

LEGISLATIVE RETURN

SUBMITTED BY: Hon. Mr. Streicker, Minister of Community Services

1. On _____, (Member) _____

asked the following question during the Oral Question Period at page(s) _____ of Hansard

submitted the following written question – WQ No. _____

gave notice of the following motion for the production of papers – MPP No. _____

RE: _____

OR

2. This legislative return relates to a matter outstanding from discussion with Mr. Hassard, Leader of the Official Opposition on December 1, 2020 related to:

Bill No. 205 Second Reading Third Reading
 Committee of the Whole: Supplementary Budget

Motion No. _____ RE: Vote 51, Community Services
at page(s) 2140 of Hansard.

The response is as follows:
Please see attached page and letters.

December 2, 2020
Date

[Signature]
Signature

May 4th to Sandy Silver from Stacey Hassard

May 6th to Stacey Hassard from Tracy McPhee

May 7th to Tracy McPhee from Stacey Hassard

May 7th to Stacey Hassard from Sandy Silver

May 11th to Sandy Silver from Stacey Hassard

May 11th to Tracy McPhee from Kate White

May 12th to Sandy Silver and Tracy McPhee from Kate White (email)

May 12th to Kate White from Tracy McPhee

May 12th to Stacey Hassard from Tracy McPhee

May 12th to Tracy McPhee from Kate White (email)

May 13th to Tracy McPhee from Stacey Hassard (email)

May 13th to Sandy Silver and Tracy McPhee from Kate White (email)

May 14th to Stacey Hassard and Kate White from Tracy McPhee

May 14th to Tracy McPhee from Stacey Hassard and Kate White

May 21st to Stacey Hassard and Kate White from Tracy McPhee

June 1st to Sandy Silver and Tracy McPhee from Kate White

June 1st to Sandy Silver and Tracy McPhee from Stacey Hassard

July 24th to Scott Kent and Kate White from Tracy McPhee

July 28th to Tracy McPhee from Kate White

July 30th to Tracy McPhee from Scott Kent



MAY 05 2020

Key

Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

May 4, 2020

Hon. Sandy Silver
Premier
Government of Yukon
P.O. Box 2703
Whitehorse, Yukon Y1A 2C6

Dear Premier Silver,

Re: Respecting Democracy and Yukon Citizens

I am writing you today with concerns about your government operating and making decisions without any legislative oversight. As well, I would like to offer a proposal that would allow for democratic scrutiny, while ensuring public safety.

As you know, over the course of the last month and a half, your government has brought in unprecedented orders that have bypassed the democratic scrutiny of the Legislative Assembly. These orders include mandated closures and restrictions, as well as limits that affect how Yukoners live their lives. While some of these may be needed on an urgent basis to ensure safety, not all are public health related.

Your government has taken to using the extraordinary emergency public health powers it gave itself to start making 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 your government, and making these types of decisions without any democratic scrutiny undermines our democratic institutions.

Your government has also announced millions of dollars in new spending that has not been reviewed by or considered by the Legislative Assembly.

We understand that these decisions may be justified in some circumstances, and in some cases we agree with them, but the basic principles of democracy require that elected representatives be allowed to question and provide suggestions on government decisions. Yukoners expect this from us.

Throughout the course of this pandemic, your 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, your government has only held three times weekly briefings. In fact, your 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, your government has sat on data related to testing and confirmed cases for days at a time. As well, these briefings have a limited time for questions and in some cases members of the government refuse to answer questions. Finally, these briefings do not consistently feature anyone from the Liberal cabinet. This has the effect of allowing those elected to govern the territory to avoid accountability for the decisions they are making that impact the lives of Yukoners.

As I have said many times, it is a time to rise above partisanship. The Official Opposition would like to work collaboratively with your government on the response to COVID-19. On March 9th, we proposed the creation of an All Party Committee to examine and make recommendations to address economic impacts. If this committee had been formed, it would have already provided a report and recommendations, and our territory would be that much further ahead. At the time you used your Liberal majority to shut down this collaborative approach but I believe, and as highlighted in former Clerk of the Assembly Dr. Floyd McCormick's recent letter, there is merit to considering something similar.

For that reason, I am proposing that leaders from all three parties in the Legislative Assembly come together to negotiate terms for the creation of a special select committee that could consider any matter related to the government's management of COVID-19, and report these considerations to the Legislative Assembly and Yukoners. After we meet we could convene the Legislature, while respecting physical distancing, to adopt the terms creating the committee. Additionally, I am proposing that we discuss how we can safely facilitate the return of the Legislative Assembly this month to allow for greater scrutiny by the territory's elected representatives over the government's decisions and spending. This would allow MLAs to represent and hear from Yukoners on the government's response to the pandemic.

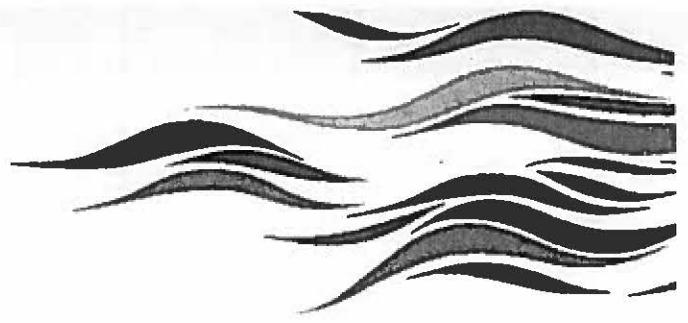
I hope that you will see the merit in working with the opposition parties, who collectively represent 60% of the electorate, and allowing elected representatives to ask questions and scrutinize government spending and decisions. I believe this approach will allow us to collectively respond to this pandemic without abandoning the basic tenets of our democracy.

