent the spread of COVID-19 and to keep our communities and our children safe. Because of these necessary changes, we have not been able to accommodate as many families requesting school busing as we have in previous years. Nonetheless, we have been able to assign — and have done so — all eligible students to a school bus this year, which is approximately 1,752 students.

In addition to this, we are working with the school bus provider to add some additional buses so that we might be able to support more students and their families. We appreciate the patience and the consideration shown by everyone in this case. In normal times, there is greater capacity on the buses, and we

have been able in the past to accommodate additional students that were not eligible under the rules to ride the bus.

**Mr. Cathers:** That is not much comfort to hundreds of parents and students who are being affected by this. This government has been slow to act and has had a pattern of autocratic, top-down decisions throughout the pandemic.

Last week I asked the minister about the government's plans to purchase three additional school buses to help address some of these concerns and provide more capacity. These three buses were a small glimmer of hope for Yukon families who are struggling with student transportation.

The deputy minister was on CBC Radio this morning and said that the Liberal government is still waiting for these buses. It has been over 110 days since the minister announced her school reopening plans, so our question is: Why are we still waiting for buses? Why weren't these buses ordered earlier — ordered months ago — so that families aren't sitting here, in the winter, waiting for a faint glimmer of hope and help with the problems that are currently negatively impacting their lives?

**Hon. Ms. McPhee:** Again, I appreciate the opportunity to stand and speak to Yukoners about the importance of having our children return to school safely. There has been some criticism from the members opposite, and from some other Yukoners, about the return-to-school plan. We had a plan and we continue to have one. It is being assessed and developed as we speak. We implemented that plan, Mr. Speaker, upon the advice and guidelines of the chief medical officer of health. Through the hard work of administrators, teachers, educators, school councils, First Nation governments, and other partners, we executed that plan. The plan has resulted in returning almost 5,700 students back into school every day for the past two months — safely, in the midst of a pandemic.

With respect to the school buses, we have ordered them; we are expecting them to arrive. We have ordered three extra school buses. We are not going to put children at risk or students at risk by either returning grades 10 to 12 too soon or by not following health and safety guidelines. As one small example of the school bus issue and what is happening in just one other jurisdiction in Canada — Newfoundland has ordered and is waiting on 148 new school buses.

I think that some perspective in the Yukon is great and we ask for continued patience.

#### **Question re: COVID-19 pandemic impact on education system**

**Ms. White:** The safety of Whitehorse grades 10 to 12 students to return to full-time in-person classes is a priority; nobody disputes this. What the minister doesn't seem to understand is that families need to know if this will happen in January, after the holiday break, or not. Planning for everything from rides to tutors to extracurricular activities depends on whether students will be back to full-time in-person classes in January.

Now, I realize that the minister is not going to make this announcement today in the Legislative Assembly, but can she at least tell Whitehorse parents and grades 10 to 12 students

when the government will decide whether or not they will go back to full-time in-person classes after the holiday break?

**Hon. Ms. McPhee:** We continue to assess and evaluate the plan, which needs to continue to evolve and respond to the needs of all of our Yukon students, particularly with respect to grades 10 to 12 students who are back in school — and when they can be back in school for full days. We have heard from a number of parents and students indicating that the current situation suits their students and their student learners just fine. We have equally heard from students and parents who have said that this is not optimum for their families. We understand that. We continue to work with those families to support those students through this unusual situation, and we continue to work diligently and every day on how we can respond and provide Yukon students with the education that they deserve.

**Ms. White:** We have heard before about the issues that students and parents are facing. Whether it's about providing rides to and from school or about helping students with their homework, many parents are at their wits' ends. Families need to be able to plan for January and beyond. Do parents need to change their work schedules? Do they need to figure out a carpooling plan? Do students need more academic support, or do they need to drop out of extracurricular activities? The uncertainty is adding unnecessary stress to families. They need to know if the spring semester will be full- or part-time in-person for grades 10 to 12 students so that they can plan the rest of their lives.

Can the minister simply tell families when and how the government will make this decision? Will it be in November, December, or before classes start in January?

**Hon. Ms. McPhee:** Actually, there is nothing that I would rather tell Yukon families, to be frank with you, than when things will return to normal. I defy anyone to be able to tell them that. We cannot predict the course of this pandemic. We cannot predict the course of the epidemiology. We cannot predict the course of COVID-19 spread in the territory or in Canada and throughout this country or, frankly, throughout the world. We have worked diligently to plan, to return some 5,700 students to Yukon schools across the territory safely. We have managed to keep them safely in those schools through the hard work and diligence of Yukoners who are abiding by the rules to protect each other from COVID-19 throughout the last two months. Many a school in Canada has opened and ultimately closed again or sent students home for two weeks. Many a school board or school program in this country has not provided busing at all. They are adapting their best to the circumstances that they have; we are doing that here in the territory, and while I completely understand the concerns of Yukon parents, we are assessing it, we are working, we are listening to them, and we are doing our very best to have children back in school full time as soon as it is safe to do so.

**Ms. White:** We've been in a pandemic for eight months now. Parents are sensible. They understand that the situation can always change, depending on COVID-19 and the recommendations of the chief medical officer of health. Parents and students just want to know if a full-time return to class is even on the table for January. It's essential that students,

teachers, and parents have that information as soon as possible, because they will need to plan accordingly.

We're not even asking for the date of a full-time return to school for students; we are making a simple request to reduce uncertainty for parents. Tell us when the decision will be made. Is a return to full-time in-person classes for grades 10 to 12 students in January an option this government is even considering?

**Hon. Ms. McPhee:** I realize, in answering a myriad of questions on this topic — which are incredibly important to Yukoners, and I'm happy to continue to do so — that I may have been unclear that we are assessing all options with a priority of having grades 10 to 12 return to school as soon as possible, as soon as it is safe to do so, as soon as the epidemiology and the recommendations from the chief medical officer of health here in this territory, who works extensively with the other chief medical officers of health across the country to determine the safety for our children.

We will continue that work. I wish that I could provide some more certainty, some dates, some end date to a COVID-19 pandemic — I wish that extensively; it is not a possibility. We must make every single decision with the best available information at the time, and that's what we're doing.

#### **Question re: Community banking services contract**

**Mr. Hassard:** Yesterday in Question Period, the Premier said — and I quote: "... banking services are extremely essential for our community residents, for First Nations and municipal governments as well, local businesses, tourists, and also our own operations in the communities."

Now, I agree wholeheartedly with the Premier. Unfortunately, his actions don't line up with his words as three communities are without that extremely essential service.

So, can the Premier tell us when the communities of Carmacks, Pelly Crossing, and Mayo will have access to banking services?

**Hon. Mr. Silver:** I do appreciate the question from the member opposite. There is a staffing issue and these are issues that are being worked out by the company, CIBC — still trying to resolve some staffing issues.

The Mayo office, for example, did have staffing issues which are now resolved. The office is scheduled to open on Tuesday, November 3, 2020.

CIBC is still resolving some staffing issues in Carmacks and they are working on a solution there as well. We appreciate people's patience.

The Pelly Crossing agency has been a problem for a while now. They have not been able to find — CIBC has not been able to find somebody to work — and this even goes back to the previous contract owner. TD banking had a problem as well to find somebody since March of this year. CIBC inherited this problem and is now working to secure a local employee in the community and is striving to open by the end of November.

**Mr. Hassard:** The ability to pay utility bills is now gone and elderly customers are being forced to do online banking. The Premier promised that this would be completed by October 15. He also said he would ensure that the transition would not

make life more difficult for rural Yukoners, but the reality is that this is a real challenge for many people in rural Yukon.

Yesterday, the Premier told us it wasn't an issue and he even had an updated briefing note to prove it. Well, if the Premier had spoken to any of the rural MLAs in this Legislature, including members of his own caucus, he would have known that everything is not all right. The entire riding of Mayo-Tatchun is without banking service, and Yukoners in almost every other community are running into major issues.

Has the Premier bothered to ask any rural Yukoners how the transition to the new community banking is working? Or does he only rely on briefing notes?

**Hon. Mr. Silver:** Mr. Speaker, I never said yesterday that this was not an issue. What I did say was that I wasn't sure if the members opposite were categorizing the issue properly, and they weren't.

Again, with the new contract that is in the community, it's a good opportunity to talk about the new look and the new feel of banking. It is going to be different, but the services are still available. We know that there are some issues with some staffing and those are being worked out.

The outline of changes — manual bill payment no longer is accepted, but agents can still assist customers with paying bills online or via telephone banking. That's not asking anybody to buy any new devices; all that can happen within the agencies — noting that the manual bill payments are no longer accepted in full-service branches either. This is a modernization of the companies themselves — not an issue that is just in the rural communities of Yukon.

Individuals without access to technology actually can access online banking by using the provided iPads in the agents' offices. There is no requirement or expectation that individuals will need to buy new hardware and CIBC is working to improve communication with community members, with financial literacy, starting with the individual agents who are critical in helping to move individuals along this path of modernization that we're seeing across the country.

**Mr. Hassard:** I'll quote: "THEREFORE BE IT RESOLVED: The Association of Yukon Communities requests that the Minister responsible for the community banking agreement works toward ensuring that the services agreed to within the contract are being fully met and are reasonable for all rural Yukon."

Many of the issues that I've spoke of today would have been resolved had the minister talked to AYC beforehand.

My question is simple: Why did the Premier choose to ignore AYC's request to be involved?

**Hon. Mr. Silver:** Mr. Speaker, I did answer this question yesterday. We haven't changed anything on the procurement system compared to previous governments — the opposition's procurement methods when it comes to the banking contracts in the communities.

We do appreciate that this does mean a change to the communities and this does mean that some aspects of community banking are different. The Department of Finance continues to work with CIBC to ensure that Yukoners have access to banking services. With some methods of paying bills

and making deposits — they're definitely changing, again, across Canada. Clients with accounts can still deposit cash. They can still pay bills at the community banking agencies and through an online system as well.

This is in line with the more general shift by the banking industry, as I mentioned, to online banking models which means that manual bill payments are no longer accepted in full-service branches either with the exception of governments' remittance.

Agents are on hand to assist customers in paying bills online or via telephone banking and iPads are being installed so that individuals do not have to use their own technology for these services.

Again, Mr. Speaker, what we're seeing here is an issue with staffing that is being resolved, hopefully, as soon as possible by the agency that took on the contract. We're also seeing a modernization of services right across Canada that we're seeing in line with what's happening in rural communities here in Yukon.

#### **Question re: Southeast Yukon forestry plan**

**Ms. McLeod:** During the 2016 election, the Yukon Liberals announced various supports for the forestry industry. In an October 26, 2016, Liberal news release, they committed to a forestry plan for southeast Yukon for commercial harvesting. Four years have now passed since this commitment was made, and with this government entering the final year of their mandate, can the minister tell us if this southeast Yukon forestry plan is complete, and if not, when can we expect it?

**Hon. Mr. Pillai:** I do appreciate the topic of forest and timber access coming to the floor of the Assembly. It's not something that we talk about a lot. First, it is important to understand why this has really become such a significant topic.

We are seeing very strong demand across the Yukon right now. We have got some of our retail operators who are requesting more fibre than we have seen before — whether it be small milling operations here in Whitehorse or in areas outside of Whitehorse — there is still an interest and demand for that.

Concerning the work in southeast Yukon — and I will answer more on questions 2 and 3 — right now there is a very significant permit that has been provided to the First Kaska. They have not come even close, as far as we are aware, to what is there for quota. We are continuing, through the Forestry branch — had meetings over the last two weeks to ensure that we are back at the table. Those talks have not been as fruitful as we would have wanted.

I have asked, now that we see new leadership with LFN, that we re-engage and I look forward to questions 2 and 3.

**Ms. McLeod:** I thank the minister for his response. According to yukon.ca, the Whitehorse and Southern Lakes Forest Resources Management Plan will guide a number of forestry issues in the region. Two of those principles are how and where forest harvesting may occur, and how forest management will contribute to the local economy. This plan was developed jointly by Yukon, Carcross/Tagish First Nation,



Kwanlin Dün First Nation, and the Ta'an Kwäch'an Council and was jointly recommended for approval in May 2019.

Has this plan received final approval yet, and if not, can the minister tell us when he expects that to happen? And is there a timber supply analysis and an annual allowable cut set for this area?

**Hon. Mr. Pillai:** I would also like to add — it might come up in question 3 — that the Watson Lake Chamber of Commerce has asked me to meet with them to talk about the forest industry in Southeast Yukon. I think that is an important conversation to happen. We are just trying to figure out where. As members know, we are here until December 22 and Friday is really the only day, if not on a weekend, to meet. We are just trying to figure it out. Most of our Fridays are booked right now going out to some other communities. I am trying to figure out when we can do that. I want to say to the Member for Watson Lake that we are committed to having that meeting.

We are waiting on one signature and resolution within a First Nation government. We have support across on everything else. People will remember that the Whitehorse plan — the Southern Lakes plan — has been in the works for I think almost a decade. It is something that I thought should be a priority based on where we are at with fire mitigation and the need and now we are seeing this industry grow and the demand for local products, either value-added or straight firewood. Within that, we are waiting for one more signature. I have talked to the staff this week. I have said that, if they need me to engage with the First Nation leadership, I am there to do it. There were some questions really around the plan and how it fits within their self-government agreement and their current land planning.

I look forward to question 3. Thank you.

**Ms. McLeod:** Many commercial operators in the forestry industry are struggling now to get long-term access to the resources that they need. Some fuel wood is being imported from British Columbia and shipped as far north as Dawson City. Mill operators we have talked to are not receiving access to the volume of timber they need to sustain operations. Harvesters near Haines Junction are having difficulty accessing enough fuel wood due to permitting delays. When can the wood product industry expect to get multi-year certainty of access to the resources they need in order to maintain viable operations?

**Hon. Mr. Pillai:** Mr. Speaker, I think that the whole conversation around future timber fibre access, as well as the intricacies that play out and, as well, the differences between some people who are going out just with a small piece of machinery and cutting firewood to people who are now investing in more advanced operations — what I have asked the department to do is: first, move to conclude the Southern Lakes; secondly, let's sit down and get some certainty around Southeast Yukon in the member's community. Some of that wood that is being cut in BC is right on the other side of the border, so this isn't being shipped from way out, but some of that is being cut by Yukoners and members from Watson Lake, but in British Columbia, and then shipped up, and that is something that has been done, I believe, for years.

I have also asked that we bring all the woodcutters together. It's a conversation I had with the branch this week. I think it's time for us to co-lab this out and understand what the needs are of each particular group and then identify a path forward, so they can make sure they can invest in the capital needs that they may have, whether it's increasing their mill operation, or can understand where there are opportunities, whether it be in biomass or other value-added.

It's something that is a priority for me to look at. We have been working on this with the branch this week and continue to be happy to come back and report progress.

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

## ORDERS OF THE DAY

### GOVERNMENT PRIVATE MEMBERS' BUSINESS

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

##### Motion No. 236, amendment to — *adjourned debate*

**Clerk:** Motion No. 236, standing in the name of Mr. Adel, resuming debate on the amendment proposed by Mr. Cathers; adjourned debate, Ms. McLeod.

**Speaker:** Member for Watson Lake, you have 10 minutes and 33 seconds remaining.

**Ms. McLeod:** I'm just going to back up a little bit from where I left off the last time we were addressing this, just to ensure we have the proper context.

We're not saying that the government didn't need to act swiftly on this matter or that some measures to prevent the spread of COVID-19 were not necessary. We agree that many of the actions the government has taken were necessary, but the point I want to make is that those actions need scrutiny, and those decisions need to be made transparently — and that's called democracy.

I think that better decisions are made when they are made transparently. Having a vote on the declaration of a state of emergency would go a long way to improving transparency and democracy. I also think that it's very important that we find a more appropriate balance between granting government the powers they need to effectively respond to a crisis and allowing an appropriate amount of legislative oversight to help preserve our democratic institutions.

There has been a lot of attention recently about finding this balance. Written in the *Ottawa Citizen*, the research director of the Samara Centre for Democracy said this in June of 2020 — and I quote: "It's remarkable, at this critical juncture, that the government has permitted so few opportunities for scrutiny, and for the representation of Canadians' experiences and views. Late September is a long way away, and ad-hoc sittings of the House — such as this week's debates on a proposal to crack down on fraudulent CERB claims — aren't cutting it. In this moment, we need an agile Parliament with the power to get answers from government and make things happen. Parliament typically adjourns for the summer, but it should be obvious why

this year is different — start with the scope of the crisis, and the scale of the response.”

Mr. Morden was talking about the federal Parliament, and I think that much of what he says rings true for us here in Yukon. Here in Yukon, we didn't even have the parliamentary committees in place and meetings to review government actions like they did in Ottawa. In fact, the Yukon Party had proposed in early March that we establish an all-party committee to look at the economic impacts of the pandemic. We felt that, by allowing MLAs to help guide the government's actions, we would see better outcomes and programs and policies that were better aligned with the needs of Yukon's businesses and economy. It would have also sent a signal to Yukoners that we were working on this together.

Unfortunately, the Liberals used their majority to vote that suggestion down and instead opted to work unilaterally, and this is very disappointing to many Yukoners. Even the coverage of that in the local media was quite telling. Here is an excerpt from a March 10, 2020, story about the Liberals voting the all-party committee down. Silver, however, said the committee is unnecessary because no MLAs are being kept in the dark and assured Yukoners the government is on top of things so far. “We're not in a place right now where we have to worry about COVID-19, today,” he said. “As for details on what the government will do in the future, Silver said that it is a “moving target” and things change everyday. “Everything that is being asked by the opposition, we believe that we already have [that] under control,” he said. “We have to make sure that we're prepared. But at the same time, level heads should prevail here and we shouldn't get into the practice of fear-mongering.”

So, back in March when the Yukon Party was encouraging action on this, the Premier accused us of fearmongering. When someone pushes for action to protect against the pandemic, the Liberals say that they are fearmongering. When someone asks the Liberals to explain their decisions surrounding the pandemic, the Liberals suggest that they are downplaying the issue, so the Liberals appear to talk out of both sides of their mouth on the issue.

What I can say from our perspective is that, ultimately, what we have always been seeking is government transparency and accountability. Transparency and accountability are the pillars of our democratic system.

As I mentioned, there has been a lot of attention focused on how to allow our democracies to continue to thrive while also allowing governments to exercise the necessary powers needed to respond to the pandemic.

Freedom House international, which is an international organization that studies and promotes democracy, said this about the use of emergency powers in democracies: “... emergency restrictions should be clearly communicated, enacted in a transparent manner, well grounded in law, necessary to serve a legitimate purpose, and proportionate to the threat.

“Emergency restrictions affecting basic rights, including freedoms of assembly, association, or internal movement, should be limited in duration, subject to independent oversight, and imposed and extended based only on transparent criteria.

Individuals should have the opportunity to seek remedies and compensation for any unnecessary or disproportionate rights violations committed during the crisis.”

There are some interesting places that are relevant to Yukon in that excerpt. As we all know, some of the measures that the Yukon government has taken under the state of emergency did affect many of the rights that Freedom House outlined. I believe that a vote in the Legislature on the declaration of the state of emergency by the democratically elected members of the Legislative Assembly would go a long way to provide the kind of transparency and legitimacy that organizations, like the Samara Centre and Freedom House, have suggested.

With that, and as I have said previously, I will be supporting the amendment. I hope that government does come to the realization that it is important to support a strong democracy.

**Ms. White:** I appreciate the amendment that was proposed by the Member for Lake Laberge because it certainly adds a bit of body to what was put forward initially.

There are a whole bunch of different topics here that are of issue, including the fact that, throughout the break that we had here in the Legislative Assembly, the opposition parties continued to ask for a legislative Sitting. The government has been repeating that they offered that to us; they offered that we could come into the Assembly and that we could get briefings about what was going on. The problem is that what they were offering wasn't actually a legislative Sitting. It might have taken place in this room, but it certainly wouldn't have had all the rights that come along with it that we have — well, we as legislative members have a right to.

Although the government and the media said it was open and accountable, well, we disagree. We disagree because there was a whole bunch of process that wouldn't be included in that.

What the amendment from the Member for Lake Laberge does is it gives us that opportunity if decisions are made, from this point forward and into the future, that it comes back to this Assembly where it can be discussed by all elected members who represent Yukoners from border to border to border, who come from different walks and different points of view. So, all we are asking is for the ability to strengthen what we have seen already and I don't think that is a problem.

We know that different members have different ideas on how programs could have been introduced to support Yukoners who are dealing with the effects of COVID-19, and we know that, in some cases, it was suggestions from opposition members that, unfortunately, had to come out through the media, that actually changed the face of some of those programs. One that I highlight especially would be how initially the Social Services department was clawing back social assistance rates because of CERB payments. It wasn't until after that came out in the media and it was publicly spoken about that it changed.

So, although I appreciate that the Member for Copperbelt North tabled a motion this week that said that they continue on that, it is not how that program started. We have questions

about other programs and how they were decided. So, really, what the Member for Lake Laberge, I believe, is asking is that those decisions don't get made in a vacuum and that they are able to be discussed here by all members.

So, the Yukon NDP will be supporting the amendment.

**Mr. Gallina:** The amendment currently before us, about whether or not any future extension of the current state of emergency shall be debated in the Legislative Assembly prior to their implementation, is a very important topic and one which does warrant consideration.

The original motion as to whether or not members actually agree that we should be in a state of emergency is clear and concise and provides Yukoners with certainty about the positions that members are taking on this topic. Our Official Opposition member is suggesting that we should also consider all aspects of the emergency that we are in, through amendments to this main motion, or maybe just some aspects of the state of emergency. Well, which aspects, Mr. Speaker, and why?

For instance, should there be amendments to the main motion suggesting that the *Civil Emergency Measures Act* itself needs to be evaluated, or even updated, to determine if we should be in a current state of emergency? Or what about the emergency measures themselves that have been implemented as a result of the state of emergency? Have those been effective, and should we be considering additional amendments to the main motion and use that forum for conversation about these important topics?

I argue that those are very important conversations that members in this Assembly should be having, but to provide certainty to Yukoners, I feel that it is important for this motion to be as straightforward as possible so that Yukoners know where members of this Assembly stand.

So, no, we are not in support of this amendment.

Mr. Speaker, today Canada has passed the 10,000 mark for deaths due to COVID-19; 10,000 families have lost loved ones; countless others have lost friends and a nation has lost an enormous amount of talent and value that each of those independent Canadians have brought forward.

Now is the time for this Assembly to show unity and leadership in addressing this terrible pandemic. Yukoners want to know where members stand. Do they support the current state of emergency or not?

Mr. Speaker, the opposition was keen to get back to work and hold this government to account on the financial and policy decisions made in support of Yukoners to address this pandemic. I'm curious why the Official Opposition has chosen to broaden a direct motion through an amendment that could have been brought forward for debate through a number of other channels. Are they concerned about the position they'll be taking? I ask this question genuinely, Mr. Speaker, because to date, the Official Opposition have tabled only one motion specific to the *Civil Emergency Measures Act* where there have been multiple private members' motion days to discuss this. They have only asked one question about ministerial orders and

none about the emergency or the *Civil Emergency Measures Act* itself.

It's day 15, Mr. Speaker, and the Official Opposition has asked only one question about ministerial orders. So, I find it ironic that now, with an amendment to this motion, these important discussions about emergency measures need to be had. I acknowledge that these are complex matters. It's not a simple black-and-white issue. I respect that, Mr. Speaker, and with that, I feel like Yukoners deserve certainty on all aspects of Yukon's emergency measures and we can begin that certainty by answering the motion that's on the floor today.

So, Mr. Speaker, we're happy and we even look forward to discussing decisions this government has made to support Yukoners during this pandemic and discuss ways in which this Assembly can continue to work together.

We also feel that this motion should remain as it stands because it provides certainty to Yukoners in a time when certainty comes at a premium.

**Ms. Hanson:** Mr. Speaker, I hadn't intended to speak to this, but I think I find that the hubris that I hear coming from the Liberal backbenchers is quite astounding. Nobody — nobody wants to be in a state of emergency and that's not what the issue is. We found ourselves collectively across this country and this territory in a state of emergency. The core issue, as I understand it, is not whether or not we blindly accept whatever the Liberal government has decided can be conducted by whatever means during a state of emergency — it is that we adapt as legislators to the fact that we are operating during a state of emergency.

We are operating in a pandemic, but we still have obligations and responsibilities — as members of this Legislative Assembly, regardless of where we stand politically — of holding government to account for the decisions that are made during the state of emergency.

So, to say that we should blindly accept that, whatever comes from the majority Liberal government, is contrary to any definition of democracy — no, we will not support the blind adherence that has been advocated by the member who just spoke. We would ask that the conversations that we have had over the last number of weeks — and I would ask the member opposite to look back at some of the conversations, some of the suggestions, that we have made about how we adapt, as legislators, going forward, during a pandemic. How do we adapt and ensure that we have forums of accountability? How do we, as legislators, use the existing tools and committees and other structures that we have so that we can question decisions, as they're being taken, to make sure that they are in the best interest of all Yukoners — not assume, because the Yukon Liberal team believes that they are in the best interest.

No. We have a job, in terms of holding government to account, and so we will. So, we will not support the government's agenda here of saying, "Trust us, we're the ones in charge." No. Not on —

**Speaker:** Is there any further debate on the proposed amendment to Motion No. 236?

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:** Disagree.

**Hon. Ms. McPhee:** Disagree.

**Hon. Ms. Frost:** Disagree.

**Hon. Mr. Pillai:** Disagree.

**Mr. Adel:** Disagree.

**Mr. Hutton:** Disagree.

**Hon. Mr. Mostyn:** Disagree.

**Hon. Mr. Streicker:** Disagree.

**Hon. Ms. McLean:** Disagree.

**Mr. Gallina:** Disagree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

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

**Speaker:** The nays have it. I declare the amendment defeated.

*Amendment to Motion No. 236 negatived*

**Speaker:** Further debate on the main motion.

**Mr. Hassard:** I am pleased to rise today to speak to Motion No. 236, put forward by the Member for Copperbelt North. This motion seeks to express the support of the Yukon Legislative Assembly for the state of emergency. This is certainly something that I'm happy to speak about, because I know that there has been a lot of misinformation coming from the Liberal government about this, and they have really tried their best to mischaracterize the Yukon Party's position on this.

We have always said that we don't have an issue with the declaration of the state of emergency. Many of my colleagues have repeated that over the past couple of days of debating this motion, yet the government continues to try to dispel that as a myth, I guess, because we heard it again with the latest speaker on the Liberal side talking about how important it was to get us on record about what we think about or whether we agree with the state of emergency. I will say it again that we agree with the declaration of a state of emergency, but it's interesting to see the government vote down an amendment that would allow some more openness and transparency, which is really interesting, considering that this is a government that ran on a campaign of "Be Heard" and talked about the importance of being open and transparent. It's rather odd to see such an "open and transparent" government try to do everything but be open and transparent.

We have also not taken issue with many of the regulations and ministerial orders issued by the Liberal government under the *Civil Emergency Measures Act*. In many cases, Mr. Speaker, we supported those actions. What we have said over and over again is that we disagree with the fact that all of this has been done without any sort of legislative oversight or democratic scrutiny. We disagree that the government should be able to use this pandemic to exercise outdated legislation to give itself extraordinary powers. We disagree with the Liberals' decision to refuse to reconvene the Legislature over the course of the summer and early fall to discuss and debate any of their actions or the government's response to COVID-19. We disagree that the Minister of Community Services should be able to govern by ministerial order without any sort of check or balance from the legislative branch. This entire situation is problematic for our system of government and is contrary to the norms and conventions of our democratic system. I would like to outline some of my concerns in a little more detail.

Let me begin with the *Civil Emergency Measures Act*. I think we can all agree that the act is outdated and inadequate. We have heard the minister agree with this, and in his speech earlier in this motion, the Member for Copperbelt North agreed with the minister as well. We all know that this legislation was not intended for a situation like the one we are in now. The legislation, as far as we can tell, was designed for responding to a traditional emergency where the government needs extraordinary powers to keep people and property safe. It was designed for a scenario where the government needs powers to move quickly for a very short period of time.

We believe that the legislation was never intended to grant these powers to the government for months, or perhaps even years. When the legislation passed, I'm sure the legislators of the day could never have imagined that a government would abuse the powers in the *Civil Emergency Measures Act* in the way that this Liberal government has.

Their actions, since declaring a state of emergency, have been very concerning to many Yukoners. In response to all of this, the Yukon Party has made the commitment that, if elected, we will amend this legislation quickly. We said that a future Yukon Party government would require democratic oversight of any government during an extended emergency, like the one that Yukoners are in today due to the COVID-19 pandemic.

Back in September, we noted that, over the last several months, the Yukon Liberal government has hidden from accountability and refused to allow for any democratic oversight of their actions. They've refused to allow for the Legislature to sit and refused to allow committees to meet or discuss issues or ministerial orders related to the pandemic.

We noted in a news release, back in September, that the Liberals have been operating in secrecy while undermining the basic principles of democracy while, at the same time, legislatures in almost every other province and territory in Canada have been sitting — or have resumed sitting — during the pandemic. Since, we have seen the Premier and others refute this, however, we've seen plenty of third-party support, including a very helpful report from the Samara Centre for Democracy which included a table that showed the number of

sitting days for each legislature in Canada during the pandemic. In that table, Yukon, sadly, was near the bottom of the list. We went on to note that this was an abuse of power and that we plan to amend the *Civil Emergency Measures Act* to require democratic oversight of the sitting government during a declared emergency.

The specific changes we think are needed are as follows: changes to the law to ensure that, even in an extended emergency, governments would still be subject to scrutiny and accountability by the Legislature; the requirement that any extensions of a state of emergency be subject to debate in the Legislature; and that orders-in-council and ministerial orders brought forward under the auspices of CEMA would also be subject to review by the Legislature.

We said at the time — and I will say it again today — that some of the measures that the Liberals have taken were necessary. Some were needed to help Yukoners navigate the challenges of the pandemic, but they did not need to come at the expense of our democratic principles. So, Mr. Speaker, I look forward to a future opportunity to amend that legislation and ensure that any future government cannot abuse the *Civil Emergency Measures Act* in the same way that this Liberal government has.

Next, Mr. Speaker, I would like to talk about the necessity of what the Liberals have done under this state of emergency and whether using CEMA as broadly and bluntly as they have was necessary. In his speech earlier, the Member for Copperbelt North said — and I will quote: “The *Civil Emergency Measures Act* requires us to be in a state of emergency to respond to the pandemic quickly and effectively.” He then went on to explain — and I will quote again: “These orders are intended for a multitude of different reasons. Some provide flexibility for the general public in conducting business — like the virtual commissioning, signing, and witnessing order, which enables the use of audiovisual communication technology where signing in presence is required by law.

“Like other social assistance regulation overrides, this will ensure that individuals receiving Canada emergency response benefits are not negatively impacted on their eligible social assistance, nor will it impact the amount of assistance that they receive. Each of these orders issued today are important for Yukoners, with a focus on public safety and security...”

Well, Mr. Speaker, I think there is a reasonable case that many of the actions that the member has mentioned should have been dealt with on an emergency basis back in March or April, but there is no reason why a solution to these issues couldn't have been dealt with through more conventional ways. We tried all summer to convince the government to recall the Legislature so that we could deal with some of these issues, but they refused. In fact, the Premier even said that he did not think the government needed oversight or scrutiny. He said that the Liberals were too busy for democratic oversight. Instead, he preferred to operate in secrecy, and the Minister of Community Services preferred to exercise his newfound powers under the *Civil Emergency Measures Act*.

Those are very problematic comments, Mr. Speaker. The Premier's way of thinking on this issue has been debunked by numerous experts. For example, in a paper issued by the University of Sydney, entitled *Protecting Democracy During COVID-19*, several experts and democratic institutions take aim at the Premier's line of thinking, and they argued the following — and I will quote: “The COVID-19 pandemic continues to pose a deep threat to public health and the economy worldwide. It also threatens, however, fundamental aspects of our broader political, social and cultural practices, including democratic practices and well-established civil liberties.”

Now, I know that the Premier would prefer to operate without opposition, but, quite frankly, that is counter to our democratic system.

The same paper from the University of Sydney highlights five key indicators of democratic health during COVID-19. One of those was enabling and respecting opposition. Here is what that says — and I quote: “Healthy democracies are not afraid of contentious debate. Although consensus between citizens and between citizens and institutions is important, it must continue to be paired with the more adversarial features of democratic life. Vigilance, argument and occasionally sharp debate ensure accountability and safeguard against the domination of any single group. As this pandemic opens the door to wide-ranging top-down surveillance and power, finding ways of ensuring that political argument continues unabated is essential. Citizens should also resist the tendency to defer to a singular view from experts and authorities, and the media institutions—and algorithms—that serve us this news should be supported to be open and diverse. Internal disagreements among scientists, for example, have not functioned so far as an invitation to the wider public to engage in respectful and broad-based deliberation about the choices and trade-offs we must make that cannot be reduced to scientific judgment.”

So, while the Premier has indicated his disdain for political opposition, we see from experts around the world that it is in fact necessary. The argument has been made that using these powers under CEMA was the only option that this government had; this was not the only option.

Legislatures across the country and across the world found creative ways to do business and respond to the pandemic while still respecting democracy. Let's take Ontario, for example. In that province, legislators were given the opportunity to debate the declaration of the state of emergency. I believe, Mr. Speaker, that the declaration of the state of emergency in Ontario received unanimous support. Then, throughout the summer, the government tabled legislation to do many of the types of things that the Member for Copperbelt North talked about.

In Ontario, the legislature passed a bill, called *COVID-19 Response and Reforms to Modernize Ontario Act, 2020*. That bill made broad changes to several pieces of legislation, including the *Alternative Filing Methods for Business Act, 2020*; *Business Corporations Act*; *Business Names Act*; *Commissioners for Taking Affidavits Act*; *Condominium Act, 1998*; *Cooperative Corporations Act*; *Corporations Act*;

*Corporations Information Act; Education Act; Extra-Provincial Corporations Act; Limited Partnerships Act; Métis Nation of Ontario Secretariat Act, 2015; Notaries Act; Not-for-Profit Corporations Act, 2010; and the Succession Law Reform Act.*

You see, Mr. Speaker, that rather than using emergency legislation to find their way around laws, the Ontario legislature decided to utilize their elected legislature to make time-limited legislative changes.

There are plenty of other examples around this country, as well as the entire world, but ultimately, the point is that the Member for Copperbelt North is wrong to assert that the only way the government could deal with these issues was by using ministerial orders under the *Civil Emergency Measures Act*. Perhaps that was needed at the beginning, but they had months and months, throughout the summer, to find a better way.

The Legislative Assembly could very well have been sitting this summer. There was no reason that Yukoners could gamble at the casino or watch sports at the bar, but MLAs could not gather to debate the government's response to the pandemic. Another important way many NGOs, academics, and think tanks have suggested for preserving democratic conventions and laws during a pandemic is by using parliamentary committees. Even if the Liberals thought that it was too dangerous for the Legislature to meet over the summer, there was no reason why legislative committees could not have met. This was yet another way the Liberal government could have responded to the pandemic without avoiding and damaging our democratic institutions.

With that in mind, Mr. Speaker, I would like to propose an amendment to this motion.

#### *Amendment proposed*

**Mr. Hassard:** I move:

THAT Motion No. 236 be amended by:

(1) inserting “: (1)” after the word “supports”; and

(2) inserting the phrase “; and (2) ordering that the Standing Committee on Statutory Instruments convene to review, call witnesses, and study all of the ministerial orders and orders-in-council issued during the state of emergency.” after the word “Yukon”.

**Speaker:** Copies of the proposed amendment will be distributed to all members.

I have had the time to review the proposed amendment with the Clerks-at-the-Table. I can advise that it is procedurally in order.

It has been moved by the Leader of the Official Opposition:

THAT Motion No. 236 be amended by:

(1) inserting “: (1)” after the word “supports”; and

(2) inserting the phrase “; and (2) ordering that the Standing Committee on Statutory Instruments convene to review, call witnesses, and study all of the ministerial orders and orders-in-council issued during the state of emergency.” after the word “Yukon”.

**Mr. Hassard:** I am happy to propose this amendment today. As I have said, and all of us on this side of the Legislature in the Yukon Party Official Opposition have said, while we agreed with the original motion brought forward by the Member for Copperbelt North, we just feel that this adds some meat to the bones of it. I think it is really important to strengthen the motion from what it was. I certainly look forward to hearing ideas from all members in the Legislature and hopefully hear their support for this amendment. I certainly look forward to getting unanimous consent on this amendment.

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

#### **Point of order**

**Speaker:** Mr. Streicker, please.

**Hon. Mr. Streicker:** I'm not rising to speak to the amendment. I'm rising to request that we, as per the change to the Standing Orders, could have a short recess in order to discuss the proposed amendment.

**Speaker:** There has not been a change to the Standing Orders, but there has been a convention. Based on the provisions provided under the COVID-19 safety precautions for the Assembly, if members ask, the granting of time would certainly be favourably considered by the Chair.

Member for Copperbelt North, on the point of order.

**Mr. Kent:** Mr. Speaker, on behalf of the Official Opposition, we would agree with a 10-minute recess for members opposite to review the amendment.

#### **Speaker's statement**

**Speaker:** In order to facilitate discussion among members and complying with COVID-19 safety precautions, the House will recess for 10 minutes.

#### *Recess*

**Speaker:** I will now call the House to order.

Is there any further debate on the proposed amendment?

**Ms. McLeod:** I am pleased to stand and speak in favour of this amendment. I am happy to see this amendment come forward because it addresses one of the most problematic aspects of the Liberal government's approach to the pandemic response — their use of executive authority throughout the state of emergency. I should also note that I am happy that we are finally able to debate this motion and subsequent amendments to it.

This debate is long overdue. We have been waiting for months to be able to voice our concerns and the concerns that have been brought forward by constituents. It seems that the Liberals are under the assumption that Yukoners don't care about the state of our democracy and don't mind watching the government exercise the extraordinary powers available to them under the *Civil Emergency Measures Act* without democratic oversight.

I have to say that, just because they refused to call the Legislature back all summer, it did not mean that criticisms of their approach simply went away. We have heard concerns

about this all across the Yukon. There are some Yukoners who believe that the Yukon government went too far in their actions, and there are some Yukoners who believe that the Yukon government did not go far enough. But almost everyone we have heard from believes that there ought to be some debate about the government's actions.

Unfortunately, until this motion, the government has avoided debate on this. The *Civil Emergency Measures Act* grants significant and broad powers to the government; in particular, it grants power — largely to the Minister of Community Services — to govern directly by ministerial order. This exceptional power was intended to grant government the power to respond to an immediate crisis, where they need to move extremely swiftly and without following due process.

We do understand that there are some times, or emergencies, where this would be necessary. Floods and wildfires are commonly offered as examples of this type of emergency. In these cases, it's understandable that a government may need to take action that would require extraordinary action from government. It may require action that would contravene some laws or policies, but are necessary in the moment to save lives or property.

We understand this and do not disagree that civil emergency legislation that would enable this type of short-term power is necessary. What we do not agree with, though, is that this type of power is well-suited to extended emergencies like we are in now. We do not think the Minister of Community Services should have unchecked power indefinitely. We do not think that the government should be able to extend the state of emergency and therefore extend their access to this extraordinary set of powers, without any sort of democratic debate or without any sort of legislative scrutiny.

Unfortunately, that's exactly what this government has done.

Over the course of the past half-year, they have enacted dozens of ministerial orders. Not a single one of them was subject to any sort of scrutiny or public debate. What has been interesting is that there has been a considerable amount of buzz in the public service about the minister's affinity for these ministerial orders. It will be interesting to see if he votes for or against this amendment, because it will offer some check on that power.

The reality is, Mr. Speaker, that when the government declared the first state of emergency back on March 27, I suspect that, if we had been given a chance, the Yukon Party caucus probably would have voted in favour of the declaration. We have never said that we oppose that initial declaration. In fact, I think it's likely that we probably would have supported many of the ministerial orders that the Minister of Community Services initially issued, but what the government forgets is that it's the role of elected officials in a representative democracy to act as a check on the power of the executive branch of government.

While this may seem like a basic principle that we can toss aside in the middle of a pandemic, we on this side of the House are not so quick to throw away one of the fundamental principles of our democracy.

I thought it was a bit ironic that, during the height of the summer while the Liberals were refusing to call back the Legislature, governing with extraordinary powers, and issuing ministerial order after ministerial order, the United Nations celebrated the International Day of Parliamentarism. I thought that the statement that the UN issued was important and that it captured some of the reasoning behind my support for this amendment. For members who don't know — “June 30 is the day designated to celebrate the International Day of Parliamentarism. The United Nations General Assembly, in its resolution A/RES/72/278, recognized the role of parliaments in national plans and strategies and in ensuring greater transparency and accountability at national and global levels. It is also the date, in 1889, on which the Inter-Parliamentary Union (IPU) — the global organization of parliaments — was established.

“This Day celebrates parliaments and the ways in which parliamentary systems of government improve the day-to-day lives of people the world over. It is also an opportunity for parliaments to take stock, identify challenges, and ways to address them effectively.”

Mr. Speaker, I would like to quote from the UN's statement on the International Day of Parliamentarism. In addressing the topic of “Parliament's role is more vital than ever during COVID-19”, here is what the UN had to say: “In COVID-19 times, Parliaments and other government institutions are subject to the same social distancing measures as other public and private organizations. Yet, in a time of crisis, the role of parliament is more vital than ever to pass emergency laws, allocate resources and scrutinize government action. Some parliaments are modifying laws and procedures to allow for remote working, some have continued meeting physically and some have recessed altogether. The Inter-Parliamentary Union... is helping to facilitate inter-parliamentary coordination and solidarity by sharing examples of how parliaments can continue to legislate, debate and scrutinize the actions of government in a time of lockdown and social distancing.”

What is clear from this, Mr. Speaker, is that in a time of crisis or emergency, it is not time to retreat from our democratic systems but to take advantage of them. The government should be doing everything that it can to ensure that the public feels engaged and that the democratically elected representatives that citizens send to speak and act on their behalf actually have a meaningful role in shaping government's actions.

With that in mind, I think that the proposed amendment put forward by my colleague is a good step forward. I think that having ministerial orders subject to some scrutiny would be a good thing. It is also a good idea to have those ministerial orders go to an all-party committee.

