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HANSARD

Monday, November 16, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2020 Fall Sitting

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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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Hon. Ranj Pillai	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
Hon. Tracy-Anne McPhee	Riverdale South	Government House Leader Minister of Education; Justice
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Pauline Frost	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
Hon. Richard Mostyn	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
Hon. Jeanie McLean	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

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**Yukon Legislative Assembly
Whitehorse, Yukon
Monday, November 16, 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. Kent: I would ask all members to join me in welcoming my wife, Amanda Leslie, here today. She is here for the tribute to World Diabetes Day and World Diabetes Awareness Month.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of United Nations International Day for Tolerance

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government to pay tribute to the United Nations International Day for Tolerance.

In 1994, UNESCO marked the 125th anniversary of Mahatma Gandhi's birthday, which paved the way for the United Nations to proclaim November 16 as the day for tolerance. To people around the world, Gandhi's philosophy of non-violent resistance serves as a symbol of tolerance and peace. Tolerance is the acceptance, respect, and appreciation for all people, cultures, political beliefs, and forms of expression.

I feel that, this year, tolerance is more important than ever, as we see an increase in inequality and extremism around the world. We must work actively against this.

The United Nations notes that there are concrete and tangible ways that we can fight for tolerance. We have the power through laws, education, and community solutions, to spread tolerance. Here in Yukon, I am heartened by the multitude of community organizations that are helping to spread tolerance in our community. The Multicultural Centre of the Yukon is one organization that is helping to make newcomers feel welcome in our community. We are privileged to have many individual multicultural groups such as the Canadian Filipino Association of the Yukon, the Japanese Canadian Association of Yukon, Chinese Canadian Association of Yukon, Yukon African Caribbean Association, and l'association franco-yukonnaise — to name a few.

The people behind these organizations are not just providing a warm welcome and assistance to newcomers from around the globe; they also serve as an important reminder to celebrate and share our diversity. These organizations make

Yukon a richer place through special events and providing a supportive network for new Yukoners.

Yukon women's organizations are also a critical part of promoting tolerance. The Yukon Aboriginal Women's Council, the Yukon Status of Women Council, Les EssentiElles, the Yukon Women in Trades and Technology, and many others are providing critical services in support of Yukon women and raising awareness of the inequalities that continue to threaten the equality and status of women in our community.

In Canada and around the world, we know that indigenous peoples everywhere are resisting intolerance and oppression. The Council of Yukon First Nations, the Yukon First Nations Culture and Tourism Association, and all of our 14 First Nation governments are doing important work every day to move us closer to a more tolerant society.

Tolerance of gender identity, expression, and sexual orientation is advocated by Queer Yukon, All Genders Yukon, and the gender sexuality alliances. As we saw just last week with the passing of legislation to ban conversion therapy, their voices are instrumental in change and calling for greater inclusion and tolerance.

There are so many other organizations in Yukon, like Special Olympics Yukon, that are working to create opportunities to support people with differences in their abilities.

There are many, many other organizations working to support and promote diversity and tolerance. It is a good sign and something to be proud of that there are simply too many of them to name here today. I apologize that I simply cannot mention them all.

I thank each and every organization and those individuals in Yukon who spread tolerance through their work or simply through their own kindness, understanding, and respect for others. No matter our background or beliefs, tolerance is about celebrating the differences and recognizing how those differences can make the world a richer place. Gandhi famously said that you must be the change you wish to see in the world. I am proud of the countless Yukoners who have always lived by those words, especially in these unprecedented times.

Applause

Ms. White: Mr. Speaker, I stand on behalf of the Yukon NDP and the Yukon Party in recognition of the United Nations International Day for Tolerance.

"Tolerance" isn't a word that I like very much. Initially, on hearing about today's tribute, I thought about all the words that I like so much more than "tolerance" like "acceptance", "respect", and "appreciation". But in reading the *Declaration of Principles on Tolerance* that was adopted on November 16, 1995, I have softened my thoughts on the word "tolerance", at least in this context.