Thank you,



Stacey Hassard
Leader of the Official Opposition

C Kate White, Leader of the Third Party



May 6, 2020

Stacey Hassard
Leader of the Official Opposition
Box 2703 – A-11
Whitehorse, Yukon
Y1A 2C6

Kate White
Leader of the Third Party
Box 2703 – A-10
Whitehorse, Yukon
Y1A 2C6

Dear Mr. Hassard and Ms. White:

I am writing regarding the opportunity for your parties to further scrutinize the 2020-21 Budget.

As you know, with the unanimous consent of all parties, our Yukon Legislative Assembly expedited debate to pass the 2020-2021 Budget in its entirety. As a result, there is no mechanism to formally continue that debate. However, our government verbally and again in the Legislative Assembly (Hansard March 16, 2020) committed to creating an opportunity for the opposition parties to ask questions regarding the budget and we are pleased to provide the following details and schedule.

Arrangements have been made for the Ministers and staff of each department to answer questions on the 2020-2021 Budget. This includes departments that were debated during the 2020 Spring Sitting.

If all parties agree, these meetings can take place in the Yukon Legislative Assembly. This is our preference so that questions and answers can be broadcast, recorded, transcribed and media can attend. Members or media may of course participate in these meetings, virtually.

The Committee of the Whole format will be used for questions and the meetings will be chaired by the Chair/Deputy Chair of the Committee of the Whole.

This opportunity is being provided in addition to the regular proceedings of the Yukon Legislative Assembly and will not impact the 60 day annual limit.

I have enclosed a schedule of departments and proposed dates and times.

Each Department has been scheduled to answer questions for 90 minutes. Please advise if there are any Departments for which your party does not have questions, and the schedule can be adjusted accordingly.

We look forward to your responses and the upcoming meetings to answer your questions.

Sincerely,



Tracy-Anne McPhee
Government House Leader

Cc Scott Kent, Opposition House Leader

Wednesday, May 20, 2020	9:00 - 10:30 am	YLA, Elections Office, Office of the Ombudsman, Child and Youth Advocate Office
	10:45-12:15 pm	Executive Council Office
	1:15-2:45 pm	Community Services
	3:00-4:30 pm	Economic Development
Thursday, May 21, 2020	9:00 - 10:30 am	Education
	10:45-12:15 pm	Energy, Mines and Resources
	1:15-2:45 pm	Environment
	3:00-4:30 pm	Finance
Wednesday, May 27, 2020	9:00 - 10:30 am	French Language Services
	10:45-12:15 pm	Health and Social Services
	1:15-2:45 pm	Highways and Public Works
	3:00-4:30 pm	Justice
Thursday, May 28, 2020	9:00 - 10:30 am	Public Service Commission
	10:45-12:15 pm	Tourism and Culture
	1:15-2:45 pm	Women's Directorate
	3:00-4:30 pm	Yukon Development Corporation
Friday, May 29, 2020	9:00 - 10:30 am	Yukon Housing Corporation



Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

May 7, 2020

Hon. Tracy-Anne McPhee
Government House Leader
Box 2703
Whitehorse, YT Y1A 2C6

Minister McPhee,

Re: Offer of Limited Briefings

On May 4th, the Official Opposition wrote to the Premier expressing concerns over a lack of democratic oversight on your government's decisions and response to COVID-19. Your government has announced millions of dollars in new spending and given itself extraordinary new powers to ignore regulatory timelines and change contracts. These actions represent an overreach on the part of your government, and making these types of decisions without legislative scrutiny undermines our democratic institutions.

To address this, we proposed that all three parties work together to create an all-party committee to consider any matter related to the government's management of COVID-19 and to report their considerations publicly to Yukoners. We also proposed the return of the Legislature to allow for Question Period, as several other provinces have and are doing throughout the pandemic. Your May 6th proposal that you dictated to us does not allow for any scrutiny of the government's response to COVID-19 and thus does nothing to address these concerns.

Our primary concern dating back to early March has been that the government's response to COVID-19 should be done in a collaborative fashion that allows for democratic oversight over its decisions. Your government chose to use its majority to shut our original collaborative proposal down, which is your prerogative. However, our democratic principles still require that the Legislature be allowed to scrutinize the government's response and plans going forward.

As noted, since the Legislative Assembly adjourned on March 19th your government has added millions of dollars in new spending and has given itself broad new powers through Orders-in-Council that bypass the Legislative Assembly entirely. Several of these powers, although being passed under the guise of a health emergency, are unrelated to public health.

Perhaps these decisions are required, but elected representatives must be given the opportunity to review and consider such powers. The Executive Branch of government is accountable to the Legislative Assembly and it cannot get in the habit of simply giving itself whatever powers it wants without debate. Forcing through these broad new powers without any democratic oversight creates a dangerous precedent.