Mr. Speaker, for those listening who are not aware, the Standing Committee on Statutory Instruments is a standing committee of this Legislature that has the authority to review any regulation that comes into effect after the committee is formed. The Legislative Assembly may also refer existing or proposed regulations to this committee for review. What this amendment would do is send all of those ministerial orders that

the Minister of Community Services has been issuing to be reviewed by a committee of MLAs.

The challenges of balancing the need for democracy with the need to respond appropriately to COVID-19 is not unique to Yukon or Canada. In fact, we have seen many NGOs, think tanks, and academics make very similar arguments to those we are making in this motion debate. I thought a compelling argument was made this summer by Dr. Leuprecht from the Macdonald-Laurier Institute in his paper entitled “COVID’s Collateral Contagion: Why Faking Parliament is No Way to Govern in a Crisis.” He said this — and I quote: “What distinguishes Canada from China, Russia, Iran, or North Korea is precisely a functional constitutional democracy: constitutional review and an effective legislative assembly to counteract authoritarian overreach by the executive. Federal Parliament and provincial legislatures, then, ensure the delivery of essential public goods and services to Canadians, such as saving lives, the safety and security of Canadians, and, ultimately, maintaining a vibrant Canadian democracy.”

He goes on to say, “Parliament and the courts are the people’s bulwark against excesses of executive power. The public trust they enjoy distinguishes constitutional democracies from authoritarian regimes, which renders the former more resilient during times of crisis. Deliberative decision-making through respect for Canada’s parliamentary conventions and constitutional principles is indispensable to maintaining the legitimacy of Canada’s political regime and the power of the Canadian state.”

Now, ultimately, that is what we are trying to achieve. We are trying to ensure that our response to the effects of COVID-19 is as resilient and strong as possible. The best way to do that is through tapping into our parliamentary conventions and constitutional principles. The amendment that my colleague is proposing, I think, will do that. It will ensure that a committee of the Legislature, with representatives from all three political parties, will have a chance to review the ministerial orders issued by this government. It will ensure that the extraordinary powers available to the Minister of Community Services will be subject to some sort of check and balance.

It is also worth noting that none of the members of this committee are government members. This is an important and deliberate feature of the committee because its task is to hold the government to account. It is also worth noting that the chair of the committee is the Member for Copperbelt North. We know, from his comments earlier in this debate, that he would prefer to leave this work to others. In fact, this summer, when we asked that the Standing Committee on Statutory Instruments be convened to do its job, the Member for Copperbelt North refused to do this and convene the committee.

Having reviewed his comments previously in debate on this motion and seeing how strikingly similar they are to those made by the ministers in this government — I guess it is not hard for us to guess why. However, it will be interesting to see how the members for Copperbelt North, Mayo-Tatchun, and Porter Creek Centre vote on this amendment. If they do not think that it would be a good idea to refer those ministerial

orders to a committee that they sit on, it would be interesting to know why.

I know that I have heard from many constituents and many Yukoners, who have asked why there wasn’t more debate about the Liberals’ action and, in particular, the ministerial orders issued under the *Civil Emergency Measures Act* over the summer. I heard from some Yukoners who believe that the Yukon government was not going far enough in their actions. They wanted to see more strict lockdowns, more aggressive support programs, and more strict actions.

On the other hand, I heard from a lot of Yukoners who thought that the government was just going too far. They thought that some of the travel restrictions were too aggressive and were concerned about their civil rights.

In either case, I am sure that if they were told that there had been a comprehensive sharing of information, a robust debate, and that elected representatives had decided that this was the best course of action, they probably would have been satisfied. Instead, they took note that the Legislature was shut down, that the Premier was making himself available to the media every other week for a few brief questions, and that the opposition parties couldn’t even get basic letters answered. So, I will be interested to hear from Liberal MLAs why they don’t think this type of debate or discussion would have been beneficial throughout the summer, or why they don’t want to have those discussions now.

We do know that they have been critical of us in the past for questioning the actions of the government. The Member for Copperbelt North’s speech regarding this motion earlier was telling. When we asked what the rationale was for allowing travel from BC but not Alberta, the Member for Copperbelt North accused us of wanting to throw the doors open and end all travel restrictions. When we asked whether the Liberals thought they violated the *Canadian Charter of Rights and Freedoms* with their early travel restrictions, they accused us of undermining public health officials. The reality, though, is that it wasn’t just the Yukon Party MLAs asking these questions. Ultimately, the government is doing those Yukoners a disservice by avoiding public scrutiny of their actions. In doing so, they weaken the legitimacy of those actions and they create mistrust.

The amendment my colleague has put forward is a reasonable one. It will allow ministerial orders issued under CEMA to be considered and debated in a standing committee of the Legislature. It will allow ministerial orders to be subject to legislative oversight and, in doing so, give them a legitimacy that they currently lack.

The Yukon Party does not oppose all the ministerial orders that the Liberals have issued. In fact, many of them we strongly support. But we’ve always maintained that the declaration of a state of emergency and the extensions of that emergency, which grants the minister the ability to issue those ministerial orders, should be something that is subject to a vote in the Legislature. Furthermore, once the minister has that ability to issue those orders, they should be subject to some sort of democratic scrutiny or legislative oversight.



The argument that time is of the essence, in this situation, simply does not hold water. We are months into this and the government has had lots of time to think about, develop, and issue those orders. There is no reason they couldn't find the time for the fundamentals of democracy.

Sending these orders to a standing committee of the Legislature is a logical step. If the members of that committee do not wish to do the work that they've been asked to do by Yukoners and provide this democratic scrutiny, then they should at least explain to Yukoners why that is. They should explain why they prefer that the government should continue to operate in secrecy. It's my hope, Mr. Speaker, that this amendment passes and that we can all support this motion.

**Mr. Istchenko:** I am pleased to rise, once again, to speak to this amendment to Motion No. 236, as brought forward by my fellow colleague, the Member for Pelly-Nisutlin. I have spoken about the importance of democratic scrutiny over the current process being used by the government to implement their decisions during this pandemic.

The Premier and those ministers who have publicly announced decisions and actions taken have been very careful to convey to the public that the decisions made are the only option and that the Liberal government knows best, that they are following the advice of the chief medical officer of health's guidelines. They do not provide information as to how they came to the conclusion that their way is the only, or best, option. They do not provide supporting documents that were used to inform those decisions.

While I believe that each ministerial order put forth by this government should have been allowed the scrutiny of this House, it is actually a very reasonable request, to be honest. We are only asking for our democracy to function. If the House is not sitting, those orders should have been sent to the Standing Committee on Statutory Instruments for review. In this case, all supporting documentation, and all information on which these decisions are to be based, would be visible to all members of the committee.

We're not asking for the process to be slowed down, if it is urgent; in fact, we would be fine if things went to the committee shortly after the fact, if it is really urgent. It's not about being critical and making things more difficult; it's about providing democratic oversight.

Unfortunately, the Liberals have been abusing power and acting undemocratically. This is not the Official Opposition's first attempt at ensuring democratic oversight for these ministerial orders. That's why the amendment is on the floor here today, again. My colleague had written to the chair of the Standing Committee on Rules, Elections and Privileges to request that SCREP review ministerial orders and orders-in-council issued under CEMA.

The NDP agreed with our proposal, but unfortunately, the Liberal chair refused to convene the committee, and it is clear that the Liberals very much prefer to operate outside the scrutiny of the Legislature. The orders that have come down through this government under CEMA have been of great concern to Yukoners. They have certainly been of great concern

to my constituents in Kluane who have shared their concerns and experiences with me. Business owners throughout my riding have been hit hard by the lack of tourism — very, very hard. As you know, for a little context here, we are home to a very popular world heritage site, Kluane National Park, which brings people from all over the world to explore. There is a vibrant First Nation cultural aspect to the tourism in our riding that travellers like to engage in and learn from. We have a very successful and thriving outfitting industry, one of the oldest industries in the Yukon. A great percentage of our travellers are on their way to Alaska and spend an average of three days commuting through the Yukon. Now they have to do this within 24 hours.

While it is considered important to limit the footprint of American travellers passing through the Yukon, it is important to address the fact that those travellers are human, and humans do need rest, food, and gas for their vehicles and other services or items. The Yukon government came out with a map for travellers that proved to be very controversial across the business community. This map appeared to pick winners and losers from the businesses in the communities along the highway. It was dictating to travellers where they were allowed to stop and where they should avoid, thus leaving business owners confused when travellers would stop to ask permission to use their gas pumps as they were told not to. This will hurt the economic recovery, unfortunately.

As the MLA for Kluane, there are a lot of highway businesses in my riding. My riding goes from Takhini River bridge all the way up to Beaver Creek. So, seeing the Minister of Community Services bring out this document that hurts highway businesses in my riding is very hurtful.

We have seen this type of dismissive attitude from Liberal ministers before. You will remember, Mr. Speaker, that it was the Minister of Highways and Public Works who claimed that the construction along the north Alaska Highway does not benefit Yukoners. Of course, the minister was way out of touch with reality, unfortunately, but after the unfairness of this document that the Minister of Community Services brought forward was highlighted to the government, it was supposedly removed from the border stops. This, in turn, caused more confusion.

It really just speaks to the importance of allowing for legislative oversight through something such as a committee on statutory instruments — providing a little bit of information from all MLAs.

Allowing this type of oversight, we can dig into why the Liberals attempted to pick winners and losers along the Alaska Highway and why they tried to harm Yukon businesses. So, oversight and scrutiny of Liberal actions are absolutely necessary.

The minister's document also worried Yukoners who assumed that it was a free-for-all for anyone travelling through the territory — they could stop anywhere, but the potential for community spread increased from those travellers who were told they had to pass through the territory and limit their stops.

Travellers were given 24 hours to get through the Yukon, but there was no way to trace those who strayed from their path.

While the intention was good to have travellers, who needed to pass through the territory, limit their impact, this was not the case. Many Yukoners who like to get their goods from places such as Walmart, Canadian Tire, or any other grocery store in downtown Whitehorse felt they had to walk on eggshells when they went out to their store of choice to get what they needed, because they knew travellers who were passing through may also have stopped at those locations. MLAs from opposition parties were without any information from the government to share with our constituents.

Even with what we could do — submit letters to the ministers — for the most part, many of the ministers never even responded to the letters and others took months to get back to us. So, here we are. We have no information about what's going on and what it means for our constituents. There's no accountability or transparency from the government at all, which again is why we need some sort of oversight, such as through this committee.

With CEMA, we saw no more international travel, no more Canadian travel. Up until July 1, when the bubble was expanded and the border was opened to the residents of British Columbia, the Northwest Territories, and Nunavut, no one was allowed into the Yukon without a 14 days of self-isolation plan in place. Unfortunately, those who were hardest hit by this decision were those who were about to start a busy work season.

Mines had to shift operations to enable employees from outside the Yukon to include isolation in their turnaround, and placer miners were informed that they had to undergo their 14 days in a hotel room at their cost, rather than on their claims. Over that 14 days, I am sure that they thought twice about how they were going to operate over the summer. They wondered about their livelihood and the uncertainty that came with it.

As everyone in the Legislative Assembly knows — we all know — the mining industry thrives on certainty. I am sure that we have all heard that. This order instead provided them with uncertainty. I mean, the order probably makes sense; the government probably did the right thing, but how were we to know when the government refuses to allow the elected representatives, like me, to provide any sort of oversight? By not having the Legislative Assembly sit, the Liberals were silencing the voice of our constituents to convey that uncertainty; that was totally lost.

It took months for the government to recognize that they needed to issue some sort of a placard to visitors who were allowed to be in the Yukon but had Outside licence plates. The government recently decided to close down the mandatory checkstop and instead implement a self-registration function for visitors. We are hearing reports now of individuals not stopping, not registering, and just going on their way. We are hearing concerns regarding people waiting to go through at night and not self-registering.

Regardless of the issue, it stems from a unilateral decision made by this Liberal government. Would these issues still exist if ministerial orders had been scrutinized by members of all three parties? Perhaps — but then, at the very least, decisions would have been made democratically. Committees of the

Legislature convey to allow each party — all three parties — to weigh in on matters of importance, and during a pandemic, most matters are very important — all matters. This pandemic has been the basis of every government decision made in the territory since March. All MLAs in this House represent Yukoners from all corners of the territory.

There was a message sent, Mr. Speaker, to Yukoners from the government by not convening this House to go over such decisions — decisions that had such an incredible impact on Yukoners. That message was that Liberals didn't want to hear the views of those people who did not vote for the government and that's a failure in democracy. It is time for the government to admit that they were wrong to not allow democratic oversight on decisions made regarding the pandemic. If they would have just allowed for some oversight, we wouldn't be in this situation right now where we have not been able to discuss or talk about issues of our constituents in the Legislature.

People are doing all they can to survive in this environment. I think it's easy to understand their frustration and their worries. They're trying to do all they can to retain their livelihoods. Scrutiny was sorely lacking over this last half of the year by not calling us back to this Yukon Legislative Assembly.

So, Mr. Speaker, in speaking to this amendment, I look forward to the government — and I would hope that they would support this amendment. I also look forward to hearing from others. I want to hear from members opposite — some of the members opposite who don't sit in Cabinet Management Board; they weren't privy to some of these decisions — to see what their thoughts are.

A well-informed citizenry is the lifeblood of democracy. In all arenas of government, information — particularly timely information — is the currency of power. There is a clear dissatisfaction among Yukoners about the lack of information and answers from the government. We've heard it; they've heard it. We can get this committee looking at those things. We can start providing some oversight and hopefully the Liberals will finally start listening to all sides and not just themselves.

Mr. Speaker, I look forward to hearing from others — I said this earlier — and hopefully having the scrutiny of the Standing Committee on Statutory Instruments on all ministerial orders and orders-in-council going forward.

Thank you for the time.

**Ms. Van Bibber:** Thank you for the opportunity to rise today to speak to the amendment from my colleague, the Member for Pelly-Nisutlin.

Throughout the pandemic, the opposition parties have advocated for further scrutiny of the actions of government. Despite resistance from the government, we continue to do so. Major actions of the government throughout the pandemic have included the passage of orders-in-council. These major actions have also included the passage of ministerial orders. We understand the importance of having to pass them during a time of urgency. No one disputes that they may be necessary. The only dispute arises over the government's insistence that everything be kept secret. That is why we, along with the Third

Party, have advocated that these ministerial orders and orders-in-council be brought forward to the Standing Committee on Statutory Instruments over the last several months.

The unfortunate thing is that the Liberal government members and the Liberal MLA who is chair of the committee have ignored or refused requests by the opposition parties to have these issues studied by this committee, which is why I find this amendment important. The original motion brought forward by the Member for Copperbelt North is interesting in this regard, as the Member for Copperbelt North is also the chair of the Standing Committee on Statutory Instruments. It was actually this Liberal MLA who refused repeated requests by the opposition parties to even convene a meeting to discuss the pandemic. Yes, Mr. Speaker, the government refused to even allow committees to meet and discuss the pandemic or actions the government was doing.

Mr. Speaker, if you thought the Prime Minister was bad for shutting down Parliament, digging into the WE scandal, look no further than here in Yukon, where Liberal MLAs on committees refused to let them even meet. It is really interesting now that he has brought forward this motion for debate since he spent the entire summer helping the government avoid accountability while undermining our democratic institutions.

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

#### Point of order

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

**Hon. Ms. McPhee:** I think that the member opposite has contravened Standing Order 19(g) where she is imputing "... false or unavowed motives to another member." She has particularly spoken about a particular member, not in general. I think that this is inappropriate in these circumstances, Mr. Speaker.

**Speaker:** The Member for Copperbelt South, on the point of order.

**Mr. Kent:** On the point of order, the Member for Porter Creek North was merely stating that the Member for Copperbelt North refused to convene the Standing Committee on Statutory Instruments. He's the chair of that committee and that is what the Member for Porter Creek North was speaking about, so I believe this is just merely a dispute between members.

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

**Hon. Ms. McPhee:** I disagree with the member opposite's characterization of this. The member opposite speaking previously — the Member for Porter Creek North — was not speaking merely about the facts of the situation; she was insinuating and ultimately insulting a particular member and indicating that the individual — she was imputing false motives — exactly what the Standing Order says.

#### Speaker's ruling

**Speaker:** I will review Hansard and return as required. It sounds to me — and I have been listening — like a dispute among members at this juncture.

The Member for Porter Creek North, please continue.

**Ms. Van Bibber:** The focus of my remarks today is on the importance of this amendment. No one is saying that ministerial orders and orders-in-council shall not be passed in an emergency. No one is even saying that, in an urgent situation, they cannot go forward and that they need to be delayed for the Legislature to provide oversight.

What we are saying is that there should be an opportunity shortly afterwards to dig into them a little bit — ask some questions and provide scrutiny. This provides much-needed oversight of the government and ensures the enduring life of our democracy and this is what matters to Yukoners — that they can trust on, and rely on, our democratic institutions. They are bigger and more important than the ability of the government to just avoid questions because they don't have the answers.

It's important for Yukoners to know that their Cabinet ministers cannot answer all the questions. We have certainly seen that play out in the Legislature over the last several weeks as certain ministers get "puzzled" by very basic questions. But what we are talking about is how we can provide the scrutiny and the oversight that these Cabinet ministers need so they can actually give answers.

Since the start of the pandemic, the government has brought in a number of ministerial orders and orders-in-council. They range from giving themselves the power to ignore the law and legal timelines to giving themselves the ability to rewrite contracts on a whim. I think it's a shocking abuse of power and a disappointing one as well.

To give an idea of what we would like to review with this committee, I will just go briefly through a number of ministerial orders and orders-in-council that the government brought forward without oversight. This is meant to help those who have not been following this issue as closely and may not be aware of the extent of everything the government has done without oversight.

While some of us in the House may have read a number of these, most people probably have not. Some people have read the ones that directly affect their lives, but maybe not. I will outline some of them by titles at this point so that people can understand the areas that have been addressed through the ministerial orders and orders-in-council — again, lacking oversight.

Under the *Civil Emergency Measures Act* — and for anyone interested, you can find more information on the government website, which includes the ministerial orders that have been issued since the state of emergency was declared on March 27. Other orders issued under it include: Civil Emergency Measures Leases, Approvals and Regulatory Timelines (Covid-19) Order; Civil Emergency Measures Limitation Periods and Legislated Time Periods (Covid-19) Order; Civil Emergency Measures Medical Practitioners Provisional Licensing (Covid-19) Order; Civil Emergency Measures Enforcement (Covid-19) Order.

Actually, I'll read in some of the numbers of those orders, so people from home can go and find them — my apologies, Mr. Speaker.

The one I was just mentioning was Ministerial Order 2020/30, and it replaced Ministerial Order 2020/13. Next on the list is the Civil Emergency Measures School Council Elections (Covid-19) Order, Ministerial Order 2020/31; followed by Civil Emergency Measures Pharmacists Authorization (Covid-19) Order, Ministerial Order 2020/32; Civil Emergency Measures Social Assistance Regulation Override (Covid-19) Order, Ministerial Order 2020/33. Now we are in the middle of May. Yes, Mr. Speaker, there are a lot of these. These are the types of things that the Standing Committee on Statutory Instruments could have reviewed, and they should be reviewed by them.

Of course, as discussed in this amendment, we would like to review them, as well as any future ones coming forward.

Now, moving on through other orders. There is the Civil Emergency Measures Residential Landlord and Tenant (Covid-19) Order, Ministerial Order 2020/38; and the Civil Emergency Measures Amendment of Liquor Licences (COVID-19) Order, Ministerial Order 2020/40.

There is also the repeal of a previous Civil Emergency Measures Border Control Measures (Covid-19) Order.

On this list that I am reading, there are some that obviously have been removed because some are no longer in force, but the point is that none of this should happen without oversight. No one is asking the process to be slowed down if it is urgent, but why can't a committee meet to review these orders a week after they are passed so that we can ask some questions and get a better understanding of why these decisions were made? We are, after all, in a democracy and I think that Yukoners would expect that their elected representatives would have the ability to do this.

We have seen dozens of ministerial orders after ministerial orders being issued and affecting the lives of Yukoners. Again, moving on, we see *Civil Emergency Measures Act* Ministerial Directives for Exemption to Self-Isolation Requirements, Ministerial Order 2020/01. *Civil Emergency Measures Act* Civil Emergency Health Protection (COVID-19) Order, Ministerial Order 2020/50. Repealing Ministerial Order 2020/46 and replacing it with *Civil Emergency Measures Act* Civil Emergency Education Measures (COVID-19) Order, Ministerial Order 2020/54. Replacing the previous Ministerial Order 2020/15, we have the *Civil Emergency Measures Act* Ministerial Order 2020/16 being repealed by 2020/50 — and the list continues to climb.

They are just a few of the orders we have seen and they are an example of the good work that a committee could do. This is important, of course, because it speaks to transparency if we could get the committee to meet. Transparency can be a powerful tool for innovation and improving public health and strengthening our democracy. To speak to this, I would like to quote from the World Health Organization on the topic of the importance of being transparent during the pandemic — and I quote: “Effective management of public health emergencies demands open and transparent public communication. The

rationale for transparency has public health, strategic and ethical dimensions. Despite this, government authorities often fail to demonstrate transparency. A key step in bridging the gap between the rhetoric and reality is to define and codify transparency to put in place practical mechanisms to encourage open public health communication for emergencies.”

I think these are key and important messages that I hope the Liberal government takes to heart because, to date, they have not been open or transparent.

Good government requires credible and trustworthy institutions built on these principles. Accountability goes beyond the mere responsibility of delivery of a task or service. It also means answerability if a service is not delivered in a timely and efficient manner such that it becomes a burden. It is a citizen's right, but also their duty, to demand it.

No one is saying the ministerial orders or orders-in-council should not be passed in an emergency; I stress this again. No one is even saying that in an urgent situation they cannot go forward urgently and that they need to be delayed for the Legislature to provide oversight. What we are saying is that there should be an opportunity shortly afterward to ask questions and provide that scrutiny. This provides the oversight of government and ensures the life of our democracy, and that's what really matters. It matters for the future of our territory — good governance — to allow for this type of oversight moving forward.

I really do hope that the government does the right thing and supports this amendment today. It will go a long way to improving the original motion and ensures that we provide oversight and stand up for our constituents. It will allow us to bring their questions to the table, and it would let us get answers to Yukoners because, for the last little while, there have not been many answers from this government. Committee work could do this, and it could do it well. It would really improve outcomes for Yukoners to ensure that every angle and every perspective has been considered when assessing the impacts.

So, let's get to work. Let's get our democracy working again. Let's get to debating about things again. Let's get to providing oversight again.

I look forward to seeing this amendment pass, and I thank you very much, Mr. Speaker, for the opportunity to speak.

**Mr. Cathers:** I am pleased to rise here today in support of this amendment and would note that this is, yet again, another in the series of the multiple attempts and multiple options that we as the Official Opposition, the Yukon Party, have proposed to the government in trying to improve the role of the Legislative Assembly and MLAs in dealing with the pandemic.

It was quite surprising to hear one of the Liberal members trying to frame this as a situation where the Yukon Party had not been clear about our views on the civil emergency when, in fact, we have stated clearly on multiple occasions — including in debate on the original motion that we are debating an amendment to — that we do recognize that there were public health measures that had to be taken.

I'm just going to briefly refer to my words that the member was apparently not listening to when we began debate on this legislation. I said two weeks ago when we last debated this motion — I will just quote briefly from page 1391 of Hansard from October 14. I said, "... what I really want to note and emphasize is that, first of all, we do agree that a public health emergency requires a government response and that part of that government response does include public health orders and — to a limited extent — emergency orders under the *Civil Emergency Measures Act*, considering the structure of our legislation."

It is interesting that there is this characterization by government backbenchers that we have not been clear in our position when we have repeatedly stated the fact that we support the need to respond. We recognize that, under the Yukon structure, the *Civil Emergency Measures Act* is one of those tools, but there are also other ways that some of this could be done. For example — and we have noted some of this previously in debate — the ministerial orders could be subject to review by committees such as statutory instruments before coming into effect. They could have been reviewed by a number of the other proposed all-party committees that we attempted to get government to support the formation of during this year, as you will recall, Mr. Acting Speaker.

We have, on multiple occasions throughout this year — in fact, it was a total of five times — proposed the formation of a special all-party committee dealing with aspects of the response to the pandemic and have unfortunately been shot down by the Liberal government at every turn. Statutory instruments is another option that we have suggested. I am pleased to see this motion proposed by my colleague, the Member for Pelly-Nisutlin, that would strengthen this motion and improve it. Simply debating a civil state of emergency that was declared roughly about 215 days ago — to debate 215 days after the government declared a state of emergency — to be debating a concept about whether there should be one is not very effective, especially considering that all parties have made their position clear on it.

There is a point — when government is considering extending a state of emergency — in having the debate on that prior to the extension of that state of emergency, but an after-the-fact review of that specific decision, especially 215 days after the initial decision was made, is not really achieving anything.

If government again chooses to refuse to accept a constructive amendment, the Liberal government will again be demonstrating that they talk a good line sometimes on cooperation, but have absolutely no interest in working with the Official Opposition or the Third Party, except on terms that they, the Liberal government, dictate.

The Standing Committee on Statutory Instruments already exists under the Standing Orders of the Legislative Assembly. It does not require any motion to establish; it does not require debate on the committee structure; and this proposal made through the amendment proposed by my colleague, the Member for Pelly-Nisutlin — which would insert the phrase "ordering that the Standing Committee on Statutory

Instruments convene to review, call witnesses and study all of the ministerial orders and orders-in-council issued during the state of emergency" — would strengthen this motion and provide an opportunity, as I have laid out multiple times as the Official Opposition critic for democratic institutions as well as the Justice critic.

We recognize that early on in the pandemic, government had to act quickly; however, when Canada's largest province — Ontario, which has outbreaks of cases actively happening — was able to have their provincial parliament, the counterpart to our Legislative Assembly, debate and vote on the extension of the state of emergency before it happened, that is a clear demonstration of the fact that there's no reason the Yukon with just 19 MLAs couldn't have convened the Legislative Assembly either in person or remotely at that point in time when the extensions of the state of emergency happened in June and September. During all situations, the risk of being in the same room together in this Legislative Assembly was certainly far lower than the risk being taken in other jurisdictions that actually had large numbers of active cases. There was no reason why this House could not have met to debate and discuss and vote on that declaration of a state of emergency instead of having Cabinet just decide behind closed doors to make such a decision.

However, as we have noted, while it would be preferable to have these rules debated before they're put into place, another option — especially for those orders that had to be implemented with speed early on in the pandemic — is to have them reviewed by a committee, such as the Standing Committee on Statutory Instruments, after the fact and provide the opportunity for government to do things, including to ask people who are affected by it: Is there something that you think we could be doing better, and how could we improve on it?

Again, I note, as I did two weeks ago, that we do not pretend it's possible in a pandemic to make everyone happy with every decision, but the details really matter. The fact that it's not possible to make everyone 100-percent happy does not, in any way, excuse government from asking, because, as I noted previously during debate, what the government seems to not understand, when we say that the details matter, is that the details of a ministerial order might literally mean the difference between a business surviving or failing.

For my constituents and other Yukoners I have heard from who are experiencing tough times during the pandemic, this is a tough time; it is a time when their views matter. We don't disagree that government has to listen to the advice of public health officials and treat it seriously, but there is also information that government can learn from Yukoners about how orders are affecting them.

As I noted before, the lack of consultation is a real problem. To just briefly quote from a comment I heard from one of the Yukon business owners who has been affected by ministerial orders, as I mentioned earlier, on page 1392, on October 14: "My biggest issue is no consultation. They made up guidelines for industries that they know nothing about. If they were that worried about safety, they would have worked

with businesses. We could have done that safely and faster than having a handful of people writing all of them.”

From that business owner and from others, there’s no disagreement that government needs to do something, but they have perspectives on their lives and their businesses that would actually be helpful to decision-makers. This is not just a case of an exercise in public relations. This is a case of a situation where Yukoners whose lives are affected actually know more about their lives and the effect that orders are having on them than any person in this Legislative Assembly or in government does. The fact that they have been excluded from the development of the ministerial orders and the fact that they have been denied — and deprived of — the opportunity for meaningful input and having someone to listen to that input after the fact is problematic.

As in the case in Ontario, an option that could happen with ministerial orders — an alternative to having them reviewed by the Standing Committee on Statutory Instruments as proposed by this amendment — there is also the option that government could reduce the use of ministerial orders and do what some jurisdictions, including Ontario, have done, and instead of using ministerial orders, bring forward and table in the Legislative Assembly time-limited legislation that is for the purposes of the pandemic and provides the ability for government to achieve the same ends that it is accomplishing through ministerial orders but through a better approach where those rules, instead of being through ministerial orders, would be through legislation debated in the House, subject to a democratic process and not simply made behind closed doors. As one of my colleagues, the Member for Porter Creek North, noted during her remarks, government has literally given themselves, with these ministerial orders, the power to ignore the law. It’s important to note that, behind closed doors —

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

### Point of order

**Acting Speaker (Mr. Adel):** The Minister of Community Services, on a point of order.

**Hon. Mr. Streicker:** Recently, we have had this discussion where the Speaker said that we shouldn’t be stating that anyone has broken the law. No one has broken the law here. Everything has been appropriate under the law, so I would just ask that you ask the member opposite to withdraw his remarks about breaking the law.

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

**Mr. Cathers:** I did not accuse the government of acting illegally. I think the minister misheard me. I noted that the ministerial orders provide the ability to ignore the law. Perhaps I should have said “to ignore legislation”, because it has, in fact, given government the ability not to follow clear provisions that are set out in Yukon legislation.

I don’t believe that there is a point of order. I am simply stating the facts.

### Acting Speaker’s statement

**Acting Speaker:** I am going to take this under review and review Hansard. I will get back to you with a ruling. I think that “ignore the law” is awfully close to accusing someone of breaking the law. I will come back — or the Speaker will come back — with a ruling on that.

Continue, please.

**Mr. Cathers:** Thank you, Mr. Acting Speaker.

Again, I will just rephrase that to ensure that I’m not repeating something that you may rule on at a later date. Government, through ministerial orders, have given themselves the ability to not follow provisions that are clearly spelled out in legislation that has been duly passed by this Legislative Assembly and previous Houses. That is something that I strongly disagree with. In my view, except in a truly time-sensitive emergency, it is never acceptable, even if it’s legal, for a government to say, “We’re going to pass a ministerial order that allows us to not follow certain legislation” without having that decision subject to democratic debate.

The approach of having the ministerial orders and orders-in-council subject to review by the Standing Committee on Statutory Instruments as proposed by this amendment would be a strong improvement, but in addition to that, I would argue that government should be reducing the use of ministerial orders and, instead, taking an approach more similar to that done in the Province of Ontario, where instead of using ministerial orders, where they had the option, they used legislation that is debated in the House. Every one of those dozens of ministerial orders, which have been passed by Cabinet and signed by the Minister of Community Services — the basic elements of the content of every one of them could have been formatted into proper form for legislation, could have been tabled in this Legislative Assembly, and could have been debated. If there was time sensitivity to it, the Liberal government would have found that the Official Opposition and, I think it’s fair to say, the Third Party would have recognized if there was actually information demonstrating that there was a time-sensitive need to pass that legislation because of public health reasons and we would have worked with the government on that.

We recognize the obligation of every elected representative to be practical and reasonable during a pandemic in a situation where there is truly a public health need to act quickly; we recognize the need to do that.

Unfortunately, the approach that is taken by the government — and I expect unfortunately that we’re going to see the Liberal government not support this amendment either, despite our repeated attempts to post various options to improve the democratic oversight of the government’s pandemic response. The government, including the Liberal Member for Porter Creek Centre, keeps trying to treat this as a simplistic argument and really dumbs down the quality of the debate that’s being had on this legislation by trying to create the perception, publicly, that members of the opposition don’t recognize the need to respond to the pandemic. In fact, what we’re arguing is that democratic process matters, the details of the decisions do matter, and the public still matters. Just

because we're in a pandemic doesn't give the government the excuse to adopt a "father knows best" approach to act in the casually autocratic and arrogant way that this Liberal government has consistently acted in the past eight months and ignore the importance of actually talking to the people who are directly affected by its decisions, whenever possible, prior to making those decisions and, when it's not possible to do so, they should recognize the importance of checking in with those people in businesses, providing the opportunity for them to say, in simple terms: "Tell us what's working. Tell us what isn't working. What can we do better?"

Now, we've also seen that one of the reasons why we need to propose another amendment to a government motion — propose another option for a democratic process — is that the Yukon has been a bit of an outlier in terms of the country in its lack of democratic oversight of the pandemic response. We saw legislative assemblies across the country resume much earlier, including Newfoundland and Labrador on May 5, Manitoba on May 6, Québec on May 13, Ontario on May 19, the Northwest Territories, PEI, and New Brunswick on May 26, Alberta on May 27, Saskatchewan on June 15, and British Columbia in mid-June.

Instead, we saw the Liberal government here delay calling — as long as they could possibly get away with — the Legislative Assembly until this fall and avoid the option — there was literally no reason that there couldn't have been democratic debate of the ministerial orders before, or shortly after, they were implemented. Instead, they chose to push it as long as they could, without having to come back and face questions from the opposition and the Third Party.

I have to remind the government that many of these questions are coming directly from Yukoners. We also know that there are some citizens who were so angry about the government's decisions and the lack of public process and democratic oversight that they are currently challenging the government in court over the constitutionality of the decision-making process. Citizens shouldn't have to resort to going to court to hold this Liberal government accountable. The government has a chance to actually work with the Official Opposition and the Third Party.

I would encourage them to support this amendment instead of shooting down yet another reasonable proposal made by the Yukon Party or by the Third Party.

**Mr. Kent:** I too would like to join colleagues in thanking the Member for Pelly-Nisutlin for bringing forward this amendment to the original motion that we started debating a couple of weeks ago, put forward by the Member for Copperbelt North.

It is extremely important for us to think back to where we were in this Legislature in March, when we adjourned after a very protracted, nine-day spring budget Sitting and, I would argue, the shortest budget sitting in the history of the Yukon. I could stand corrected on that, but we certainly weren't in here for very long, and we all know the reasons why we weren't in here for that long. That last day, I think, we came in here and our desks were spread out. A couple of private members were

sharing a microphone up in the gallery. It was a very different look to what many of us who have been in here for a while and even all current members are used to, as far as the set-up of the Legislative Assembly goes.

It was an uncertain time. Obviously, the government was quite anxious to pass the budget and adjourn the Assembly so they could focus on the response to COVID-19. We, in the opposition, heard from contractors and non-governmental organizations, not-for-profits, about the importance of passing the budget. I believe the chief medical officer of health also mentioned, at the time, the importance, during one of his briefings, of getting the budget passed.

We agreed to do that, as legislators. As I mentioned, it was an uncertain time in here. It was an uncertain time in Whitehorse, for sure, and I'm sure in communities across the Yukon, as our rural members on both sides of the House can attest to.

We have debated the supplementary budget for the previous fiscal year in this House. There were millions of dollars flowing out the door to respond to the pandemic in March. The Arctic Winter Games had just been cancelled, a major hit to not only our economy, but also felt by all of the Yukon athletes and athletes from across the north and internationally who wanted to attend those games.

I think that paints a pretty good snapshot of where we were in March, with respect to the pandemic. On April 29, in a *Whitehorse Star* article, there was an interview, and the title of that article was "Absence of political accountability raised", and then the byline under that was "Floyd McCormick, the former clerk of the legislative assembly, says the early adjournment of MLAs' spring sitting has resulted in an unnecessary lack of accountability that will be detrimental to Yukoners."

I'm going to clip some of the statements and portions from this article. I won't read the entire article into the record, but I do think there are some important factors that Dr. McCormick raises here as a private citizen and as a long-time and well-respected former Clerk of this Assembly.

Again, he mentioned that "... the early adjournment of MLAs' spring sitting has resulted in an unnecessary lack of accountability that will be detrimental to Yukoners." He speaks a little bit about the fact that we only sat for nine of the scheduled 30 Spring Sitting days, and it was also mentioned in this article — not a quote — that, before the adjournment, MLAs hurried to pass a \$1.6 billion budget that, under normal circumstances, would have likely remained under debate for the entire Spring Sitting. A quote from Dr. McCormick is: "A month later, there is still no indication that the legislative assembly or its committees will be active during the extended adjournment..." The article goes on to say: "Processes should have been set out, he argues, so that opposition members could continue to scrutinize government actions between March 19 and Oct. 1."

Another quote of Dr. McCormick in the article is: "This has created a situation where, to put it mildly, Yukon's system of representative parliamentary democracy will not function as well as possible at a critical time in the territory's history..."

Another quote from him is: “Under the current circumstances, the Yukon is, until October 1 at least, a parliamentary democracy without a parliament.”

These statements by an extremely respected member of our community should alarm all members in this Legislature. All 19 of us should be alarmed by the observations of Dr. McCormick toward the end of April of this year, around one month after we adjourned the Assembly.

However, Dr. McCormick does, in this article, suggest that there are ways that the Yukon government could maintain the accountability features, as evidenced by other jurisdictions. He argued: “They should do so... because ‘in a properly functioning parliamentary democracy, those who are to be held to account (the premier and ministers) do not get to decide how and to what extent they will be held accountable.’”

Of course, members will remember that, on March 9 of this year during the Spring Sitting, the Yukon Party requested the formation of a select committee to examine the economic impacts of COVID-19. The motion was voted down by the Liberal majority in this Legislative Assembly. Dr. McCormick said that “This was an unfortunate turn of events.” He says again: “In my view, the optimal approach to the COVID-19 pandemic would have been the establishment of a committee with a broader mandate...” — obviously, than the one that the Yukon Party Official Opposition had suggested on March 9.

Dr. McCormick, using an example, suggested that “The Standing Committee on Public Accounts, for example, could be convened to scrutinize the \$1.6-billion budget passed last month.” He cited some technological or procedural challenges, but of course, at the time, they were alleviated by staff in the Speaker’s office and staff with the Clerk.

The optimal approach, as suggested by Dr. McCormick, is: “... for members to negotiate the required rules and procedures and then convene the House in order to formally adopt these new rules and procedures...” There is no reason why we could not have convened the House in late April or May or June to adopt this after what was an extremely uncertain time at the start of this pandemic, which, from a health perspective, had seemed to calm down somewhat. Obviously, we are seeing some clusters now in Watson Lake, but from a health perspective, I think that the Yukon has fared quite well during this pandemic as far as managing the caseloads go.

Dr. McCormick also said, “The only other option is to do nothing, and that is not acceptable.” The Speaker of the Assembly, in this article, is quoted as saying, “The Assembly will continue its business to the best of our ability while the COVID-19 coronavirus pandemic continues, to ensure MLAs can conduct their important work...”

It is not in a quote, but the article says that the Speaker said that the Assembly’s “... committee meeting room is equipped with teleconference and video conference equipment, to allow committee meetings to continue remotely.”

I think that this was an important article to help define where we are in the current situation. The Member for Pelly-Nisutlin, acting as the leader of the party, told the newspaper that we were still open to an all-party committee, as McCormick had recommended, but obviously, it never

happened. Listening to some of the briefings that the Premier was providing to Yukoners over the time that we weren’t in the Legislature, I think that, on a number of occasions, he compared the supplementary budget or any oversight to the wildfire season. Of course, many Yukoners took exception to that and reached out to our office. When was the last wildfire season that essentially decimated the tourism industry? When was the last wildfire season that meant that Yukoners couldn’t travel out to other jurisdictions without self-isolating for two weeks when they got home? When was the last wildfire season that so drastically affected the way that our students learn, with the closure of all in-person classes territory-wide last spring and then what we’re seeing this fall with the busing issues and the grades 10 to 12 in Whitehorse not being in-person in class full time?

I hope that the Premier is regretting making those comments because they certainly didn’t line up with what we were hearing from Yukoners and the desperation and the impacts of the ministerial orders under this state of emergency that were being brought forward.

I know others have spoken about it, but the one thing that I wanted to do is also add my voice. When it comes to the Standing Committee on Statutory Instruments, I have been in the Legislature for a while now and I don’t recall that this committee has met in recent memory. I’ll look back at the records to get a sense of the last time it did meet, but according to the Yukon Legislative Assembly website, “The Standing Committee on Statutory Instruments has the authority to review any regulation that comes into effect after the committee is formed. The Legislative Assembly may also refer existing or proposed regulations to this committee for review.”

The members of the committee are: the chair is the Member for Copperbelt North; two other government members on the committee — the Member for Porter Creek Centre and the Member for Mayo-Tatchun; the Member for Porter Creek North and the Member for Watson Lake from the Yukon Party Official Opposition are members of the committee; as well as the Member for Whitehorse Centre on behalf of the New Democratic Party. I think that there’s a good wealth of knowledge and a depth of experience with the members there when it comes to how the state of emergency was affecting Yukoners. I’m sure that members on all sides of this House were hearing from constituents on a very regular basis on a whole host of issues, because I know that members in our caucus certainly were and there were lots of concerns from individuals across the territory that we were dealing with and sending correspondence to and waiting for responses from the ministers.

You know, I think that another piece of this is highlighted in a report put out by the Samara Centre for Democracy. It does a comparison of how little the House of Commons has sat, compared to provincial and territorial parliaments during the pandemic. I think it is worthwhile to just take a quick run through this because it highlights the length of time that we sat compared to other jurisdictions. We are the third from the bottom as far as jurisdictions go. Alberta sat for 47 days — these are sitting days between March 16 and September 22.



Alberta sat for 47 days; Prince Edward Island — 28; Ontario — 29; British Columbia — 21; Saskatchewan, Northwest Territories, and Québec all sat for 17; Newfoundland and Labrador sat for 15; the House of Commons — our national parliament — sat for 14; the Senate of Canada sat for 12; New Brunswick sat for 11; Manitoba sat for nine; the Yukon sat for four; Nunavut for two; and Nova Scotia did not meet during that time.

Obviously, these kinds of comparisons and the lack of accountability is troubling, especially at a time when the decisions in these ministerial orders were affecting so many Yukoners in so many different ways.

I wanted to focus on one of the ministerial orders that was brought forward that I believe would have benefitted greatly by being referred to the Standing Committee on Statutory Instruments. So, when the Education reopening plan was announced, the chair of the Association of Yukon School Councils, Boards and Committees — now, this was in late July — she said that she had written a number of letters to the minister over the last few weeks, only receiving one response dated July 24, after changes for high school students, along with school and bus guidelines, were announced. The article says that: “The Education Act, she said, clearly states in section 113 there is a duty to consult school councils on such changes. The association was not, she maintains.”