These are the words from the 1995 declaration, and I think that they're important: "Tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness, communication, and freedom of thought,

conscience and belief. Tolerance is harmony in difference. It is not only a moral duty, it is also a political and legal requirement. Tolerance, the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace.

“Tolerance is not concession, condescension or indulgence. Tolerance is, above all, an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others. In no circumstance can it be used to justify infringements of these fundamental values. Tolerance is to be exercised by individuals, groups and States.

“Tolerance is the responsibility that upholds human rights, pluralism (including cultural pluralism), democracy and the rule of law. It involves the rejection of dogmatism and absolutism and affirms the standards set out in international human rights instruments.

“Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one’s convictions. It means that one is free to adhere to one’s own convictions and accepts that others adhere to theirs. It means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behaviour and values, have the right to live in peace and to be as they are. It also means that one’s views are not to be imposed on others.”

“In the modern world, tolerance is more essential than ever before. It is an age marked by the globalization of the economy and by rapidly increasing mobility, communication, integration and interdependence, large-scale migrations and displacement of populations, urbanization, and changing social patterns. Since every part of the world is characterized by diversity, escalating intolerance and strife potentially menaces every region. It is not confined to any one country, but it is a global threat.”

Today, in commemorating the International Day of Tolerance, simply said: Let us recognize our differences and celebrate them.

Applause

In recognition of World Diabetes Day

Hon. Ms. Frost: I rise in the House today on behalf of the Yukon Liberal government to acknowledge November 14 as World Diabetes Day, the world’s largest diabetes awareness campaign, reaching a global audience of over one billion people in more than 160 countries. Diabetes Canada estimates that more than 10 million Canadians are living with diabetes or pre-diabetes. Every day, more than 480 people in our country are diagnosed with this life-changing disease. Every year, the cost to Canada’s health care system is nearly \$4 billion.

World Diabetes Day is marked every year on November 14, to coincide with the birthday of Canadian Nobel Laureate Sir Frederick Banting, who co-discovered insulin along with Charles Best in 1922. Since that ground-breaking discovery, Canada has been leading the way in diabetes research, education, and treatment.

Type 1 diabetes is usually diagnosed in children and generally affects a small percentage of the population. Type 2

diabetes, which is predominantly a lifestyle disease, is much more prevalent. Here in Yukon, diabetes affects more than 2,000 people. According to the International Diabetes Federation, up to 70 percent of type 2 diabetes cases could be prevented with a change of lifestyle. That’s why it is so important to fight this rising tide on many fronts, including supporting those with diabetes.

In recent years, Yukon has become a leader in supporting individuals with diabetes. This year, Yukon became the first jurisdiction in Canada to fully fund constant glucose monitors for all Yukoners. I want to thank all those who are working in our territory to support Yukoners with diabetes. This year, the World Diabetes Day campaign focuses on promoting the role of nurses in the prevention and management of diabetes.

Here in Yukon and across Canada, nurses are the backbone of our health care system. They play a crucial role in educating and informing people about their lifestyle choices.

Mr. Speaker, our government has funded new public health nurses in Yukon communities to focus on prevention in addressing the factors that lead to chronic diseases like type 2 diabetes. Following the *Putting People First* report, we will be increasing the number of public health nurses in our communities. I want to thank the more than 500 nurses working in our communities for their ongoing work to improve health outcomes for our citizens, including those with diabetes.

Thank you, Mr. Speaker.

Applause

Ms. Van Bibber: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize and pay tribute to World Diabetes Day which took place on Saturday, November 14, and to this month as Diabetes Awareness Month.