Unfortunately, the terms which you dictated in your letter give MLAs zero opportunity to scrutinize the government's response to COVID-19 or the new powers it has given itself. As you know, there is nothing preventing the government from convening a special sitting of the Legislative Assembly to discuss the government's response to COVID-19 if it so chooses. For that reason, the Official Opposition continues to support the creation of an all-party committee that can review and report on the government's response to COVID-19. This would allow for elected representatives to hear from and represent the voices of their constituents on the public record.

As stated, I suggested that all three party leaders meet to discuss how we can develop a path forward that safely allows for legislative and publicly-reported oversight of the government's decisions as they relate to COVID-19. I continue to support this as a desirable path forward for the territory and suggest all of our parties meet by May 13 to move forward on this. Further, we continue to support the return of the Legislative Assembly, as has happened across the country, to allow for the government to be asked questions regarding the pandemic.

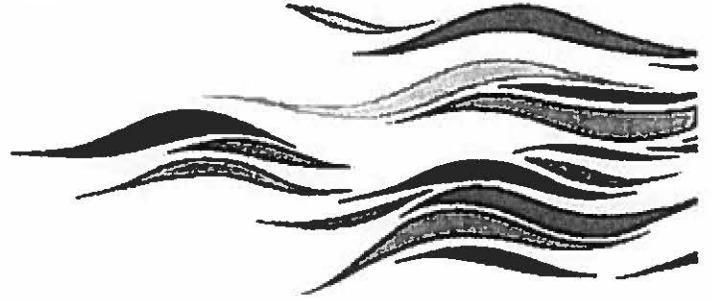
With respect to your offer of very limited briefings, it is important to point out that in March, to allow the government to focus on the initial response to COVID-19, we agreed to give up 94.5 hours of the Legislature's time, including 21 Question Periods. Your proposal is a fraction of that, being only 25.5 hours and zero Question Periods. Further, limiting discussion on the Departments of Health, Education, Highways and Public Works, and Community Services to only 90 minutes each when collectively they account for \$1.2 billion in spending is insufficient to allow for proper accountability.

We also understand that this proposal is in fact not even a sitting of the Legislative Assembly, but is instead a process organized and dictated by the Liberal cabinet office. This would mean it is not considered as part of the proceedings of the Legislature or its official records, the rules of the Legislature as well as the democratic privileges provided to its members will not apply, and the government will be able to set all the terms of discussion to suit their own agenda. That means there is nothing preventing a Minister from talking for the majority of the time to prevent MLAs from asking question. This in no way satisfies concerns about a lack of democratic oversight and is problematic as the Executive Branch should not dictate to the Legislative Branch its business.

Thank you,



Stacey Hassard
Leader of the Official Opposition



May 7, 2020

Stacey Hassard
Leader of the Official Opposition
Box 2703 - A-11
Whitehorse, Yukon
Y1A 2C6

Dear Mr. Hassard,

Thank you for your letter of May 4th regarding democracy.

Yesterday the government house leader wrote to the opposition parties outlining meetings to ensure all members of the assembly have the opportunity to ask questions of the government about the 2020-2021 budget. This was a request made by opposition parties during the spring sitting and we are, as promised, making it happen.

With the unanimous consent of all parties, our Legislative Assembly expedited debate to pass the 2020-2021 budget in its entirety. The decision to adjourn the legislature was very much in your control. The Yukon Party caucus specifically voted unanimously to adjourn the legislature early. If your caucus was concerned this would result in not as much scrutiny as necessary, you could have voted no. You did not.

With regard to spending or orders in council occurring between the spring sitting and fall sitting this is a process that has been followed by successive Yukon governments for many years, including the government you were a Minister in.

Again, thank you for your letter.

Sincerely,



Sandy Silver
Premier



MAY 11 2020
[Handwritten signature]

Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

May 11, 2020

Hon. Sandy Silver
Premier
Government of Yukon
P.O. Box 2703
Whitehorse, Yukon Y1A 2C6

Premier Silver,

On May 4th I wrote to you with concerns about your government operating and making decisions without any legislative oversight. As you know, your government has taken the undemocratic approach of forcing through broad new and unprecedented powers to ignore legal timelines and amend government contracts all while bypassing the Legislative Assembly or any sort of democratic debate.

Your May 7th response, which focused almost entirely on your government's proposal for limited budget briefings, makes it seem as if you did not read that letter. Nowhere in my initial letter did I reference the budget or the need for budget briefings. Although I can understand that you may be confused as to which undemocratic and nontransparent action of your government it is that we are concerned with; for clarity it is your use of OICs to give yourself broad new powers unrelated to public health and the millions of dollars in new spending that have received no legislative approval.

As you know, and despite your incorrect claims in your May 5th press conference, many legislatures and parliaments across the country have, continue, or plan to meet during the course of this pandemic. This allows for democratic oversight and scrutiny of government decisions as they relate to COVID-19. In fact, the record has shown that allowing for scrutiny has actually led to improvements to many of the programs that the respective jurisdictions are rolling out.