And then we fast-forward to August 14 — so a couple of weeks later — Ministerial Order 2020/54, under the *Civil Emergencies Act* — entitled “Civil Emergency Measures Education Measures (Covid-19) Order”. I’m just going to read the first part of it here into the record.

“Whereas a state of emergency throughout the whole of Yukon was declared on March 27, 2020 because of the COVID-19 pandemic;

“Whereas subsection 9(1) of the Civil Emergency Measures Act provides that I may do all things considered advisable for the purpose of dealing with this emergency;

“And whereas it is considered advisable for the purpose of dealing with the emergency and necessary for protecting the health, safety and welfare of the inhabitants of Yukon to have flexibility in the provision of educational programs under the Education Act until the termination of the state of emergency (including any extension of that state of emergency) and for any necessary transitional period;

“And whereas I consider the following measures advisable for dealing with the emergency...”

This is, of course, signed by the Minister of Community Services. In those additional measures, he talks about interpretation, posting of requirements and rules and duties, and this is something that has come up recently on social media, where Yukoners who are concerned about the education reopening plan flagged this as something that — they felt that the government used this ministerial order so they wouldn’t have to consult school councils on the education reopening plan.

The conversations around the education reopening plan have been a topic of this Legislative Assembly since we came back on October 1. Many Yukoners, not just the Official

Opposition, are concerned with the current state of grades 10 to 12 students in Whitehorse only being in class for half the day. The busing issues — I would say that is one of the issues we hear about the most, when it comes to education. The fact that, as of the date when we were briefed by the Department of Education, 250 students who had busing last year no longer have busing this year, and that has created extreme challenges for families around that.

The Minister of Education, unfortunately, last week, said that she was puzzled that grades 10 to 12 students, teenage students, only being in school half time would affect the work of Yukoners. Since she made that comment, I know that social media and our e-mails and other things have lit up with responses, just essentially saying how out of touch they felt the minister was with those remarks. I see that she has walked them back substantially this week.

That said, I am anxious to hear from members opposite. We have been given no indication on whether or not they will support the ministerial orders being referred to the Standing Committee on Statutory Instruments. I look forward to hopefully hearing from them, and if none of them wish to speak, then perhaps we will get a sense of whether or not they will be voting in favour of it when debate on the amendment concludes.

**Ms. White:** I appreciate the efforts by the Yukon Party right now to try to actually get the oversight that members of the opposition have been looking for.

I think that it’s important to point out that the chair was contacted by both the Yukon Party Official Opposition and the Yukon NDP to convene a meeting, because this is one avenue whereby all Members of the Legislative Assembly could discuss the orders that were being made under CEMA for Yukon. Unfortunately, that fell on deaf ears. There hasn’t been a meeting called in at least the last year.

I appreciate the efforts by the Yukon Party to try to expand this motion. All of the reasons that we spoke in favour of the last amendment stand for this. It’s about making sure that there is oversight of all elected folks. The best way to do that is through either the Legislative Assembly or, if that’s not possible, then at least in the Standing Committee on Statutory Instruments. Unfortunately, I think what we are seeing is an unwillingness from government to participate with members of the opposition in that.

I guess I look forward to seeing where the vote goes.

**Hon. Mr. Streicker:** This motion that we are debating the amendment on right now was a motion that we brought forward — the Member for Copperbelt North brought it forward two weeks ago. We brought it back again today. Clearly, we believe that it is an important motion, and we are hopeful to get to a vote. It is a pretty simple motion: Do members of this Legislature support the state of emergency — yes or no?

As the members opposite have risen to debate the amendment, they have continued to say a range of things and I’m still not certain whether they support a state of emergency.

It's because they've said it's complicated — and I agree with that statement. They've also said that there's a range of perspectives from constituents of theirs and they believe that —

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

#### Point of order

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

**Mr. Cathers:** Pursuant to Standing Order 19(b), the minister doesn't seem to be speaking to the amendment under discussion, not to mention the fact that it seems like he hasn't been listening all afternoon.

**Speaker:** The Minister of Community Services, on the point of order.

**Hon. Mr. Streicker:** I am exactly responding to things that I have heard all afternoon from the members opposite in their debate on the amendment. I hope that I'm provided an opportunity to respond to the points that they've raised during the debate on the amendment.

#### Speaker's ruling

**Speaker:** What I would say is that the intervention by the Member for Lake Laberge was quite quick and that the Minister of Community Services had not provided much in the way of contributions to this debate that would enable a chair to be able to determine where the Minister of Community Services might be going with his contributions on this amendment. I'm listening to the Minister of Community Services and I would be of the view that he certainly has some flexibility to address the contributions that he's heard from other members today in his statements or in his contribution to the debate. That is a fairly basic principle in my view.

**Hon. Mr. Streicker:** Thank you, Mr. Speaker. I'm trying to understand with this amendment whether the purpose of it is in support of the motion as it stands or whether it is a stand-alone piece. I really hope we do get to a vote. I am concerned that the members opposite don't wish to get to a vote.

It's hard to understand how democracy is served. After all this time, the members opposite talked about the importance of reconvening the Legislature. Here we are, reconvened, and it is us who brought this motion forward, yet we don't seem to be getting to a vote.

The members opposite have talked about Ontario as an example and talked about how that legislature works under their civil emergency measures act. Terrific. I think that there are a range of possibilities for the *Civil Emergency Measures Act*. We have all stood in this Legislature and discussed how the one that we have here needs updating, but it's not correct that, across the country, all civil emergency measures acts come to the legislatures. It's not correct that ministerial orders come to the legislatures. In fact, there are only two legislatures where it is the case that an extended state of emergency is required to come back to the legislature, and one is Ontario, and the other is Alberta, but the rest do not.

It's also true about those ministerial orders, but it's also true, in those other legislatures, that they have many more active committees. When I think about the committee that's being invoked under this amendment, I look back to try to understand what it has done over the past two decades — not a lot, is what I have to say. I think it's fair to say that it hasn't done much during our time, but it's fair to say that it hasn't done much over the past two decades.

I look forward to trying to investigate that further, because, in our break of 10 minutes, I didn't have enough time to go off and investigate that. What I can say is that, when we brought forward ministerial orders and there was a request to reconvene the Legislature, what we did turn around and do is offer to come in and sit in this Legislature and have questions and answers from me, other ministers, and deputy ministers on all of the ministerial orders. Was that accepted? No. On May 21, that letter was sent by the Government House Leader. Again, on June 5, that letter was sent, and again, the request was declined.

How is it that there is an interest to understand about ministerial orders, as proposed in this amendment, yet there was a declination by the members opposite to have that conversation? It is confusing to me that there is this difference of opinion, and I would really love to see some solid conversation on ministerial orders. Let's talk about them a bit.

The basic content of the ministerial orders is to protect the health and safety and wellness of Yukoners — flat out. Flat out. I am glad that the Member for Porter Creek North directed citizens to the website. They are all up there, open and transparent. They are there for all to see. I would love to have that debate, but 15 days of this Legislature and 75 questions from the members opposite, and we have had one on ministerial orders. What was that one about? It was about reinstating a ministerial order. It wasn't about "Okay, we have problems with these other ones." No, it was "Let's bring this one back."

Over the summer, I looked for all of the questions that have come from the members opposite — and there have been a couple of times today when the opposition members have said that we haven't replied. If I have missed something, I want to apologize to Yukoners and the members opposite today, but I don't think I have. I have gone back and looked through every casework. In fact, I looked through all of my colleagues' casework to try to understand: Have we been getting a lot of questions on ministerial orders? No. The Minister of Highways and Public Works has had one from the Member for Whitehorse Centre about driver's licences and medical exams. Just a reminder to all Yukoners: What we said was, "Hey, because going to the doctor is a problem right now, we're not going to force you to lose your licence. We are going to extend it." That was one of the ways in which we were supportive. I am curious if the members opposite disagree with that.

I have had one letter as well, to be fair, from the Member for Porter Creek North where she asked about the number of travellers who have come through the territory, which is related to a ministerial order, of course, although it is not direct. Yes, I had a letter and I responded. I would even table that response in the Legislature and that exchange — it wasn't terribly respectful to the public service, I will say.

I don't know which one of the orders is a concern. I have just now heard one about the education rules. I will go back and check on that one. I know that what we were doing was trying to support schools to make them as flexible as possible so that we could deal with keeping our kids safe. There it is. That is what that order is about. Let's debate it.

The main orders that are there are about isolation requirements and about border control. I would love to know from the members opposite whether they disagree with that, but here's where I want to start. I just want to understand whether they believe that we are still in an emergency — yes or no? We have other orders there. We have ones about protecting people from being evicted if they are self-isolating. Is that the one they want removed? We have an order in there about where we extended property tax deadlines. I have heard some criticism about taxation, where we extended property tax deadlines. Okay — maybe they didn't like that one — fair enough. And I don't disagree with them that, if we had been in debate here, that they would have and could have provided more information and alternative perspectives, and I encourage that — I don't discourage it. But, given that we have been two days on this motion and we are on our second amendment and it keeps moving off of the target of trying to talk about whether the members of this Legislature believe that we are still in an emergency or not, I am concerned.

In fact, this amendment that was brought forward was a motion that was tabled — a written motion — by the Member for Lake Laberge, I believe, on October 5. Okay — terrific — so, then, why didn't we debate it? Because on October 7, we actually had a private members' day here. What did we debate? We debated a select committee, which is terrific — that is an important topic, but it wasn't the one that they chose and we, again, had a private members' day on October 21 — one week ago — and we had an opportunity again to debate here. We debated another important topic — support for the local aviation industry. Great — but if the members opposite are trying to say that we are not supporting democracy because we are preventing them from coming forward, then — out of this Legislature — when we unanimously agreed, in the face of a pandemic, to adjourn this Legislature and we unanimously agreed to reconvene this Legislature on October 1 — which happened — and we unanimously agreed to sit for 45 days to try to do the work of this Legislature, when are the members opposite going to bring forward the concerns that they have been saying that we have been blocking them from bringing forward, while we sit here?

I have had one question from the members opposite about ministerial orders and it has been about putting back in place a ministerial order to support online cannabis purchasing through our great private cannabis retailers. I tell you, Mr. Speaker, I want to bring that forward, but we felt that it was inappropriate to use the authority of the *Civil Emergency Measures Act* to do that because it is not an emergency, because now, we're in phase 3.

I agree that this is an important conversation. What I disagree with is that it's tied to whether or not we're in a state of emergency. That's how simple it is. I just hope that the

members opposite will allow us to get to a vote on that simple and straightforward question on a complex issue, where there is a range of perspectives, and I would just like them to be clear on whether they support the state of emergency today, as we go forward.

**Speaker:** Is there further debate on the proposed amendment to Motion No. 236?

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:** Disagree.

**Hon. Ms. McPhee:** Disagree.

**Hon. Ms. Frost:** Disagree.

**Hon. Mr. Pillai:** Disagree.

**Mr. Adel:** Disagree.

**Mr. Hutton:** Disagree.

**Hon. Mr. Mostyn:** Disagree.

**Hon. Mr. Streicker:** Disagree.

**Hon. Ms. McLean:** Disagree.

**Mr. Gallina:** Disagree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

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

**Speaker:** The nays have it. I declare the amendment negatived.

*Amendment to Motion No. 236 negatived*

**Mr. Kent:** I rise to speak to the main motion as put forward by the Member for Copperbelt North. We have heard from the Minister of Community Services that he is hoping to get to a vote here on this today. It is unfortunate that both of our previous attempts at amendments — one for oversight by the Legislative Assembly, and a second for oversight by the Standing Committee on Statutory Instruments — were both defeated by the Liberal benches, because I would encourage members opposite to read the motion as amended with both of those changes. They would find that we did support the state of emergency, but what we are looking for is democratic oversight. That is the important thing.

The Minister of Community Services mentioned during his remarks on the previous amendment put forward by the Member for Pelly-Nisutlin that this was a simple motion. That's an unfortunate characterization of the motion as it is. He is disappointed that he has only had one question on a ministerial order, as today will mark one-third of the way through the

current Sitting. We still have 30 days left. Today is day 15, so there are still 30 days left to ask questions.

I would argue with the Minister of Community Services that all of the questions that we have been asking about grades 10 to 12 and the fact that Whitehorse grades 10 to 12 students aren't in high school full time and that is causing concerns for Yukoners and the fact that we have made arguments about the busing schedule and that 250 Yukon students who rode the bus last year don't have access to the bus this year, and that is causing great concern — we heard it on CBC radio this morning, and I have heard it throughout social media posts and e-mails, as I have mentioned — the fact that the MAD program and the Wood Street Centre programs were relocated with little-to-no consultation and the fact that we're having a protest, I understand, here tomorrow afternoon by MAD students in front of the Legislative Assembly to protest the Liberal's decision to not move that program to a suitable space while the Wood Street Centre is being used for grade 8s — I would argue that with the Minister of Community Services — and I'm not sure if he has spoken to the main motion, but hopefully he gets to get to his feet and speak to that or gets to debate again during our time — I would argue that those are all questions about ministerial orders because the ministerial order with respect to education that I read in and that he said was put in place for the safety of students — it's also the way that is affecting those students.

When he says that we've only asked one question, I would argue that we've asked multiple questions and many of them are on the education file and the results of that ministerial order and the lack of consultation and the poor planning by the Minister of Education as she moved throughout the summer. Consultations, you'll remember, within the reopening plan documents stated that consultation was to begin in May with schools on a fall reopening plan. We know that didn't start until June — the last week of school — into July. I have quoted the chair of the Association of Yukon School Councils, Board and Committees and she said that there was no consultation and that they have sent multiple letters; only one was responded to.

Another thing, when it comes to education, that we need to address is with respect to how the schools were closed for in-person learning during the early parts of this pandemic and some of the residual effects of that are bleeding into the fall. I've heard that many classes are behind. I received a note this morning from a Yukoner who stated that one of their kids who is in high school is four weeks behind in one of the classes. That's where the teacher believes they are. They're four weeks behind in the learning and we're only a couple of months into the school year. I'm assuming that a lot of the catch-up and the work that was done to get students caught up to where they should be in this school year are from the changes that were made at the end of last year.

Yes, the Minister of Community Services is correct that this is our fourth private members' day. The government private members have had two and the opposition private members have had two. The next government private members' day, I believe, with the Remembrance Day holiday on November 11, is scheduled for November 18, so perhaps we

will get a chance to continue debate on this motion at that time. Obviously, it is an extremely important motion for the government. They called it on the first day. We spent the day talking about it and introducing amendments. They called it back today. For the most part, it has been members of the Official Opposition and the Third Party who have spoken to this motion. We have heard very little from government members. Obviously, the mover of the motion spoke to it. I think we have heard from the Member for Porter Creek Centre and the Minister of Community Services. I could stand corrected; I will have to go back through Hansard to see if others have spoken on this at all.

Again, when it comes to the state of emergency and whether or not we support it, again, I have indicated that we would support it with the two amendments that we brought forward, which would have provided legislative or committee oversight to the extension of it or to the ministerial orders that have been brought forward.

I think it's important to paint a picture for members and for Yukoners of what exactly those decisions have done. They have affected many businesses throughout the territory. Obviously, the tourism industry has been hit the hardest. Outfitters lost many of their clients — most of their clients. My understanding is that many of those clients are from the US. The ones who put deposits down were obviously not able to travel here. There was some work done, I believe, to open up alternate self-isolation plans so that they could market to other Canadian jurisdictions, which I think helped soften the blow for some of the outfitters whom we have been talking to.

Hotels and the accommodation sector have been hit extremely hard. It is the only part of the tourism relief package that has been announced so far, which is to support those hotels and the accommodation sector, but I don't know how long it will take them to recover from what has happened this year with the pandemic and the lack of visitors we have had in the territory. We know that the Minister of Tourism and Culture, back in the spring, in the early days, said that it was "business as usual", and I know that she said, "We've got this," but clearly, those statements didn't age very well, because of what we have seen with respect to the tourism industry.

The hospitality industry — our bars and restaurants throughout the territory — has been hit extremely hard. They were closed — many of them were closed for in-person dining. The bars were closed early on in the pandemic and then later reopened. In a self-congratulatory press release, or announcement, made by the members opposite, they said that bars can now be back to 100-percent capacity, but a couple of the bar and restaurant owners here in town pointed out the fact that they still had to maintain the two-metre distance, so of course, very few of them can go back to 100-percent capacity, based on that. So, they continue to be hit hard. Some whom I have talked to, their business is off 80 percent from last year, and they're finding ways to get through. We hope that they can survive, because our restaurants and our culinary scene here in the Yukon is an important part of the overall tourism experience, and we want to see that continue and be able to thrive on the other side of this pandemic.

The personal services industry, again, is an industry that was hit extremely hard. They were ordered closed — that’s salons and the hair stylists, the barbers, and others who were hit extremely hard in the early part of this. As I mentioned, they were ordered closed. Some phoned me, and I’m sure others across the way heard from them. There were tears; they were watching their investment and their business disappear in front of them.

For two months, they were closed and unable to make a living, and then they were able to reopen, many of them, in early June, so I think that was an important, positive step that they saw.

The health care allies — the chief medical officer of health and the deputy chief medical officer of health said to one of them that they weren’t ordered closed by the chief medical officer; however, many of them did close, under orders from Environmental Health Services. Some of them have talked to me about losing \$20,000 over that time frame that they were closed. Dentists, of course, were only allowed to conduct emergency care, so their businesses were affected. An individual who used to be a constituent of mine in Riverdale reached out to me because his partner was a receptionist at one of the dental offices here in town, and she was affected. So, it is not just the owners — it is the people who work for these businesses who are having difficulties when it comes to the decisions that were invoked because of the state of emergency.

I have two RV parks in my riding. I know that there are others scattered throughout the Yukon — many in Kluane, Teslin, Watson Lake and other spots, and you know, for them, again, the lack of traffic on the Alaska Highway due to the pandemic and the border closures severely impacted their businesses this summer. So, we will look forward to hopefully getting some sort of package announced here sooner rather than later for RV parks and for the hospitality sector.

I know that the Minister of Tourism has said that she has \$15 million over three years — \$2.8 million, I believe, has been committed until December 31 for the hotel and accommodation sector — so, we are hoping that there is some left over to help out with the RV parks and the other tourism-related businesses that have been severely impacted by this global pandemic.

I just want to touch on some of the health services that were affected. Obviously, at the Whitehorse General Hospital, the lab, imaging, and speciality surgeries were closed and now we are facing longer lineups as a result. Those are impacts of the pandemic and the state of emergency that, again, many Yukoners are dealing with. Specialty surgeries in Vancouver, of course, were delayed as a result as well. Events, festivals, and fundraisers were all affected by the lack of being able to have any gatherings of any size. I know that there was some support, I think, until the end of July for those individuals. I am anxious — if someone from across the way gets up to speak, if we can hear some more information on what additional supports are being contemplated — if that’s coming out of the \$15-million tourism fund or if there are other funds. We have seen many events this fall either scaled back or severely affected. Geoscience comes to mind. I know that they have reinvented themselves with a virtual event. The Northwest

Festival of Trees is announcing some different activities. I know that the Every Student, Every Day society came up with some creative ways to fundraise but, nevertheless, were impacted. We are anxious to hear about that because there are many Yukon businesses that also rely on that.

I think that one of the concerns that we had, in addition to the lack of legislative oversight and the lack of convening of the Standing Committee on Statutory Instruments, which were addressed in previous amendments, is how information flowed and our access to health care professionals so that we could ask the questions that Yukoners were asking us. I will say that the chief medical officer of health was made available to us. There were times when there were last-minute cancellations and someone else would fill in or we were informed that the briefings would end, but I think that making sure that all members of the Legislature have access to the best possible information would help us. To that end, I want to introduce another amendment to Motion No. 236.

*Amendment proposed*

**Mr. Kent:** I move:

THAT Motion No. 236 be amended by:

(1) inserting “: (1)” after the word “supports”; and

(2) inserting the phrase “; and (2) the provision to all Members of the Legislative Assembly of the same information that informs the Government of Yukon’s decision on whether to implement and extend the current state of emergency” after the word “Yukon”.

I do have a signed copy for the Table and copies for the members.

**Speaker:** I have had an opportunity to speak to the Clerks-at-the-Table with respect to the proposed amendment. I can advise that it’s procedurally in order.

It has been moved by the Member for Copperbelt South:

THAT Motion No. 236 be amended by:

(1) inserting “:(1)” after the word “supports”; and

(2) inserting the phrase “; and (2) the provision to all Members of the Legislative Assembly of the same information that informs the Government of Yukon’s decision on whether to implement and extend the current state of emergency” after the word “Yukon”.

**Mr. Kent:** Mr. Speaker, I just wanted to take the opportunity to thank the officials, as well as the chief medical officer of health, for providing the briefings that they were able to. We did have the Deputy Minister of Education on one call as well to speak to the reopening plan and take questions from us.

Again, I just want to emphasize the importance of — the government is asking us to support the state of emergency, and we will. We tried to say that we would support it if the Yukon Legislative Assembly was able to debate any extensions to it. The government voted that amendment down. We tried to say that we would support it if the Standing Committee on Statutory Instruments was able to review some of the ministerial orders.

It's an all-party committee of this Legislature, but again, the government voted that down.

So, with this amendment that I'm proposing today, what we're looking for is to have access to the "... same information that informs the Government of Yukon's decision on whether to implement and extend the current state of emergency" after the word "Yukon".

The Minister of Community Services — I believe it was during Question Period earlier this Sitting — said that they had followed all of the chief medical officer of health's recommendations and haven't deviated from them, so, obviously, they're able to have better access and information that helps to inform these decisions to extend the current state of emergency.

I'm assuming that there are risk management professionals who also advise the government on this. I'm assuming the deputy ministers advise the government on this. Again, what we're looking for, when it comes to this amendment, is to be able to make an informed decision with all of the same information that the government has when they're making their decisions to extend the current state of emergency.

I think it's only fair, as we were all elected by Yukoners to represent them in this Legislative Assembly, all 19 of us.

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

#### Point of order

**Speaker:** The Hon. Premier, on a point of order.

**Hon. Mr. Silver:** We request a break to consider the amendment.

**Mr. Kent:** We would agree with that motion put forward. Would it be, just to clarify with the Premier, 10 minutes? A 10-minute break, please?

#### Speaker's statement

**Speaker:** In order to facilitate discussion among members, in order to determine members' positions with respect to the proposed amendment, and to comply with physical distancing measures of the COVID-19 procedures that have been put in place in the Yukon Legislative Assembly, this Assembly stands recessed for 10 minutes.

#### *Recess*

**Speaker:** I will now call the House to order.

**Hon. Mr. Streicker:** I am happy to rise to speak to the proposed third amendment to the motion that has been brought forward by the Member for Copperbelt North. I thank the Member for Copperbelt South for standing to speak to the motion and then bringing forward an amendment.

The amendment is talking about information and how people get informed. There is, of course, a whole range of information. When the pandemic started — or when we declared a state of emergency — I remember the Member for Lake Laberge making a comment about how important communication was going to be across all of our communities. I agreed with that comment. I know that we worked very

quickly to set up regular calls with municipalities and regular calls with First Nations. Sometimes they were combined. We set up the Business Advisory Council right away. We began weekly conversations with — Volunteer Bénévoles Yukon set up calls around our not-for-profit sector and we worked with them. We worked with the tourism association. We had individual calls to each community. So, I agreed with them that it was very important.

We also agreed that it was important that we talk with the public, that we were in constant contact with the media, and we believe that it was important that the opposition be informed and get that same information.

My recollection, and I will go back to check the record, but I think that we started off with three-times-a-week sessions, where they were able to have information disseminated, asked questions, posed questions, and if there weren't answers at that time, folks tried to follow up. It changed, just in the same way that we started off in three-times-a-week calls to communities, and then it went to twice a week, and then it went to once a week. In those calls, I remember that we made the chief medical officer of health, Dr. Hanley, available as often as he could be, because he did have — and he continues to have — a whole slew of priorities that he has to deal with. It is hard to imagine how busy that person is, but my understanding is that he tried to make it to as many as he could, and if not, then sent someone in his place — and I thank the Member for Copperbelt North for commenting on that.

There was a time, I remember, when I was up to give one of the live streams with Dr. Hanley, when he and I were speaking — and I hadn't seen him for a couple or a few weeks — and I asked him how it was going. I asked him how his conversations with the opposition were going, and he said he thought that they were going well. We looked at each other and I can't remember which one of us said it, but we commented in that moment that he had been meeting with them more often than he had been meeting with me.

Now, I am not jealous, but I just want to say that, at that point, I felt that it is worth noting that the opposition was saying publicly that they weren't getting access to information, and here I was talking with the chief medical officer of health, and we were saying that he had more contact with the opposition than he did with me — okay.

You know, Mr. Speaker, I was thinking about the members opposite and their points that they raised about the Province of Ontario, and I was thinking in comparison to, as well, the Province of British Columbia. This past weekend, the Province of British Columbia held an election, and after that election, the government became a majority government — and, again, we said here in the Legislature: "Congratulations to Minister Horgan —"

**Speaker:** Order, please.

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

*Debate on Motion No. 236, and the amendment, accordingly adjourned*

*The House adjourned at 5:30 p.m.*

**The following sessional paper was tabled October 28, 2020:**

34-3-53

*Yukon Heritage Resources Board Annual Report – April 1, 2019 - March 31, 2020* (McLean)

**The following legislative return was tabled October 28, 2020:**

34-3-42

Response to oral question from Mr. Hassard re: diesel energy generation costs (Pillai)

**Written notice was given of the following motion October 28, 2020:**

Motion No. 301

Re: *Child and Family Services Act* Review Advisory Committee witnesses appearing in Committee of the Whole (Ms. McLeod)







# Yukon Legislative Assembly

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Number 55

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Thursday, October 29, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 29, 2020 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Silver:** I would ask the Members of the Legislative Assembly to help me in welcoming to the House someone who normally sits in a different seat, but who is now in the gallery for a tribute. We have with us Mr. Joe Mewett, the President of the Royal Canadian Legion Whitehorse Branch 254.

*Applause*

**Hon. Ms. McLean:** I would ask my colleagues to help welcome a number of really special guests who are here today for our tribute to Air North. We have Debra Ryan, Joe Sparling, Greg Charlie, Rick Nielsen, Garry Njootli, Benjamin Ryan, Kim Brown, Silken Cinq-Mars, and Iain Breckenridge. Due to COVID restrictions and limited space, we also have folks who are tuning in on the radio today to listen to this special tribute. There are many people, but I will specifically mention Neil Hartling, Deputy Minister Valerie Royle and the Tourism and Culture team, and Deputy Minister Justin Ferbey.

Thank you very much for being here today.

*Applause*

**Hon. Mr. Streicker:** I am tabling a couple of annual reports today, so could we please welcome Mr. Frank Curlew and Mr. Matt Ordish, the chair and general manager from the Yukon Lottery Corporation; and Ms. Eva Bidrman, the chair of the Yukon Liquor Board; and Manon Moreau, the president of the Yukon Liquor Corporation. As well, I notice — it is always tricky with the masks — but I notice Mr. Andrew Smith from the Executive Council Office, who has been working on Yukon time.

If we could welcome them all, please.

*Applause*

**Speaker:** Are there any further introductions of visitors? Tributes.

## TRIBUTES

### In recognition of Royal Canadian Legion's poppy campaign

**Hon. Mr. Silver:** Today I rise to pay tribute to the Royal Canadian Legion's annual national poppy campaign, which begins tomorrow at noon.

Before I speak, I do want to recognize Veteran Joe Mewett, who has joined us in the Legislative Assembly for the tribute. Mr. Mewett served in the Canadian Forces for 30 years, including time in western Syria, Bosnia, and Afghanistan as well.

Today he is the president, as I mentioned, of the Royal Canadian Legion Whitehorse Branch 254. He recently also took on the role of the Deputy Sergeant-at-Arms in the Yukon Legislative Assembly. We want to thank Mr. Mewett for his continuing service, his continuing dedication to our community, and also for being there for our local veterans.

We are very, very proud to have him, as well, bringing order to this House in his new role as the Deputy Sergeant-at-Arms.

Mr. Speaker, this year's poppy campaign coincides with the 75<sup>th</sup> anniversary of the end of the Second World War. Throughout that conflict, more than one million Canadians served and 45,090 died. Our losses include 24,525 members serving in the Canadian Army, 17,397 from the Royal Canadian Air Force, and 2,168 from the Royal Canadian Navy.

Today, there are at least four World War II veterans still living in Yukon. The poppy campaign ensures that we do not forget their sacrifice or the sacrifice made by many others who did not return. These fellow Canadians stepped forward to do their job, and they did their job extremely well — keeping the peace and standing up against tyranny. Their selflessness held the line and safeguarded our freedoms and our way of life. Their efforts epitomized what it means to give of yourself to the greater good. We must remember the horrible conditions that they endured, the untold losses of human life that they witnessed, and the lasting impact that the memories of the horrors of war bring.

We honour their efforts by wearing a poppy each November. We also honour them by donating to our local legions so that the financial support we give can be given to veterans and families, as well as our very own Rangers and RCMP members. Approximately \$30,000 is raised each year, with proceeds funding local initiatives here in the territory.

I want to thank everybody who donates to this annual campaign or to the legion in general during the regular year. I also want to thank businesses and organizations that continue to make poppies available to the public with added safety measures. As we reflect on our current pandemic, these poppies are a reminder about how we can come together during difficult times.

Tomorrow at noon, Angélique Bernard, Commissioner of Yukon, will receive the first poppy at the cenotaph at city hall. Once again, I will be proudly there at the ceremony, along with members of government and other members of the community. After the formal event, all Yukoners will be encouraged to wear their own poppy until Remembrance Day. I hope to see red poppies proudly worn with respect over the hearts of Yukoners across the territory — and, Mr. Speaker, I know that I will.

Once again, I want to thank all of our veterans for stepping forward to answer the call. We deeply appreciate your sacrifice and service to our country.

*Applause*

**Mr. Istchenko:** I would like to also recognize fellow veteran Joe Mewett, and I want to thank the Premier for his words and, a little bit later, the Member for Whitehorse Centre for her words.

The Royal Canadian Legion 2020 national poppy campaign will begin tomorrow, October 30, this year, following the tradition of launching on the last Friday of October. There will be changes implemented both in response to the global pandemic and to continue modernizing the ways in which donors can support the campaign. Traditional poppy boxes will still be accepting coins for poppies, but sites may be limited, as donation tables are being discouraged in some areas this year. Of course, individuals can also choose to donate through the legion's national website.

Monies donated go directly to supports for veterans to address issues such as homelessness, food security, operational stress injury, assistance applying for federal benefits, family assistance, and, of course, remembrance promotion.

Financial support to help the Royal Canadian Legion branches across our country is needed due to the pandemic to ensure that hundreds of Canadian legion branches can remain open. These branches are so important to local communities, as they provide a safe space for veterans and seniors to gather. They prepare and deliver meals, organize remembrance activities and services, provide affordable rental space, and, of course, a community hub.

Also — very important to mention — legions across Canada — including here in the Yukon — support our youth through scholarships and grants to post-secondary, as well as community programs such as the Canadian cadet organization, Boy Scouts Canada, and the Girl Guides of Canada.

Please, when you donate, keep in mind all that the legions do for our communities and the importance of your donation. Leaders in our country must realize the unique role that the legion plays in Canada and that its structure is unlike any other non-profit organization. While so much of the country has been at a standstill, our legion branches continue to support our communities. Our local Legion Branch 254 has been closed during the pandemic for renovations and will hopefully be open in time for Remembrance Day.

I would like to take a moment to thank all those volunteers who work tirelessly at our local Branch 254 and all branches throughout Canada. I would encourage everyone to go to the websites [legion.ca](http://legion.ca) or [poppystore.ca](http://poppystore.ca) to help support our legions. This year, masks designed by the legions and made in Canada are available for purchase in addition to regular merchandise. I have purchased one and I will wear it with pride. To date, over 40,000 masks have been sold, with more on order. These will remain available to order through [poppystore.ca](http://poppystore.ca) throughout the remembrance period.

Like I said earlier, tomorrow is the first poppy ceremony and — as the Premier spoke about — I understand that there will be a special presentation afterward. I won't say much about that; I just look forward to hearing more about it.

In closing, I really want to thank our legions. They are our largest veterans' organization and they are committed to

ensuring that Canadians honour and remember the service and sacrifice of the Canadian Armed Forces, our RCMP, and our veterans.

Please wear a poppy with pride. Lest we forget.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP caucus to speak of the importance of the remembrance poppy. We're privileged to live in a country envied for our stability, safety, and security, but we didn't get to this place by chance. As time passes, our collective memory fades of the actions of the past and the present that got us to this place of stability, safety, and security.

This detachment separates us further from our veterans and those currently serving in Canada's military — the very people who have witnessed, experienced, and borne first-hand the true costs of conflict. It separates us from the tens of thousands of men and women who are currently serving in the Canadian military and all of those who came before them to support freedom, democracy, the rule of law, and human rights around the world. It separates us from the families of veterans who have paid and who continue to pay the price of sacrifice.

The two weeks leading up to Remembrance Day are about bridging that separation. The symbol and the legend of the poppy was born out of the lived experience of John McCrae. His beautiful poem *In Flanders Fields* has moved generations of Canadians and it still symbolizes for us today the loss, heartache, and cost of war.

Mr. Speaker, the poppy isn't a symbol that supports war; actually, it's the farthest thing from it. We can disagree with war; we don't have to like it or support it or even want to acknowledge it; but none of that should ever take away from the importance and the respect of the poppy. The poppy doesn't symbolize those who made the decision to engage in armed conflict; the poppy is a visual cue to remind us to not only acknowledge the sacrifice of those who lost their lives, but to acknowledge the sacrifice of those who answered the call of duty and walk among us today.

By wearing a poppy, we're saying that we remember. We see you. We honour you and your sacrifices, and we are thankful for everything that you've done and continue to do. The poppy symbolizes the men, the women, and their families who have personally borne the cost of freedom. It is to them that we owe a debt of gratitude and it is to them that we pledge to never forget.

It is for them that we pledge to remember the cost of the freedoms that we enjoy and the peace that we enjoy today. So, it is for them that we wear the poppy.

Lest we forget.

*Applause*

### **In recognition of Air North, Yukon's airline**

**Hon. Ms. McLean:** It is my absolute pleasure to rise today on behalf of the Yukon Liberal government to pay tribute to Air North, Yukon's airline.

I'm not sure that any jurisdiction takes more pride in a local airline than Yukoners do in Air North. That pride was amplified

when, this past July, Air North was named the Travellers' Choice best airline in Canada by Tripadvisor, who recognized their exceptional service and quality.

Though it may come as no surprise to Yukoners that our beloved airline has been nationally recognized, I am sure that some in the Canadian aviation industry were not expecting such a small airline to garner such significant recognition.

The day I heard this wonderful news, I happened to be on a federal/provincial/territorial tourism ministers call — so, of course, as a true Yukoner, I took great pleasure in bragging to my colleagues about this distinction and Yukon's airline. Minister Joly, the federal Minister of Tourism, quickly spoke about her own exceptional experience when she flew with Air North.

Mr. Speaker, what a year to win such an award. As the Minister of Tourism and Culture, it is both my job and, of course, my honour to support Yukon's tourism industry, an industry that is integral to supporting a healthy economy and future for all Yukoners. Where would our tourism industry be without our local airline? In fact, where would Yukon be?

This year has been a devastating one for the tourism industry across our country. It has been devastating for airlines as well. It has been hard to watch as the numbers come in showing the realities on the ground. Until earlier this year, Yukon's numbers were continually increasing. Air arrivals had grown 27 percent in the past five years. Since the pandemic struck, air arrivals are down 74 percent and they are down 95 percent over the last five-year average.

Today, I want to speak directly to Yukoners about the importance of supporting local businesses. When you support a local business, there are so many ripple effects. The dollars that you spend here stay in our communities. The dollars you spend locally pay hard-working Yukoners who love their jobs and love where they live. The dollars you spend here go to support communities.

Yukon businesses give so much back to our territory. Air North is a great example of this. Think for a moment of just how many times you have seen Air North's logo on banners and posters as a recognized sponsor of countless events and fundraisers. Yukoners take great pride in the incredible service that Air North provides both to visitors and to residents. They fly across the north and help keep the connections across Yukon strong. Their friendly smiles, the warm cookies, of course, and the personal, friendly service — this is how Yukoners want to be seen by the rest of the world, and Air North is a great ambassador for us all.

Now, in the face of a global pandemic, we all need to support a business that has done so much for Yukon. Our government has helped redirect millions of dollars in federal funding to support Air North and that level of support will absolutely continue.

We believe that it is incredibly important to support Air North now because we need them now, and we will definitely need them in the future. Yukoners: When you do travel again, think for a moment about how important it is to support a local business. Your community will thank you.

Thank you, of course, to Air North for weathering the hard times and for always taking Yukoners where they need to go.

*Applause*

**Mr. Hassard:** I rise on behalf of the Yukon Party Official Opposition to recognize and thank Air North, Yukon's airline, for their continued service to Yukoners and to visitors alike.

Since Air North was founded in 1977, their service and smiles have grown alongside their fleet and customer base. The airline never ceases to amaze. Receiving the top honour in Canada from Tripadvisor is a testament to the vision that President Joe Sparling has for this airline. Not only was he able to put his airline on the map in Canada, but he has taken a top award for North America as well — Travellers' Choice best airline in Canada and Travellers' Choice specialty airline in North America. Of course, this is not their first award and it most certainly will not be their last.

To go from being known as "the best airline you never heard of" to the "best airline in Canada" in four years is a feat in itself. I'm proud not only because Air North has enjoyed so many successes and recognitions, but I am proud because the company has stayed true to so many of the valuable qualities and customer service characteristics that so many airlines have lost over the years. Air North is about people first — about the people, their needs, their wants, and their comforts. It's about the quality staff training and recognition and providing a safe and happy environment for all who work and fly with them.

I know that, despite the effects of the COVID-19 pandemic on Air North, on their industry, and on businesses and tourism across the Yukon, this airline will be back at 100 percent, with smiles on their faces and cookies in their hands. The House was able to come together last week in support of Motion No. 283 — as brought forward by the Member for Porter Creek North — which, in short, will ensure that government-funded air travel is booked with local aviation companies. This is excellent news for our local aviation industry, and I'm hoping that it will be extremely beneficial to Air North.

So, thank you to Joe Sparling, Deb Ryan, and their management team for ensuring that Air North continues to be known for friendly service, amazing food, spacious and clean planes, and a love for their customers — and, of course, the cheesecake and cookies — but I'm not a cheesecake fan, so I'll take an extra cookie.

Thank you to each Air North employee who goes above and beyond to help make their customers happy — those who book travel, provide customer service on the phone, make meals for in-flight service and local grocery store shelves, handle the luggage and cargo, help people fly in comfort, and, of course, the pilots themselves — yes, even you, Bruce. Congratulations to you all on these latest awards. Thank you for your endless adaptation and perseverance in the face of adversity and for your dedication to Yukon.

*Applause*

**Ms. Hanson:** On behalf of the Yukon New Democratic Party, I am pleased to add our congratulations to Air North. You know, Mr. Speaker, there are occasions where we are surprised at an announcement of an award, but I have to say that when Tripadvisor named Air North, Yukon's airline, the Travellers' Choice best airline in Canada for 2020 as well as the Travellers' Choice for specialty airline in North America for 2020 for the second year in a row, I would wager that most Yukoners' response was "What took you so long?"

When the Tripadvisor awards were announced in July, in addition to thanking the Air North team and Yukoners for their support, Joe Sparling, President of Air North, said that he was pleased to see that, by making these awards to a northern air carrier, there is recognition of the role Air North as a northern airline plays, not only by providing essential air services, but also by strengthening the northern economy through indigenous and non-indigenous employment and investment.

As a Yukon employer of over 100 Yukoners and with almost one in 15 Yukoners holding an equity stake in the airline — including the Vuntut Gwitchin First Nation — Air North is truly our airline. The first thing most people think of when asked about Air North is the warm cookies. I would say that Yukoners know those cookies are a symbol of the care that Air North demonstrates each and every day for its passengers and, through that, our economy.

Over the years, Air North has adapted to massive changes in its operations in the aviation regulatory environment and the economy. Its resilience has been tested severely by COVID-19. In July, they announced the Air North Care First program, focused on putting their passengers, communities, and staff first. As the pandemic wears on, it is becoming more clear that it will take the collective efforts of Yukoners, along with our federal and territorial governments, to help Air North stay aloft. Like *The Little Engine That Could*, we think we can, we know we can, and we look forward to the 2021 Tripadvisor awards with Yukon's Air North at the top again.

*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 2019-20 fiscal year.

**Hon. Mr. Streicker:** I have for tabling today the Yukon Lottery Commission 2019-20 annual report and the annual report for the Yukon Liquor Corporation 2019-20.

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

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

## NOTICES OF MOTIONS

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

THAT this House thanks the hard-working crews from ATCO Electric Yukon and Yukon Energy Corporation for working long hours and late at night to restore power to hundreds of people after the windstorm of October 26, 2020.

I also give notice of the following motion:

THAT this House thanks private sector tree-removal companies, staff of Highways and Public Works, and helpful neighbours for their hard work clearing fallen trees from homes, properties, and roads after the windstorm of October 26, 2020.

I also give notice of the following motion:

THAT this House urges the Yukon government to recognize the impacts to rural residents caused by the windstorm of October 26, 2020, including many fallen trees and some destroyed buildings, by waiving its solid-waste facility tipping fees for brush, clean wood, and demolition material resulting from the storm.

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

THAT this House urges the Members' Services Board to consult with the Chief Electoral Officer regarding changes to Yukon's *Elections Act* necessary to conduct an election safely during the COVID-19 pandemic.

**Speaker:** Are there any further notices of motions?  
Is there a statement from a minister?

## MINISTERIAL STATEMENT

### Yukon Standard Time

**Hon. Mr. Streicker:** I am proud to speak today about our government's decision to end seasonal time changes in the Yukon.

Our new Yukon Standard Time takes effect this weekend, November 1. Yukoners will no longer need to change their clocks annually. There is no more springing forward or falling back. Earlier this year, we engaged Yukoners on this issue and had the largest response ever. At that time, we also specifically reached out to dozens of governments, organizations, and business representatives in the Yukon. The results of the engagement were very clear: Yukoners want to end seasonal time change. We heard that over 90 percent of Yukoners were opposed to the twice-annual time change. Yukoners spoke and we listened.