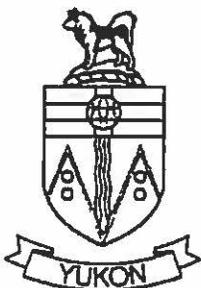
I ask that the Liberals stop hiding from scrutiny and agree to bring back the legislature and create a special select committee that could consider any matter related to the government's management of COVID-19, and report these considerations to the Legislative Assembly and Yukoners. In my initial letter and again on May 7th I wrote to your government with this proposal for an All Party Select Committee and asked that party leaders meet by May 13th to begin discussions. Both of these requests remain unanswered.

Having spoken to the Third Party I can say that despite your partisan and aggressive responses so far, we remain willing to work collaboratively with you for the betterment of Yukoners. I honestly believe that our territory will be better served if we can come together as elected representatives to scrutinize and make suggestions as to Yukon's response to this pandemic.

Sincerely,

Stacey Hassard
Leader of the Official Opposition

C Kate White, Leader of the Third Party



MAY 11 2020
dj

Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

May 11, 2020

Hon. Tracy-Anne McPhee
Government House Leader
Box 2703
2121 2nd Avenue
Whitehorse, Yukon
Y1A 2C6

Re: Offer of Limited Briefings

I write in response to your letter dated May 6, 2020 and your government's proposal for briefings on the 2020-2021 budget to members of the Opposition. From the outset, it came as a surprise to us that such a proposal was put forward without any prior discussions with between the Leaders of Yukon's political parties. This top down approach is not conducive to a collaborative and constructive exercise of our democracy.

An even greater concern is that this proposal which has been wholly designed by Cabinet doesn't provide any opportunity for MLAs to ask questions about the government's current response to the COVID-19 pandemic. Your government's proposal is limited to the 2020-2021 budget which contains no mention of COVID-19.

In response to the situation at hand, the government has passed multiple Order in Councils and spent millions of dollars without any oversight from the MLAs of the Official Opposition or Third Party. A pandemic is not an opportunity to evade accountability. The input and feedback from all MLAs and the constituents they represent is an asset for developing good public policy.

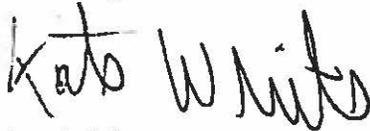
For instance, just recently, Yukoners on Social Assistance were left in a precarious situation as they faced having their financial assistance clawed back if they receive CERB. Once the media and opposition MLAs raised the issue, the government adjusted its policies and remedied the situation. The undue stress that this placed on already vulnerable Yukoners could have been avoided entirely if the lines of communication were open and proper oversight was in place.

There are real financial and emotional consequences to policies put in place without consultation and oversight by MLAs. The opportunity for a real discussion with government Ministers on your response to COVID-19 would lead to better outcomes as more diverse perspectives would be taken into consideration.

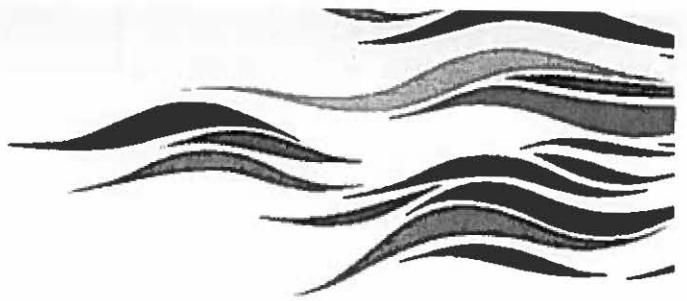
Our community has worked hard to come together to follow public health measures, ensuring that the territory remains a healthy and safe environment. We owe it to Yukoners to provide clear and consistent support that is the product of our democratic process.

I encourage you and the Premier to reconsider this proposal and meet on Wednesday May 13th as proposed by the Leader of the Official Opposition. I will be there and I hope that the Premier will join Mr. Hassard and me.

Sincerely,

A handwritten signature in black ink that reads "Kate White". The signature is written in a cursive, flowing style.

Kate White
Leader of the Yukon NDP
MLA Takhini Kopper King



May 12, 2020

Kate White
Leader of the Third Party
Box 2703-A-10
Whitehorse, YT Y1A 2C6

Dear Ms. White

Thank you for your letter of May 11th, 2020 in response to my letter regarding questions your party may have about the 2020-21 Budget.

Can you please advise if you agree that the meetings can be held in the Legislative Assembly room in order that the questions and answers can be broadcast, recorded and later transcribed?

In addition, can you please confirm if you or any of your caucus members will be attending the meetings scheduled for May 20th, 21st, 27th, 28th and 29th.

I look forward to your reply.

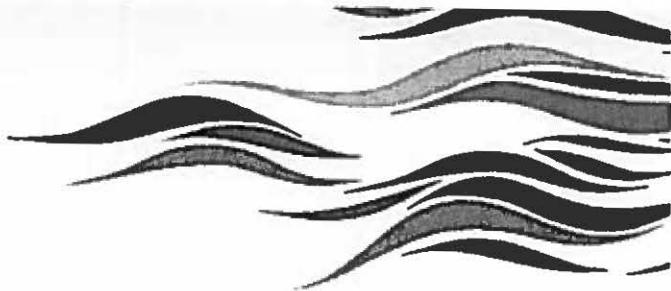
Thank you.

Sincerely,



Tracy-Anne McPhee
Government House Leader





May 12, 2020

Stacey Hassard
Leader of the Official Opposition
Box 2703-A-11
Whitehorse, YT Y1A 2C6

Dear Mr. Hassard

Thank you for your letter of May 7th, 2020 in response to my letter regarding questions your party may have about the 2020-21 Budget.

Can you please advise if you agree that the meetings can be held in the Legislative Assembly room in order that the questions and answers can be broadcast, recorded and later transcribed?

In addition, can you please confirm if you or any of your caucus members will be attending the meetings scheduled for May 20th, 21st, 27th, 28th and 29th.

I look forward to your reply.

Thank you.

Sincerely,



Tracy-Anne McPhee
Government House Leader

Tracy.McPhee

From: Kate White
Sent: Tuesday, May 12, 2020 5:53 PM
To: Tracy.McPhee
Cc: Francois Picard; Jason.Cunning; Michele.Shaw
Subject: Re: Letter dated May 12, 2020

Good Evening Minister McPhee,

It was clearly stated in my letter that I don't believe the government should be dictating the format of these sessions.

The format should be negotiated between the leaders of the three parties represented in the Legislative Assembly.

I look forward to discussing the proposition you've sent us with Premier Silver at tomorrow's 10 am meeting, a meeting for which he has yet to confirm his attendance.

Kate

From: Michele.Shaw on behalf of Tracy.McPhee
Sent: Tuesday, May 12, 2020 5:30 PM
To: Kate White
Cc: Francois Picard; Jason.Cunning; Michele.Shaw
Subject: Letter dated May 12, 2020

Good afternoon,
Please see the attached letter of today's date from Minister Tracy McPhee.
Thank you,



Michele Shaw
Executive Assistant to The Honourable Tracy-Anne McPhee
Attorney General
Minister of Justice
Minister of Education
Cabinet Office | Government of Yukon
T [867-393-7488](tel:867-393-7488) | C [867-334-4175](tel:867-334-4175) | Yukon.ca

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Tracy.McPhee

From: Kate White
Sent: Wednesday, May 13, 2020 3:19 PM
To: Sandy.Silver; Stacey Hassard; Tracy.McPhee
Cc: Francois Picard
Subject: Letter dated May 12, 2020

Minister McPhee and Premier Silver,

The issue with your government's proposal is not the timing but rather the lack of an agreed upon format for these discussions given that they would not be governed by the rules of the Legislative Assembly. Unless all parties agree how these discussions will take place, they would effectively be dictated by the government.

That's why I think it's essential for Leaders of the three parties to meet and agree upon a process. It's unfortunate that we couldn't meet this morning but I will make myself available whenever your schedule allows.

I truly believe we could come to an agreement on a suitable format quite easily with a bit of good faith from all involved. As a potential compromise, I would suggest convening the house in Committee of the Whole with an agreed upon schedule. This would allow our exchanges to be part of the Legislative Assembly's official record and avoid having to reinvent a set of procedures. We would even be prepared to waive some of the daily proceedings of the Legislative Assembly provided that the agreed upon discussions would encompass the government's response to COVID-19.

These are the kind of conversations we could have if you were to agree to meet with opposition parties. Alternatively, we would be supportive of the Premier simply recalling the Legislative Assembly which he is fully empowered to do by the Standing Orders.

It remains my hope that we can get together to find an agreeable format to provide democratic oversight to your government actions in a constructive and collaborative way.

Sincerely,

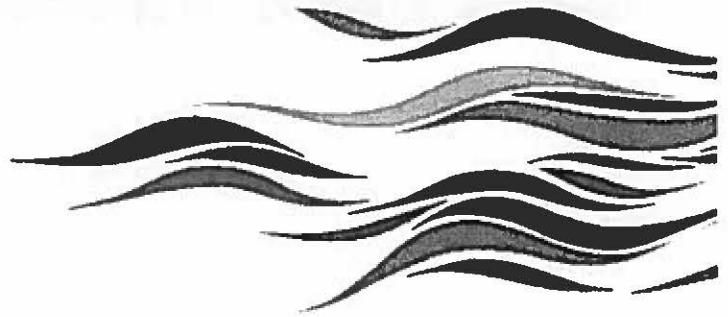
Kate

Kate White
(she/her/hers)
MLA for Takhini-Kopper King
Leader Yukon NDP
Tel. 867-393-7001 / 1-800-661-0408 x7001
kate.white@yla.gov.yk.ca
www.yukonndpcaucus.ca

I respectfully acknowledge that I live, work, and learn within the traditional territory of the people of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.



Minister's Office
PO Box 2703 Whitehorse, YT Y1A 2C6



May 14, 2020

Stacey Hassard
Leader of the Official Opposition
Box 2703 – A-11
Whitehorse, Yukon
Y1A 2C6

Kate White
Leader of the Third Party
Box 2703 – A-10
Whitehorse, Yukon
Y1A 2C6

Dear Stacey Hassard and Kate White,

RE: Meetings for Budget Questions from Opposition

I am writing to try to confirm the attendance of the Opposition parties at the meetings scheduled for next week and the week after, to answer questions about the 2020-21 Budget.