In March of this year, we announced that the Yukon will end the practice of seasonal time change. I for one am glad that, by not falling back this weekend, Yukoners won't spend an extra hour in 2020.

This will also move Yukon closer to the rest of Canada. Since our March announcement, we have been in touch with local, national, and international telecommunication businesses and organizations to make sure that global databases are

updated and to ensure that the transition will be as smooth as possible. Yukoners may already be seeing the new time zone reflected on phones and computers.

We have reached out to Yukon organizations and businesses in order to give them information on the change and advice on making sure their devices are accurate on November 1. I urge everyone to make sure that their phones, computers, and other devices have all their current updates installed. Old-school devices like microwaves and clocks, of course, don't need to be updated.

I also urge Yukoners to check their appointments and scheduling in the next few weeks to ensure that appointments booked under our old time zone are reflected accurately in digital calendars and scheduling systems. Each device or piece of software may be different.

Yukoners should contact their service provider for specific questions about devices or software. I also encourage everyone to visit [yukon.ca/time](http://yukon.ca/time) for more information. While there will probably be some complications and confusion in the computer systems this weekend, Yukoners will feel the benefit of permanent time this coming March when we no longer lose that precious hour of spring sleep.

The Yukon is leading on the issue and we look forward to BC joining us on Yukon time before too long. In fact, BC has a mixture of time zones. After this weekend, we will be one hour ahead of Vancouver, but on the same time as the Fort St. John region. In the spring, we will once again be on the same time as Vancouver.

Yukoners can access the time zone map and further information on how to be prepared for the change to permanent time by visiting [yukon.ca/time](http://yukon.ca/time). The map has also been sent to all Yukon mailing addresses.

Yukon is showing leadership in North America and the world on this. I'm sure that we will be looked at to provide that guidance to other places undertaking a similar change in the future. Our experience will inform other jurisdictions that are hoping to end seasonal time change and show that it is possible with few complications.

I would like to thank the hard-working public servants who have been preparing us for the new Yukon time. Thank you for all of your efforts.

Again, a final reminder to Yukoners: Do not change your clocks this weekend. I am proud to say again that we are now on permanent Yukon time.

**Ms. Van Bibber:** Thank you for the opportunity to speak to this today. I have a few questions for the minister with respect to the planning and implementation of the time change which I hope he can answer.

As the minister points out, 90 percent of Yukoners were opposed to the twice-annual time change. When the consultation was undertaken, there were several options asked. Option A was for Yukon to stay on year-round daylight saving time, and option B was for Yukon to stay on year-round standard time. Ultimately, the government has chosen to go with option A.

Can the minister tell us: Of the 90 percent opposed to the time change, how many preferred option A? During the consultation, one theme that seemed to come out was that a lot of people were supportive of the elimination of time change to ensure continued alignment with BC.

One question that we have received from several businesses and Yukoners is: Once BC announced that they were pausing their time change, why did Yukon not do so as well so as to ensure that we would continue to align with them?

With respect to the time change and its impact on businesses, I am hoping that the minister can let us know what work he has done with the business community to prepare for the time change. For example, the Dawson airport can only operate during daylight hours, so these changes will potentially negatively impact Air North's routes through Dawson to Old Crow.

What work has been done with Air North to assist with preparations for the time change so as to ensure that those routes can continue with minimal problems? What work has the government done to ensure that flights from Whitehorse to Vancouver — especially with connections — will not be disrupted?

We have also heard concerns from Yukoners about how this will impact scheduling for such things as medical appointments, surgeries, and school appointments. What assurance is there and what work has been undertaken to ensure that no medical procedure or other appointments will be negatively impacted?

We ask these questions to ensure that due diligence was done before the policy was implemented. Thank you again for the opportunity to speak.

**Ms. Hanson:** I doubt that anyone will raise their hand to say that they will be missing changing their clocks twice a year. Folks with children or even pets will tell you that they won't miss the morning chaos brought about by the time change.

We acknowledge the efforts of the Association of Yukon Communities and others to champion this change. As the minister pointed out, Yukoners surveyed were massively in favour of the change. It should be noted, though, that the survey that this government ran did not ask if Yukoners supported the change even if BC didn't join in at the same time. This change is bringing up many questions from individuals and businesses concerned that having BC and Yukon out of sync for part of the year will result in confusion. BC has been clear that their transition to a permanent daylight saving time will only take place in coordination with its neighbour to the south, the western United States. That means that, for the time being, we will be the outlier.

I would appreciate it if the minister, in his response, could share what kind of follow-up will be done to evaluate the impact of this change, including the fact that we are no longer going to be in the same time zone as British Columbia — the impact on Yukoners and on Yukon businesses.

I also hope that the minister will spare no effort in trying to convince his BC counterpart to join Yukon in remaining on daylight saving time year-round.

**Hon. Mr. Streicker:** I would like to begin by acknowledging a comment that was made by the Member for Whitehorse Centre. This started with the Association of Yukon Communities — and, in fact, with many Yukoners when we were out talking with them. The Association of Yukon Communities brought forward a resolution in 2017, I think, and so I would like to share that thanks and acknowledgement.

I would also like to talk about some of those Yukoners who came up to us — I'm sure to all of us, as members of this Legislative Assembly — and spoke to us about this issue. I remember that Ms. Pat Wiens, on one of my first trips to Teslin, was really adamant about trying to see this change in place. Also, Mr. Walter Latour, from the Marsh Lake Local Advisory Council, has been a really strong advocate. The public has been pretty clear. I think it was 93 percent of respondents — and, by the way, we had nearly 5,000 respondents to the survey, both in writing and in the online survey.

The Member for Porter Creek North asked: How strong was the position that we go with this version of Yukon time — option A — which is Pacific daylight saving time? Seventy percent of the public requested that; 25 percent chose standard time; and five percent had no preference.

I think that British Columbians also want to get here. I'm hopeful that, by us moving to Yukon time, it will help them to get there a little quicker. They have actually made the legislative change but decided not to introduce it at this time. I know that the Premier works closely with them and I work with my counterparts. We will continue to support them in making that transition. I know that the public is interested in it down in BC, and I think pretty soon we will see that people will be following on Yukon time.

With respect to working with businesses — I don't have time within the couple of minutes that I have to outline all of the details around that engagement, but I know that we have been working very closely with airlines in particular about the scheduling issues. The number of daylight hours won't change, so the amount of time that flights are able to go north is still there. The question really is about syncing them up with other things here or when we travel Outside. That's the thing that we have to watch.

Of course, we want to make sure that all people travelling for medical reasons are still fine and supported. In the past, people have travelled to Alberta as well as to British Columbia. Well now, part of the year, they will be on the same time zone as Alberta. I think we work those things out nowadays, especially with our devices, phones, et cetera. We are more connected than ever.

I will just say that the response from Yukoners was clear about making the change. We are happy to be moving forward to support Yukoners in their request.

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

## QUESTION PERIOD

### Question re: COVID-19 pandemic impact on economy

**Mr. Istchenko:** Mr. Speaker, there are 700 more Yukoners out of work compared to this time last year. Businesses, especially those in the accommodation sector, are looking for certainty from the government to make it through the winter.

Will the Minister of Tourism and Culture extend the accommodation recovery fund from December 31 to the end of March — yes or no?

**Hon. Ms. McLean:** I'm happy to rise today to speak to Yukoners about the support that our government has put forward to the tourism sector, including the accommodation sector specifically. We had an announcement last week that committed \$2.88 million toward the accommodation sector. We've been working very, very closely with them to ensure that we are responding in the appropriate way with the appropriate type of relief that's needed at this time.

Our announcement also included an indication and commitment of \$15 million over the next three years. That includes this fiscal year into the next and the next two following fiscal years. We will continue to work with our partners. We are meeting on a regular basis and continuing to analyze the results of our recent survey that we did with the Yukon Bureau of Statistics. We will be further defining those other relief programs as needed, continuing down the path of identifying and working out the details of the recovery plan going forward.

Relief and recovery are both very vital in terms of how we go forward with our tourism industry and I look forward to further questions.

**Mr. Istchenko:** According to the Yukon Bureau of Statistics, when unemployment is adjusted to reflect COVID-19, Yukon's unemployment rate is just under 12 percent. Restaurants and bars are looking for certainty from the government to make it through the winter, too. One temporary economic measure was to provide these businesses with liquor licences with a 25-percent discount for liquor. We have heard that this discount for liquor will expire soon, at the end of December.

Will the Minister responsible for the Yukon Liquor Corporation extend this until the end of March — yes or no?

**Hon. Mr. Streicker:** We have put in some support to try to shore up our hospitality sector — including restaurants — but we also recognize that alcohol consumption is a challenge for us, so there is a two-edged sword here. We have extended the support for our licensees; however, we are working to find other ways to support them that isn't as directly tied to this. We have been working closely with them. I have had several meetings with them and the Yukon Liquor Corporation has had several meetings with them. We will continue to work with them.

I am not going to give an answer on the floor of the House today, but what I will say is that we will continue to work with them.

**Mr. Istchenko:** As I indicated, there are 700 more Yukoners out of work compared to this time last year.



According to the Yukon Bureau of Statistics, when unemployment is adjusted to reflect COVID-19, Yukon's unemployment rate has skyrocketed to just under 12 percent.

It is the end of October. People are waiting for the government to come up with a plan to get these people back to work. What is the government's plan to get these 700 Yukoners back to work?

**Hon. Mr. Pillai:** Mr. Speaker, I would like to touch on a couple of points that were made in those first questions. First and foremost, we have heard time and time again here in the Legislative Assembly that we haven't had the right tools in place to make sure that we are supporting tourism as well as business in general.

Again, our business relief program — which now is predominantly helping the tourism sector — this program has reached across Yukon's economy. As of October 21, 2020, there have been 518 applications that we have successfully funded — \$5.65 million. What we are seeing now is a real decrease because lots of areas of the economy are starting to come back.

When it comes to the unemployment rate, one thing that is really important — the member opposite, when going through those numbers, probably would see that we have the best ratio in the entire country when we look at available job openings versus individuals who are unemployed. Number one — very favourable — and the opportunity for the many, many jobs here in the Yukon is number one.

We are also excited to see projects like the Alexco Mine opening, which is going to be somewhere near about 300 really good-paying jobs. We are going to continue to support the tourism sector, as we have done through these programs — and again, really favourable when looking at good-paying jobs that are available here in the Yukon, which we have seen over the last number of years.

#### **Question re: COVID-19 pandemic — public servants working from home**

**Mr. Hassard:** On March 18, the government issued a working-at-home directive to the public service. Earlier this month, during our briefing with officials from the Department of Energy, Mines and Resources, they indicated to us that, at the height of the pandemic, 70 percent of their employees were working from home. At the time of the briefing, they stated that the number was still at around 40 percent, with many others still doing part-time work from home. So, we currently only have the statistics from that one department.

Can the Minister responsible for the Public Service Commission tell us how many public servants across government were working from home at the height of the pandemic?

**Hon. Mr. Mostyn:** I really appreciate the question from the member opposite this afternoon. The Public Service Commission — once we were in the grips of the pandemic — issued a directive to employees to mitigate the spread of COVID-19 within our society and asked that civil servants work from home.

The government continues to prioritize the health and safety of employees throughout these challenging times while continuing to deliver the services that Yukoners depend on. The shift to many employees working from home is an important step to support increased physical distancing and to help prevent the spread of COVID-19. That is why we put those measures in place during the height of the pandemic.

We are adhering to the required health and safety measures and making continuous improvements to support the ongoing well-being of employees who are working from home.

Mr. Speaker, at the height of the pandemic, we had — I don't have those stats at my fingertips, but I will endeavour to get the member opposite the numbers for the number of people working from home at the height of the pandemic.

**Mr. Hassard:** I certainly look forward to getting that information from the minister.

When he's on his feet next, could he possibly tell the House how many public servants across government are currently working from home?

**Hon. Mr. Mostyn:** Because of the swift action that this government took in dealing with the pandemic back in March in making sure that our civil servants started working from home — and the sacrifices, Mr. Speaker, frankly that all Yukoners are making in behalf of society in dealing with this pandemic — this global health crisis that we find ourselves immersed in — and Mr. Speaker, we can see across the world that this is not going anywhere quickly. We're seeing outbreaks in Belgium, in France, in Germany, in Ontario, in Québec, and in Alberta. This is a sickness that is persistent and it is not getting better; in many places, it's getting worse. Because of the measures we took so quickly, we were able to have the territory in sort of a sandbox situation which has allowed us to have the economic support or the economic activity and the relative freedoms that we have today.

At the moment, we have in the neighbourhood of 15 percent of our civil service working from home and we hope we can continue in that vein with the diligence of our society to allow us to maintain a measure of normalcy in the midst of this global pandemic. It's only through the sacrifices of Yukoners that we can do that.

**Mr. Hassard:** So, could the minister please provide this House with the government's plan and timeline to get public servants back to the workplace? To support this back-to-work plan, how much has been spent to date on physical improvements to office spaces, such as the installation of plexiglass or the purchase of masks and hand sanitizer?

**Hon. Mr. Mostyn:** I'm absolutely shocked, Mr. Speaker, on the floor of this Legislature today that the member opposite — the Leader of the Official Opposition — is suggesting that civil servants who are working from home are not working. I will tell you that in the grips of this pandemic — when we had the issue arising, we sent our civil servants home to protect society and their families and the well-being of Yukoners.

At that time, Mr. Speaker, we put programs in place that are cutting edge in the country — and we did it in a matter of a month, with civil servants working night and day and weekends

under extraordinary circumstances — working with their kids at home, working with all of their management structures being disrupted, and having to learn new technological initiatives for actually working from home. They did all of this, and, in the process of that, they still managed to get cutting-edge programs to Yukoners that helped to sustain them through this pandemic. I applaud the efforts of this civil service, under absolutely extraordinary circumstances, to do their jobs.

Mr. Speaker, right now, we have 15 percent of the civil servants at home, and they are continuing to work from home. I know that this is, again, part of our measures to keep society safe in the midst of this global health crisis.

**Question re: Whitehorse Emergency Shelter services**

**Ms. White:** Since the beginning of the pandemic, the Whitehorse Emergency Shelter and NGOs had partnered together to distribute two meals a day, seven days a week through the Whitehorse Food Bank. The government announced that this arrangement will end on October 31 and that all meals will once again be served at the shelter starting on November 1.

Contrary to what the minister said on Monday, we learned today that only guests registered to stay overnight at the shelter will have access to dinner. Can the minister confirm that only guests staying overnight at the emergency shelter will be able to access dinner as of November 1?

**Hon. Ms. Frost:** Through creating stronger and respectful partnerships, we are working to improve the health and well-being of Yukoners in all aspects of society. We know that Yukon's most vulnerable people have been underserved for years, which is why we expanded the services at the Whitehorse Emergency Shelter and opened the territory's first Housing First project. These important projects have been successful because we are working with all levels of government and stakeholders, recognizing that supporting vulnerable Yukoners is an issue and a concern that our whole society and all levels of decision-makers need to participate in.

We are working hard to support all Yukoners through the Whitehorse Emergency Shelter, and all who come for a meal or other services will be provided the support. We have made that commitment, and we will continue to support our vulnerable population.

**Ms. White:** The minister appeared to have been lost in my question. My question was: Can the minister confirm that only guests staying overnight at the shelter will be able to access dinner as of November 1?

**Hon. Ms. Frost:** Let's remind the member opposite that, just a few short days ago, the member opposite voted against the supplementary request that was presented here in the House for the Whitehorse Emergency Shelter to resolve and address the pressures that we have seen. Mr. Speaker, the contrast to what is being said — certainly is not the case. We have indicated that we would provide services to the guests who present themselves at the shelter and the vulnerable population that we have seen.

To note, Mr. Speaker, historically, we have seen 13 individuals who presented as vulnerable members of our society at the Whitehorse Emergency Shelter. We provided, prior to the pandemic, up to 300 meals a day, plus we provided shelter for upwards of 70 individuals. We continue to provide supports to that sector of our society. We do that with partnerships. We do that with our NGO communities. I want to acknowledge the great work of the staff to be innovative and creative during times of crises and to look at alternative measures to ensure that a community plan is in effect.

Let us note that we do have a plan.

**Ms. White:** Food bank volunteers distribute an average of 160 bagged meals each and every day. Anyone was able to access this program seven days a week. On November 1, individuals not staying overnight at the shelter will no longer have access to dinner. Many of these folks live in hotel rooms with no cooking facilities. On Monday, the minister said — and I quote: “We do not want to ever turn anyone away...” With drop-in hours closing at 4:30 p.m., the food bank estimates that 40 to 50 people in need of a meal will be turned away.

Why does the minister now think that it is a good time to turn away people from the shelter who are seeking a meal?

**Hon. Ms. Frost:** Let's just bring ourselves back in time a little way. The responsibility that we have to provide services for citizens of the city — we have an obligation to provide services across the Yukon for all citizens. Right now, we are in the height of a pandemic. We must ensure that every Yukoner has shelter, has food, and is well-supported. A few short months ago, the Member for Whitehorse Centre advocated that we must deal with the vulnerable population and, of course, address the closures, address a safety plan, and support the businesses.

We have to balance, of course, equity. We have to balance the services that are required.

Part of the plan, Mr. Speaker, was to follow the recommendations of the chief medical officer of health and that was to ensure that we had a safety plan to support the guests who present at the shelter. The definition of “guests” — well, the individuals who show up at the shelter asking for services are provided the services — if not at the shelter, then they are provided services elsewhere. We do have a list of services available, and we will continue to ensure that the individuals have the social supports that they require to be successful.

**Question re: Whitehorse Emergency Shelter services**

**Ms. White:** We learned today that the shelter will no longer provide meals to the Sally and Sisters lunch program that is served out of the Whitehorse Food Bank. For 10 years, twice a week, this program has provided women and their children a safe place to share a meal. Before the program was suspended due to the pandemic, the Sally and Sisters program hosted, on average, 30 women and their children per meal, twice a week. This was a safe place to share food and an opportunity to socialize with other women and children.

Why is the minister cutting the government's contribution to the Sally and Sisters program? Can she explain why she

thinks women and children no longer need a safe place to share a meal?

**Hon. Ms. Frost:** That is absolutely not true. The member opposite has information because she sits on the board of the food bank, so she's bringing this forward as an issue. It is not an issue.

We are providing services. We are working with the Victoria Faulkner Women's Centre, we're working with the women's shelter, and we are working with my colleague, the Minister responsible for the Women's Directorate, to find an alternative. We are working with the department to ensure that families, children, and mothers — all who present to Health and Social Services, our income support clients — are supported. We are doing that successfully and I'm very proud of the great work of the department.

I want to assure Yukoners who are out there and who are being misled that we are certainly providing the services. If there are any questions, I encourage them to please reach out to Health and Social Services — reach out to us — and we will ensure that no one is ever left without shelter or food. We will do our best to endeavour to provide the supports that are necessary, much like we are doing right now. We have done an exceptional job, I would say — the department and the staff — from where we were four short years ago when we had a shell of a system that didn't provide services to the vulnerable population.

**Ms. White:** There appears to be a disconnect between the minister and what is actually going on at the shelter.

During a meeting with government officials earlier today, NGOs involved in the food distribution program were told repeatedly that food security was not in the Whitehorse Emergency Shelter's mandate. The people who use the shelter and the meal distribution program at the food bank would, without a doubt, say otherwise.

Let me tell you that folks who struggle to put a meal on their table every day know more about food security than anyone in this House ever will.

Does the minister stand by the statement that food security for the most vulnerable in our community is not part of the mandate of the Whitehorse Emergency Shelter?

**Hon. Ms. Frost:** As I indicated, at the current moment, we provide shelter for 37 people a night. The shelter accommodates 25 individuals, as it was built previously. We have taken an approach to ensure that individuals are provided shelter and provided the means to feed themselves and their families.

With respect to the guidance that is provided by the Health and Social Services staff within the shelter — and, of course, in the department — we are working continuously, and that is to ensure that we have supports. We are working with our NGO partners. We are working with the Women's Directorate. We are certainly looking, during some trying times — and we encourage Yukoners to please work with us. We encourage our partners, of course, to look at the services that we are providing right now through the shelter and through other avenues in our communities, and that is to ensure that we provide services.

With respect to the Sally and Sisters, we are certainly not cutting anything. We are providing the services, and we will continue to ensure that those individuals who utilize the program are supported.

**Ms. White:** This government likes to talk about food security, yet a decision that they have made, as of November 1, will prevent 50 people who need it from getting a meal in the middle of a pandemic, in the middle of winter. So, this will affect our friends, this will affect our neighbours, and this will affect people who need it the most. This action is nothing short of shameful.

The government needs to reverse this heartless decision immediately. Drop-in hours at the Whitehorse Emergency Shelter must be extended beyond 4:30 p.m. so that anyone who needs a meal can get it whether or not they are staying overnight at the shelter.

When will the minister do the right thing and ensure that everyone has access to dinner at the emergency shelter whether or not they are overnight guests?

**Hon. Ms. Frost:** The focus of the Whitehorse Emergency Shelter is to provide low-barrier shelter to homeless and street-involved individuals. This involves providing meals to the shelter guests. As part of the COVID-19 response and an increase to physical distancing at the shelter, we are prepared to provide meals at the shelter kitchen.

Now, as distributed previously through the summer through the food bank, we have ensured that our guests were supported. This was a temporary measure. Now that winter is approaching, we are reassessing the best way to serve our guests as determined by the protocols of the chief medical officer of health. Of course, that involves making sure that the guests who come to the shelter are well-supported and safe.

We certainly want to ensure that we resume indoor services beginning on November 1. I indicated that we have the mealtimes established and set up within the guidelines as presented by the chief medical officer of health. We will ensure that any individual who presents themselves at the Whitehorse Emergency Shelter will be provided with a meal.

I want to just put that out there again: Any individual who presents at the shelter who requires a meal will receive a meal.

#### **Question re: Francophone high school**

**Mr. Kent:** Yesterday, the Minister of Education incorrectly claimed that the francophone school came in on time; however, in October 2017, the minister told this Legislature that the project would be completed at the end of 2019.

This was confirmed in a *Yukon News* article from February 2018 that stated that the French school was — and I quote: "... originally supposed to be completed by the end of 2019."

Well, it's the end of October 2020, and the school is still not done.

So, can the Minister of Education tell us why she made an incorrect statement yesterday, claiming that the project was on time when all the facts show it is over 300 days late?

**Hon. Mr. Mostyn:** I'm happy to talk about this project — this successful project — the building of the French language school in Riverdale.

I can say right off the bat that the school's original contract was for \$29.4 million in a negotiated request for proposals, which was used to select the winning proponent. In the end, the current construction contract with Ketz Construction is \$30 million. So, the cost of the school in the original contract was \$29.4 million and Ketz Construction has a contract for \$30 million. That is the price of the school, including change orders.

Mr. Speaker, the construction is not only well underway, but we have managed this contract through a global pandemic. Right now, the keys to the structure are being transferred. If that hasn't happened already, it will be happening in the next few days. I know that the students are preparing to enter this brand new marvellous facility that the construction company itself has told us is one of the best projects that they have ever worked on in the history of their company. I really am proud of the work that they've done. I am proud of the work of the departments of Education and Highways and Public Works on this project.

**Mr. Kent:** The question was for the Minister of Education about the incorrect claim that she made yesterday that the project was on time when it is 300 days late. She also claimed yesterday that the francophone school came in on budget as well. A *Yukon News* article from February 2018 states — and I quote: “The territory originally earmarked \$20 million for the project. The federal government also contributed \$7.5 million from its minority language education program.”

In April 2019, an article from the *Whitehorse Star* states that the Liberal government went massively overbudget. The project came in at \$35.3 million, which is just shy of an \$8-million increase in under a year. Claiming that going \$8 million over what you budgeted means that you are on budget is pretty bad, even for Liberal math.

Can the Minister of Education tell us why she made an incorrect statement yesterday claiming that the project was on budget when all the facts show that the Liberal government is actually \$8 million over?

**Hon. Mr. Mostyn:** I really appreciate the member opposite bringing this issue forward this afternoon because I'm happy to talk about our record on building schools and the previous record, Mr. Speaker. I remember — it is one of the reasons why I am in politics, Mr. Speaker — I watched the members opposite go to court. First of all, there were millions of dollars wasted in court. I watched them hold a sod-turning ceremony without the proper permits or anything else and then not build the school. They then squandered \$6 million in architectural plans to start over again. Then they built a school that is 30-percent smaller and actually cost about the same, if not more.

So, here we are, Mr. Speaker — and I will say it again: We are here now with this French language school that is, by all accounts, one of the most successful projects that the local company has ever worked on. The contract for the building was let for \$29.4 million. The cost of the building that is going out to the successful contractor — Ketz Construction, a local

company — is \$30 million. That is with change orders. Construction is not only well underway, but it is completed. I don't know if the members opposite have seen the interior of the school. It is absolutely beautiful. I am looking forward to seeing the kids in that school very shortly.

**Mr. Kent:** I think we need to focus on the facts of the matter. The facts are that this project is 300 days late, and it is \$8 million over that original budget. That is what we wanted to address, given that the Minister of Education provided this Legislature with incorrect information yesterday.

With respect to the francophone school, we have heard that additional paving in that area has meant that the City of Whitehorse storm sewers need to be upgraded to account for additional water runoff.

Can the minister confirm that this is the case? If so, how much has that added to the overall cost of the school project?

**Hon. Mr. Mostyn:** Again, I appreciate the member opposite continuing on this tack. I am more than happy to talk about schools. This government is building some of the first elementary schools that we have seen in decades. We have completed the French language project on budget — roughly on budget; we are a few hundred thousand dollars more with change orders. I am really happy with that record, Mr. Speaker, given the global pandemic that we found ourselves in and all of the work and consultation that we did with the French association and the French community.

As I have said, this project is a success story for the territory. It is a success story for the way that we procure and build schools in the territory. We have found new ways of working with contractors in a successful manner. We have delivered a project with some federal money. The member opposite is right — there is \$7.5 million in federal money, and I thank the federal government for that contribution to this project.

The bottom line, Mr. Speaker, is that this is a successful project for Yukoners, it is a successful project for the French community, and I am very pleased with the way that it has turned out.

I thank the member opposite for his question.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 17: *Enduring Powers of Attorney and Related Amendments Act (2020)* — Second Reading**

**Clerk:** Second reading, Bill No. 17, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** I move that Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, be now read a second time.

**Hon. Ms. McPhee:** I'm pleased today to bring forward the *Enduring Powers of Attorney and Related Amendments Act (2020)* for second reading. The Government of Yukon has committed to modernizing Yukon's legislation, working to represent the interests and respond to the needs of today's Yukon.

I'm pleased that we're continuing to honour this commitment to Yukoners through updates to the enduring powers of attorney legislation, which has not been updated since it was first enacted back in 1995.

The amendments that we are proposing to the enduring powers of attorney legislation take into consideration results that we received from respondents in an engagement completed in May 2020. We heard what respondents want from the *Enduring Powers of Attorney and Related Amendments Act (2020)*; we heard their concerns and their questions.

I would like to take a few moments to now highlight the major components from the proposed amendments. The amendments that are being proposed include: notice requirements and eligibility requirements for attorneys; reporting requirements and a process for misuse to be reported and investigated; provisions to enhance ease of use by allowing non-lawyers to create valid enduring powers of attorney and provide forms for their use; and provisions that will clearly set out the roles and responsibilities of attorneys in plain language.

It is important to note that the provisions being considered today are recommended by the Uniform Law Conference of Canada and reflect best practices in other jurisdictions. These proposed amendments will legislate protections against financial abuse of elders and vulnerable people while creating the provision to take action if abuse does occur.

The updates that we are proposing will improve the act by making enduring powers of attorney more accessible, while enhancing protections against their misuse by introducing a reporting mechanism, if abuse is suspected.

Further, these provisions will provide financial institutions with the authority to take action if they detect fraudulent actions of an attorney.

Our government is proud to bring forward these proposed updates to the *Enduring Power of Attorney Act* and the related amendments act in 2020.

Not unlike the *Act to Amend the Wills Act (2020)*, Bill No. 17 will bring modern changes to the *Enduring Power of Attorney Act* so that it can be used as a tool for individuals and families for their estate and financial future care planning. It is important to respond and to bring forward these amendments in the current community and society that we have here in the territory, which includes an aging population.

Mr. Speaker, I have notified the other House Leaders of my intention to bring forward a technical amendment when we enter into Committee regarding some wording in the bill that is before the Legislative Assembly. Our government is very pleased to be bringing forward these updates to prevent misuse and increase oversight of the enduring powers of attorney for individuals here in the territory, to modernize this legislation, and to make it relevant for individuals who need to use it.

I look forward to further discussion with respect to Bill No. 17.

**Mr. Cathers:** As the Official Opposition critic for Justice, I rise to speak to this legislation.

Generally speaking, we don't have concerns with it. It is, as the minister noted, modernizing legislation based on more of the national standard. To that end, while we have gone through it with officials and appreciate the information provided, my one concern that I would flag is that, if government is providing an amendment to the legislation, it does mean two things: first, that they didn't quite get it right when they tabled it; and second, because of the Standing Order in this House that all government bills have to be tabled within the first five days of the Sitting, it does create a situation where members of the opposition and the Third Party are not provided with the full picture of what the legislation will say within those first five days when an amendment is made on a subsequent day.

I have not seen the amendment. We'll have to evaluate how broad or small that amendment may be, but I would just note to the minister for their future reference that it is, in my view, a departure from the principle of that Standing Order that all members in the House be provided with the full picture of the government's legislative agenda by the fifth Sitting day if government introduces amendments to legislation after that time because they changed their mind or they made a mistake in the original package.

With that being said, generally speaking, what we have currently seen in the legislation looks fairly reasonable to us.

**Ms. Hanson:** I thank the Minister of Justice for her explanatory comments with respect to Bill No. 17, *Enduring Powers of Attorney and Related Amendments Act (2020)*. Those other amendments, as I understand it, are to the *Public Guardian and Trustee Act*.

Mr. Speaker, we believe that it is really important to have a good understanding of what an enduring power of attorney is and that some of the changes, as I understand them, are to provide clarity. I will be asking the minister a number of questions as we go through these proposed amendments to make sure that, to the extent possible, they are understood by a layperson because most people who enter into an enduring power of attorney arrangement are lay people. It is families and it is people needing to make arrangements for a future time or maybe right now in terms of the conducting of one's affairs.

It's very important that the legislation that envelops that is clear to all who may be covered by it. We look forward to the discussion as we move through debate of Bill No. 17 in Committee of the Whole.

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

Does any other member wish to be heard on second reading of Bill No. 17?

**Hon. Ms. McPhee:** I appreciate the comments from the members on the other side. I look forward to answering further questions about this. While I always enjoy the opportunity to

be criticized by the Member for Lake Laberge, I also note that there certainly are provisions in the Standing Orders that allow amendments on the floor and in Committee that are appropriately the opportunity to discuss any changes that might come as a result either from further review or as a technical amendment, as I have noted that this one will be, or that other members might suggest. I look forward to providing that. It is a specific technical amendment — we will provide it in just a moment — and I don't think it changes in any way the substance of the bill that was introduced properly under the Standing Orders. We look forward to discussing Bill No. 17.

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

**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. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. Hanson:** Agree.

**Clerk:** Mr. Speaker, the results are 16 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 17 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

### COMMITTEE OF THE WHOLE

**Deputy Chair (Mr. Adel):** Order. Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

### *Recess*

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

### **Bill No. 17: *Enduring Powers of Attorney and Related Amendments Act (2020)***

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*.

Is there any general debate?

**Hon. Ms. McPhee:** I am happy to welcome back Sheri Hogeboom and Will Steinburg, who are the officials from the Department of Justice and who provided the expertise and drafting with respect to the *Enduring Powers of Attorney and Related Amendments Act (2020)* that is before the House today.

I would like to make some opening remarks and then proceed to answer questions that might come from any Members of the Legislative Assembly. In my earlier remarks during second reading, I reviewed the changes that we have made to the *Enduring Powers of Attorney and Related Amendments Act (2020)* and highlighted its key provisions. I would like to now spend some time discussing this bill in a bit more detail, now that we are here in Committee.

The tabled amendments, as mentioned in previous remarks, will work to enhance protections for Yukoners with enduring power of attorney documents, clarify requirements, define roles and responsibilities of attorneys, and create mechanisms for identifying and reporting financial abuse.

The proposed amendments will enable the Government of Yukon to align Yukon legislation with that of other jurisdictions, and it is based on recommendations from the Uniform Law Conference of Canada.

Before I go into some further detail, the proposed amendments may be divided into the following main components: They are designed to create a mechanism to report neglect, abuse, and fraud or coercion involving enduring powers of attorney; outline specific attorney duties, responsibilities, and liabilities; increase oversight of attorneys with enhanced accountability measures; provide for the creation of a standardized enduring power of attorney form and other forms in the regulations; and allow an alternative option for enduring powers of attorney to be made without requiring a certificate of legal advice that needs to be obtained from a lawyer.

The context behind this bill — and what it means for Yukon — is very important toward understanding the provisions that are proposed. As mentioned previously, the

Government of Yukon completed engagement in 2020 that ended in May, following a review of the act that indicated that Yukon's enduring power of attorney legislation did not reflect similar legislation across Canada. As a result of the responses received during that engagement, we now know that Yukoners would like to see this legislation updated to enhance safeguards and to increase accessibility for Yukoners who have enduring powers of attorney.

Members of the Legislative Assembly may recall from previous remarks that an enduring power of attorney is a legal document entrusting one or more people with the authority to manage an individual's money and property if they were to become unable to manage their own affairs. One of my roles and priorities as Minister of Justice is to protect Yukoners. One of the ways by which we are meeting that goal is by ensuring that our legislation is modern and proactive in its approach. Although we have no reported cases of financial abuse or fraud involving an enduring power of attorney here in the territory, we know that these cases have arisen in other jurisdictions.

The proposed amendments have been designed with the goal of protecting vulnerable Yukoners from financial abuse and improving both the ease of use and accessibility of enduring powers of attorney. The Government of Yukon is taking proactive steps with these amendments to ensure that no Yukoner who entrusts another person with the power over their affairs is taken advantage of, stolen from, or suffers financial abuse or loss.

The Government of Yukon would be pleased to move forward with these amendments as they align with our commitment to a people-centred approach to wellness and as modernization of this legislation ensures that the needs of current and future Yukoners are met and their rights and property are protected.

I would like to now turn our attention to the specific provisions of Bill No. 17, beginning with the changes to formal requirements. The proposed amendments pertaining to formal requirements serve as both the mechanism to remove barriers of Yukoners without access to legal counsel and to improve ease of use for enduring powers of attorney. These amendments will allow for the creation of basic standardized forms for Yukoners who do not have access to legal counsel when they want to create an enduring power of attorney.

The intent of enabling this mechanism is to prevent enduring power of attorney documents from being found to be invalid or from errors which might have been preventable.

This serves as an alternative option to the previously required legal counsel in the current legislation and it makes allowances for cases where there is limited time to put together an enduring power of attorney. We are pleased with this provision and we know that it will allow Yukoners to access enduring powers of attorney — sometimes called EPAs — in a more inclusive manner.

Next, I would like to spend just a bit of time discussing the enhanced safeguards we have created with the amendments being proposed. As demonstrated in other jurisdictions, the potential for financial abuse is a real threat once a donor — defined in the legislation as a person giving the enduring power

of attorney — the potential for financial abuse is a real threat once a donor is no longer able to dismiss an attorney. So, they have made an attorney — named one under the enduring power of attorney but they are unable to dismiss that person, and the private nature of these relationships makes it very difficult to identify abuse.

As such, we have included within the amendments here in Bill No. 17 a mechanism for financial institutions to report cases where there is suspected abuse or fraud and those can be reported to the public guardian and trustee. This provision will grant the financial institution the authority to temporarily deny the attorney's request if fraudulent activity is suspected. In addition, reporting to the public guardian and trustee will enable the public guardian and trustee to investigate the matter and to take appropriate action to stop abuse if it is discovered.

Further, these amendments clarify eligibility requirements for attorneys — precluding attorneys with a conflict of interest, such as someone providing personal care to the person who is making the enduring power of attorney or — as I have said, as defined in the act — the donor, and someone providing personal care to them for compensation is prohibited from being appointed in the position of attorney under the enduring power of attorney.

An individual will also be precluded from acting as an attorney if they are mentally incompetent, have a recent criminal conviction involving theft, fraud, or breach of trust, or have any undischarged bankruptcies — again, more protections.

Finally, during engagement, we heard that it was important for these amendments to clarify the duties of an attorney and the recourse if these duties are not met. An attorney is required to act in a manner that is representative of the donor's known wishes. They are required to keep their personal property separate from that of the donor. They are required to keep records of financial transactions and provide details of transactions upon request. These amendments, proposed today, clarify the minimum appropriate standards which attorneys must uphold in completing their duties.

I'm going to turn, just for a moment, to the amendment that I've spoken about — which I think is appropriately discussed during line-by-line debate. The amendment will be presented then.

I can indicate that the amendment coming forward — which I am happy to introduce for clarity's sake — will deal with section 9 of the current — I should say that section 9 of the current act is entitled "Duty to act" and it states that an attorney has the duty to act when the enduring power of attorney is in effect. Section 9 of this bill will amend section 9 of the current act by adding the clarification that section 9 is subject to subsection 6(6) of the amended act.

That sounds terribly confusing, but what it will do is — subsection 6(6) will state that if an attorney is required to provide notice that they are acting to certain people — so to a bank or to a business of some kind — that this notice, as directed by the donor — their authority to act will not come into force or they will not be able to do it until that notice is provided. The words that are missing from the version before

the House at the moment is to include “Subject to subsection 6(6)”. It’s just to clarify that is the reference. We can speak more about that as we go forward.

I’m pleased to present these changes to the *Enduring Powers of Attorney and Related Amendments Act (2020)* as one component to meeting the needs of Yukoners.

Again, as I noted earlier in my comments, particularly with an aging population and particularly with more Yukoners retiring here in the territory determined to spend their golden years or retirement years here in our beautiful territory, this is an important set of amendments that will provide protection for Yukoners.

I am very pleased that the Department of Justice and our government have taken proactive steps toward ensuring that Yukoners who access enduring powers of attorney are able to do so with the utmost confidence that their wishes will be respected. I certainly look forward to further discussions on the proposed amendments and to questions.

**Mr. Cathers:** To begin with, this is now October 29. We are 24 days — calendar days, not sitting days — into the Fall Sitting — so 24 days after it began, over three weeks — and the government introduces an amendment to a piece of their legislation. As you know, Mr. Deputy Chair, the Standing Orders require all government legislation to be tabled within the first five sitting days so that the opposition and the Third Party have the information to consider the bills. We were first advised at 1:10 p.m. today that the minister intended to introduce an amendment. Her executive assistant sent an e-mail to our chief of staff and to our House Leader indicating that the minister “... will introduce a small technical amendment to the Enduring Powers of Attorney bill today. This amendment does not substantially change the bill. There will be copies provided to all members.”

Our chief of staff, a minute later, sent a reply to the minister’s assistant, saying “Thank you for the update. Are you able to provide copies or details on the nature of the amendment in advance, please? Thank you — Ted.”

We have one copy of the amendment. We have not had a copy provided to every member, as the minister’s staff said that there would be. We received one copy signed by the minister that wasn’t even procedurally in order until it was revised by the Clerk. This is not really a very good way to run a railroad. It shows disorganization on the part of the government and disrespect for members to be not only effectively table-dropping an amendment, but not providing all MLAs a copy of it beforehand and then waiting until the last possible moment to provide us with information about this amendment instead of providing it three weeks ago when we should have been given that information.

Overall, the bill itself is rather housekeeping in nature in modernizing the legislation, but it is disappointing to see this government — now four years in office and over three weeks into the Fall Sitting — introducing an amendment at the last minute to their legislation, and not even providing all members with a copy of it prior to that happening. It does not make it any easier for members of the Official Opposition or the Third Party

to be fully informed and to consider whether we support legislation, what questions we may have, and what changes we may propose — for the Government House Leader to act in such a secretive and uncollaborative manner.

It is rather disappointing to see, and I would ask the minister to follow through on the commitment to provide every member of the Assembly with a copy of this proposed amendment, because that still has not happened.

**Hon. Ms. McPhee:** I am not sure if that was a question. The member opposite should know that he has made note of the fact that the Clerk has adjusted the amendment, which is not substantial. If he is objecting to the matter proceeding to Committee of the Whole, I would like to know that. The amendment is being properly typed and translated because the changes that the Clerk suggested, or required, need to be properly translated and then provided. As soon as I have that document, we will distribute it. It is not, I understand, to be introduced until the time that we reach section 9 in the line-by-line debate. Presumably, there would another procedure if we proceed and get to that point without the document being in my hand, but I am expecting it any moment. I am happy to do that. I think that is what he is commenting on, although I am not sure. If there is another question there, I am happy to answer that, too.

**Mr. Cathers:** If the minister is offering to stand aside on this legislation and move right into the budget, that would make it move smoother. I was pointing out the fact that the minister should be very well aware of the fact that, in four years in her role, it is simply not proper procedure, or fair to all MLAs, for the government to introduce last-minute amendments to legislation. The fact that they couldn’t even get it right when they were amending their legislation and it has to be further adjusted by the Clerks to be in order is both sloppy and disorganized, and it’s certainly disrespectful to members of this Assembly to do it in this way when we simply are not able to see the information that government is proposing — how they are actually proposing to amend this legislation.

I would certainly have expected better from government by this point. We’ve seen a summer where they’ve set new records in terms of operating secretly and making sweeping decisions autocratically, but this is just one more blemish on the Liberal pattern of showing disrespect for democracy —

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

#### Point of order

**Deputy Chair:** Ms. McPhee, on a point of order.

**Hon. Ms. McPhee:** Does the member opposite have a point to make? I think he has breached Standing Order 19(g) by calling us “autocratic”, by calling us “unprepared”, by calling me — and I think, more importantly, Mr. Deputy Chair, he is truly insulting and disrespecting the officials from the Department of Justice who are here to support this debate in Committee of the Whole.