As I've noted previously, there must be all party agreement to use the Legislative Assembly for this purpose. I have just been advised by the Clerk that he needs to know if these meetings will proceed as scheduled by 1pm tomorrow, May 15, 2020.

Also, as I'm sure you know, Hansard employees and the camera operator/broadcaster are independent contractors and deserve appropriate notice about whether they will be needed to work on the scheduled days.

In addition, I have enclosed possible opening remarks from the Chair/Deputy Chair, for your consideration.

Again, can you please confirm your approval to use the Legislative Assembly and your attendance at these meetings.

I look forward to your reply.

Sincerely,

Tracy-Anne McPhee
Government House Leader

**Opening Remarks
Chair/Deputy Chair – 'Committee of the Whole'
May 20, 2020**

Good morning everyone.

I want to begin by reminding members and informing the public who may be watching or listening, of the purpose for these meetings. I will then speak briefly about the guidelines under which they will be conducted.

With the unanimous consent of all parties, our Legislative Assembly expedited debate to pass the 2020-2021 Budget, in its entirety. There is no mechanism to formally continue that debate.

However, there was a commitment made by the government, as budget debate was wrapping up, to provide an opportunity to ask additional questions of the government about the 2020-2021 Budget. These meetings have been scheduled to meet that commitment.

While we are meeting in the Legislative Assembly, these meetings do not constitute proceedings of the Assembly. They also do not count towards the maximum 60 sitting days per calendar year allowed for in the Standing Orders. All three parties have agreed to use this chamber in order to be able to broadcast, record and transcribe the meetings.

The schedule provides for every department to be required to answer questions. If the opposition parties do not have questions for a specific department, they should advise the Chair/Deputy Chair.

I will chair these meetings in a Committee of the Whole like format. Ministers may provide opening remarks not to exceed five minutes and questions and answers will then proceed with a five minute time limit each, until 90 minutes is reached. Opposition parties are free to share the time as they see fit.

I urge members to conduct themselves appropriately and follow the usual rules of debate.

With that, the first department up for debate is.....Ministeryou have the floor:



Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

May 14, 2020

Hon. Tracy-Anne McPhee
Government House Leader
Box 2703
Whitehorse, YT Y1A 2C6

Minister McPhee,

As you know, if the Premier wishes to recall the Legislative Assembly, have it broadcast publicly, and become part of the official record, then you do not need our permission to do so.

For reference, Standing Order 73 of the Yukon Legislative Assembly empowers the Premier to advise the Speaker that public interest requires the House to convene. If the Premier were to do this, then official proceedings in the Legislative Assembly could occur within two weeks. We are 100% supportive of your government taking this action.

Alternatively, if the Premier believes it is in the public interest for the Legislative Assembly to meet sooner, he could bypass the two weeks' notice by using Standing Order 73(3). This would allow for a regular sitting of the Legislative Assembly that could meet your proposed timeline of May 20th. We are also 100% supportive of your government taking this action.

In both instances we could set the Business of the House in a manner that allows for us to ask questions of departments on a wide range of issues including the government's response to COVID-19 and the budget.

We look forward to the Premier using Standing Order 73 or 73(3) to recall the Legislature, which would allow for a publicly recorded, broadcast, and transcribed legislative proceeding to discuss the budget and the territory's pandemic response.

Our priority remains the need for democratic oversight of the government's response to COVID-19. While your government has tried to reframe our request to be about 2020-21 Budget, the budget contains no reference to COVID-19. We continue to be clear that there needs to be legislative scrutiny over your government's pandemic response. This is where your proposal falls short and why we are unable to agree to it. If your government is sincere in wanting to work together, then the Premier needs to meet with Opposition leaders to discuss how to move forward on these topics.

We have attempted to meet with your government to discuss how the Legislative Assembly can provide democratic scrutiny of the government's COVID-19 response. We have also attempted to meet with you to discuss your proposal for informal budget briefings. Your government's ongoing refusal to meet on any of these topics makes us question the sincerity of your willingness to work with all elected members of the Legislative Assembly. That said, we will continue to make ourselves available.

We think it's essential for leaders of the three parties to meet and agree upon a path forward.

If you have a counter proposal, we look forward to discussing it with the Premier.

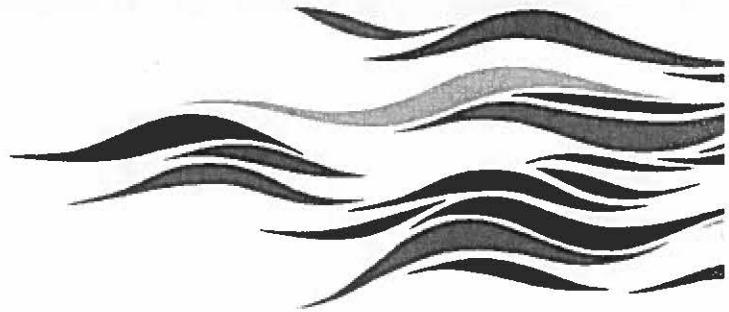
Sincerely,



Stacey Hassard
Leader of the Official Opposition



Kate White
Leader of the Third Party



May 21, 2020

Stacey Hassard
Leader of the Official Opposition
Box 2703 – A-11
Whitehorse, Yukon
Y1A 2C6

Kate White
Leader of the Third Party
Box 2703 – A-10
Whitehorse, Yukon
Y1A 2C6

Dear Mr. Hassard and Ms. White:

I write further to your recent correspondence where you indicated you were unable to agree to our offer to hold meetings on the 2020-21 Budget. I understand you have questions about the recent Orders in Council made pursuant to the *Civil Emergency Measures Act*.