Can we move on to Committee of the Whole? He has breached a point of order in the Standing Orders. I appreciate



— if he wants to insult me, go ahead, but please do not disrespect the individuals who are here and who have worked hard on this matter.

**Deputy Chair:** Mr. Cathers, on the point of order.

**Mr. Cathers:** On the point of order, Mr. Deputy Chair, it does not appear to be a point of order to me. I would clarify that I did not refer to the minister's actions personally. I was characterizing the government collectively — their action — as being autocratic and contemptuous toward the Legislative Assembly. I don't believe that's a point of order. I did not direct that comment directly at the minister.

### Deputy Chair's ruling

**Deputy Chair:** This appears to be more of a dispute among members although I would caution the Member for Lake Laberge regarding plowing the same ground.

Could we please move on under Committee of the Whole and ask questions, please?

**Mr. Cathers:** Thank you, Mr. Deputy Chair.

It's interesting that the minister is choosing to object to the language being used instead of recognizing the fact that the government — the Liberal government collectively — has failed to follow the proper process in terms of making members informed of the legislation. They have table-dropped a last-minute change to this bill, and they haven't even, as I'm speaking, provided copies to all members of this Legislative Assembly.

We're talking about a legislative amendment; we're not talking about amending a motion. The fact that the minister chooses to object to me objecting to their approach, instead of recognizing that they have not handled this in the proper way, is quite telling of this Liberal government's collective lack of respect for the Legislative Assembly.

We are in a situation where I have seen the single copy we were provided of the amended amendment, but not all of my colleagues have had an opportunity to review it, let alone discuss it. Certainly, I think that it's likely that the Third Party and government backbenchers have also not seen this information.

We certainly believe that Yukoners have every right to expect better from this Liberal government and it's unfortunate that the minister has insisted on proceeding with Committee today instead of providing us an advance copy of the amendment and giving us the opportunity to debate this legislation on a different sitting day.

**Hon. Ms. McPhee:** Again, not a question. I'm happy to have copies here. My understanding of the proper procedure is that they don't get passed out to every Member of the Legislative Assembly until the motion or the amendment is moved. That is a decision of Mr. Clerk, of our Standing Orders, and of the proper process. I will certainly abide by that.

I can clarify that I have provided a copy of both the original amendment and the handwritten version of the amendment — amended by Mr. Clerk — and I now have copies of the other documents. They have been provided to the members of the opposition. I still don't know whether or not he's objecting to

ask questions on the *Enduring Power of Attorney Act* in today's Committee of the Whole or not. I certainly don't expect to know whether or not the member opposite is objecting to the amendment itself until we get to section 9 in the line-by-line debate.

I think I've been chastised quite enough, Mr. Deputy Chair. I understand the point. I'm happy to answer questions about the bill.

**Mr. Cathers:** The minister may not like it — her colleagues may not like it — but part of being government is being accountable for your actions. When you choose to act in a way that you are not providing information to all Members of the Legislative Assembly, you have to expect that you're going to be criticized for not providing that information.

The proper procedure is when the government realized that they were going to have to amend this legislation, they should have shared that amendment at the earliest possible opportunity —

### Deputy Chair's statement

**Deputy Chair:** Order. Mr. Cathers, we covered this ground. Please move on. Either ask questions — we're in general debate. We've gone over this same point more than enough times, I think, so let's move on.

**Mr. Cathers:** That is a very puzzling ruling, Mr. Deputy Chair, and certainly not in keeping with the standards of debate in this Assembly.

**Deputy Chair:** I am not going to debate my ruling with you at this point. I just asked you to please move on. We have covered that ground. Thank you.

**Mr. Cathers:** Thank you, Mr. Deputy Chair. Well, when we ask questions, if we don't get a response, if we don't receive the information that we have requested from the government, it is very disappointing if the Chair chooses to insert themselves and protect the minister, but I will move on, Mr. Deputy Chair, as you have instructed.

Mr. Deputy Chair, when we are just provided information about amendments at the very last minute, it makes it hard to do our job as parliamentarians, and it makes it very difficult to hold this government to account — but, apparently, we're not even being allowed to talk about that, so I will cede the floor, and the government is going to ram through this legislation like it does everything else.

**Ms. Hanson:** I have just a couple of general questions before we move into detailed questions about specific provisions of the legislation.

We have heard several times — as amendments to legislation have been introduced — that we are doing this on the recommendations of the Uniform Law Conference of Canada. My question is: Are these recommendations with regard to style or content?

**Hon. Ms. McPhee:** The Uniform Law Conference of Canada turns its mind and collective expertise to a number of topics throughout Canadian law, as the member opposite is probably well aware. Their recommendations cover content, but more of the substance rather than form — I think that is the

question. They often recommend best practices after having studied the issue. They sometimes provide information about definitions that could be used across the country. They provide information and recommendations with respect to the processes — like the substance of a process — not how to amend a bill, but what should be in it — and safeguards for the protection of individuals who might be affected by the legislation. I would say, in short, that it is substance rather than form.

**Ms. Hanson:** Perhaps I owe an apology to the officials because I do think that they tried to explain that to me — and so it is good to have it twice, and now it is in my head.

I just wanted to confirm that — notwithstanding the fact that when you read this — and hearing the minister speak earlier — when we are talking about situations where somebody is basically giving over powers to somebody else because of current or anticipated physical or mental incapacity — physical disability — that this is not health-care related. I am looking for confirmation from the minister that there is no — the powers that are given have nothing to do with health care, but it is everything to do with — it's only to deal with money and property matters?

I ask that question because oftentimes people may confuse the powers granted under an enduring power of attorney — given the fact that it has got that notion of “enduring” — with powers that come to end-of-life care, or MAID. I would like to have for the record the distinction, so that when somebody is looking at this, or listening to this, they will know very clearly that this is not intended to cover those matters.

**Hon. Ms. McPhee:** Thank you for the excellent question from the member opposite. An enduring power of attorney is sometimes confused — not in its details, but in the idea of it — with what is known as an “advance directive”, which is about health care.

So, to be clear, an enduring power of attorney deals with property and legal matters only — so, finances and property issues — and cannot be used to make health care decisions on behalf of another person.

For health care matters, an advance directive — a different document — can be made. This document allows a person to make health-care and/or personal-care decisions on someone's behalf if they are not able to make these decisions themselves. Advance directives are governed by the *Care Consent Act* here in the territory and must be made according to the rules that are set out in that act. These are two distinct separate documents — separate powers, separate granting of wishes by an individual. One is with respect to property in legal matters, and one is with respect to health care and related matters of personal care.

**Ms. Hanson:** I thank the minister for that. I do think it is important that people understand the importance of having both documents completed — particularly advance directives for anybody — and secondly, the need for enduring powers of attorney in certain circumstances.

The minister made reference to the fact that this act provides for a standardized form of forms. I guess the question I have is that, in the act as it is now, there is a form at the back of the act — a schedule that somebody is supposed to read before signing an enduring power of attorney. I guess my

question is: When might one see what would be contained in a standardized form? Is it something to be developed or is that something that is standard and will be provided as we discuss this legislation?

**Hon. Ms. McPhee:** I should note that the forms are not in this Bill No. 17. They will be developed, as I noted earlier, in the process of the regulations. They will be based on the cross-jurisdictional discovery and investigation about that. The Uniform Law Conference of Canada — I just checked with our officials here — doesn't recommend a particular form, but we would certainly be keen to see that if they did. We will look at other jurisdictions.

The importance of the form being attached in regulation is that it is the manner in which — the ability for someone to make an enduring power of attorney without legal counsel. If a person does not choose to hire legal counsel or a lawyer, they will be required to use the forms provided in the regulations. The mandatory use of these forms, which is part of this bill, will ensure that the enduring power of attorney that they make includes strong protections against financial abuse and will minimize the possibility of errors.

Unlike the *Wills Act*, for instance, that we recently debated here, and changes to that act — where people will still be able to make a holographic or handwritten will and have it signed and those kinds of things, because it expresses their wishes — we're looking here for the standardized form to be used to make sure that it includes all of the protections for individual Yukoners in relation to how they can — and the authority that they grant — when they're signing an enduring power of attorney.

**Ms. Hanson:** I thank the minister for that. I guess the devil will be in the details when this all comes out.

The overview that the minister provided indicated that the powers or the ability for financial institutions to freeze funds or to refuse instructions where there are reasons to believe that there might be misappropriation of funds — with respect to those additional powers or responsibilities of the financial institutions, my question is: What consultation was undertaken with financial institutions?

I don't question the importance of this at all. I just want to know what the response of financial institutions has been to this — so what consultation and what response?

**Hon. Ms. McPhee:** I appreciate the question. Engagement was held and it invited comments from both the public and stakeholders. Several responses were received, including a response from a financial institution, which expressed strong support for the provision — again, based on other jurisdictions in Canada, their modern legislation, and the Uniform Law Conference of Canada.

The use of these provisions is, of course, optional — so the idea that a financial institution could act under the *Enduring Power of Attorney and Related Amendments Act (2020)*, Bill No. 17, if they pass, would be in the entirety of the law at that time. The financial institution's ability to use those provisions — if they suspected issues with an application of an enduring power of attorney — are optional. The new provisions would give financial institutions complete discretion to take action or

not, and they are designed to support institutions that choose to act by providing clear authority and reduced risks — so set out in the legislation is the opportunity for them to do that. It is in no way mandatory — not requiring them to do so — but certainly providing them guidance in the event that they suspect a problem.

**Ms. Hanson:** I thank the minister for that explanation. The act also is going to provide, through amendments to the *Public Guardian and Trustee Act*, additional powers to investigate people who are attorneys on the accord of the public guardian or when reports are made to them respecting matters such as abuse or neglect by attorneys — is this amendment triggered by experience? Is it triggered by experience, to date, of such abuse? Secondly, what constraints are the public guardian and trustee under with respect to taking actions when there are reports made to them such as abuse or neglect by attorneys?

**Hon. Ms. McPhee:** I think there are two parts to that question, and I just want to note that under the current legislation — the *Public Guardian and Trustee Act* — the public guardian and trustee does have some powers to intervene or investigate but the triggering mechanism at the present time is a notification or contact by the adult protection unit here in the territory. So, it's quite narrow with respect to their abilities.

The amendments here in Bill No. 17 will give the public guardian and trustee greater authority to investigate financial abuse or suspected financial abuse and to respond when needed. Currently, as I've noted, the public guardian and trustee must receive a request from the adult protection unit before it can investigate financial abuse. The amendments here in Bill No. 17 will allow the public guardian and trustee to receive reports directly and to begin an investigation of financial abuse involving an enduring power of attorney once a report is received — and presumably that could come from a financial institution or even from another individual.

The public guardian and trustee will also be able to investigate without a report if there is reason to believe that an attorney is using fraud or coercion or is abusing or neglecting the donor — not carrying out their required duties, but also going above and beyond that to cause harm.

Currently, the public guardian and trustee has the power to freeze a person's accounts if they are being abused or neglected and if they are in need of urgent financial protection. This power will be extended from 60 days, as it is currently, if it was to be used by the amendments — sorry, to 60 days from the current limit which is 21 days — so giving a greater opportunity for the investigation to continue and for no financial activity — or for that activity to be halted to protect the donor, if there was a suspected issue.

I can continue — I think it was also part of this question, Mr. Deputy Chair, to clarify maybe what investigative powers the public guardian and trustee will have. Maybe that is me anticipating the next question again.

In order to investigate allegations of financial abuse by an attorney, the public guardian and trustee could require — or may require — an attorney to provide an accounting or financial records — so, an opportunity for them to request those

and require those to be provided so that they can determine if someone is being harmed or abused in some way. The public guardian and trustee may require, in order to investigate, a financial institution to provide records, or they could require an attorney to provide any report, information, or explanation needed. So, it is quite far reaching, and deliberately so, to protect Yukoners from abuse.

As I have noted before — and I am happy to say so again in case individuals are listening — there have been no cases in the Yukon Territory that have been brought to our attention — certainly not that have been prosecuted or otherwise — of abuse under an enduring power of attorney, but, of course, other jurisdictions have seen such things. We think these expanded authorities in Bill No. 17 will provide more protections in the event that someone tries to do that. I will go further to say — not only more protections — more abilities to unearth such an abuse, if it were to be happening — an opportunity to look into an individual's matters, either by report to the public guardian and trustee or by other safeguards like financial institutions becoming aware of those — not only for the purposes of protecting Yukoners, but expanded opportunities to see or to investigate if such a thing became known.

**Deputy Chair:** Is there any further general debate on Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*?

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

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

**Ms. Hanson:** I just had a delay there because clause 2 is dealing with section 1 of the act. There is a raft of new definitions that are introduced to the legislation where there are four, and now we have quite a number of them.

I just want to confirm that the inclusion of the definitions — is that part of the Uniform Law Conference of Canada's structuring?

I find the definitions useful. I do have a question about one of them, which is the “alternate attorney”. There are two parts of my question: Is the addition of these definitions part of the kind of substantive changes in terms of providing uniformity that this Uniform Law Conference of Canada is a proponent of? Secondly, can the minister explain in what circumstances — the explanation of “alternate attorney” — like, somebody who doesn't have the authority yet — are they in succession?

**Hon. Ms. McPhee:** The definitions included in section 1, clause 2 are not directly from the Uniform Law Conference of Canada recommendations.

They have been designed — much like a question we had, I think, only yesterday about the *Wills Act* — I guess that is the only other piece of legislation that I've been discussing where the definition was put in place to align with other pieces of Yukon legislation. So, these won't be directly from there, but they are certainly not in conflict with any of the recommended definitions from the Uniform Law Conference of Canada. They have been developed with respect to the Yukon context.

With respect to an “alternative attorney” — that means an attorney or a person who is designated to act under an enduring power of attorney who does not yet have the authority to act and who is appointed to act alternately in succession following another attorney. If my official next to me here was to be named as an attorney under an enduring power of attorney, the alternate could be that person’s brother, for instance — or cousin, another relative, or some other person. Of course, the first named attorney has the authority to act and then there would be triggering requirements so that the documents would survive perhaps if a second person was named, just so that they wouldn’t need to be changed.

The alternative attorney is named, but they don’t properly have the authority to act until there is some reason that the first attorney cannot act.

**Ms. Hanson:** I thank the minister for that explanation. “Personal care services” mean services that have a significant impact on the health or well-being of an individual or for an individual to complete ordinary daily tasks. It then talks about daily living. Is that limited, in terms of context? Is that personal care service regardless of institutional — does it apply equally whether a person is in institutional care or is living at home?

**Hon. Ms. McPhee:** “Personal care services”, as defined in that section of the bill, are not limited. They are defined generally for the purposes of somebody who is providing that care to an individual. There are details in that section about the kinds of care — assisting an individual with dressing, hygiene, diet, medication, et cetera. It is not required to be institutional. It could be a private service. It could be a private individual who is assisting someone with care for themselves or another.

**Deputy Chair:** Is there any further debate on clause 2?

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

**Ms. Hanson:** So, this is where we have to talk about the enduring power of attorney. The statement here indicates — I guess my question still remains. In (a) it says: “(a) it is to continue despite any mental incapacity or infirmity of the donor that occurs after the execution...” and “(b) it is to take effect on the mental incapacity or infirmity of the donor.”

At the outset — if the minister could confirm this — you have to say that it’s going to continue or it’s just not going to happen until I’m mentally incompetent and/or physically infirm. My question is: What’s the test for mental incompetency?

**Hon. Ms. McPhee:** Thank you for the question. I think this is the crux of how the enduring power of attorney will work — or can work — and certainly, it’s a question that is wondered about by many an individual considering such a document.

The law defining “mental capacity” to make legal documents, including enduring powers of attorney, is found in case law here in Canada. It is directed by decisions of the courts.

So, the general rule is that a person must understand the nature of the document and its effect — what the effect is — and there can be no disorder of a person’s mind. If the donor —

the person making the enduring power of attorney — if their mental capacity is in dispute, the current act includes provisions that allow two medical practitioners to make a declaration of that person’s capacity and provisions to allow for medical records to be disclosed — so if there is some question about mental capacity — which is quite often an issue if an enduring power of attorney is not signed until someone is showing difficulties or problems with their mental capacity.

Of course, a plug here — this is why we always recommend enduring powers of attorney be thought out — like a will — ahead of time as part of your estate planning. They are important documents.

There are currently no jurisdictions in Canada that either make the attempt or do define “mental capacity” in their legislation. It is not recommended to do so. This is because the meaning of “mental capacity”, in legal terms, is decided by courts or a court. It is a concept that changes as new decisions are made — and certainly probably changes in individual cases because that’s a difficulty.

Across Canada, legal experts agree that “mental capacity” should continue to be defined by the courts. One example is that in 2013, the British Columbia Law Institute reviewed the common law test — or the law that comes from the courts — the common law test of mental capacity, and concluded that it should not be codified in legislation so that the law of mental capacity could be flexible and able to evolve. It is difficult because it is a case-by-case basis. It is determined by individuals’ circumstances moving forward.

In relation to clause 4, the choice is to the individual when they are making an enduring power of attorney as to when it comes into effect. I know that was the original part of the question. The second was about how we define that and how it is determined.

**Ms. Hanson:** Thanks to the minister for that.

Continuing on this issue of — I understand what the minister is referring to with respect to having the court decide, but this act is saying that — as I understand it — are we on section 5 or section 4? I’ll come back. Keep going.

**Deputy Chair:** Is there any further debate on clause 4?

*Clause 4 agreed to*

*On Clause 5*

**Ms. Hanson:** On one hand, we are suggesting to people that an enduring power of attorney could be valid if somebody — normally, I think most of us are used to the experience that we have an enduring power of attorney, and I would say that the onus is on the lawyer at the time to make sure that the person is mentally capable of entering into that enduring power of attorney. But, as I understand it, in section 5 — section 3(1) is replaced with language that says that the power of attorney is witnessed and signed in the presence of the lawyer, and by witnesses who are not required to be donors. So, you can either have a lawyer do it, or you can have non-lawyers do it.

The question then reverts back to: Who makes this assessment if you don’t need a lawyer? I am just thinking that professional ethics or responsibility — liability, perhaps, on a lawyer — but non-lawyers — where does that fit? I mean, I’m not saying that I want everybody to have to deal with lawyers

and pay the costs, but I am concerned about how this is congruent with the notion that we're trying to protect people from possible manipulation.

**Hon. Ms. McPhee:** There is a presumption of mental capacity throughout the legislation, or as a presumption with respect to the legislation, and that means that donors will not have to prove their mental capacity at the time that they make an enduring power of attorney, so there is that presumption.

They do not have to do that through a doctor's assessment or something similar. This provision follows many other jurisdictions in Canada and ensures that making an enduring power of attorney is simple and accessible.

The references in section 5 indicate that, in order to be valid, an enduring power of attorney must meet certain requirements. They are listed there. The donor must be an adult when a document is signed, and they must be able to understand the nature and effect of the enduring power of attorney. The power of attorney must be in writing. It must be dated, and it must be signed by the donor in the presence of one or more witnesses, unless subsection 3 applies, which is also contained in that section and allows the document to be signed by another person if the donor is physically incapable of signing. This is similar to what we discussed with the *Wills Act*. If there is only one witness in that circumstance, that person must be a lawyer. If witnesses are not lawyers, there must be two witnesses. I think that is what is being asked. The presumption of mental capacity allows that to be the case.

I certainly appreciate, as intended in the question, this idea of collusion — where two people could collude — with respect to having someone sign an enduring power of attorney, but I also note that if there are disputes, ultimately, or concerns — and we spoke a little bit about some of them earlier — there are certainly mechanisms to challenge that or to fix errors if there were any. The last piece of that should be that there will be protections built into the form required if individuals are using the form without legal counsel. The intention is to have some of those protections built in there as well.

**Ms. Hanson:** I just want to confirm that the new subsection is replaced with the following — so b(iii), "... incorporates the explanatory notes set out in the Schedule to this Act..." Will the schedule notes on the enduring power of attorney — which say to read these notes before signing this document — be tracked into this new legislation as they are? First that — and then I will come back to the next question.

**Hon. Ms. McPhee:** The explanatory notes in the schedule of the act must be included in the enduring power of attorney document. I think that's what's being asked. Yes, they must.

**Ms. Hanson:** Actually, my question is — are the existing — the schedule says "Notes on the Enduring Power of Attorney" that are part of the *Enduring Power of Attorney Act* prior to amendment — are they going to stay the way they are in the new legislation?

**Hon. Ms. McPhee:** Yes. They will be the same.

**Ms. Hanson:** Thank you and I thank the minister for that.

So, then the next item is 5(b)(iv) — the minister referred to the prescribed form which is to be developed — if the minister could scope out what matters or subjects — what are going to be the key elements or the key components of the prescribed form that will provide those protections that she referred to for an enduring power of attorney that's not witnessed by a lawyer?

**Hon. Ms. McPhee:** I think one of the ways that we could address this question — which is another excellent one — is: How will enduring powers of attorneys made without a lawyer be reliable? What are the protections there?

In order to facilitate the making of an EPA, or an enduring power of attorney, without legal counsel, there will be forms — as we've discussed — available in the regulations that must be used to make a legally valid document. There won't be any option there.

The forms will include specific instructions and information to ensure that donors and others involved in that process — the attorneys and others — family members perhaps — understand their role and the meaning of the document. The use of the forms will ensure that the EPA includes strong protections against financial abuse and will minimize the possibility of errors.

So, the consistent form being used will minimize errors. It will make explanations with respect to the roles of the parties. It will indicate the requirements of the parties — in particular, the attorneys — and will also provide protections of reporting an individual's opportunity to report and have investigated indications of abuse or concern.

**Deputy Chair:** Is there any further debate on Clause 5?

**Ms. Hanson:** Clause 5(b) — so subsection (2) is replaced with a whole new section. I have a quick note to myself — so I just need to decipher it, Mr. Deputy Chair; you went too fast for me there.

I'm hoping this goes without saying — but again, it goes back to the test. We're saying here — this is the criteria for somebody who wants to be an attorney or an EPA and we say that they should be "... mentally capable of understanding the nature and effect of the enduring power of attorney".

Again, my question is: How do you confirm that if they're not a lawyer?

**Hon. Ms. McPhee:** As I noted earlier in relation to the question about the mental capacity of the donor — this is the section that refers to who could be acting as an attorney under the *Enduring Power of Attorney Act* — the presumption of capacity relates to a donor, but not necessarily to the attorney. An individual must be an adult who is mentally capable of understanding the nature and the effect of the enduring power of attorney. I daresay that most issues would not arise necessarily about the capacity of somebody acting as a donor, but more so that they completely understand their roles and responsibilities. I think that is key.

It goes on, but I am happy to — for the purposes of this debate — just be clear that a person cannot act as an attorney if they have an undischarged bankruptcy, and they cannot have been convicted of certain criminal offences in the past 10 years that involve fraud, theft, or breach of trust. I think that those are

important factors because individuals might have a criminal record for something else and could, of course, act as an attorney.

The attorney has to have not been pardoned or have a record suspension that has not been ordered, and the donor must also acknowledge if they are aware of a specific conviction — that the acknowledgement is included in the enduring power of attorney document. So, there will be clarity there if it is not one that would affect them acting as an attorney.

A person who is not a family member of a donor is not eligible to act as an attorney if they provide personal care — I think we talked a little bit about this — to the attorney for compensation in the place where the donor lives at the time the attorney signs the acknowledgement of the attorney.

To avoid the — maybe they are urban myths — stories we hear of someone being asked to come in and quickly witness a document but who works in a facility perhaps where an older person is living or being cared for — that sort of thing. While there is no presumption, there is an opportunity to challenge an attorney for a variety of reasons. They might not be acting properly or they might not be acting on the wishes of the donor, and if those are to be known — or they might be mentally incapable of doing so — that would be through a court process. That is also not a simple one, but that is a management tool here for making sure that donors are protected.

**Ms. Hanson:** I thank the minister because she did address the questions and the method — for the questions I had with respect to going up to (c)(2.01), so the various exclusions in terms of people with criminal records in the past 10 years, unless somebody acknowledges it, so it has to be included in the document itself, as I understand it.

My understanding is that (2.02) says, in the paragraph above (2)(d), that, in fact, a family member can be compensated, so there is an exception there. I'll just leave that one there.

**Hon. Ms. McPhee:** I am going to make reference to section (2.01), despite what we have talked about earlier in paragraph (2)(c), which does not permit a person giving personal care to be an attorney: "... an individual is eligible to be an attorney if the donor acknowledges within the enduring power of attorney that the donor is aware that the attorney has been convicted of the specific criminal offence." Paragraph (2.02) indicates that it "... does not apply to a family member of the donor."

I think that (2.03) might be the other one that is being asked about, where "An individual is eligible to be a witness to the signing of the enduring power of attorney by the donor..." if the person is an adult who is competent, except for the following people who are not eligible: the donor's spouse, the attorney, the attorney's spouse, a person signing on behalf of the donor, or that person's spouse.

Lastly, I think what is being noted here is that a person who is a family member and a caregiver for a donor can act as an attorney, even if they are being compensated financially for that care. An example might be somebody who is a nurse or a caregiver in another way who happens to also be a family member. It doesn't prohibit that opportunity for someone to act

as an attorney. They may be, in fact, quite close to the individual. It's just a prohibition that didn't seem necessary, again, with certain precautions built in.

**Ms. Hanson:** I thank the minister for that confirmation.

In (2.03)(f), I would appreciate it if the minister would confirm — here it says: "An individual is eligible to be a witness to the signing of the enduring power of attorney by the donor or by a person signing on the behalf of the donor under subsection (3) if the individual... is not the person signing on behalf of the donor." That's (f), which sounds like mental gymnastics. I'm just looking for confirmation that this would arise only in a situation where they are signing at the direction of somebody who is not physically capable of signing.

**Hon. Ms. McPhee:** Yes, that's correct. Like we discussed recently with the *Wills Act*, there are provisions both in this bill and legislation and in that case that another person could sign a document on behalf of the donor, but they cannot both be that person and be acting as the attorney. They can't both be the witness and the person who will be acting as the attorney. That's the distinction.

*Clause 5 agreed to*

**Deputy Chair:** Would members like to take a short break?

**All Hon. Members:** Agreed.

**Deputy Chair:** We will break for 15 minutes.

*Recess*

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

*On Clause 6*

**Ms. Hanson:** Clause 6 is replacing a whole — it has new language for the old section. It is changing it from a negative description to a positive, so it's gone from incapacity at execution — which, taken as a random headline could be quite interesting — to talk about "presumed capability". My question is — in (4) it says, "Unless the contrary is demonstrated, an adult is presumed to be mentally capable of understanding the nature and effect of an enduring power of attorney."

Again, it's a whole test kind of question. I am presuming that we are not asking this to be a test in court. So, what is the meaning of that language — "Unless the contrary is demonstrated..." — and how is that determined or assessed?

**Hon. Ms. McPhee:** Again, this is a section of the amendments that makes the presumption of capacity for an adult — any adult — acting under this legislation — or, let's say, the legislation once it is amended — if the mental capacity of either an attorney or a donor — I may have said earlier that the presumption didn't apply to a donor, but this clearly says to an adult — so I want to clarify that.

If the mental capacity of an attorney or a donor is in question, certain people in the realm could apply to the court to terminate their authority to act — and that would be a court application pursuant to this. But it may not have to be — I don't want to speculate too much, but it may not have to be in the event that a report made to the public guardian and trustee or an investigation or there is some activity that is noticed by a

financial institution, et cetera and it comes to attention and allows an investigation to happen — but if an attorney was insisting, for instance, that they continue to act, there may need to be a court application for determination.

**Deputy Chair:** Is there any further debate on clause 6?

*Clause 6 agreed to*

*On Clause 7*

**Ms. Hanson:** Clause 7 adds some — where there was a whole section 4 before, now we have a whole bunch of subsections in the new section 4 — which this section here is dealing with multiple attorneys. The minister has explained that there may be more than one attorney named by the donor. So, with respect to section 4.01(2), can the minister explain the implication of this section: “If more than one attorney is appointed and the enduring power of attorney does not specify how the attorneys are to act, the attorneys are considered to have been appointed to act alternately in succession in the order in which they are named...”? Does this just simply mean that they are in alphabetical order or could it be by time?

**Hon. Ms. McPhee:** A donor can appoint more than one attorney to act. The attorneys can act either jointly, separately, or alternately — one after the other — depending on what the document specifies. If the enduring power of attorney does not specify how the attorneys will act in relation to each other — so it names two or three people, but it doesn’t indicate how they will act in relation to one another — they will be deemed to act as alternates, who will act one after the other. So, the member opposite has this correct — in the order that the names appear — so not alphabetically — whatever name is listed first — Bob, Cathy, and then Lisa — Bob would act first, then Cathy, then Lisa — just by virtue of the way the names appear.

Attorneys who are appointed to act jointly must make decisions together and be unanimous unless the power of attorney provides other direction. It could be more specific. If an attorney becomes ineligible to act, or their authority ends for some reason, then, unless the enduring power of attorney states otherwise, the attorney who shares the joint or separate authority with them will continue to have that authority to act. It won’t end just because one person can’t act. An attorney who is an alternate attorney and is next in line will have the authority to act. That section sets all of that out for clarity.

**Ms. Hanson:** I thank the minister for that. The next section is 4.02. My note says “please explain”. It says: “Despite an attorney not being eligible to act under subsection 3(2)...” — so, in section 3(2), we had all sorts of things that would disqualify somebody, everything from having a criminal conviction unless it was acknowledged, an undischarged bankruptcy, et cetera. “Despite an attorney not being eligible to act under subsection 3(2), the attorney may, if they otherwise have the authority to act, act as an attorney...” Then it goes on to list three, or possibly five, qualifiers.

Could the minister explain this in plain language? Reading it through, it just seems to be quite complicated.

**Hon. Ms. McPhee:** Thank you for the question. It can be a little complicated because that section lists a lot of options or alternative opportunities, but I think it’s important to note that this provision is in the bill to avoid cancelling an enduring

power of attorney simply because the last remaining attorney would become unable to act for some reason.

Terminating the enduring power of attorney might well be against the donor’s intentions and should not be done without direction from the court.

An attorney who is not eligible to act because of section 3(2), which has been noted by the member opposite, or for no other reasons, may act as an attorney — if there are no other attorneys who can act and no alternate attorneys, the attorney is the last remaining person. In the case of attorneys appointed to act together or separately or successively — so in the section that we just talked about, there could be a number of people named, but if the attorney has been appointed to act jointly with one of the other attorneys and in no other manner, according to the enduring power of attorney, and there are no other attorneys remaining or alternates, then a person who might otherwise be ineligible to act could act. Of course, they would need to be named to act as well. This would come about in relation to a situation where someone is named to act and has been appointed, pursuant to an enduring power of attorney, but might be disqualified from doing so because of the operation of the legislation. That would not make the enduring power of attorney fatal or not able to be used in the event that this was the only prohibition — if that helps.

*Clause 7 agreed to*

*On Clause 8*

**Ms. Hanson:** This is just a question of clarification. It is just a different use of language. The current legislation talks about it “coming into force”. This says “coming into effect”. What is the difference between a law “coming into force” and a law “coming into effect”?

**Hon. Ms. McPhee:** That reference is to the enduring power of attorney “coming into effect”, and the normal term that is used with respect to legislation is often “coming into force”. The words were chosen for the purposes of making a distinction between those two things. For plain-language purposes, the enduring power of attorney “comes into effect” in certain circumstances, and that’s the choice of words there.

**Ms. Hanson:** I thank the minister. The next section says: “The following subsections are added immediately after subsection 6(4)...” The new section talks about a “specified contingency”. The specified contingency — there are two questions that I have. We’ve talked about how normally EPAs are going to come into effect through a mental incapacity or physical infirmity. What other specified contingency might be contemplated in here? I’m just not sure what the implications of this provision are. After subsection 6(4), we’re going to have a new subsection 6(5).

**Hon. Ms. McPhee:** This section, by virtue of passing this bill, will be added after subsection 6(4). There are certain triggering situations or triggering factors that could be added into enduring power of attorney as to when it would come into effect.

This one is really about a notice provision. If the power of attorney states that notice must be given at a certain time, or to bring the document into effect, then the attorney must provide notice in accordance with the regulations to each person named

in the document as someone who must receive notice, and they don't have any authority to act until that notice provision is abided by. So, for instance, a couple of things would have to happen in this circumstance. The enduring power of attorney would have to require notice provisions for certain things to come into effect, and then the attorney would have no authority unless they abided by that notice in accordance with the regulations. They might have to notify a bank or a business or something to that effect. A great example provided by one of the officials is that, for instance, an enduring power of attorney might be set up by an individual to come into effect upon leaving the country or taking a particular action of some kind — or for a particular period of time, if they were to have surgery or something. There could be specific circumstances in which they say that their attorney can act under these circumstances, but this section is specifically about if the enduring power of attorney requires some sort of a notice provision and how that triggers, or acts as a trigger, for the EPA to be used.

**Deputy Chair:** Is there any debate on clause 8?

*Clause 8 agreed to*

*On Clause 9*

*Amendment proposed*

**Hon. Ms. McPhee:** I move:

THAT Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, be amended by deleting clause 9 on page 10 and replacing it with the following:

Section 9 amended

9 In section 9, the expression “Subject to subsection 6(6),” is added immediately before the expression “If”.

**Deputy Chair:** The amendment to clause 9 of Bill No. 17 is in order.

It has been moved by Ms. McPhee:

THAT Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, be amended by deleting clause 9 on page 10 and replacing it with the following:

Section 9 amended

9 In section 9, the expression “Subject to subsection 6(6),” is added immediately before the expression “If”.

Is there any further debate on the amendment to clause 9?

**Hon. Ms. McPhee:** Mr. Deputy Chair, I guess the practice has been over the last 15 or 16 days, in the event that an amendment comes to the floor, that there have been a few moments for the parties to discuss that. I don't know if that is being sought by either of the opposition parties. I have no issue with that.

Otherwise, I am certainly prepared to explain the change here.

**Deputy Chair:** Do members need any time to discuss the amendment?

We are seeing no indication, Ms. McPhee.

**Hon. Ms. McPhee:** The only change that is being made in this amendment is the addition of the words “In section 9”. The amendment is being made so that it is clear that the amendment that is set out in Bill No. 17, under the section 9

heading of Bill No. 17, is being made to section 9 of the *Enduring Power of Attorney Act*.

I know that it seems to be quite minor, but the words in section 9 were inadvertently omitted. The application to the amendment is to insert them after the number 9 under the heading “Section 9 amended”. Section 9 being amended seems to be pretty clear, but the words in section 9 must also be included — once the amendment and, hopefully, the bill pass — for it to be clear that the enduring power of attorney section 9 is being amended by the addition of these words. To be clear, it is not substantive in any way. It is an inadvertent error that omits the words to be completely clear about what is being changed.

This amendment suggests that we add the words in section 9 immediately after the number 9 under the heading “Section 9 amended”. It might otherwise not be clear that the amendment suggested here in Bill No. 17 is to actually amend section 9 of the *Enduring Power of Attorney Act* as it currently exists.

Certainly, my submission to my colleagues here in the Legislative Assembly is that it does not change the amendment that is before you in any way and that it is for clarity purposes and will allow us to properly amend the *Enduring Power of Attorney Act* when, and should, Bill No. 17 pass.

**Deputy Chair:** Is there any further debate on the amendment to clause 9?

**Ms. Hanson:** I don't think any debate is necessary. I appreciate that one could intuit it, but it's much better to have it clarified. I had actually written “Where is it?” It's good to have that clarified, but as the minister said, it's not substantive. I think we can move on.

**Deputy Chair:** Is there any further debate on the amendment to clause 9?

*Amendment to Clause 9 agreed to*

*Clause 9, as amended, agreed to*

*On Clause 10*

*Clause 10 agreed to*

*On Clause 11*

**Ms. Hanson:** In clause 11, there are changes made to section 10, which talks about applications to court for advice. Just give me a moment, Mr. Deputy Chair. I'm just trying to read my notes. My caucus colleagues will tell you that my writing is dreadful, and I can attest to that now.

It's a question, not a statement. Can the court order deem something that the power of attorney granted to somebody to mean something else that is distinct from what has been described by the individual?

**Hon. Ms. McPhee:** I have an answer, but I want to be clear that I am answering the question. Let me answer the provisions about section 11 and, if that is not the answer, then I am happy to do so. The court can't put new language into an enduring power of attorney. They can't sort of speculate about what the intentions were. In this section, it tries to make clear that an enduring power of attorney won't fail because of an error. This is an application where you might go to a court to maintain the concept of the enduring power of attorney.

So, the donor, the attorney, or the public guardian and trustee could ask a court to declare that a document is a valid



enduring power of attorney even though it does not meet all of the requirements.

Maybe the date was incorrect or perhaps there wasn't a witness certificate properly done or something to that effect, but the application and any order granted must be provided to the donor and to the attorney — unless the court decides otherwise, but that would generally always be the practice. The court can grant the order if it is satisfied — so the test is also set out in this section — based on clear and convincing evidence that doing so would fulfill the intentions of the donor. If everything else is clear and there is some sort of technical error or some sort of provision of this piece of legislation, for instance, that isn't satisfied exactly, the application could be made to have the court say that this EPA is good, it is valid, and it should be acted upon. The test that the court would look at is whether or not it fulfils the intentions of the donor as described in the document or any other evidence that they might have that indicates the intentions of the donor.

*Clause 11 agreed to*

*On Clause 12*

*Clause 12 agreed to*

*On Clause 13*

**Ms. Hanson:** Clause 13 talks about the order to terminate authority of attorney, so I'm looking to understand how this works in conjunction with section 12 of the act, which talks about termination orders. In 11.01(1), it says: "An application may be made to the Court by way of originating notice for an order terminating the authority of an attorney..." and then in 12.1, it talks about how any interested person may apply to the court by way of — so, I am trying to figure out how 11.01(1) works with 12.1. Maybe the minister could explain what the intentions of those two clauses are.

**Hon. Ms. McPhee:** I'm just looking for section 12. I think this is what's being asked. Section 12 in the current *Enduring Power of Attorney Act* makes reference to a termination order, and that would be an application process to terminate the EPA in its entirety. The reference being made to the addition of the language in Bill No. 17 in clause 13 deals with an application to have a particular attorney declared invalid or unable to act in that role.

Of course, if only one attorney was named in an EPA, then that might also make the document invalid, but certainly if there were alternates or other individuals, then they could remain. Not only that, the document would remain valid and the others could be permitted to act.

*Clause 13 agreed to*

*On Clause 14*

*Clause 14 agreed to*

*On Clause 15*

**Ms. Hanson:** In section 15, we see a replacement of the existing section 15 of the act, which says that attorneys may receive an allowance — a reasonable and fair allowance from the donor's property for the care, pains, trouble, and time that they spend on administering the donor's property.

I'm seeking an explanation. The language is quite dated — or kind of benevolent.

This language that is now being proposed in sections 15(1) and 15(2) is quite different. Is this part of the uniform language bit? Secondly, what prevents, in 15(2) — how is the determination of "reasonable" determined? What prevents abuse of an attorney to exact, to seek, or to reimburse themselves from the property of the donor for expenses?

**Hon. Ms. McPhee:** The member opposite is correct. The provisions in clause 15 will replace the current section 15 in the legislation as being slightly outdated. I also want to make sure that it is clear and that the distinction here is that the new section 15, if I can call it that, is more specific. It doesn't contemplate an allowance, which could really have a broad definition and not really be very specific, if I could say it that way. In the new legislation, an attorney may not receive payment from the donor for services provided in their role of acting as the attorney unless the payment is authorized by the donor in the enduring power of attorney — so they have to contemplate that and put it in writing — or it is paid at the direction of the donor while the donor still has capacity. If it was a situation where the donor was still directing the attorney to act in a certain way, without issue of mental capacity, then they could indicate that they wanted to pay, and that would clearly be their choice.

That is more specific than is in the current act, which is an improvement, and attorneys are entitled to receive reimbursements from the donor's property for reasonable expenses incurred while acting as an attorney. So, again, it's not an allowance, not a payment for service rendered — but I had to fly to this place and there is my plane ticket reimbursement with respect to particular expenses.

The language is in alignment with similar language in the *Trustee Act*, for instance, and the idea being that: (1) they would have to be classified as expenses; (2) they would have to be classified as expenses that relate to the activity of carrying out their business as an attorney; and (3) they would need to be reasonable. Again, a check and balance could be brought by a court if there was something wildly unreasonable being done. The new section 15 is to, I'm going to say, "clarify" the concept of an allowance before, but really make it quite more specific. This amendment to the legislation is in line with the Uniform Law Conference of Canada's recommendations.

*Clause 15 agreed to*

*On Clause 16*

*Clause 16 agreed to*

*On Clause 17*

**Ms. Hanson:** This whole section here deals with financial institutions. In section 21, the heading there is "Report to Public Guardian and Trustee" — a person may, in accordance with the regulations — yet to be determined — report to the public guardian and trustee. What action will the public guardian and trustee take when a report is made pursuant to regulations yet to be determined?

**Hon. Ms. McPhee:** Following an investigation or during an investigation by the public guardian and trustee, they may take several actions that are set out in section 11 of the *Public Guardian and Trustee Act* — another great example of

how these pieces of legislation work together and support Yukoners.

These actions include reporting the matter to the Adult Protection Unit. They could report the matter, after they do their own investigation, to the RCMP. They could provide information to the court regarding any matter before it. They might be involved in a court application or as a party to a court application, and they are permitted to do that.

They can take any action that they consider appropriate. This includes applying for certain court orders, as I've said, under the amended *Enduring Power of Attorney Act*. So, the changes to the *Enduring Power of Attorney Act* will expand the provisions of the public guardian and trustee in relation to enduring power of attorney matters.

If the public guardian and trustee has reason to believe that an adult is being abused or neglected and has reason to believe that their financial affairs are in need of urgent protection, they can take the action to freeze the donor's accounts for up to 60 days once the provisions of this Bill No. 17 come into effect. That would be a change from, as I said earlier, 21 days, which is an authority at this point, which will be expanded.

**Ms. Hanson:** It's a bit of a trick here because clause 17 adds about 10 new sections to the legislation, so it's not as simple as saying that it correlates; it does not.

Section 26 says: "The Minister may, if the regulations permit the Minister to do so, implement a registry for the registration of... original or certified copies of..." EPAs and other enumerated matters.

But then when we look down to clause 27, it says that the Commissioner may make regulations considered necessary, so it's a catch-22. We've made numerous references to regulations — I think the question of a registry is quite distinct from the regulations, but having it wholly permissible — the minister "may" as opposed to the minister "shall" make regulations.

Does it mean the whole act is — or those provisions of the legislation — for example, we just talked about section 21 where it says that a person may, in accordance with the regulations, report to the public guardian and trustee, but if there are no regulations — why wouldn't this legislation be more declarative and say that the minister "shall" make any regulations considered necessary for carrying out the purposes and provisions of this act and then — section 27(a) to (e)? I don't understand why it's worded that way.

Basically, this exercise and the last three hours — and the maybe hundreds of hours that the officials have put into this — could just sit there because some minister one day may decide that they don't want to put regulations in place.

**Hon. Ms. McPhee:** This is another good question and an opportunity to clarify. I am going to speak first about regulations under section 27. This is very similar to many — if not every — piece of legislation, but certainly the vast majority of pieces of legislation that give authority for regulations to be made under the act. That is what section 27 is about.

In this case, as in most cases in the Yukon, with legislation, the Commissioner in Executive Council or Cabinet may make regulations under the act. We know that one of those

regulations will be the forms that are required for people to do an enduring power of attorney without a lawyer.

Section 26 deals with — if the regulations provide for an enduring power of attorney registry, then the minister may make a registry of enduring power of attorney documents. It mirrors the language in the *Wills Act* and the changes that are being brought before this Legislative Assembly for the purposes of enabling — and someday having — a wills registry. This is enabling legislation for how that registry could come about, so the two bills have mirrored language to support the concept of a registry. It's not about the minister making regulations or the act not coming into force. It's about — if one of the regulations that comes under this piece of legislation is to enable or to set up an enduring power of attorney registry, then the minister would have the authority under section 26 to make or set up that registry.

**Ms. Hanson:** I thank the minister for that explanation with respect to the registry in section 26, but I guess the bigger question is: What is compelling Cabinet — government — to make regulations, unless the legislation says "you shall make regulations"? The concern here is that, absent something that says that "there are going to be regulations" or "there will be regulations" or "there shall be regulations", they could sit there in the ether, without ever having some of these provisions that we have just debated come into effect because they say that regulations aren't required.

**Hon. Ms. McPhee:** All of the pieces of legislation that I have had the honour to bring to this Legislative Assembly for debate are designed to improve the current state of the law in the Yukon Territory and real Yukoners' lives in relation to things, activities, and authorities that exist under that legislation.

I will be clear that this is a standard drafting process where this is an enabling section for regulations to be made under this act. I don't think — I stand corrected, and I can confirm it — but I don't think there are ever — "ever" is a long time — there are usually provisions of a piece of legislation that say "regulations shall be made" about these things, because the provisions for regulations are generally enabling.

So, the topics are listed in a piece of legislation to indicate that regulations might be made about forms, regulations might be made about — not in this case — but fees, or regulations might be made about the authority of a board or an activity. That is in section 27 — the authority for regulations to be made in these areas — and generally they are listed; they are not endless and they are not wide open. There are areas upon which regulations can be made and that are anticipated in the amendments to the legislation. I guess my shorter answer than the longer one is that we want regulations made so that this act can come into force and effect and protect Yukoners and give them the tools that they need to estate plan, to plan for their future, and to protect themselves with these changes that are positive for the lives of Yukoners.

**Ms. Hanson:** I thank the minister, but that is precisely why we want to see those changes made — so that those things can happen. I appreciate that the minister is saying that there have been numerous pieces of legislation that have been passed

ostensibly to create better situations. But the challenge — absent any compelling directive in the legislation — I would ask the minister — actually maybe by way of legislative return — to provide the House with a list of the legislation that we've passed and the status of regulations because I will wager — at the end of a Thursday afternoon — that we've passed a number of bills, but we haven't seen the regulations for most of them over the course of four years. I'm not going to say what I'll wager, but I will wager that. That's why I expressed this hesitancy — this concern — this afternoon.

**Hon. Ms. McPhee:** I do appreciate the theme and the question from the member opposite. It's certainly something that I think she's heard me speak about before — that, in some cases, the regulations under a piece of legislation, or through a piece of legislation, are required to give life to the legislation in a way that makes it meaningful for Yukoners, and the delay in that is something that concerns me to a great extent as well.

I must say that the extremely talented team of individuals we have working at Justice working on drafting new legislation, orders-in-council, and regulations is small but mighty. The same individuals who draft the pieces of legislation are those who work on the regulations to a great extent. On occasion, there are individuals from other departments, as well, who work on those.

The drafting and completion of regulations often require extensive consultation, even after a bill has been passed or changes have been made to an act.

We have been working very diligently in the four years that we've been here to also catch up on changing a number of pieces of legislation that have not had eyes or pens on them for many, many years. You will recall that recently we debated the *Wills Act* here — Bill No. 12, I think it was. It hasn't been looked at since 1954. That's just not acceptable in a world with modern legislation and in a world of legislation that affects individuals' lives every day. Certainly, the *Wills Act* affects Yukoners every day — or some of them.

So, as a result of that, other pieces of legislation can come into force and effect without the regulations or with very minor regulations. Others will have extensive regulations. Something like the *Societies Act* — the changes that were made a couple of years ago here — or the *Access to Information and Protection of Privacy Act* — the regulations under an act like that are extensive, because they are really — sometimes, depending on the act — the meat on the bones.

So, I take the point of the member opposite. It is something that I share — with respect to the timing of these pieces of important law and regulations under legislation coming into force and effect. I take this opportunity to thank the people in the Department of Justice and in the other departments and policy shops — and others — who work so diligently on having these regulations come to life. They are a top priority for us.

I appreciate that members and Yukoners have been waiting on it longer than maybe we always wanted them to — depending on the situation — but I can also assure them that appropriate and extensive engagement and work is being done to get these documents right.

**Ms. Hanson:** I don't quarrel with the minister's statements, nor do I raise the issue to impugn the integrity or the work of public servants, but my caution is that we're at the fourth year without something that says that Cabinet shall — we have a suite of legislation, but next year, this government could be voted out of office — possibly — and those pieces of legislation could languish. So, all the good work that has been done could vanish because a government of a different ilk or whatever decides "Oh geez, we didn't like that." God knows — they could just say they're not going to bring it into force and effect or whatever.

So, that's why I raise it. It's not because I'm disparaging either the minister's sincerity or the work done by public servants. I am very concerned that we have, as I said, a whole bunch of legislation — look at the *Coroners Act*; look at any piece of legislation that we have done and debated in this Legislative Assembly — it could make substantively positive changes, but if it's not in effect, it's just really hot air — a lot of words are exchanged and talked about in this Legislative Assembly and there's a very thick Hansard, and that's about it.

For the record, it is there — but it doesn't compel a future Cabinet, six or 12 months from now, to do anything. That is all I will say on that, Mr. Deputy Chair.

**Hon. Ms. McPhee:** I will respond to the comment by saying that I am taking this comment in the spirit in which it is intended. I don't disagree. We have been working extremely diligently. We are making absolute best efforts. I know that there is a schedule that I check on a very frequent basis to determine where these matters are. I know that my colleagues do as well — because pieces of regulations under pieces of legislation that they are responsible for are key priorities.

I can also say that a number of pieces of legislation — that may well have happened in a former government, where there were pieces of legislation brought forward and we are trying to catch up a bit on the regulations as well. Nonetheless, we have also passed — and I don't want to get the number wrong, so I could stand corrected — I think, without the budget bills — somewhere near more than 30 pieces of legislation in our time here. I think that, with the budgets, the number is 37 or 38. This is not an excuse, but simply a way of explaining the sheer volume of the pieces of legislation that have been tackled by this team and the team at Justice, for which I thank them.

I won't say more. I appreciate the comment.

*Clause 17 agreed to*

*On Clause 18*

*Clause 18 agreed to*

*On Clause 19*

*Clause 19 agreed to*

*On Clause 20*

*Clause 20 agreed to*

*On Clause 21*

*Clause 21 agreed to*

*On Clause 22*

*Clause 22 agreed to*

*On Clause 23*

*Clause 23 agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. McPhee:** Mr. Deputy Chair, I move that you report Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, with amendment.

**Deputy Chair:** It has been moved by Ms. McPhee that the Chair report Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, with amendment.

*Motion agreed to*

**Hon. Ms. McPhee:** I am noting the time. I can't speak to the other House Leaders at the moment, but I move that the Speaker do now resume the Chair.

**Deputy Chair:** It has been moved by Ms. McPhee that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

#### **Chair's report**

**Mr. Adel:** Mr. Speaker, Committee of the Whole has considered Bill No. 17, entitled *Enduring Powers of Attorney and Related Amendments Act (2020)*, and directed me to report the bill with amendment.

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

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

**Hon. Ms. McPhee:** Seeing the time, I move that this 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. on Monday.

*The House adjourned at 5:19 p.m.*

#### **The following sessional papers were tabled October 29, 2020:**

34-3-54

Yukon Public Accounts 2019-20 (Silver)

34-3-55

*Yukon Liquor Corporation Annual Report April 1, 2019 to March 31, 2020 (Streicker)*

#### **The following document was filed October 29, 2020:**

34-3-36

*Yukon Lottery Commission Annual Report 2019-20 (Streicker)*



# Yukon Legislative Assembly

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Number 56

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Monday, November 2, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 Fall Sitting

**SPEAKER — Hon. Nils Clarke, MLA, Riverdale North**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North**

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	Whitehorse Centre

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, November 2, 2020 — 1:00 p.m.**

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

*Prayers*

**Speaker's statement**

**Speaker:** As members will note, there will be no video today as our video operator was unfortunately unable to attend due to the snowstorm.

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes which have been made to the Order Paper. The following motions have been removed from the Order Paper because they are now outdated: Motion No. 264 and Motion No. 265, standing in the name of the Member for Lake Laberge.

In addition, Motion No. 102, Motion No. 109, and Motion No. 266, standing in the name of the Member for Lake Laberge, Motion No. 132, standing in the name of the Leader of the Official Opposition, and Motion No. 221, standing in the name of the Leader of the Third Party, have been removed from the Order Paper as they are not in order.

Each of these motions seeks an explanation on a matter. The Chair reminds members that they have a number of ways that they can request this kind of information, including written questions or questions during Oral Question Period. As the Chair indicated on Wednesday, October 28, 2020, Standing Order 29(1) says: "A motion is used to propose that the Assembly (a) do something; (b) order something to be done; or (c) express an opinion on a matter." Motions should only be used for one of the purposes listed in Standing Order 29.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Mostyn:** I rise today to recognize Carlos Sanchez from Mothers Against Drunk Driving Yukon. Carlos and I — and the Minister of Justice — have spent many hours in stop-checks in the territory every holiday season. I wanted to take some time to welcome him to the House this afternoon.

*Applause*

**Speaker:** Tributes.

**TRIBUTES**

**In recognition of MADD Project Red Ribbon campaign**

**Hon. Mr. Mostyn:** I rise today to acknowledge an organization that serves those whose lives have been changed forever as a result of impaired driving. It has saved lives and

helped make our streets and communities safer. Mothers Against Drunk Driving is a household name that has touched so many Canadians. They are passionate about providing resources, awareness, and education to make our roads, lakes, rivers, and trails safer.

With that, I would like to thank Jacquelyn Van Marck and Carlos Sanchez of MADD Whitehorse for their dedication and commitment to this important issue. Great strides have been made over the years to reduce impaired driving, but it continues to be a deadly problem in our territory. No matter how much we talk about it, we hear stories of lives cut short, stories of senseless and irresponsible choices made. We hear of impaired drivers speeding through school zones and residential communities in the middle of the afternoon. We know of young lives stolen, families broken, and our entire community grieving. We know the excuses, Mr. Speaker — "I'll just have one more", "I won't get caught", "There's no one on the roads", "It's too late for a cab", or "My house is just down the street."

I want all Yukoners to hear this: We have a serious problem and we need it to stop. Too many lives are lost and too many people are injured by something so absolutely preventable. Since 2014, Yukon's impaired driving rates have been more than five times the national rate — five times, Mr. Speaker — five times more than anywhere else in the country. Over the past year, the number of impaired charges laid around the territory works out to more than one per day. But even more troubling is that, according to MADD, four Canadians are killed every day from impaired driving — four per day.

It is not MADD's responsibility to fix this; this is on all of us. As we approach the holiday season, we must keep the sober driving message top of mind.

This week, MADD's Project Red Ribbon campaign begins. It runs from November 1 until early in the new year. Volunteers will distribute millions of red ribbons to Canadians to attach to their vehicles, key chains, purses, and backpacks. The ribbon is a small but powerful reminder for us to plan ahead for a safe ride home — take a cab, hop a bus, or arrange for a designated driver.

Our government works closely with MADD Whitehorse and our other partners to decrease the number of impaired drivers on our roadways through enforcement, education, and awareness. Also, our "decide before you ride" campaign ensures that Yukoners are aware of the dangers of driving impaired by drugs, especially young people. We are also working diligently to rewrite the Yukon's *Motor Vehicles Act* to make our roads safer.

But all in society have a role to play. If you drink or take drugs, do not drive. If a family member or a friend is impaired, don't let them drive. If you see someone on the road who you think may be impaired, don't turn a blind eye and don't hesitate — call 911. It's that simple. Road safety is everyone's business and everyone's responsibility.

On behalf of Highways and Public Works and the Yukon government, I would like to thank our local MADD chapter and the RCMP M Division. Your work is saving lives and giving

victims and survivors of this violent and senseless crime a voice and a face. Working together, we can make a difference.

*Applause*

**Mr. Hassard:** I am pleased to rise in the House today on behalf of the Yukon Party Official Opposition to acknowledge an organization that works year-round here in the territory to put an end to impaired driving — that, of course, is MADD Whitehorse.

This week we recognize MADD as they roll out the 2020 Project Red Ribbon campaign — a very important annual initiative that reminds us of the role each of us plays in the prevention of impaired driving.

When we tie a red ribbon to our vehicles, we do more than just promote awareness. We are taking a pledge to drive sober and to drive safely as winter, and soon the holiday season, descend upon us.

Road safety is the collective responsibility of all drivers and impairment comes in many forms, and we must be aware of this every time we get behind a wheel. While impairment from alcohol continues to be a major factor in vehicle collisions and incidents, we must be equally be aware that it can also result from drugs, medication, fatigue, and distraction.

I encourage all Yukoners to pick up the ribbon, display it with pride, and consider making a donation to the MADD Whitehorse chapter to help them continue their good work toward keeping our streets safe for Yukoners.

I would like to thank all of those who contribute to the safety of their friends, family, and neighbours by committing to never getting behind the wheel while impaired. Remember: There are always options. Take turns being a designated driver for your group, call a friend or family member for a ride, or take a cab. Parents, remind your older children to always be safe, never drive impaired or get into a vehicle if someone has been drinking, and be open to picking them up when they need it. If you suspect that someone is impaired behind the wheel, call 911. Report impaired drivers and help get them off the road. We would like to see all Yukoners have a safe and wonderful season.

*Applause*

**Ms. White:** I stand on behalf of the Yukon NDP caucus to recognize Mothers Against Drunk Driving and the Project Red Ribbon campaign. For more than three decades, MADD chapters across the country have been raising awareness about the risks and consequences of impaired driving through community initiatives and government lobbying. Our own Yukon chapter joined the national ranks in 2003 in the promotion of safe, sober, and responsible holiday driving. From now until the beginning of January, countless red ribbons will be distributed across the country and right here at home. The red ribbon is a small but important symbol of our commitment to sober driving.

While improvements have been made in the last three decades to reduce drinking and driving, it continues to be a deadly problem on Canadian roads. Despite laws, enforcement efforts, and public awareness about the dangers of driving

impaired, hundreds of people are killed, and tens of thousands are injured in alcohol- and/or drug-related crashes each year. Millions of people still drive impaired, in part because the likelihood of being stopped or charged is low, and this behaviour needs to stop. The victims of impaired driving include those directly involved in crashes caused by impaired drivers, as well as families and friends who cope with the loss or injury of loved ones. In the aftermath of an impaired driving crash, people often do not know where to turn. Amidst their grief, there are questions, concerns, and fears that can be overwhelming.

Each year, MADD Canada, through their network of specially trained volunteers and staff, offers services and resources to thousands of victims and survivors. The efforts of MADD are vital in keeping the message of sober driving top of mind during the holiday season, but that responsibility can't rest only with them. Never drive impaired or ride with an impaired driver. Plan ahead if you're going to be drinking or consuming cannabis or other drugs, call a cab, arrange a designated driver or stay the night, and absolutely call 911 if you see a driver who you suspect is impaired because it's up to all of us to do our part to keep each other safe.

*Applause*

### **In recognition of Buy Local November and Yukoner Appreciation Week**

**Hon. Mr. Pillai:** I rise today on behalf of the Yukon Liberal government to pay tribute to Buy Local November and Yukoner Appreciation Week.

As we all know, the pandemic has hit some of our local businesses hard. Shopping locally should always be a priority for us but is now more important than ever. Local businesses employ the people you know, they sponsor the events that matter to you, and they diversify Yukon's economy.

Buy Local November is a new contest event put on by the Whitehorse Chamber of Commerce to support local shops, restaurants, and lodging. Purchases at participating businesses enter the shopper into a draw to win one of five \$1,500 gift cards to the business of their choice. The contest runs from today to November 30, with a draw taking place on December 4.

The beginning of November also kicks off Yukoner Appreciation Week. This year, there are 82 participating businesses offering deals to Yukoners. As an extra incentive, entries to the Buy Local November contest are doubled during the Yukoner Appreciation Week.

This year will mark the first time that Yukoner Appreciation Day has been expanded to an entire week-long event. This expansion and the Buy Local November contest have provided new incentives to shop locally in response to the impacts of COVID-19.

The extended Yukoner appreciation event offers a greater opportunity for people to shop and experience our local businesses with less rush. The full week will provide greater safety as well, with less shoppers active and, at the same time, more space for proper social distancing. Many businesses have also adapted their operations to provide options to customers.



I'm impressed by the ingenuity of Yukon's business professionals who have installed safety barriers, reconfigured their retail spaces, or pivoted to online services to protect their fellow Yukoners.

Buy Local November and Yukoner Appreciation Week is a great chance to reconnect with some of your favorite businesses, get a head start on holiday shopping, or discover a shop or restaurant that you have never visited before.

Also, I would just like to point out, of course, to support our local businesses in all of our communities — whether it be Whitehorse or right from Watson Lake to Dawson City or Beaver Creek or Old Crow — get out there, and if you are travelling through those communities, safely go in and purchase something — whether you're going through Carmacks or Haines Junction — spend as much money as you can locally. We also have so many fantastic business owners here in Yukon and I'm happy to see so many participating in these initiatives this November.

The holiday season is approaching quickly and I can't think of a better way to celebrate than with our own unique Yukon gifts and experiences. Let's all come together and make this season a truly Yukon Christmas.

*Applause*

**Mr. Istchenko:** I rise on behalf of the Yukon Party Official Opposition to recognize an event that Yukoners eagerly await year after year in Whitehorse and throughout the Yukon. The Whitehorse Chamber of Commerce Yukoner appreciation event looks a little different this year, with the event stretching over a week to allow for social distancing measures and safety protocols to be followed, but the spirit remains, Mr. Speaker.

Yukoner Appreciation Week will begin today and will continue through to November 8. This event will coincide with the chamber's "shop, dine, stay, and experience local" contest, which will run through the month of November. So, with an incredible 82 locations participating this year, shoppers can expect incredible deals and warm hospitality throughout the city. Contest details can be found at the Whitehorse Chamber of Commerce website or check out Buy Local Whitehorse.

There are additional chances to win prizes by stopping in participating locations this week. Buying local strengthens our communities and the local purchases keep the wealth in our community. It demonstrates community pride and each purchase or booking helps a local business stay in business in today's challenging economic climate.

Customer service is more personal at our small businesses and we get to see the same familiar faces each time we visit. Having a strong and sustainable local infrastructure and food network is not just smart; it is essential. So, by contributing to local business, we help to preserve existing local jobs and create new skilled jobs. Local businesses are also the most ardent supporters of our local events and of the great area amenities that make our communities so unique.

Buying local has been an important initiative here in the Yukon for many years, but never has it been more important to support our local owners and operators.

So, please take time to visit — whether today you might need a snowmobile, dog team, skis or snowshoes — at one of the shops and/or restaurants in your community this month and every month. Buy local with pride.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP in celebration of the Whitehorse Chamber of Commerce Buy Local campaign.

This year's Yukoner Appreciation Day has been blown up into a week-long extravaganza from November 2 straight through to Sunday, November 8.

We know that this year hasn't been easy and we can all agree that it is always important to support the local businesses around us, but never more so than now. The uncertainty created by the COVID-19 pandemic has made the normal challenges for small businesses even more daunting. With amazing deals at 82 participating locations, there are a lot of reasons to celebrate local businesses. Remember to follow the "safe six" when shopping, dining, staying, and experiencing all that Whitehorse has to offer this week and — especially — have fun.

*Applause*

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

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. Adel:** I rise today to give notice of the following motion:

THAT this House supports the fee waivers for aviation support in response to the COVID-19 pandemic.

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

THAT this House urges the Government of Yukon to extend the tourism accommodation section supplement until March 31, 2021.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to get out of the cannabis retail business by transferring online retail of cannabis to the private sector.

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

THAT this House urges the Government of Yukon to provide private sector cannabis retailers with the same access to e-commerce as the government online retailer.

I also give notice of the following motion:

THAT it is the opinion of this House that the Premier owes Yukoners an explanation of how Yukon farmers who heat with propane can get either a carbon tax rebate or carbon tax exemption.

I also give notice of the following motion:

THAT it is the opinion of this House that the Government House Leader should follow the long-standing practice of informing other House Leaders of the subject matter of ministerial statements at their morning meeting instead of changing the business of the day at the last minute.

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

THAT this House urges the Government of Yukon to provide the Yukon Hospital Corporation with the funding needed to complete a new secure medical unit in the shelved space above the Emergency department at Whitehorse General Hospital.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Online procurement system

**Hon. Mr. Mostyn:** Mr. Speaker, our government is committed to building a stronger economic future for Yukoners. Procurement is key to this objective, and we have taken a number of steps to improve procurement in the territory with a focus on efficiency, effectiveness, and accountability. We continue to modernize procurement in a way that supports Yukon businesses and Yukon First Nation businesses, ensuring that they are well equipped to compete for and secure government contracts.

Over the past few years, we have heard from our business community that changes were needed to submit bids for government contracts. Many people were surprised that, in today's digital age, they were still required to print and deliver their bids in person in Whitehorse — an inconvenience for most businesses in a territory as large as ours, especially during a global pandemic. This was an area that desperately needed to be modernized in order to reflect the current realities of the world that we live in and do business in.

Today I am proud to provide an update to you on our new, more efficient online procurement system — one that will allow more businesses to get involved and successfully compete for government contracts. Our new e-procurement system — called “Yukon Bids and Tenders” — will significantly reduce red tape and make the entire procurement process easier, faster, and more reliable. This new, modern system has the ability to flag compliance errors, meaning that businesses no longer have to deal with the frustration of having their bids rejected for simple math errors, missing details, or a forgotten signature. Better yet, the platform is entirely free for anyone to use.

Our government is always looking for ways to save money, reduce red tape, and focus efforts where it maximizes economic benefit to Yukoners. Yukon Bids and Tenders will improve our capacity to review and analyze spending across government, enabling us to be smarter buyers. This is one of the many ways that we are improving value for Yukoners when it comes to government spending.

I am happy to share that all new public tenders are now posted on this improved platform, enabling contractors and suppliers to submit their bids entirely online. While we will continue to provide and accept paper copies of tender documents for the remainder of the year, tenders posted after January 1, 2021, will be completely paperless. As we transition away from paper, training is available online for businesses to learn how to create an account and use the system.

In the future, we will also be launching a vendor performance review program within the platform. This will allow our government to evaluate contractor performance to inform the awarding of future contracts. Good performance will be recognized, and where there is poor performance, the contractor will have clear information as to how they can improve.

Local businesses are an integral part of our economy and finding ways to make it easier for them to do business with us is a priority. Mr. Speaker, we are extremely proud of the new e-procurement system. It supports our enduring commitment to improve the economy and will help further drive competition and innovation in Yukon.

**Mr. Hassard:** I am happy to rise today to respond to this ministerial statement, but I would like to start off by saying that it is unfortunate that we were told at a meeting of House Leaders this morning that today's ministerial statement was on Xplornet — but I guess we are getting used to this government coming to work unprepared and without accurate information.

In regard to the statement that we did get, Mr. Speaker, the change to the new procurement system has been brought up as a issue by numerous individuals and businesses that supply the Yukon government. The prevailing sense of what I've heard about this new system is simply “Why”?

In his statement, the minister said that the main reason that his government has made this switch was to allow for the online submission of bids. While there is some benefit to allowing online bid submissions, I should note that some suppliers have viewed the requirement to submit a paper copy of their bid as a distinct advantage over Outside suppliers. It would seem that, if anything, the new system simply makes bidding on Yukon government tenders easier for Outside companies and it removes one of the few advantages that local suppliers have. I would be interested if the minister could provide some additional rationale as to why this new system was chosen.

How were Bids and Tenders chosen over any other platform? We know that the Government of Canada uses a system called MERX and the City of Whitehorse uses a system called Bonfire. You know, a common complaint from vendors is that the City of Whitehorse and the Yukon government do not better align their procurement — so we would appreciate it

if the minister can explain why Bids and Tenders was chosen over any other systems used by those other government bodies.

Another question is: Was the old website an issue that had been identified as problematic by Yukon vendors? To our knowledge, the former website was controlled by Yukon government. Now our system is controlled by a multinational company with an office in Ontario. Several Yukon vendors have asked us how long the old website will remain active, how long the data and information on that site will remain accessible, and, of course, how much this transition cost. If we are maintaining the old site and paying for the new one, this raises some questions about whether or not we are actually going to save money on this transition.

How long is the contract with Bids and Tenders? Do we pay them per tender or do we pay them a flat rate? Are there performance indicators in this contract? These are all questions that have come to us from Yukon businesses that supply the Yukon government.

One ongoing issue that we've heard from the business community was the decision that this government made to cease the practice of releasing bid prices once the bids have been opened. Currently, bidders must wait anywhere from a few days to a few weeks and, in some cases, even longer than a month to see bid prices. Only successful bidders are notified when the prices are opened, so businesses must check back every day to see whether or not they have won a bid. It does not appear that the switch to the site fixed this issue, so perhaps the minister can explain why they no longer release bid prices right away and make businesses wait until the contract is awarded before they release that information.

I hope that the minister will answer these questions in his reply so that I can provide the answer to the many contractors and vendors who have approached us.

**Ms. Hanson:** On behalf of the NDP, I'm responding to the ministerial statement on the bid opportunities website — a website that has been open since August 2020.

The importance of having an efficient and effective government procurement system cannot be overstated. Government expenditures through a variety of contractual agreements are in the hundreds of millions of dollars every year, forming an important part of the viability of many of Yukon businesses' bottom lines — whether they are corporations or individual consultants. It is no secret that there have been many questions over the years about Yukon government contracting practices — questions of fairness, accuracy, value for money, and accountability.

A 2008 Yukon government report on the audit of contracts identified an inadequate management control framework, a lack of compliance with contract regulations, and an inability to demonstrate achievement of desired results for public expenditures with respect to efficiency and cost effectiveness. So, after reports and consultations in 2008, 2009, 2015, 2016 — and who knows how many others — now, in 2020, Yukon citizens and Yukon businesses can only hope that finally government has actually listened and has incorporated some of

the best practices that over the intervening years have been repeatedly brought forward.

We look forward to the evidence that the Bids and Tenders online system will in fact improve capacity to review and analyze spending across government. We look forward to real-time reporting.

I know that the minister boasts that all new public tenders are now posted on this new platform. However, what is not easily available for scrutiny by MLAs is the number of sole-source contracts, nor which departments make the most use of them, nor how many exceed the sole-source threshold, et cetera.

An example might be the sole-source contract or contracts issued late last week to address the chaos created by the Department of Health and Social Services' lack of planning for meal service for those most vulnerable, as when winter hits during a pandemic.

Perhaps the minister will offer insight as to the sole-source contracts issued to date and their value. In the meantime, we look forward to the effective implementation and monitoring of Yukon's online Bids and Tenders system.

**Hon. Mr. Mostyn:** I want to thank the Member for Whitehorse Centre for her insightful thoughts this afternoon. I do appreciate the care which she takes in preparing her answers and some of the insights that she provides.

The Leader of the Official Opposition has raised a few questions. I'll get to them in a minute. I think the main one was "Why?" I went into the reason why in my initial ministerial statement. I think that many of the answers are there, but I will say that the Bids and Tenders system is used by many jurisdictions across the country — some of which charge a fee, and it's important for businesses who use the Yukon-specific page to know that there are no fees charged.

I know that was an issue for one person — I think, who actually went through the Leader of the Official Opposition — and I hope that he has been reimbursed for paying for something you should get for free.

The new system includes a vendor performance review that will reward good performance, as I've said. We will provide more information on how vendor performance reviews work closer to the implementation phase for that component of that module of this system.

The Bids and Tenders system was developed by eSolutionsGroup. It's different from the procurement systems used by the City of Whitehorse and the Government of Canada. The member opposite has noted that. Yukon had specific needs for a new e-procurement system, including the ability to facilitate online bid submissions, host a future vendor performance review program, and to better analyze our procurement spending across government — which the Member for Whitehorse Centre has asked about this afternoon or noted this afternoon.

We are confident that this new system will be able to provide that information to us. Through the open-tendering process, eSolutionsGroup ranked the highest in our evaluation of all the proposals and, when the implementation process was ready to begin, we worked with other departments and the

business community to offer appropriate supports during implementation which included updates and training.

There were 330 businesses that participated in online interactive webinars in July and August to get the early information about how to use Bids and Tenders. A recorded version of the webinar is also continuously available online for viewing.

The Leader of the Official Opposition sort of criticized — a backhanded criticism — the Department of Highways and Public Works procurement office for the speed with which they were getting prices to contractors. I want to say that 48 percent of all prices were posted within one or two days. An additional 28 percent — up to 76 percent — were posted within four days. Only 13 percent of projects took five or more days to post, equalling about 13 percent, and 11 projects were cancelled, accounting for 11 percent of total projects. In these cases, the prices were not posted. We are posting bid prices as soon as bids are reviewed for compliance and we confirm the project and proceed with the budget in place.

There are all sorts of improvements that we have made in the procurement system. We will continue to do this. As I have said many, many times, procurement is a journey, not a destination. I am very happy with the progress that we have made on this file through the diligence and hard work of our procurement folks over at Highways and Public Works.

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

## QUESTION PERIOD

### Question re: Fiscal management

**Mr. Hassard:** Last week, the Premier tabled the 2019-20 Public Accounts, which showed that his government ran a deficit. That was during a time when our economy was healthy and strong. That was before the health and economic crisis that we face now. So, instead of using years of strong economic activity to strengthen our fiscal position, the Liberals grew spending and put us in a deficit.

Can the Premier explain why the Liberals decided to run a deficit last year?

**Hon. Mr. Silver:** On a consolidated and non-consolidated basis — we need to make sure that we have a conversation about those two things separately — but on a consolidated level, Yukon continues to be one of only two jurisdictions in Canada with a net financial asset position.

When it comes to increased spending, the member opposite conveniently forgets that, last year before the pandemic — in the budget that we are currently in right now — we actually got to a place of surplus a year ahead of schedule. Of course, we are not in that great position now, as we debate the supplementary budget and costs associated with COVID — but it's a little disingenuous to say that we were in a deficit position. We forecasted a deficit position that year, in 2019-20, and in the Public Accounts, they came in and said that we were in a deficit position. It's not the same deficit position, but it is close.

When you take a look at the comparison between projects promised to get out the door and projects that actually got out

the door, compared to the Yukon Party, that gap has narrowed exponentially.

So, we will continue to have the fiscal responsibility that we have come to know here in the last four years, compared to the budgeting that was done through the opposition, which was done mostly in the political wing as opposed to in the budgetary offices.

**Mr. Hassard:** It is unfortunate that the Premier, four years in, still just wants to blame someone else and not consider looking forward and looking to the future.

You know, since last year's deficit budget, we now face a serious health crisis and an economic situation that has created a disaster for one of our primary economic sectors. In response to this, our deficit has ballooned to over \$30 million.

So, based on this projected spending plan, can the Premier tell us how big the deficit will be for 2020-21?

**Hon. Mr. Silver:** A question for the opposition: Which way is it? We are either spending enough money on health and social services or we're not; depending on which member of the Yukon Party gets up, we are either doing one or we're doing the other.

Mr. Speaker, on a non-consolidated basis, the government's annual deficit of \$2.9 million in 2019-20 compares to the \$5.8-million deficit in 2018-19 — so we are getting ourselves back up into a surplus position. Total revenues did increase and, while the expenses did increase as well, those expenses increased — 97 percent of the increases — are in the Department of Health and Social Services and the Department of Community Services.

So, on the one hand, the opposition will say that we are not spending enough money on health and social services; on the other hand, they are saying that we are spending too much money, and now we are in this situation.

Again, it depends on who we are talking to in the opposition — whether or not we are spending enough money or too much money in Health and Social Services. What we see here is that Public Accounts have been audited by the Governor General of Canada and received an unqualified audit opinion, which indicates that our financial systems are fairly and appropriately identified without any identified exceptions.

We are committing in our mains to put out money into the capital projects. We are, according to the Public Accounts, showing that we are doing a lot better job than the previous government did. That is not blaming the previous government; that is explaining that we are doing a good job here in this current government.

**Mr. Hassard:** The Premier seems to be all over the map on this. You know, the question I asked was: How big will the deficit be for 2020-21?

Right now, we are facing consecutive years of budget deficits. Rather than using those strong years of economic growth to pad our financial position, the Liberals chose to increase spending and grow government. They have now entered this pandemic and the resulting economic crisis is a deficit position.

Will the Premier now admit that the Liberals have put us into structural deficit?

**Hon. Mr. Silver:** When it comes to non-consolidated financial statements, what we've seen is an increase in the tangible capital assets here in Yukon. What does that mean? That means that this government is doing what the previous government did not. We're getting out the door the capital projects that we promised, not like the opposition — big bolster for mains, and then when the Public Accounts came in, we saw that they did not commit to the projects that they said they would spend. We are closing that gap a lot more than the previous government.

When it comes to financial position and a financial picture, before the pandemic, we were the envy of the rest of the country because we were in a surplus. We had a mild surplus. We did a year ahead of schedule, and we did that while also reducing small business taxes to Yukon businesses and also reducing people's personal income tax.

I'm not all over the map at all. It's the opposition that just cannot find a wedge to work on about this. When it comes to the finances of Yukon taxpayers and the taxpayers of Canada, this government is accountable. This government commits to certain capital assets and capital projects and the Public Accounts confirm that we actually make good on those promises.

#### **Question re: Fiscal management**

**Mr. Cathers:** On March 31, 2019, the Yukon had net financial assets of just under \$220 million. As of March 31 of this year, the Yukon's net financial assets are down to under \$172 million. That means that in one year, Yukoners lost almost \$50 million.

Can the Premier tell us where that \$50 million went?

**Hon. Mr. Silver:** The member opposite should be listening to the questions from his colleague. When we talk about the non-consolidated situation, what we have here is increased spending on tangible capital assets. What we're doing is taking advantage of the federal funding that is coming in. We have to put up 25-cent dollars versus their 75, and we're making good on those commitments.

The amount of money that we have spent so far on ICIP funding, which is extremely important funding for all the communities — again, these are the tangible capital assets that are necessary for our economy to thrive. We believe that we are in a good financial position right now. We believe that because we are getting these assets out the door. These are important pieces.

One only has to look back to the previous Office of the Auditor General's criticisms of the fact that the previous government did not do their job in upkeep of buildings. What you're seeing right now is that we have an obligation to Yukon taxpayers, but also to the business community as well, to make sure that the assets that we have out there are modernized, are retrofitted properly, and also that they are there to fit the needs of the business community and the communities as well — whether they be rec centres, schools, or working with the private sector to make sure that we have enough housing. These are the things that we are spending money on. I guess the

members opposite are saying that we probably shouldn't be spending that money.

**Mr. Cathers:** When the Liberals came into power, the Yukon government's total net financial assets were over \$274 million. As of March 31 of this year, our territory's net financial assets are down to below \$172 million. That means that Yukoners are over \$100 million poorer than when the Liberals took office. That was before the pandemic struck.

Now that the government is spending even more to address the effects of the pandemic, how long does the Premier expect it will take for the Yukon to enter a total net debt position?

**Hon. Mr. Silver:** Mr. Speaker, we will have an opportunity to have a more in-depth conversation about the differences between net financial assets and debts as we get into Committee of the Whole. Again, it is a complicated issue, but it is something that we have the ability to explain. What people need to know in the short response is that, on the non-consolidated deficit side, this year we were at \$2.9 million while the consolidated deficit was \$2.6 million. At the end of the fiscal year, non-consolidated debt was \$47.4 million while the consolidated net financial assets were at \$171.9 million.

Mr. Speaker, it is confusing to have a consolidated and then a non-consolidated budgetary process. We want to make sure that the information gets out there as clearly as possible, but we are in an enviable position to other jurisdictions when you take into consideration the consolidated financial situation that the member opposite speaks of — one of only two jurisdictions in Canada that has a positive signal there in Canada in all the provinces and territories. This speaks to the financial prudence that we put on the budgetary process, the added human resources that we put into the Finance department, and to the work of the Financial Advisory Panel.

We are making good on our financial commitments, Mr. Speaker. When you see us coming into a surplus position before the COVID pandemic a year ahead of schedule, that is the statistical analysis that proves our point.

**Mr. Cathers:** We understand the government's financial position very well, but unfortunately, it seems that the Premier is trying to use language that he thinks will confuse some Yukoners. Even during the good years, this Liberal government has been drawing down on Yukon's bank account. Our net financial assets have steadily declined since the Liberals have taken office; meanwhile, spending and the size of government have increased every year. The Yukon's debt has increased and we are likely now facing a structural deficit.

What is the Premier going to do when he runs out of Yukoners' money?

**Hon. Mr. Silver:** Wow — talk about trying to confuse Yukoners, Mr. Speaker. When it comes to the amount of money that we have borrowed so far, that's all Yukon Party. That's \$200-million worth of Yukon Party spending that's the borrowed money. We have increased the amount that we can, but we haven't borrowed that yet.

When we talk about financial assets, Mr. Speaker, the member opposite is trying to confuse people. The term that government uses when we reflect the differences here in a net financial asset or a net debt is — the differences between the

financial assets that we have and the liabilities. That's it. It's not the amount of money that we borrow, as the member opposite is trying to make you believe. The "financial assets" are assets that could be used to pay off existing liabilities or financial future operations. The term "liabilities" refers to the financial obligations outside of governments and individuals.

Now, why it is that we are in this situation right now? The largest contributor to the decrease in net financial assets has been the continued investment in tangible capital assets. These are the tangible capital assets that municipalities and First Nation governments — from community to community — are asking for us to invest in.

The member opposite is trying to confuse, Mr. Speaker. He said "borrowing". This is not borrowing. When we talk about net financial debt and net financial assets, it is not about borrowing. The Yukon Party is the one that borrowed all of the money out of our debt so far. This is about net financial debts and assets — two different things, Mr. Speaker. Shame.

#### **Question re: COVID-19 pandemic — Yukon highway border enforcement**

**Ms. White:** In a letter dated October 21, the Alaska governor and senators requested that the Prime Minister ease some restrictions on the Yukon-Alaska border. Specifically, they requested provisions to be made to allow Alaska citizens who normally spend their winter in the Lower 48 to be allowed to transit through Canada. Of course, this isn't a normal year.

Just today, Alaska announced 349 new cases of COVID-19 as well as one additional death. Currently, there are over 9,000 active cases of COVID-19 in Alaska. The prospect of increased travel from Alaska has many Yukoners concerned, especially those living in communities along the Alaska Highway corridor.

Has the Premier expressed concern to the Prime Minister about this request to facilitate travel from Alaska through the Yukon?

**Hon. Mr. Silver:** Thank you to the member opposite for the opportunity to address this issue. On the officials level between the federal government and our government, we have been communicating our opinion on this. It hasn't reached a political level. By that, I mean that the Alaska government has not reached out to me specifically on this specific issue. The last time that the Alaskans reached out to me was on a different issue — a very similar issue about one-offs on border provisions. I informed the Alaska government at that time that those decisions are made at the federal level and that we will pass their concerns on to the federal government in that capacity.

But to answer the member's question specifically, I haven't been reached out to by the Alaska officials. If they do, I will of course take that call, but our officials have communicated this situation to the federal government, which is the decider when it comes to international borders.

**Ms. White:** I had asked whether or not the Premier had spoken to the Prime Minister about his concerns.

Yukon has maintained a low number of COVID-19 cases, but last week's tragic news is a reminder that we cannot let our

guard down. Thanks to the chief medical officer of health, Yukoners know that the "safe six" is the best way to keep each other safe, but when looking at the situation in the United States, it's clear that not all Americans have heard the same message.

Alaska Governor Mike Dunleavy, who asked to ease restrictions at the Yukon/Alaska border, has recently stated that Alaska is entering a COVID-19 acceleration phase. Since the end of September, enforcement at Yukon's southeastern border has been replaced by an information kiosk that is only in place for nine hours a day.

How is YG ensuring that all those who transit through Yukon's communities on their way to Alaska respect the public health measures taken to keep our communities safe?

**Hon. Mr. Streicker:** I'll start off by saying that we work very closely with the federal government and with the Canada Border Services Agency — CBSA.

We do talk with our counterparts often. We do express at all times our concerns about Alaskans transiting the Yukon and we want to make sure that they stay safe. I would like to give a big shout-out to the CBSA because they worked very closely with us over the summer to tighten all of those controls and to make things safer for Yukoners.

There is a suite of answers and I'll start — and if I don't get done, Mr. Speaker, I hope to get up again to answer further. We do all sorts of things. We have declarations for all people coming through Canada. They have a placard which they have on their windows. They have a time period during which they have to go through. There is data sharing between the Canada Border Services Agency and us. We have follow-up systems. The member opposite, I think, was not quite correct — we have staff at our southern borders during the daytime when the peak of traffic is coming through and we have evening-time kiosks for declarations — and we work to tighten that up at all times.