To date, 19 Orders in Council have been issued under the *Civil Emergency Measures Act*. As you know all orders are available online at <https://yukon.ca/en/health-and-wellness/covid-19/legislation-changes-covid-19>.

Minister Streicker and I would be pleased to answer any questions the opposition members might have regarding these Orders. Please advise when you would like to meet for that purpose and I will try to coordinate our schedules.

I look forward to your response and to the opportunity to respond to your questions.

Sincerely,

Tracy-Anne McPhee
Government House Leader



JUN 01 2020

Key

Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

June 1, 2020

Hon. Sandy Silver
Premier
Box 2703
2121 2nd Avenue
Whitehorse Yukon
Y1A 2C6

Hon. Tracy-Anne McPhee
Minister of Education
Box 2703
2121 2nd Avenue
Whitehorse, Yukon
Y1A 2C6

Re: Orders in Council and Oversight

Dear Premier Silver and Minister McPhee,

While I appreciate the offer to meet with the Ministers, it does not fulfil the basic premise of our requests to discuss the Orders in Council made in relation to COVID-19. The right to discuss these measures is not about myself but about the public's right to fair and transparent governance. The questions brought to us regarding COVID-19 deserve to be heard and answered by your government as part of Legislative Assembly proceedings. Oversight on government decisions is an essential part of our democracy.

Reconvening the Legislative Assembly is not an unheard-of decision - just last week, the NWT government reconvened, from May 26 to June 12. There is no reason to avoid

reconvening other than the government trying to avoid accountability through public scrutiny.

Mr. Hassard and I have repeatedly called for a meeting between the leaders of Yukon's political parties. This is the very least we can do to initiate discussions about how we can navigate these exceptional circumstances.

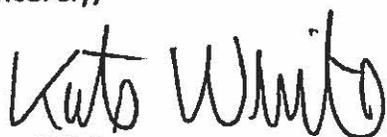
I note that Premier Silver mentioned having spoken with the mayor of Skagway in a media briefing a few weeks ago. This came as a surprise to me since I have not received any form of communication from the Premier since the day the House adjourned on March 19th.

If Premier Silver is able to meet with government officials from across the border, he should have no difficulty meeting with myself and Mr. Hassard, as the three of us work in the same building.

Agreeing to have this meeting between the three leaders is the first step to resuming the democratic processes of the Legislative Assembly. I hope that as Premier you will show leadership and accept this invitation.

In conclusion, I must state how disappointed I was to see that you used a six-business-days delay in our response to your May 21st letter to score political points in the media. Let me assure you that if your Ministers were held to the same standards, a week wouldn't go by without an article about how long it takes your Ministers to respond to letters from Opposition members.

Sincerely,



Kate White
Leader of the Third Party
MLA Takhini-Kopper King

CC Stacey Hassard, MLA Pelly Nisutlin



Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

June 1, 2020

Hon. Sandy Silver
Premier
Box 2703
Whitehorse, Yukon Y1A 2C6

Hon. Tracy-Anne McPhee
Minister of Justice
Box 2703
Whitehorse, Yukon Y1A 2C6

Premier Silver and Minister McPhee,

Over the last several months your Liberal government has given itself a number of unprecedented new powers and announced millions of dollars in new spending without any democratic oversight. These extraordinary powers include allowing your government to ignore its own legal timelines and amend contracts. With so many Yukoners going through difficult times and impacted by decisions of your government, the importance of allowing our democratic processes to continue to function has never been greater. Further, as was recently noted by local media, some your actions may even violate the *Canadian Charter of Rights and Freedoms*.

We are still trying to meet with your Liberal government to discuss how we can allow for democratic oversight of your government's pandemic response. As you know, the executive branch of government is ultimately accountable to the legislative branch. The Legislative Assembly exists so that we, as elected representatives, can review, consider and discuss the actions of the government and exercise our critical duty as the legislative branch. This democratic oversight can only be done using the official institutions and procedures of our Legislative Assembly. This is what we were elected to do and what Yukoners expect us to do.

In order to exercise this democratic duty, we have proposed the recall of the Legislature or the establishment of a special COVID-19 committee. In order for your government to appear as witnesses and brief us as MLAs, the Legislative Assembly will have to be called back. It is entirely in the power of your government as to whether or not this action can take place.

The Premier himself holds the power as to whether or not to reconvene the Legislative Assembly. We 100% support him doing this so that democratic oversight can be provided to your government's actions. In fact, we urge the Premier to start respecting democracy and call the Legislative Assembly back today.

Unfortunately, Premier Silver continues to ignore requests to meet and discuss how we can ensure our democratic institutions can continue to function. At this point we can only assume his motivation for refusing to meet with opposition parties or to call back the legislature is because he does not believe in the importance of our democratic institutions.