We are working to keep the Yukon safe, including for those Alaskans travelling through to do so in a safe way as well.

**Ms. White:** Yukon's rural communities have had it tough during the pandemic and this is especially true of communities along the Alaska Highway corridor.

With reduced border enforcement, our communities are at a greater risk than before. The community of Watson Lake is in a unique situation as an entry point without the control and support that the US/Canada border provides. Community safety is directly affected by whether or not travellers respect public health guidelines.

Have any additional resources been put in place to support border communities, especially when it comes to ensuring that travellers respect public health measures?

**Hon. Mr. Streicker:** I don't think the risk is increasing right now. In fact, I think the risk is decreasing. However, we continue to work with communities — for example, with Watson Lake. We have been working with them, in particular, and with the Liard First Nation to work with them about a contract — dealing with them to provide some of the services that we do for border enforcement — border control — so actually, that work is ongoing at all times.

What I want to say, Mr. Speaker — there was something that the member opposite noted with the number of cases in Alaska. When we first had our first statement of emergency declared here, there were about 60 cases in Alaska. When we extended it, three months after that fact, there were about 600 cases in Alaska. When we extended it again in September, there were about 6,000 cases in Alaska. During all of that time, having roughly 40,000 Americans pass through, we don't know yet of a single case of COVID being transferred, and I would like to thank all of the folks who have maintained border enforcement and all of those rules — which got set up very quickly — and who have done a really terrific job to keep our communities safe, including working with those communities.

I would just like to thank them because they have done a wonderful job at keeping our communities safe.

#### **Question re: Yukon Water Board wetlands hearing**

**Ms. Hanson:** Last week, the Yukon Water Board conducted a public interest hearing on placer mining and wetlands — the Water Board's first public interest hearing in over 10 years.

Wetlands are fragile ecosystems that play a vital role in maintaining the health of wildlife. When disturbed, these ecosystems cannot be returned to their natural state. The intensity of placer mining in the Indian River valley near Dawson City has been well-documented. In her presentation to the board, the Chief of the Tr'ondëk Hwëch'in First Nation clearly stated that, despite reclamation efforts, the damage done to wetlands in this area is already beyond repair. The Tr'ondëk Hwëch'in First Nation is calling for wetlands to be off-limits to placer mining.

Does this government support the Tr'ondëk Hwëch'in First Nation's call to prevent further placer mining in the Indian River wetland?

**Hon. Mr. Silver:** We are very committed to working with First Nations and interested parties to ensure that activities in wetlands are regulated in a way that balances conservation and development. Work is ongoing for a territory-wide wetlands policy that will guide the responsible development of wetlands.

In the interim, projects will continue to be reviewed through the assessment and regulatory process. A Yukon wetlands policy is targeted to be finalized in the next year. We will be actively participating with the Yukon Water Board, YESAB, and others. The Yukon government has been very, very clear that we do not intend to issue any orders prohibiting activities in wetlands — more work has to be done therein with our policy. Similarly, the Yukon Water Board will continue to consider water licence applications.

**Ms. Hanson:** Yukon government has indeed promised a wetlands policy for years. We are on — at least, at last count — draft six. There are no protections in place to this date. While they drag their feet, more irreversible damage is done to Yukon's wetlands.

In 2016, the Yukon Environmental and Socio-economic Assessment Board recommended that placer mining not occur in undisturbed wetlands. The decision document issued in 2017

shows that this Yukon government chose to reject that recommendation and to allow mining in more undisturbed wetlands, just as their Yukon Party predecessors had done before them. The cumulative impacts of mining in Indian River valley wetlands have been characterized as “death by a thousand cuts or a thousand projects” by the Tr'ondëk Hwëch'in director of natural resources.

Why does this government allow mining in undisturbed wetlands contrary to repeated YESAB recommendations?

**Hon. Mr. Silver:** As I have said, we are working to develop — in cooperation with lots of different partners, including First Nations, municipalities, industry, and conservation groups — a wetlands policy. The member opposite is correct — it's high time that we do have a wetlands policy. There was nothing to go on when we got into government and we are working to make this a reality.

We have been working with the First Nations and also the placer industry on a policy and guidelines for the protection and the reclamation of wetlands affected by placer miners in the Indian River watershed. While we are working on developing a final policy, we have implemented an interim approach when it comes to the reclamation in the Indian River wetlands area.

The member opposite is incorrect — we have been moving the needle on this. This approach is intended to strike an appropriate balance between conservation and the development interests in the area.

**Ms. Hanson:** I guess the Premier's words would be news to the Chief of the Tr'ondëk Hwëch'in First Nation and the Na-Cho Nyäk Dun. The Premier either doesn't understand or chooses to ignore that the damage done to wetlands cannot be undone.

In its closing statement at last week's Water Board hearing, the Yukon government rejected the option of placing temporary protection on wetlands until land use planning is complete. The Chief of Tr'ondëk Hwëch'in shared with the Water Board that the spiritual and cultural connection to the traditional territory of the Tr'ondëk Hwëch'in is disrupted by the destruction of wetlands.

Ducks Unlimited, CPAWS Yukon, and the Yukon Conservation Society have all highlighted the need to understand and take into account the cumulative impact of the many projects taking place in the Indian River watershed.

Can this government tell Yukoners how they factor in the cumulative impact — the cumulative impact — of mining in the Indian River watershed in their decisions to allow the continued destruction of wetlands?

**Hon. Mr. Pillai:** Again, I think it's important to table a couple of things here. First of all, we have been involved in the submissions through the Water Board process. This summer, I had the opportunity to spend some time in the Indian River with both the proponents and our compliance and monitoring inspection teams, looking from operation to operation at what was happening, as well as taking into consideration — some for interim measures, where we are really looking to ensure that we have the appropriate protocols on how we deal with bogs and fens. We are looking at our plans to ensure that we do have appropriate reclamation happening.

The Member for Whitehorse Centre can make this seem like a simple solution. I think what we have heard today is that the individuals across will absolutely shut down everything there. That is about 80 percent of what actual activity is happening. Also, again this summer, we saw the complexity of the connectivity within our economic ecosystem and what would have happened if communities like Dawson City didn't have 75 or 80 percent of that activity. There are 400 people — 200 of them Yukoners — out there working from place to place. We are committed to getting this right — but, again, it is more complex than the members opposite are putting out there.

**Question re: COVID-19 pandemic business relief funding**

**Mr. Istchenko:** The temporary support for events fund program ran from March 7, 2020, to July 31, 2020. It helped Yukon businesses and NGOs affected by the cancellation of major events. Can the minister tell us how much was spent under this initiative and how many applicants were approved?

**Hon. Ms. McLean:** This was a measure that was put into place very quickly from our government to help support businesses around the time when the Arctic Winter Games was first cancelled.

I have taken that over — Tourism and Culture has that within our supplementary budget, and we will be talking about that more specifically when we get into the supplementary. Right now, the program received 90 applicants for 24 events. We paid out \$1.665 million from April 1 to September 3. The program was transferred over to the Department of Tourism and Culture. The Department of Economic Development administered this program initially and we have now taken it over to our department.

I'm happy to get up to answer further questions.

**Mr. Istchenko:** So, this program was designed to help Yukon businesses and NGOs affected by the cancellation of major events. It specifically covered events open to the general public that expected more than 50 participants during the period of March 7 to July 31; however, during that time period, there were a number of private ticketed events that were cancelled due to COVID-19 restrictions. For example, many weddings were cancelled due to the restrictions. Large events such as the Geoscience Forum have changed to virtual gatherings. So, businesses including caterers, event organizers, and rental companies were impacted which means that the private sector lost a lot of income. However, because some of these events were not technically public events, they were not eligible for support.

Why did the government choose to restrict the fund to only events that were open to the public?

**Hon. Ms. McLean:** I'm happy to answer these further questions about the event relief fund.

Again, this was a measure that was put in place very quickly to alleviate the pressure that our businesses were experiencing as a result of the cancellation of the Arctic Winter Games and the cancellation of the Yukon Native Hockey Tournament. There were a number of other events that received

— relief was given out for the cancellation of the Dawson City Music Festival — a number of other big events that happen.

Again, we had considered 24 events and I have to remind the member opposite as well that, during that time, we were quick to put the Yukon business relief program in place. Losses that businesses were experiencing during that time frame were certainly compensated through that fund. Again, we were one of the first jurisdictions in Canada to put these types of relief in place. I know that the Minister of Economic Development, the Premier, and I met with the business community almost immediately upon knowing that the Arctic Winter Games would be cancelled and helped to put this together quickly.

**Mr. Istchenko:** My previous question was about why the government chose to restrict the fund to only events that were open to the public. I highlighted some of those businesses that were affected by not being able to apply.

As I mentioned, the fund expired on July 31. However, COVID restrictions for gatherings are still in place. As a result, many large fall and winter events are being scaled back, negatively impacted, or even cancelled.

Will the minister reinstate this program to cover off the large events that were already planned for the remainder of this year, and will they make it retroactive to August 1, 2020?

**Hon. Mr. Pillai:** There are a couple of points that I would like to touch on from question 2 and into question 3.

First, I think that all Yukoners know that the work being done between Economic Development and Tourism and Culture really focused on ensuring that we supported those businesses that were impacted. We had the opportunity, of course, through the business relief program — as the Minister of Tourism and Culture spoke to — to ensure that, when events were cancelled — such as private events like a wedding or such — the revenue loss would be identified by that company. If they had hit that threshold of reduced revenue, they would then be able to apply to the business relief fund.

In the case of events such as the Geoscience Forum, we met with the Yukon Chamber of Mines about a week and a half ago. We received a letter of thanks for a very productive meeting and also thanking us for our financial contribution this year to the new format — again, stepping up where we can to make sure that some of those events, in their new format, are still successful.

I think that we will look at this again on a case-by-case basis. If the Member for Kluane has any particular events that he thinks we should look at — that are outside of a program — please let us know. Just send us an e-mail or put it in writing, and we will review that and work with my colleague to ensure that we have an opportunity to see if our programs are meeting the mark.

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



## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 15: *Corporate Statutes Amendment Act (2020)* — Second Reading

**Clerk:** Second reading, Bill No. 15, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** I move that Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, be now read a second time.

**Hon. Mr. Streicker:** It is my privilege and honour to introduce Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*. This bill amends the 2018 *Societies Act*. Additionally, for reasons of consistency among our corporate statutes, it also contains amendments to the *Business Corporations Act* and the *Cooperative Associations Act*.

As members will recall, the new *Societies Act* was created to provide a clearer governance and operational framework for today's societies and replace our 30-year-old legislation. It was assented to at the end of the 2018 Fall Session. Since then, we have continued to develop the accompanying regulations, which are now complete.

Additional work to ensure that our Yukon corporate online registry database can manage the various legislative changes is also nearly complete. Yukon's 2018 *Societies Act* was modelled after British Columbia's *Societies Act*, which was proclaimed in 2016. Between the proclamation of the BC statute in mid-2019, British Columbia stakeholders provided their government with extensive feedback. The BC government used this feedback as the basis for an engagement on a number of proposed amendments to improve their act. We took the opportunity to review BC's mostly technical proposed amendments set out in their engagement to inform some of the amendments before us today. I would like to take a few moments to talk about some of these amendments.

While the majority of the amendments in the bill regard the 2018 *Societies Act*, we have taken this opportunity to also amend the *Business Corporations Act* and the *Cooperative Associations Act*. As each of these acts create distinct legal entities with shareholders or members and are operated by elected directors, it is important that, to the degree possible, the acts are consistent with each other.

Societies, business corporations, and cooperative associations are legal entities. They can enter contracts, hire and fire, and sue or be sued.

As directors are the operating minds of these organizations, they effectively make most organizations' major decisions, including legal and financial decisions. Directors, in some cases, can be personally liable for those decisions. The bill before us contains a number of clarifications regarding the qualifications of directors. With this bill, all organizations' directors must meet certain requirements, including being at

least the age of majority, not being bankrupt, and acting with honesty, good faith, and due diligence.

Amendments to the *Business Corporations Act*, *Cooperative Associations Act*, and the 2018 *Societies Act* add certainty as to who can and cannot be a director. Included are changes that resolve concerns regarding the 2018 *Societies Act* raised by the Yukon Human Rights Commission.

I would just like to take a moment to thank the Human Rights Commission for their efforts in working with me and with the department.

The bill clarifies that an individual may not be a director if they are subject to a guardianship order under the *Adult Protection and Decision-Making Act* regarding their inability to manage their own financial and/or legal affairs. Individuals subject to guardianship orders that are not in regard to the ability to manage their own financial or legal affairs would be eligible to be directors.

Mr. Speaker, recent struggles with COVID-19 have affected our societies. The prohibition against gatherings of 10 or more meant that societies could not conduct the meetings required for them to maintain their status in the societies registry. This potentially put them in default of the *Societies Act*. For some, it risked affecting their ability to fundraise and receive government funding. We have temporarily remedied this problem with an order under our *Civil Emergency Measures Act*. The order allows organizations to meet electronically and/or by teleconference even if bylaws forbid such meetings. A permanent remedy must be included in the statutes governing these organizations.

The 2018 *Societies Act*, once proclaimed, and the *Business Corporations Act* allow meetings to be held electronically and/or by telecommunications. This bill contains amendments to the *Cooperative Associations Act* that will also allow these types of meetings, subject to bylaw provisions, on a permanent basis.

I will now review provisions of the bill that specifically amend the 2018 *Societies Act*. Many of the fine details of governance and operation of a society are contained in a society's bylaws. These bylaws must comply with certain sections of the act, but there is flexibility as to their contents. For societies that wish to use a standard set of bylaws prepared by the government, we had included the requirement in the 2018 act that the new regulations must contain a complete set of model bylaws to be available for societies' use. Upon further review by the department and by legal counsel, we determined that requiring that model bylaws be contained in the regulations is too restricting, particularly if the model bylaws require future changes.

Mr. Speaker, we have therefore included an amendment setting out that the regulations may, but are not required to, contain a set of model bylaws. We will make a complete set of model bylaws for use by societies permanently available on the department website. These bylaws will be available online when the legislation is proclaimed.

Mr. Speaker, because directors are sometimes legally responsible for some society matters and decisions, it is essential that societies maintain up-to-date reporting of

directors' terms of office and their contact information. The bill before us includes amendments that clarify the information required to be included in a register of directors. The register must list full and up-to-date contact details for each society director. It must also include the start and end date of their terms of office. This is important in the context of being able to contact directors regarding society matters and regarding possible internal legal disputes.

Another amendment requires that changes of directors of a society or changes of directors' addresses must be filed within 30 days of the change. This can be done either as part of a society's annual report or as a separate filing, depending on the circumstances. The bill also clarifies the information that must be contained in a society's register of members and allows societies to contact members by e-mail if members have given their e-mail addresses as part of their contact information. For privacy reasons, a society's membership register is created only so that members can be contacted regarding society matters. For this reason, the register must not contain any information other than the member's name, the date they became a member, and how to contact them.

Mr. Speaker, upon payment of the required fees, any person other than a society's directors and members will be allowed access to some society records; however, information gained from viewing or copying a society's records in any circumstances can be used only for purposes regarding society business.

The 2018 *Societies Act* allows individuals to request copies of certain society records. As we have been made aware of some communication issues regarding when such copies have been prepared and are ready to be picked up, the bill also clarifies that a society will notify a recipient when a requested copy of a record is ready for pickup.

Mr. Speaker, as the issue of documentation of payments to society employees and contractors has been raised in a number of circumstances, the amendments clarify that a society's annual financial statements must show which employment positions and contractors were paid more than a certain minimum amount during the fiscal year and how much those positions were paid. The minimum amount is being set in the regulations at \$75,000.

The amount of remuneration paid during the fiscal year will be rounded to the nearest \$5,000. For clarity, the financial statements will not have to name the employee, only the position.

Mr. Speaker, we have had at least one occasion where a society director has informed us that they have resigned and then claimed that the society has not, as required, sent confirmation of the resignation to the registry. This sets up a potential dispute between the director and the society and it raises a number of legal issues. In order to provide a mechanism to resolve such disputes, the bill contains amendments that will allow an aggrieved individual to apply to court for an order that the society file the necessary document reflecting a director's resignation, for example.

The amendments also contain a provision clarifying that a director cannot appoint a proxy to take their place at a directors

meeting. Mr. Speaker, at a time when attending physical meetings can be problematic, the bill adds a provision by mail — subject to a society's bylaws — that allows a director's resolution to be approved without meeting.

The process is straightforward. A notice is sent to all of the directors, giving a minimum of 14 days — or the number of days set in the society's bylaws which must be at least 14 days — for a response. The notice must include the text of the resolution and the day by which directors must either consent or disagree.

The 2018 act requires that directors and officers disclose to the board of directors any conflicts of interest that they may have regarding any matter that is being discussed and that they leave the directors meeting during the discussion. Because such a director or officer may have valuable information regarding the discussion, the bill includes an amendment that allows that individual to stay if a majority of the directors request that the conflicted director or officer not leave the meeting. The bill also contains amendments that clarify processes for reviving societies that have previously been dissolved.

Once proclaimed, this bill and the 2018 *Societies Act* will provide consistency of regulation and governance for Yukon organizations and more complete governance and organizational frameworks for Yukon societies. In order to implement this new legislation, our Yukon corporate online registry must be updated to account for the changes in the law. That process should soon be complete. We hope to have the new societies legislation up and running by the end of this calendar year. Our next task is to educate societies about the new legislation and the tools available to them.

Before proclamation, we will be organizing training sessions and publishing materials that will help societies familiarize themselves with and transition to the new legislation.

I thank societies for their patience while we have undertaken the modernization of this legislation. It will provide modern-day governance that meets the needs of today's Yukon societies and the people they serve for years to come.

I thank the officials from the Department of Community Services and the Department of Justice for their work with the new societies act and in preparing this bill.

**Ms. Van Bibber:** I thank the minister for a very good update on Bill No. 15. I too would like to thank the department officials and the drafters for all of the work done on Bill No. 15, *Corporate Statutes Amendment Act (2020)*.

The amendments in this statutes act provide clarification and assist to ensure that confusion that may be caused by any new additions and changes is alleviated for businesses, corporations, and societies. This bill includes amendments to the *Business Corporations Act*, the *Cooperative Associations Act*, and the *Societies Act*.

One such amendment that is seen across the three acts is to provide that a person who is incapable of managing their legal matters or financial affairs is disqualified from being a director of a corporation. One would think this is common sense; however, to actually state it in the act will be beneficial for

companies or societies in order for them to manage their boards in a manner that does not leave room for discretion or interpretation on this matter.

Other amendments include diversifying the way in which these groups are able to meet. In our digital virtual world, the ability for directors to meet by telephone or another communication medium will be welcomed by many. This would allow for businesses to carry on in these uncertain times. We've seen so much disruption of business due to the pandemic restrictions, and today was a reminder that sometimes Mother Nature has her own disruptions planned for our everyday lives.

This bill ensures that information is readily available to directors on request. As well, it provides clarification and ensures provisions that meetings can run smoothly and direction can be provided by said entities.

With that said, and being very brief, we will be voting in favour of Bill No. 15 and look forward to going into Committee of the Whole for a few questions.

**Ms. White:** Just in speaking right now to Bill No. 15, I think that it's really important to note that, when concerns were raised last time when this legislation was open from the People First Society of Yukon, it was making sure that those with intellectual disabilities still have the ability to participate on boards. I appreciate that there was some clarification as to what positions individuals with intellectual disabilities or neurodivergence could have on boards. That has been addressed in this.

Also, I would like to give full credit to the Paradise Music Festival. That was the first NGO that I know of that held a virtual AGM online, long before they were sure it was going to be acceptable. The good news is that it was approved after they held it, and they were the first ones.

We will have questions as we go through in Committee of the Whole but, for now, those are my comments.

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

Does any other member wish to be heard on second reading of Bill No. 15?

**Hon. Mr. Streicker:** I would like to thank the members opposite for their comments here at second reading. I am looking forward to Committee of the Whole. I will keep my opening remarks brief so that we can get into those questions. I look forward to speaking further to this bill.

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

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

*Bells*

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

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

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

**Hon. Ms. Frost:** Agree.

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

**Mr. Adel:** Agree.

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

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

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

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

**Clerk:** Mr. Speaker, the results are 16 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 15 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Deputy Chair (Mr. Adel):** I will now call Committee of the Whole to order. The matter before the Committee is general debate on Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### **Bill No. 15: Corporate Statutes Amendment Act (2020)**

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*.

Is there any general debate?

**Hon. Mr. Streicker:** I will just take a moment to introduce the officials who are coming in. We have with us again Ms. Louise Michaud, who is the Assistant Deputy Minister of Corporate Policy and Consumer Affairs, and Ms. Bhreagh Dabbs of the Legislative Counsel office. We are also again joined by Jess, who is in training as Ms. Michaud's guide dog.

I am just going to make a few opening remarks for us all, given that we just had second reading moments ago here in the House. The primary purpose of this bill is to further modernize the Yukon's 2018 *Societies Act*. The purpose of this legislation is to provide our more than 800 Yukon societies with improved guidance on processes regarding their creation, governance, and operations.

The bill also amends the *Business Corporations Act* and the *Cooperative Associations Act* for consistency of comparable provisions in the three statutes.

The Yukon Human Rights Commission expressed concern that language in the 2018 *Societies Act* preventing individuals subject to guardianship orders that limited their rights to manage their own affairs from being directors was too broad. This bill narrows the language to prohibit only individuals subject to guardianship orders preventing them from managing their own financial affairs and/or legal matters from being directors. These changes will apply to the new *Societies Act*, the *Business Corporations Act*, and the *Cooperative Associations Act*.

Mr. Deputy Chair, the amendments to the 2018 *Societies Act* contained in Bill No. 15 will make good legislation even better. I am happy to hear questions from members opposite and I will do my best to provide responses.

**Ms. Van Bibber:** I too welcome the officials and Jess into the House today.

The explanatory note on the *Corporate Statutes Amendment Act (2020)* says that the act is amended to provide that a person who is incapable of managing their legal matters or financial affairs is disqualified from being a director of a corporation. Who decides if a person is incapable of managing their own personal legal matters or financial affairs?

**Hon. Mr. Streicker:** Under the *Adult Protection and Decision-Making Act* is where the rules are laid out around decisions of whether someone is capable or requires guardianship. I think the question from the member opposite is: Who decides? Ultimately, it is a court. There is an application to the court for guardianship, and that's where it's decided.

There are categories under which that guardianship can be described. That's what the Human Rights Commission came and talked to us about. Sometimes those categories deal with financial matters or legal affairs, but sometimes they deal with health or personal issues. The thinking was that there are people who may be under guardianship but still have the ability to manage their own legal and financial affairs and therefore, if they can manage their own legal or financial affairs, then the thinking is that they should also be able to sit as directors on a board, whether that board be for a society or a corporation or a cooperative.

The notion was to try to make the ability, or the types of boards for people to be able to sit on, as inclusive as possible while not putting themselves or the society that they would represent on that board at risk.

**Ms. Van Bibber:** The bill states that there is a requirement that a society provide a copy of its register of directors to a person upon request. Can you define a "person"?

Is it anybody who wants to find out about a certain society? Or is it limited to who can access information about a society?

**Hon. Mr. Streicker:** The answer is that anyone has access to it. I just will note for the House that what they get access to is how to contact — how to contact those directors.

We also, in the act, say that you can't use the information that you would get — that list of people — for, say, advertising reasons. It has to be for the purposes of that board. Whether that board is a society board, a corporate board, or a cooperative board; it has to be for business with or dealings with that board.

That's the caveat that's in there. Anyone has access, but you are restricted as to what you are allowed to do with that information.

**Ms. Van Bibber:** Thank you for that answer.

In section 2 (11)(a), it refers to "a person who is not an individual". Can the minister clarify this clause for the public, please?

**Hon. Mr. Streicker:** Under section 4(2), there is something that is going to be added in, and it is talking about a person who is not an individual — if I have the right section, that's great. What it is really saying is that, if we are going to have someone who is a director, we don't want a corporation to be a director, but corporations, under the law, are considered "persons", so that is why you have to differentiate that it has to be an individual. That is what that small subclause is treating.

**Ms. Van Bibber:** There was an amendment made to this bill that reflects that a director may not act by proxy at a meeting of directors. Can the minister confirm what other proxy actions will be eliminated across the board for all meetings?

**Hon. Mr. Streicker:** The one place that this proxy is explicitly prohibited is around directors because they have a higher responsibility to the board — a fiduciary responsibility, for example — and that they are not able to use proxy. Members could use proxy unless the society's bylaws prohibited it. In other places, we are just silent, which means that it really will depend on whether the society wishes to allow that by their own rules or not, but in terms of the one place where it is explicitly not allowed, it is for directors of the board.

So, think of that as the president, the vice-president, or the treasurer. They are not able to use proxies because they have that higher responsibility to the board.

**Ms. Van Bibber:** In the changes to the *Cooperative Associations Act*, there is an addition to subsection 19(9), which says, under subsection 11, that a person is not qualified to be a director if they have been convicted in Yukon or elsewhere of an offence involving fraud or theft, unless five years have elapsed. How did the five-year determination come about?

**Hon. Mr. Streicker:** What we are talking about here is — suppose that there is someone who has done something fraudulent in the past — especially where it deals with financial issues — then should they be allowed on a board as a director?

What this bill is proposing is that, after the person has dealt with that issue — paid their fine or whatever the remedial action is against that fraudulent behaviour — then there should be a period of time by which they are disallowed, but it shouldn't be forever. It is a reasonable amount of time. The question posed by the member opposite is "Why five?" Well, it was just trying

to come up with an amount of time that doesn't extend out too far but isn't the next day. BC chose five years. We modelled a lot of our work on this act — as I have said a couple of times today — on the work that BC did, so we followed their lead and went with five years.

**Ms. Van Bibber:** Section 30(2) states that if a person requests a copy of a financial statement or register of directors of a society and pays a fee for the copy, the society must provide the person with a copy of the financial statements or register of directors.

Can the minister clarify who is entitled to receive this information? Is it open to the general public or limited in some way?

**Hon. Mr. Streicker:** The question that, I believe, was asked by the Member for Porter Creek North was whether anybody will have access to that information. The general answer is yes — all persons can get access to the financials. But there are a couple of things worth noting.

The first one is that, if you're not a member of that society and you're requesting the financials, the corporate online registry or department can charge a nominal fee. It's not saying that we will, but it's that a fee could be charged — sort of like an administrative fee to recover. To answer the very specific question: Who has the ability to request this information? The answer is anyone.

**Ms. Van Bibber:** That's interesting. We've heard that the government is working on a broader review of this *Societies Act*. Can the minister confirm that this department is working on a comprehensive review of the *Societies Act*? If so, can he provide us with an update?

**Hon. Mr. Streicker:** We have been doing a big review. We started several years ago with public meetings and broad community engagement. That is what led to 2018 and this is the end of that big review. So, there is no other review that is going on. This is the work that we have been doing all along — so there might be a bit of misunderstanding out there in the public about what is happening.

We wanted to update the *Societies Act*. We came here in the fall of 2018, and that act made it through this House. My recollection is that it was unanimous here in support of that bill. Then we began work on the regulations and we had that dialogue — even as the act was on the floor of the House — with the Human Rights Commission. That was their request, so we looked for a solution around that. That included amending the act another time. At the same time, we took the opportunity to update a few other things in support of COVID and things like that. We are at the tail end of it all.

If the Member for Porter Creek North knows of organizations that are concerned, please — I'm happy to speak with them or for her to speak with them and explain that this is the end of all of that work. As I said in my second reading speech, our goal is that, by the end of this calendar year, we get in place the supports for the online registry, the ability to work with societies to inform them about the changes that are here, and to work with them in the rollout.

**Ms. Van Bibber:** Just one other follow-up in this virtual world of AGMs and new ways of doing business — has the

department found it difficult or challenging to adjust to this new way of doing business? Is this going to be ongoing?

**Hon. Mr. Streicker:** I think, as with many departments, the folks at Corporate Affairs have worked to be flexible so as to be supportive of societies. Like everyone here, I am sure that they, too, have gotten used to Zoom meetings and online things. Their experience with societies is that societies have been pretty nimble.

The department heard from many societies right away about concerns that were arising out of COVID. The first thing that they asked us to do was to make sure that we were moving our transfer payment agreements to those societies so that they were financially whole as COVID hit. So, we asked all departments to try to accelerate their movement of cash to societies. I don't have a report in front of me about how quickly that happened, but I know that within my own societies — because each department would support different societies — I know that we moved that money.

The next thing was about how to support societies so that they didn't go offside. So, that was around extending the date of AGMs, which was done by ministerial order — from my recollection — and then, secondly, it was to allow — through ministerial order — that societies could meet electronically even if they did not have a bylaw in place which would allow it. That is one of the things that we are going to be fixing here through these amendments — to make that permanent. Because we see now that this is where societies are moving, right? They are able to use technology to their advantage while maintaining that integrity of connection to their members. I feel that is the way that they moved and will continue to move, and so I am happy that we used ministerial orders to start but that now we are trying to fix this permanently.

I think we are still working on other issues. For example, another issue arises because of rules around — how long between one financial statement to the next? COVID has lasted — I don't want to say longer than we thought, but it's longer term — so there are all these little things that — we have to make sure to keep societies and boards whole. Through no fault of their own, they are just not able to achieve the rules as they have been previously set. I think that there is a new direction taken by both societies and the department. I think they are working closely to try to keep societies whole.

**Ms. Van Bibber:** Again, thank you to the department officials for being here and assisting the minister. I will turn it over to my colleague from the Third Party.

**Ms. White:** I was just going to seek some clarification around amendments to the *Societies Act*, mostly because I realize that when I asked the question or made the statement earlier, I thought that I should get that clarified.

When I brought up my concerns around people being able to participate who have intellectual disabilities or neurodivergence, it was — for example, the People First Society of Yukon, which is a chapter of the People First of Canada. The membership is made up of people with intellectual disabilities.

Can the minister walk me through how a board such as People First functions? How would it differ, based on these amendments?

**Hon. Mr. Streicker:** I will start and then I will maybe get some more clarification.

I remember meeting with People First when the first *Societies Act* bill was before us. We had conversations together and with the Human Rights Commission, and the basic issue was: What is the type of intellectual disability? If the type of intellectual disability is dealing with financial or legal matters — that was the criteria by which we said that those folks should not be encumbered with the responsibility of a board. It wouldn't be fair to them and it wouldn't be fair to that board.

We talked about the ability of societies to have non-voting directors or people who were supportive of it and who were allowed to be there if they were not capable legally or financially, but we wouldn't give them that full responsibility.

On the other hand, if their intellectual disability was of a nature of something personal or health-related — well, no problem — because that's not going to affect those individuals' ability to sit on a board and take the responsibility of those decisions. That was where the line got figured out. We actually got there pretty quickly in conversation with the Human Rights Commission and in conversation with the department and other organizations like People First. It took time, though, to find the right way to thread that needle legally and that's what we have before us in terms of this bill.

Now, maybe we'll get into more specifics and I will try to answer more detailed questions — but I'll just start there for now.

**Ms. White:** I thank the minister for that answer. I was just going over the note that had been sent to me by one of the officials that had also been forwarded to Inclusion Yukon. Really it was just getting the clarification. I appreciate that folks will still be able to participate on boards and I respect the parameters.

With that, I don't have any further questions.

**Deputy Chair:** Is there any further general debate on Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*?

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

*On Clause 1*

*Clause 1 agreed to*

**Ms. White:** Mr. Deputy Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all remaining clauses and the title of Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, read and agreed to.

**Unanimous consent re deeming all remaining clauses and the title of Bill No. 15 read and agreed to**

**Deputy Chair:** Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of the Committee of the Whole to deem all remaining clauses and the title of Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Deputy Chair:** Unanimous consent has been granted. *Clauses 2 to 25 deemed read and agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Streicker:** Mr. Deputy Chair, I move that you report Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, without amendment.

**Deputy Chair:** It has been moved by Mr. Streicker that the Chair report Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, without amendment.

*Motion agreed to*

**Deputy Chair:** The matter now before the Committee is continuing general debate on Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

**Bill No. 205: Second Appropriation Act 2020-21 — continued**

**Deputy Chair:** The matter before the Committee is continuing debate on Bill No. 205, entitled *Second Appropriation Act 2020-21*. Is there any further general debate?

**Mr. Cathers:** Beginning debate again today on this supplementary budget, we will again continue to ask for information.

I will begin by starting with — the Premier has tossed around figures for funding for the Yukon Hospital Corporation that certainly do not seem to line up with the facts as we see them from the Public Accounts and the budget book. I would like to ask him just to begin by being specific when he is talking about increases to the Hospital Corporation.

Can he tell us which lines he is talking about and from which document? Because we are being told that funding is increased for the hospital. Meanwhile, we know from the Minister of Health and Social Services' comments during debate in the spring of 2017 — she acknowledged that the increase to the hospital's core budget was, in fact, just one percent for that fiscal year.

In looking through the Public Accounts — again, of course, we recognize that most people do not go through the Public Accounts or have the time to do that. That's part of why they elect us to scrutinize the decisions made by government, including the financial decisions.

The hospital has a core budget but, in addition to that, there are also a number of specific items that vary — sometimes very

significantly — from year to year based on what capital projects are underway. They can include funding, for example, that is included in the budget for the Meditech program — we're happy to see that proceeding. It is something that in fact we called for — the Meditech upgrade; now IHealth. We urged the government to do it back three and a half years ago. I'm pleased to see they are following through and are moving forward.

When there is funding for something such as that or funding for other new programs — such as the orthopaedic program — those amounts should not be confused with the core budget for the Hospital Corporation — as it appears the Minister of Finance was doing inadvertently or deliberately the other day. The individual line items — if one looks, for example, at page 199 in the Public Accounts that the Premier just tabled — for the last year that we actually have the actuals for — since of course the revised supplementary estimate we're dealing with today is an estimate — the actual spending for the previous year becomes very relevant when we're trying to compare the budget for the current year versus what was actually spent in the previous year.

I see here in schedule 9, under the Hospital Corporation, that in addition to operational funding, there are breakdowns of specific amounts for the Watson Lake hospital, for the Dawson City hospital, for the orthopaedic program, for the territorial health investment fund/Meditech, for First Nation health, for the secure medical unit, for laboratory services, for telemedicine, for the cataract plan, for the OB/GYN program, for the MS program, and — last but not least on that list — for the Yukon Hospital Foundation. All of those amounts, added up, make up the grand total. What I'm asking the Premier to do is to, instead of — first of all, to explain where he's getting his numbers from — because they certainly do not line up with our understanding of the rate of increase — be specific about which pages from which documents he's citing.

Secondly — and a very important question — how much has the core funding for the Hospital Corporation increased during this mandate? We know that it went up one percent during the first year. What has been the actual rate of increase or decrease in each of the years that this government has been in office?

**Hon. Mr. Silver:** The member opposite — before we concluded general debate the other day for the day — asked a number of questions, and so I'm going to get to those first and then I'll get to his specific questions on Yukon Hospital spending.

One of the questions asked before we ended the other day was about full-time equivalent positions. In the Blues, that would be page 1610. The question was: What will the total number of FTEs be after the 118.9 positions have been added?

Mr. Deputy Chair, as of Supplementary No. 1, there will be a total of 5,193 FTEs. This is an increase of 88.2 — which constitutes 1.7 percent — over the 2020-21 main estimates. At that time, the number of FTEs was 5,104.8. The increase includes 13 permanent and 75.2 term FTEs.

So, the majority of these additional positions are for COVID-19 supports and they ensure that we continue to provide high-level services for Yukon. But again, it's worth

noting that there are 13 permanents in that number. The total number of FTEs also reflected an increase of 30.8 FTEs between the 2019-20 and 2020-21 main estimates.

The member opposite also asked about Hospital Corporation funding the other day as well — asking about tabling documents and to show where the funding has increased for the Hospital Corporation but also if this reflects an increase of the Yukon Hospital Corporation's core budget — again, asking that question here today.

The total budget for the Yukon Hospital Corporation for 2020-21 is \$81.3 million for its core operations and other requirements. This is an 8.6-percent increase over the 2019-20 mains. The increase of the 8.6 percent includes: increases in core funding for two fiscal years of about five percent; increases for the orthopaedics and IHealth/Meditech; and also one-time funding initiatives and pension solvency.

Now, between the 2015-16 fiscal year and the 2020-21 fiscal year, the YHC O&M has increased almost 29 percent. The increase is comprised of the following: a 10-percent increase in core funding, averaging two percent over the last five years; a 14-percent increase for new programs added to base for MRIs, Emergency department expansion, First Nation health, and lab testing; there was a three-percent increase for one-time funding for more OBs, ultrasound in the community, and pension solvency; and also two-percent additional funding to the base funding for ongoing costs for chemotherapy — which is good news for Yukoners, with the additional services that we now provide in the territory.

We are closely working with the Hospital Corporation to ensure that the proposed budget meets their core funding needs. We are pleased to support the work of the Yukon Hospital Corporation through the supplementary budget tabled in the House. We are committed to ensuring that the Hospital Corporation is supported throughout our territory's response to the pandemic and also just through general operations.

In the *Supplementary Estimates No. 1* for 2020-21, we are providing the Hospital Corporation with \$6 million — \$6,012,424 — in additional COVID funding to support COVID preparedness — for example, making changes to the Emergency department, lost revenue, increased staffing, and the purchase of additional supplies.

As you see, Mr. Deputy Chair, we are talking O&M compared to capital. As you know, capital budgets can be cyclical — or “lumpy” is a good way of describing it — because there are significant increases in capital budgets during years with major building construction or renovations. One of those boom periods for the Yukon Hospital Corporation budget was during the 2015-2017 era, where the MRI and the ER capital projects were allocated between \$17 million and then \$23 million per year. Including this year-over-year comparison in the budget would be misleading in one direction or the other, as it does boom in those particular years. But, again, when it comes to the O&M, we give the numbers as far as the increases — and the core funding — we gave some details there as well.

Again, the Minister of Health and Social Services will be up here as that department gets debated in that supplementary

budget, so any more specific questions on that can come from the good minister and her team.

We also had a question the last time that we were on the floor of the Legislative Assembly talking about the supplementary budget from the member opposite — talking about the borrowing limits. I guess the question was: Can we explain why we denied any interest in increasing the borrowing limit in May 2017 and then somehow did the opposite? It was something about the borrowing limit. Basically, Mr. Deputy Chair, the government's current borrowing limit was increased earlier this year by the Government of Canada to \$800 million. Increasing the Yukon's borrowing limit allows us to invest in major infrastructure that benefits all Yukoners. Of the \$800-million borrowing limit set by the Yukon borrowing limits regulation, \$590.5 million — or 73.8 percent — of this money is still available to fulfill outstanding and future approvals of that. The debt limit is set by two regulations under the *Yukon Act* of Canada and is allocated between the Government of Yukon and the corporations — Yukon Development Corporation, Yukon Energy Corporation, Yukon Housing Corporation, and Yukon Hospital Corporation.

As far as department borrowing — there is no department borrowing going on in this borrowing limit — just to clarify. It is all corporations.

Out of the outstanding amount, our government is responsible for just over \$20 million of that debt. The rest, of course, was incurred under the Yukon Party.

The member opposite then pivoted to questions about water licences for miners and what the number of placer miners awaiting a water licence is — what the number is there. How long are the delays, and is data available on how many people are affected by this? The Yukon Water Board delegates to the chief of placer mining for the purposes of licensing. This is done to provide a single licensing window where the placer mining land use authorization is adjudicated along with the water licence. It is designed to be a more efficient system.

The number of licences that remain in front of the Water Board for adjudication — there are a number of them. The board continues to process licences monthly. Currently, there are 17 licences before the board. Six of these were submitted in mid- to late summer and have not been processed yet. The remaining 11 have been before the board for longer. These longer timelines are due to proponents' non-responses for information requested. Others are on pause due to wetlands issues and matters currently being explored with this hearing in the public interest, as we saw last week.

There was also a question about stakeholder and public consultations held since the onset of the pandemic. The Government of Yukon has engaged broadly with the public a number of times since the onset of the pandemic, despite what the member opposite is saying. This includes engagements that run through the Department of Education with students, parents, and teachers; the NGO sector survey; and also the ECO/chief medical officer of health-led community well-being survey — which is a herculean effort, if you ask me.

As far as government-to-government discussions — the Government of Yukon continues to speak weekly with

communities and First Nation leadership throughout the pandemic. I spoke to leadership just today, actually, at the Kwanlin Dün Cultural Centre.

The significant dialogue also included — and continues to include — regular discussions between the Health Emergency Operations team and the Emergency Coordination Centre with Yukon communities and First Nation governments to ensure that concerns are heard and addressed as they arise.

In addition to this, Mr. Deputy Chair, the government has also met with the business advisory committee and tourism advisory committees, set up immediately since we were dealing with this pandemic. A new Yukon Tourism Advisory Board was appointed March 19, 2020, to provide advice to the Minister of Tourism and Culture on strategic tourism issues affecting the industry, as industry and government work to implement the *Yukon Tourism Development Strategy* — a long-overdue government initiative.

The Government of Yukon established a COVID-19 Business Advisory Council, as I discussed, to ensure that the needs of the Yukon business community are heard as we address the economic impacts of COVID-19. I believe that was announced March 25. The council includes stakeholders from a wide variety of sectors who contribute their knowledge and experience and represent diverse aspects of all of Yukon's different economic stakeholders.

They informed the Department of Economic Development with local business intelligence, identified best practices — sometimes even showing us their books — they recommended mitigation strategies to address the effects of COVID-19. In total, there have been hundreds — hundreds — of meetings with stakeholders over the last seven months — yet the member opposite made a picture that seemed to be saying that we haven't engaged anybody as we went down the road of providing programs, services, and relief for First Nation businesses and individuals and communities as we grapple with a global pandemic.

I think that's it. I will cede the floor to the member opposite for further questions.

**Mr. Cathers:** In terms of the discussions — first of all — that the Premier referenced with other levels of government and businesses related to the pandemic — I would acknowledge that there have been some discussions, but it is also something that some might refer to as “consultation by invitation”.

For the Yukon businesses and citizens who have been affected by sweeping ministerial orders and who have had their lives restricted and affected by them, it is a real issue out there. People are frustrated that their lives are being affected and they're not involved in the process and don't really have the opportunity — either before the issuance of those orders or afterwards — to do — as I suggested on several occasions — even the simple exercise of government asking people: What is working? What isn't? What can we do better?