If the Liberal government does change its mind we would be more than happy to hear from members of your government in the Legislative Assembly or as witnesses at a special COVID-19 committee. In the meantime, we are hopeful that the Liberal government and its MLAs will stop undermining our democratic institutions by preventing committees, such as the Standing Committee of Statutory Instruments, from even meeting.

Thank you,



Stacey Hassard
MLA for Pelly-Nisutlin

cc. Kate White, Leader of the Third Party



Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

July 24, 2020

Scott Kent
Opposition House Leader
Box 2703 – A-11
Whitehorse, Yukon
Y1A 2C6

Kate White
Leader of the Third Party
Box 2703 – A-10
Whitehorse, Yukon
Y1A 2C6

Dear Scott Kent and Kate White:

I am writing with another invitation for your parties to further scrutinize the 2020-21 Budget or ask questions about government spending to date.

Arrangements can be made with the Ministers and staff of each department to answer questions, during the week of August 10, 2020 to August 14, 2020. This includes departments that were debated during the 2020 Spring Sitting.

Again, if all parties agree, I would propose that these meetings take place in the Yukon Legislative Assembly. This is our preference so that questions and answers can be broadcast, recorded, transcribed and media can attend. Members or media may of course participate in these meetings, virtually.

All parties could agree to use the Committee of the Whole format for questions and the meetings could be chaired by the Chair/Deputy Chair of Committee of the Whole.

For clarity, this opportunity would be provided in addition to the regular proceedings of the Yukon Legislative Assembly and will not impact the 60 day annual limit.

Please advise if there are any Departments for which your party does not have questions, and the schedule can be made accordingly.

We look forward to your responses and the upcoming meetings to answer your questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracy-Anne McPhee', written in a cursive style.

Tracy-Anne McPhee
Government House Leader



JUL 28 2020

Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

July 28, 2020

Hon. Tracy-Anne McPhee
Government House Leader
Box 2703
Whitehorse, Yukon
Y1A 2C6

Dear Minister McPhee,

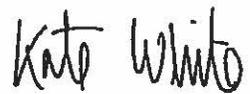
As per our last response dated June 1, 2020, your government has the full authority to recall the Legislative Assembly. We would welcome such a decision which would allow for proper democratic oversight of your government's actions similar to what has taken place in other jurisdictions across Canada.

Since the 2020-2021 budget makes no mention of COVID-19, it goes without saying that the Legislative Assembly proceedings should also include COVID-related measures which were put in place by your government through Orders in Council (OICs) under the Civil Emergency Measures Act (CEMA) over these past 4 months.

If your government is seeking a different format through which OICs and financial decisions may be democratically assessed, we encourage the Premier to initiate conversations to that effect with the Leaders of all parties represented in the Legislative Assembly.

Once again, I want to reiterate that we are in full support and strongly encourage the government to recall the Legislative Assembly to ensure proper democratic oversight of government actions.

Sincerely,

A handwritten signature in black ink that reads "Kate White". The signature is written in a cursive, slightly slanted style.

Kate White
Leader of the Yukon NDP
MLA Takhini-Kopper King



Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6

July 30, 2020

Hon. Tracy-Anne McPhee
Government House Leader
Box 2703
Whitehorse, YT Y1A 2C6

Minister McPhee,

The Yukon Party supports the immediate recall of the legislature.

If the Liberals wish to stop avoiding democratic scrutiny, then the Premier has the power to recall the Legislative Assembly and we strongly encourage him to do so.

For reference, Standing Order 73(3) of the Yukon Legislative Assembly empowers the Premier to advise the Speaker that public interest requires the House to convene as early as next week. We ask that he does this and recalls the Legislature by August 6th.

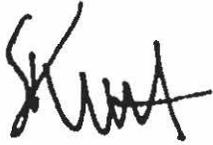
Yukoners deserve to see democratic oversight of the government's response and unilateral decisions with respect to the pandemic. By allowing this type of oversight, similar to what is happening in jurisdictions across the country, we will see improved outcomes for Yukoners. As an example, in recent weeks the Liberal government has mishandled the consultation, communication, and implementation of the school reopening. Many parents, teachers, and students have spoken out to directly criticize your handling of this important issue, because the decisions were made in isolation without input from those they directly affect. If MLAs from all parties were able to scrutinize and ask questions on behalf of Yukoners about your reopening plan, and raise their concerns about your Liberal government's lack of consultation and communication, then the plan would have been improved.

To support your government, we initially proposed the idea of an All Party Committee to review and scrutinize the government's response to the pandemic and the Yukon's path forward. Although your Liberal government previously used its majority to shut down this proposal for all parties to work together, in the spirit of cooperation we are once again proposing it but with an expanded mandate to include the education reopening plan. The future of education for the territory's children is of the utmost importance, so it is in the best interest of Yukoners that their elected representatives study this issue, consider all options, and hear from parents, teachers, and experts to ensure that this is done properly.

We look forward to the Premier using his authority to recall the Legislature, to allow this work to begin while allowing for democratic scrutiny of the territory's pandemic response and future decisions that will affect the lives of Yukoners.

If you have a counter proposal, we look forward to meeting with the Premier to discuss it.

Sincerely,

A handwritten signature in black ink, appearing to read 'SKent', written in a cursive style.

Scott Kent
Official Opposition House Leader

CC: Kate White, Leader of the Third Party