I'm going to move on from that one though.

I do appreciate the Premier providing more specific numbers regarding funding for the Hospital Corporation. If I heard him correctly, I believe that he cited an 8.6-percent increase in core funding in the last year compared to the



2019-20 mains. While that's great to see an 8.6-percent increase in core funding, I would point out that the number that the Premier provided for the total increase in core funding over the life of this government was 10 percent. One can subtract 8.6 from 10 and see how lean the picture has been leading up to this.

I am pleased that the government seems to have taken more appropriate action this current fiscal year, but it does speak to the strain that the Yukon Hospital Corporation is under.

I also want to point out — just in terms of the Premier, earlier today, talking about the growth of government — he seemed to be trying to suggest that because we've been critical of the lack of funding for the Hospital Corporation and because much of the government's increase in funding was in Health and Social Services, that somehow the two were mutually incompatible issues to say that funding — mutually incompatible positions, I should say — to say that funding was inadequate for the Hospital Corporation and then have concerns with the growth of government overall, including in the Department of Health and Social Services.

What I just want to make reference to for the Premier — to make sure he understands our point — and also for anyone who is listening on the radio or reading Hansard — if you look at the Yukon hospitals' proportion of the total government budget, whether it be the projected amounts included in the supplementary estimates — or I'll use the actual number from schedule 9, page 199 of the Public Accounts — showing \$81,041,282 in actual funding for the fiscal year that ended on March 31 — that number is less than the growth of government expenses in that fiscal year. Total expenses, according to page 3 of the Public Accounts, increased by \$81.5 million, which is a growth across government of more than the entire funding for the Hospital Corporation. So, the growth of government overall is exceeding the hospitals' portion of that funding. So, I hope that's clarified for the Premier.

There are a number of areas where we do continue to have outstanding questions related to the budget and to the supplementary, Mr. Deputy Chair. That includes in the area of the extended-family care agreements that have been referenced a number of times. We saw that as part of where the government went overbudget in the last fiscal year. We also see additional funding in this fiscal year for it. But we still don't really have a program description from government of what it's actually doing — what the set-up is, who would receive funding under these agreements, what the nature of that relationship would be, and how much would be provided under them.

I do want to clarify that government frequently likes to suggest when we ask questions that we must disagree with what they're doing. But often, as in this case, we don't have enough information yet from the government to know whether we agree with the structure or don't agree with the structure.

I would just ask the Premier — now that there is this new area of significant growth in government spending — to provide us with more detail on what that does and for the details as to the structure of those agreements.

**Hon. Mr. Silver:** In general debate here, we don't have information specific to the extended-family care agreements,

but the good news is that the department will be here to speak in volumes on programs and services related to the supplementary budget when it comes to that particular question.

If the member has some general questions about funding, we can try to find some numbers through the supplementary budget as far as money being allocated to the hospital, compared to Health and Social Services — but an agreement in policy or principle, with a very specific agreement — I believe that, in the spirit of openness and transparency, to have a dialogue with the minister responsible and her team here to not only talk about the money available, but also the intent of the programs, where we've come, and where we're going as we look at the independent review and implementation of all those recommendations — I think that this would be where the answers would be best suited. The good news is that the department is listening, so they will know that this question is coming when they appear here in Committee of the Whole.

**Mr. Cathers:** I was hoping we would get at least a little bit more information from the Premier about this area because it is a new area and one where, as the Premier may recall, we were previously advised by officials and there were some questions about whether the act, in fact, enabled agreements of that type. The indication was that they were something that was allowable. The Premier and I debated this earlier in the spring. I have that somewhere in front of me, but I don't have the copy of Hansard right at my fingertips, so I won't quote from it — but we did debate it. Unfortunately, we are now at the point where — it began in the last fiscal year. We are now well into the current fiscal year and it's an area in which we only have only a very high-level explanation of what it does.

Unfortunately, to date, when we have asked for information about it, the answers from the minister have really mischaracterized our questions and haven't provided us information. So, I would appreciate it if the Premier could get back later in debate with that information since, unfortunately, to date, the indication has been that the minister is unwilling to provide that information.

I want to move on to another area, and that relates to the question of the recovery from the pandemic. We have seen predictions in areas such as the government's parks strategy that seemed to predict the growth of tourism being unaffected by the pandemic, while — as we have heard — indications from officials in another department are that the government's GDP trajectory overall is not expected to return to predicted levels until 2025, if all went well.

Can the Premier indicate what projections the government is currently using for recovery of the tourism industry, when they expect this to occur, and how they expect it to affect the various sectors? In a question of gross domestic product generally, when does he expect government's GDP to get back on track with the previous predictions? Would he agree that it is 2025, or does he have a different year in mind for that expected return?

Again, I couch that with the fact that I do realize that no one has a crystal ball, and those predictions are, by their nature, not something that anyone in the world right now can set in

stone — but we are just asking for the information about what predictions and information the government is relying on at this point in time when they are making their decisions.

**Hon. Mr. Silver:** There are three things outstanding here. The member opposite commented — two questions ago — about the business community — talking about some of the business communities that he has heard from. I was just speaking offline here with the Minister of Economic Development, who has not been off the phone, off the meetings, or off the attention of the business community since March.

If the member opposite just says “anecdotal” and doesn’t have to respond here in the Legislative Assembly — if he knows of any business that has not been directly in communication here with the minister and his team, we would like to know who — because it’s extremely important information as we go from triage into relief and then into recovery. That’s extremely important information.

The information that we received from the hoteliers, the information that we’ve received from travel destination folks, small businesses, retail — it has been absolutely necessary for the programs that we’ve put out the door. I think that, if the member opposite has some businesses that he knows of that believe that they have not been a part of the conversation or have not been involved, then we would absolutely love to know who that is.

This weekend alone, I could barely get a word in edgewise with the Minister of Economic Development because of all the calls that he was taking from the business community.

When it comes to numbers and when it comes to Family and Children’s Services — we have already stood up in general debates to speak about the allocation of funding. Of course, when it comes to Family and Children’s Services, our whole point here is to support the well-being of children, youth, and families. We do that through protection; we do that through interventions; we do that through coordination, advocacy — all of this strengthening our families and our communities.

We’ve gone through from the main estimates what that number breakdown is in general, but I would ask the member opposite to ask specific questions and to pass that to the specific departments. We could go through the operation and maintenance that we reported here in the Legislative Assembly: program management from the mains — \$8,635,000; family services — operation and maintenance for family services, as allocated in the mains, was just under \$5 million — or more specifically, \$4,000,981; child placement services — the amount allocated in the 2020-2021 main estimates for child placement services was \$3,660,000; early childhood and prevention services — \$11,076,000; youth justice — \$4,573,000; and child assessment and treatment services — \$11,000,994.

When it comes to capital — we’ve had a conversation about the capital programs as well, but I think the member opposite was talking specifically about O&M. The breakdown past that — there was not an opportunity during the mains, as we had unanimous consent to convene early here in the Legislative Assembly, but the department will be up in the

supplementary and be able to answer any specific questions on the breakdown of those values.

When it comes to GDP, the member opposite knows that there is a whole series of statistical analysis that we do from our own internal conversations and our own internal investigations and statistics. Through the *Interim Fiscal and Economic Update*, we provide the expectations through that documentation for Yukon’s finances and the economy, and we do that every year with our mains — we put that information out. Despite increasing funding from the federal government, the impact of the COVID-19 pandemic is the primary driver of a downward revision of our statistical analysis from those days in the surplus projection, resulting in that forecasted deficit of \$31.6 million, and that is where we are here today.

When it comes specifically to the GDP — you know, as per our own internal numbers from the Department of Finance early on in the fall here, in September — our most updated GDP forecast internally was that real GDP was forecast to grow by 0.8 percent in 2020, which represented 5.4 percentage points lower than was forecast in March, reflecting significant economic costs associated with COVID-19 and measures taken to minimize potential transmission therein. This would make us one of the only Canadian jurisdictions with positive GDP growth for the year from that forecast, further demonstrating our strong economic and fiscal foundation.

As far as GDP assumptions go, there is also the Conference Board of Canada, which summarizes economic activity. GDP forecasts, again — I have said this in opposition, and I say this in government — they are always filled with uncertainty. As we predicted growth to begin the year, who would have thought that there would be a pandemic — let alone in just regular years — there are definitely things that shift and switch those forecasts. Forecasts are an excellent analysis of the future, but the future is always unknown.

We can take all of the best information that we have, we can make the best assumptions on timing of future events, and we can talk about comparing our results with other experts in the field. There is constant analysis going on — not only internally with us, but also with the Conference Board of Canada. We meet once a year — an annual meeting with the Finance ministers — that is actually where I first met my current deputy minister; he was acting as another deputy minister at that time — but conversations with the Bank of Canada — presentations therein. Also, they were very helpful as we go through our predictions for the future.

This *Interim Fiscal and Economic Update* — again, no exception as far as how we do our predictions. Again, with the asterisk of how there is a lot of uncertainty there, but there is no exception this year in our update — despite the fact that it was released in unprecedented economic times and significant uncertainty. To explain these circumstances to Yukoners, we provided background to the economic outlook — on pages 9 and 10 of that document for the member opposite. We have researched what these economists and other private sector experts are saying about the long-term effects on the Canadian economy. We took a closer look at those to make forecasts for the Yukon economy.

The Conference Board of Canada summarized that, for most provinces, economic activity will not return to pre-COVID-19 levels until the second half of 2021. For Yukon, this has already happened, as growth continues — albeit small growth. Our forecast suggests that, because of this flattened growth curve this year, it will take until about 2024 for GDP to recover back on the same growth track that was forecasted in pre-COVID March budget times.

Mr. Deputy Chair, I say that with all the preamble because, again, GDP forecasts are absolutely forecasts. They are filled with uncertainty. One of the biggest things that are going to really shepherd in the economic recovery will be a vaccine. It is anybody's guess as to when that's going to happen — when the vaccine gets passed by the medical community as safe for the public and safe for Canadians, who the companies are going to be that will do the distribution, and how quickly a country like Canada will get the herd immunity percentages of that vaccine and then implemented. Suffice it to say that, once that process starts, we will see — I'm sure of it, as the one certainty as far as forecasts — a change in the forecasts based on when that happens. We are hopeful to see that sooner rather than later, but I don't like to speculate on when that is going to be.

**Deputy Chair:** Would members like to take a short break?

**All Hon. Members:** Agreed.

**Deputy Chair:** We will recess for 15 minutes.

*Recess*

**Deputy Chair:** Committee of the Whole will now come to order. Is there any further general debate?

**Mr. Cathers:** Just in resuming debate — could the Premier just confirm what the projected growth of revenue and expenses is this year, as of the revised supplementary estimates, both in dollar terms and in terms of percentage — what is that growth rate for both revenues and expenses? I'm talking about across government as a whole or on a consolidated basis — if he could please provide that number.

As well, in the area of personnel growth, I was making reference to a previous debate where the Premier had indicated a growth of 450 positions in government since taking office — which, in addition to the ones provided this year — our understanding is that total growth of full-time equivalent positions would be 568, according to the government's numbers. Could the Premier please confirm if this number is correct, or if there has been some adjustment compared to what he had previously indicated? The addition this year of 118 new positions — could he please indicate what the total growth is once the new positions contained in the supplementary budget have been added to government, compared to when his government took office?

**Hon. Mr. Silver:** I will say as well for the member opposite that it's really difficult to hear what he is saying. If he could speak up, that would be great.

I am not sure exactly what his question was as far as revenue and expenses. We could talk about what has been voted to date and then what the revised vote is. That's what we are

here with the supplementary estimate to do — to show that revised vote.

From our revenue for the mains, that was \$1.5 billion. To be specific, it was \$1,525,871,000. The change that we're seeing now with the revised vote is \$1,567,946,000, for a change of \$42,075,000. When it comes to expenses, in 2020-21 — when we came out with the mains, our expenses were a negative number, obviously, of \$1.5 billion. To be specific, it was \$1,521,765,000. The revised vote is \$1,599,558,000, for a change of minus \$77,793,000. So, with those numbers, when calculated, we were at a surplus of just over \$4 million — \$4,106,000. With the revised vote, that puts us into a deficit situation. The revised vote is an extra \$31,612,000 in total, so that brings us to a deficit of \$35,718,000.

When it comes to the FTEs, we have been on the floor a few times talking about the FTEs. We talked again today that, in *Supplementary Estimates No. 1*, there is an increase of 13 permanent and 75.2 term FTEs — or 1.7 percent — from the 2020-21 main estimates. In the 2020-21 main estimates, we communicated that we had 5,104.8 full-time equivalents — or FTEs — reported by our government to support programs and services. We have also spoken about how the majority of this increase is attributable to the Government of Canada's response to the COVID-19 pandemic and also provides a continued level of services that are expected by Yukoners.

During the first portion of the year, the government also temporarily redistributed staff from various departments to assist with COVID-related supports as needed. The majority of these staff have now returned to their substantive positions and the government is taking steps to strategically recruit staff necessary to support COVID-19 measures and public health over the long term. We've come a long way in the last few months since COVID reared its ugly head. The government departments proved exceptionally resilient in being able to use the complement of FTEs that we have. What we saw is a dedicated public service that sprung into action in very confusing times, where people were making provisions to work from home — having the virtual client set-up in record time. Again, I don't mind ever coming into the Legislative Assembly and thanking Highways and Public Works for the amount of amazing work the tech departments did to get the public servants home and able to work very quickly.

Also, looking at things like the emergency response teams, the human resources that we saw in the old library here in this main administrative building — what a hubbub of activities — all public servants in other substantive roles switching, augmenting, being flexible, working well into the evening and on weekends to respond to the pandemic. We've seen Dr. Hanley speak about how the medical community across the world, in Canada, and here has been able to respond to the pandemic through what they've learned over the past seven and eight months — so too has the public service — being able to get back into their substantive positions, but also as we strategically recruit staff to continue to provide all of the necessary information statistics, information sharing with governments — intergovernmental but also First Nation governments, municipal governments, and the federal

government. It has been truly an honour to be the Premier of such a responsible, responsive, mature, and sophisticated public service.

I'm not sure if there are any other questions. I do have the areas of growth broken down per department if the member opposite wants me to go into some of the highlights as to the full-time equivalents and the change between the mains and the 13 permanent and the 75.2 term FTEs — representing 1.7 percent of the total complement of the 2020-21 main estimates' FTE count.

**Mr. Cathers:** I thank the Premier for that information. If he would provide that breakdown by department, that would be appreciated. I apologize — I was speaking in a conversational tone, and I guess the microphone didn't pick it up that well before. What I was asking the Premier about was — he obviously didn't quite hear what I was asking — two things.

One was about the supplementary estimates — in comparison to the previous fiscal year — what the increase is expected to look like, compared to the fiscal year that wrapped up in March of this year — what the percentage increase would be — the expected increase in expenses, and the expected increase in revenues. Because, as the Premier will be aware, that is one of the ways that the information is presented in the Public Accounts — a comparison of the previous fiscal year and the percentage growth in those areas.

If he could just provide that information of the supplementary estimates that are tabled — if this ends up being the “actual” before the end of the fiscal year, what would that percentage of growth look like in comparison to the previous fiscal year?

The other question was just about growth of full-time equivalent positions since government took office. I was making reference to — and I now have in front of me for reference the page in Hansard — just for the Premier's reference and the reference of Hansard, in March 2019, when the Premier and I discussed the growth of full-time equivalent positions, on page 4012 of Hansard, the Premier stated — and I quote: “Again, if all these positions are hired, the total growth of FTEs by the end of the fiscal year will be 450...” Looking at that number and the increase this year of 118, it appears that the growth of government since the Premier and his Cabinet took office would be 568 FTEs, but we know that in the past there have been adjustments between numbers that we have been given by the Premier and his colleagues and what actually occurred.

So, I am just asking the Premier to confirm: Is that the correct number, as he understands it — that the growth would be 568 FTEs since taking office? If that is not correct, could he advise what the actual number is?

**Hon. Mr. Silver:** Thank you very much, Mr. Deputy Chair, and thank you to the member opposite. I can hear him clearly now, so that's a good level.

I will have to get back to the member opposite as far as from when we took office. Every year, we do get asked — from the mains — what our FTE count is and if we can provide that information. Every supplementary, we update that. We just gave the update with the 2020-21 main estimates. We had a

number that was 5,104.8 full-time equivalents. As of this supplementary estimate, there is an increase of 13 permanent and 75.2 term FTEs — or 1.7 percent — from the 2020-21 mains. That is the most up-to-date information that we have. As the member opposite did specify, in my answer, I said that if all hires happen, then these are the numbers that we would have. These are the most up-to-date numbers that we do have, based on this supplementary estimate.

But what I will do is — I will look back over the years to see if I can provide an update of total FTEs since — I guess that's the best way of saying that, Mr. Deputy Chair.

I might have to ask the member opposite for a clarification. When he is talking about expenses or revenues based on this year, it almost sounds like the member opposite wants me to get into a predicting mode of moving into the end of this fiscal year and speculate as to where we are going to be at the end of the year. I will ask him to clarify if that's what the question is or not.

We have supplementary estimates that are in right now — two words there — “supplementary estimates”; one word is “estimate” — so we are giving, in this estimate, the best predictions of where we are and also looking for the vote to spend the supplementary estimate dollar values.

We have spoken at length as to why we are here in a deficit position based on the COVID-19 pandemic and the resulting significant increases in spending, as well as decreased user fees and tax revenues. I don't know if the member opposite wants me to use those trajectories to speculate into the future for the complete year or not, but when he gets to his feet, I will ask him for a clarification on that question.

We did talk about how — to date, what I can say is that the increase in operation and maintenance is primarily driven by public health measures, testing, contact tracing, emergency management, coordination and enforcement, and targeted financial and economic supports for businesses, families, and communities. Also noted is that if we take a look at a per capita spend — compared to other jurisdictions, we are in a very good place as far as the budgetary strain that we've been put under — that the taxpayers have been put under — from the government spending here. We think that we are in a good place and that we have provided programs and services to businesses that just cannot be offered in other jurisdictions in Canada as we're spending through the supplementary budget here.

Again, it's hard to speculate how the epidemiology goes and where we're going to be in a couple of months, but we will note that there is a substantial increase in recoveries, for example, that is being illustrated in the supplementary estimates — which talks about a strong collaborative approach between our government and the federal government. All provinces and territories are addressing those urgent needs in the pandemic. Being in on those weekly conversations, it does make me a very proud Canadian to know that every jurisdiction is working together, not only in sharing information about the epidemiology and the medical world, but also coordinated efforts to talk about the manufacturing of PPE and supply chain management.

To say that the level of conversation and sharing — which had already been really moving forward really well in the Council of the Federation in the last three years — it just went into hyperdrive when it was specific about the costs and the needs of each government as we work through the pandemic. The sharing has been amazing.

I mean, we have always enjoyed a very collegial relationship with Health and Social Services and our ability to get first in line when we get into BC and Alberta for medevacs and medical travel — but to see, right across the nation, governments coming together — it was pretty extraordinary.

But again, the recovery end of that conversation — again, showing the strong evidence of the federal government listening to the provinces and territories as far as the specific needs therein.

We spoke out as well — with the supplementary estimates — about the decrease in capital expenditures and the main drivers therein — delays of the fibre optic project, for example, due to ongoing permitting processes. Partially offset in this is additional work that has been done to increase electrical capacity in the territory by the development corporation. Again, this money is spent but also fully recoverable from Ottawa.

When it comes to the specific numbers of where we are here today — best numbers to complement the main estimate numbers now with the supplementary estimates — the forecast of an increase of \$95.9 million in O&M gross spending to date, with offset recoveries of \$58 million. Capital spending is forecasted to decrease by \$3.7 million, with a decrease of \$5.9 million in recoveries therein.

Revenues are expected to decrease by \$10 million. These changes are forecasted to result in — as I said a couple of times now in the Legislative Assembly — \$31.6 million. The year-end net debt is forecasted to be \$117.7 million. Overall, these changes show a government responding to the global pandemic while ensuring that Yukoners receive those core services that they need and expect.

I'll leave it at that right now for, again, a summary of the spending best estimates to this point — also, when it comes to looking at the mains to supplementary budgets, revenue increased — the 2019-20 mains to the 2020-21 supplementary budget where we are now — the increase in revenues from that time to now is actually 2.9 percent.

This is from the interim fiscal and economic update. If the member opposite would turn to page 3 of that, he would see this chart — chart 1 — of fiscal indicators. We have also seen expenses for some of these periods increase as well — but, again, if the information is not available in the *2020-21 Interim Fiscal and Economic Update* or in my response so far — I will cede the floor to the member opposite to see if I completely answered his question or not.

**Mr. Cathers:** Just to clarify — I may have not explained that clearly, but basically what I'm looking for is something that states it in a way — comparable to how it's reflected on page 3 of the Public Accounts where, for the last fiscal year, it tells us that total revenues from year to year increased by \$75.8 million — five percent — while total expenses increased

by \$81.5 million — six percent. That is the way it was reflected in the Public Accounts.

What I am asking for — and I will try to explain this a little more concisely — recognizing that we are at the supplementary estimate point in the fiscal year, based on the current projections, what would the sentence say at the end of the fiscal year as far as how much our total revenues increased compared to the last year and how much total expenses increased compared to the last fiscal year?

**Hon. Mr. Silver:** Again, what I think that the member opposite is asking me to do is to speculate as to where we will be by the end of this year. Again, that is what the Public Accounts are for.

I'm not going to speculate. My response the last time that I was up was to point out that the specifics that got us from a surplus in the mains to a deficit here are all done under extraordinary circumstances. What we've been doing successfully over the past four years is — we're doing a lot of our budgeting up front. We really believe that we've done an extraordinary job — a whole-of-government job — of coordinating the smaller finance departments in each of the departments with Finance. The work that Highways and Public Works does now in our budget considerations and Community Services — or “finance-lite” as some call it — just an amazing group of financial individuals who all come together.

We started the budgeting process earlier than the previous government, and we're into it very, very quickly through the variance reports. The whole structure has changed as far as how we get information as quickly as possible, which allows us to do a lot of the budgeting right up front in the mains. We've seen in previous years where our supplementary budgets have been minuscule.

In this case — in this situation — there is no trend to be followed because all of our expenses have increased due to COVID. The recoveries have increased due to COVID. We've seen announcements from the federal government where they'll give up to 10 percent of the ICIP funding for each jurisdiction in Canada at 100-percent dollars, as opposed to the deal that we had before for the territories, which was a 75/25 percent split.

There are just so many moving parts right now as far as what has happened from the mains and the presentation therein, moving all the way forward to now — what “triage” meant and looked like as it goes into relief.

Now, as the nation hopefully starts looking toward recovery very soon in the new year — that's a different change as well. We've gone through different phases of our plan — of our path forward. Each one of those phases is unique on its own. I hope that we never go back to those stages ever again — but for us to predict what's going to happen tomorrow, next week, or next year is something that I won't do on the floor of the Legislative Assembly; I won't predict.

What I will do is reiterate the information that we've given from the Public Accounts. A great example — the Public Accounts can talk about the revenues — the non-consolidated revenues over the main estimates — in comparison. Again, as we take a look at the Public Accounts that were tabled in the Legislative Assembly last week, we can see that there was a

\$15.9-million increase in the non-consolidated revenues over the mains.

That was driven by contributions and service agreements — including Government of Canada revenues, which were \$10.5 million over the budget amount — as well as taxes in general revenues of \$3.5 million over the 2019-20 budget. If you take a look at that statement alone, Mr. Deputy Chair, and think that in a year that, just at the end of it, had some COVID considerations, there were still some changes in revenue from Canada. Just that one variable changed in a mostly non-COVID budgetary year.

Again, you could look at the non-consolidated expenses as well. There was a \$14.4-million increase in those expenses, driven by an increase of \$31.7 million in Community Services and \$11.2 million in Health and Social Services, offset by decreases of \$7.3 million in the Public Service Commission and \$6.9 million in the transfer payments to Yukon Housing Corporation. The increase was lower than was anticipated in the supplementary estimates.

Again, this was mostly in a year where COVID was not rearing its ugly head. For me to speculate on this trajectory or on this pathway would be — I would say that would be a dangerous prediction that most likely would not come true in that each month has been laden with its own individual circumstances, concerns, and issues. They hopefully will not be duplicated into November, December, January, and February of this fiscal year. They will come with their own concerns. They will come with their own considerations. We will continue to give the information as quickly as it becomes pertinent to do so when it comes to the fiscal year spending, non-consolidated numbers compared to consolidated numbers — and I will leave the forecasting to the estimates.

**Mr. Cathers:** Well, unfortunately, that was a fairly long and evasive answer to a fairly straightforward question. I was acknowledging in my question that, of course, the numbers can change from what is in the supplementary and we are in uncertain times, but I was asking the Premier to provide that comparative information. Unfortunately, I got everything but that in the reply.

I am just going to move on to another area as it relates to government spending during a pandemic. We have seen a budget that has increased the deficit. The information presented by government is that, largely, most of their increase in spending since the spring is related to the pandemic. That leaves us with the question, ultimately: Does the government have any sort of limit to its spending regarding COVID? Will it spend endlessly? Will it spend to a certain point? If so, what is that point? Is it based on a percentage of gross domestic product or tied to an outcome, such as keeping businesses that currently exist open until COVID is done?

In making reference to that — I'm talking about the type of thing that was described in the Premier's Financial Advisory Panel report, where they talked about a "fiscal anchor". I'm just asking the — I won't read the full excerpt from that; it's a rather lengthy though interesting read — but an excerpt from that report notes — on page 28 of the government's Financial Advisory Panel report — quote: "It is important to emphasize

that a good fiscal anchor is one that is easily understood and easily monitored by voters. That is, it should reflect the wishes of citizens but for it to do that, citizens need to be able to easily verify whether their wishes are being satisfied. This is what makes defining simple terms of a fiscal anchor — such as a debt/GDP target — attractive. But even simple definitions require transparency in budget reporting."

Again, ending the quote from that and using one more quick quote from it which states, on the same page: "There is a wide variety of forms that a fiscal anchor can take."

So, what I'm asking in that regard is: What does the Premier see as the path forward? Is the government just planning on spending whatever it sees as necessary? Or what is their idea of a fiscal anchor in terms of defining the limits of the spending and the outcomes associated with that?

**Hon. Mr. Silver:** This is a question asked of every government in the world right now — federal governments and, in Canada, the provincial/territorial governments. We take a look at what we have spent compared to other jurisdictions. We have given that number of a per capita expenditure so far. We are well within a fiscally prudent plan and numbers when it comes to that spending.

Again — just for the record — the member opposite talks about \$88.7 million that we're talking about in the supplementary budget dedicated to COVID. What also needs to be said in the same breath, Mr. Deputy Chair, is that \$52.9 million of those dollars are recoverable as well. You can take a look at the programs that we have out the door — including the fixed costs to businesses — a program that is just not available right across Canada, but it's available here — \$30,000 a month to businesses. We've seen the cap of that increase as we partner with CanNor and extend it — the timelines on this funding were extended — the caps and provisions therein. We definitely did that hand in glove with the Business Advisory Council.

It is extremely important to know that — when you take a look in the context of other jurisdictions and the financial situations that they found themselves in before the pandemic started and also a comparison of expenditures versus recoveries to date — we are the envy of a lot of jurisdictions in Canada for our ability to start this year with a fiscal surplus, but also, at the same time, provide very quick responses to the community, as it needs — based upon COVID — whether that be in cancellation relief and recovery, whether that be in reduction of fees — those types of things — supports for the aviation community, supports for tourism, rent provisions, and sick leave provisions that are being modelled right across Canada — Yukon's support and relief has been fiscally prudent but, at the same time, catered to the needs of Yukoners.

Is there a formula, as far as a dollar value of capping out? Again, these are unprecedented times. We want to make sure that the spending that we do is sound and fiscally responsible, and I believe that, to date, compared to other jurisdictions in Canada, we have proven that. We have proven to be in a good financial position.

Now, God forbid that the pandemic continues not for weeks or months but years — before a vaccine — let's say, in

the worst-case scenario, you know, you have more years coming out — well, we will adjust and we will adjust with the federal government as well. This is a partnership, when it comes to COVID relief — as you see the numbers of \$88.7 million spent but also \$52.9 million recovered from the federal government — it is a partnership. It is not going out and spending without an understanding of the conversations that we have had at the Finance ministers' tables — of which I am the only Premier who is also at that table as the Finance minister, which is a great benefit to Yukon — to be in both of those conversations, as we were talking about per capita funding versus base-plus funding and how important that is to smaller jurisdictions — and to relay to the federal Minister of Finance but also to the other provinces' and territories' Finance ministers — the conversations on a national level with the premiers. It has been very important — a very important dialogue to help pinpoint the federal funding so that it actually has a better understanding or a better target in the territories but also in smaller jurisdictions.

We are seeing a lot of the smaller jurisdictions say, "Us too. We want to be on this base-plus situation that is being given to the territories."

What we want to do is make sure that our fiscal strategy matches up with making sure that we support the needs of Yukoners. I believe that we have done a good job in that so far. We are not out of the woods yet, and we have much farther to go. But when it comes to asking me to predict how much spending is going to happen on COVID — again, it is very hard to predict that. Right now, if you take a look at outlier provinces or territories that are spending or having to make cuts to come up with some financial relief — we are not there. We are in a different situation. We have seen cuts in health care in Alberta just mentioned within the last couple of weeks — and my heart goes out to Premier Kenney, his government, and the Province of Alberta. We have seen similar experiences right across Canada when it comes to supports. We believe that we are in a really good fiscal position to continue to listen to Yukoners, the business community, the NGOs, and families to make sure that we have the fiscal wherewithal and the fiscal strategy to be able to work with them to make sure that their needs are identified.

I will leave it there for now.

**Mr. Cathers:** What I got from that is that the government doesn't have a fiscal anchor.

I note that it is not just something coming from the Official Opposition — the suggestion that there should be one. The Premier's own Financial Advisory Panel provided advice and it spent several pages in their report talking about the value of a fiscal anchor and the fact that it can take different forms.

Just giving some context in comparison to what is going on at the federal level, there is, for example — I'm going to quote briefly from an article from the Business Council of Canada about it that was posted on their website, at <https://thebusinesscouncil.ca/publications/we-lost-our-fiscal-anchor-were-going-to-need-a-new-one/>. In that piece written by Robert Asselin, I believe it was — I am just going to quote a section from it: "Fiscal anchors serve as notional ceilings or caps to the levels of public spending, deficits, and debt that

governments are prepared to reach in their fiscal policy. They serve many purposes including:

"1. Retaining the confidence of lenders and global markets (i.e., credit access at favorable rates);

"2. Establishing a positive investment climate for businesses;

"3. Providing a measure of fiscal discipline inside government. If the Finance Minister doesn't have one, it becomes very difficult for her to put any sorts of constraints on her colleagues in Cabinet and caucus; and

"4. Ensuring that the government has the ability to respond to further economic shocks and unforeseen crises.

"Before COVID-19, the current government's fiscal anchor was a decreasing debt-to-GDP ratio. That anchor has disappeared.

"The question before the government is: What should its fiscal anchor be going forward?"

That, again, is a quote from an article about the federal government, talking about the value of a fiscal anchor. I want to emphasize that both that credible source and, again, this government's own Financial Advisory Panel in their report talked about the value of a fiscal anchor. It's not just a public-relations tool. It's not just something for members of the opposition to ask the government about. The value of it is both transparency for voters and the reasons that I cited, which is that it does do things, including establishing a positive investment climate for businesses and retaining the confidence of lenders in global markets.

Without a fiscal anchor in place, we are all left wondering just how far the government will go in spending and how are they measuring success? How far are they prepared to go in terms of subsidizing sections of the economy that aren't working or borrowing money to invest in infrastructure that may itself have value but also will have to be paid for by the next government and future generations? That is why we are asking the government these questions. If the government doesn't have even in its own mind a fiscal anchor to define what success is, then we are not clear about their priorities, and Yukoners will not be clear about their priorities or the limits of how they will approach things.

If the Premier could provide any more information in response to that, we would appreciate it.

**Hon. Mr. Silver:** I would say that, as a government, in the last four years, we have really blossomed, going from GDP predictions, which is what we heard from the previous government, to a consideration of Canadian jurisdiction comparisons and the Yukon comparison of net debt versus net financial assets, the GDP ratio as a financial anchor — again, we definitely have those numbers. I wonder if the member opposite would agree that our borrowing rate should be on one of those fiscal anchors. I know that, with the previous government, it wasn't.

Before I talk about the vision moving forward, let's talk about a Canadian jurisdictional comparison of net financial assets or net debt to the gross domestic product, which would be an anchor. It would be exactly what the member opposite talks about.

The Public Accounts talks about this in their report, showing graphs and charts of a Canadian jurisdiction comparison when it comes to these types of financial anchors. The Yukon and Nunavut are the only jurisdictions that have a positive ratio when it comes to these two variables. A positive ratio indicates banked resources to financial future operations and obligations. A negative ratio would indicate that a government must rely on any future revenues and discharge existing liabilities, and that's not a situation that we want to be in, and we're not, thankfully.

The member opposite first asked the question about me speculating as to COVID spending based on an anchor and then said, "Based on your answer, you don't have a financial anchor." That's not true, Mr. Deputy Chair, and the member opposite knows that. I will expand on that as well — to go from where we were to where we are. I've often said that GDP itself in a vacuum is not an indication of how well you are doing as a society.

What does help us get better information on where we are as a society and how wealthy we are as a region in Canada would be the Canadian Index of Wellbeing. We relaunched our commitment to this project in partnership with the Canadian Index of Wellbeing and the chief medical officer of health. We have a new survey that's out. We put it out originally in February. It was a random draw — a sample of 1,502 Yukon households. We were very pleased to have 340 surveys completed before the data collection was permanently suspended back in February due to COVID-19 — or into March. We reissued the survey, and that was opened up to all residents over the age of 18 and received more than 4,500 online and written responses before August 27.

Again, taking a look at GDP is one thing as far as how we are doing comparatively. Moving that from an anchor of sorts — of comparing net financial assets or debts to the gross domestic product — is something that the Public Accounts talks about and how, when we're taking a look at these anchors, the Yukon is in an enviable position compared to other jurisdictions.

The member opposite says that we don't have one. Well, that's just not true.

Looking even further past that, if we were actually trying to figure out the collective wealth of a region — and wealth is more than just GDP. Wealth is health. It is educational opportunities. It is the ability for communities to communicate with each other for the greater good. It is reconciliation. It is all of these pieces — and the amount of effort and resources that we have put into this Canadian Index of Wellbeing — again, this isn't a "pat yourself on the back" type of exercise. This is a context piece. This is a context piece to see how we compare to other jurisdictions in Canada. That's really important to this Yukon Liberal government. The work that we do here is ongoing.

Each year that we have gone through this, we have been criticized by the opposition about these indexes. First, the criticisms were that they weren't locally specific enough. We have changed them so that they have more provisions of locally pertinent context. We then switched — in these COVID times

— to partner with the chief medical officer of health as that department worked with its colleagues right across the nation and then used that comparison as well in the survey. These results of this survey are going to help us to better understand not only some of the unintended consequences of the pandemic, but they will also help us to decide the anchor — what we are anchored in — where we are when it comes to our revenues and our wealth compared to other jurisdictions.

This is more of a complicated look, which is exactly what we as a government can do. We have our sophisticated government. It's due time that we as a government start looking at these more intricate analyses of our health and well-being and of our wealth therein. I am happy to say that, based on financial anchors identified directly in the Public Accounts that compare Public Accounts and the summation of the year and taking a look at the different jurisdictions when it comes to these anchors, as the member opposite speaks about — we are in an enviable position there, but it is not enough.

We need to look at the well-being of our communities. We need to take a look at programs and services. We need to take a look at double standards in health care that the minister of health care has been identifying since the day she took over that office and work with the departments to change the Department of Finance to the Yukon Financial Advisory Panel, to change for the better the health care system through the independent review and to work collaboratively with governments not only on health and housing, but also with the financial considerations. We have coordinated a whole-of-government approach over the last four years that we are extremely proud of. I am extremely proud of the public servants who have provided amazing insight into how we need to move forward, past just considerations of GDP.

**Mr. Cathers:** I just want to again quote from page 28 of the government's Financial Advisory Panel report: "It is important to emphasize that a good fiscal anchor is one that is easily understood and easily monitored by voters." So, I asked the Premier a question about the government's fiscal anchor, whether they had one, and what it was. What I got back in response was a long list of everything under the sun. While some of those things such as the Canadian Index of Wellbeing — and talking about work on reconciliation and talking about any of the other sundry things that the Premier listed — may have their value, they don't meet the definition from the government's own Financial Advisory Panel report of being something that is easily understood and easily monitored by voters.

Again, I am going to remind the Premier of what that sentence said — and I quote: "It is important to emphasize that a good fiscal anchor is one that is easily understood and easily monitored by voters." The long list of things that the Premier went on to talk about — the whole-of-government and touched on a long list of the government's talking points. But the Premier didn't really answer the question about the fiscal anchor, and it is unfortunate that he couldn't answer — or was unwilling to answer — that simple, straightforward question, so I will give him another opportunity.



**Hon. Mr. Silver:** The member opposite conveniently forgot to mention in his response that the lion's share of my answer to his question — there's a financial anchor that's identified directly in Public Accounts. The member opposite is screaming, "Where is your anchor? Where is your anchor?" Well, we just talked about it. It's on page 10. That's an anchor — when you compare financial assets or debts to the gross domestic product.

I did ask him a question as well. When it came to the Financial Advisory Panel, I think a lot of the conversation therein was a debt anchor — an anchor to GDP — as far as considering what our debt limits should be. I'm wondering if the member opposite, in their time in government when they increased the debt limit each time — did they do that based on a debt anchor? Which one was that? That would be an interesting response from him to see what their anchor was when they received the substantial increases to our debt limit at that time.

I would also say that surplus versus deficit is also an anchor. When we strive to have a surplus, that, to me, is a good indication or a good weighted anchor as to how we are financially doing. In the mains, before COVID, we had a surplus. It is interesting that the member opposite, in his response, glazed over the fact that it was the lion's share of my response.

I did then pivot to another point. When I was in opposition, I asked questions about the GDP. I often wondered: Is that enough? Now, in the role of Finance minister and having the privilege of not only working inside of this government — and to change the Department of Finance from a budgetary stamp after the political decisions were made — to turn that into a comprehensive Department of Finance where we got rid of positions that had conflicts of interest by increasing the hires, by having a more comprehensive piece of the financial department as we looked at the Management Board process, the Cabinet process, adding in the Cabinet Committees on Priorities and Planning, the Cabinet committees therein before the Cabinet process — all of these things were, in my opinion, an ability for this territorial government to be in a position where we can have those conversations about how we compare when we take a look at these anchors.

As I have read from the current Public Accounts, which was tabled last week, we are in an enviable position when it comes to these debt anchors, which the member opposite says we do not have. Well, if we don't have it, then why in the Public Accounts are we seeing a positive ratio in a debt anchor here, where Yukon and Nunavut are the only jurisdictions in Canada to have a positive ratio therein? Taking a look at some of these numbers of federal, provincial, and territorial governments, their net assets and debt GDP ratios on the calendar year are negative numbers — for Newfoundland, close to 50 percent. Negative numbers for our friends and family in Québec — again, around 40 percent or more, negative. Looking at the closest jurisdiction with a negative would be Alberta. Again, we are seeing some interesting situations there, but they are in a negative in these positions.

Yukon and Nunavut are the only two that have a positive relationship in this particular ratio. Again, as far as an anchor goes, us coming to the mains with a surplus situation as opposed to a deficit, again, is a good indication from a very specific financial consideration as to how we rate.

I then pivoted from that conversation to say: "Is that enough?" Is it enough for a government to rely 100 percent on just GDP? No. On a debt anchor compared to GDP? That's getting better for sure, but still not enough, in my opinion and in the opinion of my ministers and colleagues here in the Yukon Liberal government. We need to do more. That is why we have put significant resources into working with the University of Waterloo and working with the chief medical officer of health to establish a Yukon-specific Canadian index of well-being, doing the surveys to get out there past the fiscal considerations and into the realm of well-being.

We could parlay that into a bigger conversation of the initiatives that we have done as a government to pivot from waiting until someone is sick to meeting somebody where they are and then do our best to create healthy, vibrant communities right across Yukon when it comes to health care. We could take a look at how we have put many more resources and dollars into mental health services and supports.

Again, these are extremely important things that GDP ratios to debt — again, I'm not saying that those are negative things or not good things to look at, but it's not the full picture. The full picture is looking at these other considerations.

I believe that over the years — going into the fourth of a five-year mandate — we have done a lot of work. We've done a lot of work to balance the budget pre-COVID. We've done a lot of work to do an analysis and comparison of other jurisdictions as far as debt anchors go, but we've gone even further than that. We've gone further than that in our analysis of where we are as Yukoners compared to other jurisdictions when it comes to really important considerations — education, health care, and you name it.

Now, do we have a long way to go? Yes. Anybody who just stops and rests on their laurels — that's not good. We have many, many things that we still need to work on. We could pivot to our file on reconciliation and the good work that we've done with the Council of Yukon First Nations and the individual First Nation governments, but we still have so far to go on the concept of reconciliation.

We could take a look at the legislative changes that we've done for the LGBTQ2S+ community, and we could say that we have so much further to go. We could take a look at the monumental changes to legislation in the departments that we've done — and that seemed to just not have been a priority in the five years previous — and say that we've done a lot of work there, but we have a lot still to go.

Mr. Deputy Chair, when it comes to a debt-to-GDP anchor — Public Accounts, page 10. But, further to that, there's more to the story, and that story is continuing and evolving.

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

**Deputy Chair:** It has been moved by Mr. Silver that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Silver:** Mr. Deputy Chair, I move that the Speaker do now resume the Chair.

**Deputy Chair:** It has been moved by Mr. Silver that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

### **Chair's report**

**Mr. Adel:** Mr. Speaker, Committee of the Whole has considered Bill No. 15, entitled *Corporate Statutes Amendment Act (2020)*, and directed me to report the bill without amendment.

Mr. Speaker, Committee of the Whole has also considered Bill No. 205, entitled *Second Appropriation Act 2020-21*, and directed me to report progress.

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

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

**Speaker:** It has been moved by the Hon. Premier that the House do now adjourn.

*Motion agreed to*

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

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