It has been almost a century since the discovery of insulin in 1921 by Dr. Frederick Banting, whose birthday was November 14. His discovery — which led to the award of the Nobel Prize in physiology or medicine in 1923 — has effectively changed the lives of people suffering from diabetes for 99 years. It is hard to imagine a world without access to insulin for those without proper pancreatic function. For many, insulin-monitoring pumps and injections are central to their daily lives. Types 1 and 2 diabetes and everything associated with the disease are often central to the lives of not only the individual but the entire family. Events, activities, trips, schools, and meals are focused around diabetes monitoring and control.

I would like to thank the Yukon T1D support network for their endless advocacy for individuals with type 1 diabetes in Yukon. This incredible group of individuals worked on behalf of and alongside the type 1 diabetes community since the creation of the network, and they have a lot to be proud of. They not only educate and advocate for individuals and families facing diabetes, they go beyond in their fundraising and lobbying efforts to ensure those living with type 1 diabetes — a life-threatening autoimmune disease — can continue to live life to the fullest with access to technology critical to their health and well-being.

This year, the Yukon T1D support network is celebrating an incredible milestone in their journey. Their efforts to secure continuous glucose monitors, commonly referred to as “CGMs”, for all Yukoners has finally paid off. Going forward, Yukoners living with T1D have full access to this lifesaving technology. I would like to thank the organization for their continued work toward this goal and congratulate them on this achievement for all Yukoners.

As so many not-for-profit organizations and charities throughout the territory have done in order to adjust to the realities of the pandemic, the Yukon T1D support network has also adapted its approach to fundraising this year and is launching its boulevard of hope in January 2021. Throughout the entire month, 35 trees to represent the \$3,588 cost of a CGM for one Yukoner for one year will be lit up in blue, the diabetes awareness ribbon colour, along Robert Service Way. The boulevard of hope founders and organizers, Jill Nash and Amanda Leslie, and key sponsors, Kilrich Building Centres, ATCO, CKRW The Rush, and Arcrite Northern, in addition to the countless private sector businesses that have sponsored a tree on the boulevard hope that this display lifts all Yukoners’ spirits during January’s dark days while creating awareness about living with type 1 diabetes.

I would also like to give special thanks to those who provide support to Yukoners from the Diabetes Education Centre located at the Thomson Centre. Services provided to Yukoners include support and education on type 1 and 2 diabetes, gestational, and pre-diabetes. Staff at the centre work with health care providers to ensure care and support from diagnosis onward. Yukoners living with diabetes and their families, educators, and other caregivers are fortunate to have access to the supports available in our territory.

I would like to thank those who continue to donate time, support, and funds to the ongoing efforts of the Yukon T1D support network who are navigating the experience of living with type 1 diabetes.

Applause

Ms. White: I rise on behalf of the Yukon NDP caucus in recognition of Diabetes Awareness Month and World Diabetes Day.

November is a month-long global diabetes awareness campaign when communities around the world team up to bring awareness to diabetes and encourage action to tackle the diabetes epidemic. This year’s World Diabetes Day theme is “The Nurse and Diabetes”. We all know the crucial role that nurses play in our lives, but the role that they play in supporting folks living with diabetes is even more essential. People living with diabetes face a number of challenges and education is vital to equip nurses with the skills to support them. As the number of people with diabetes continues to rise across the world, the role of nurses and other health professional support staff becomes increasingly more important in managing the impact of the condition.

We’re lucky that in Yukon we have two more amazing people currently working toward their certified diabetes

educator certification. Jamie Trainor is a licensed practical nurse who also happens to be the mom of the youngest child ever diagnosed with T1D in Yukon. She is committed to changing the landscape of type 1 diabetes education in the Yukon. Brayden Kulych is a registered nurse, a board member of the T1D support network, and has type 1 diabetes himself. His goal is to make sure that Yukon residents with T1D are always able to access the help they need when they need it most. We know for certain that these two nurses are going to make a serious impact on diabetes education in the life of diabetics in Yukon.

We’re also lucky to have an epic champion here in Yukon, and that’s the Yukon T1D support network. They aim to help Yukon citizens who have type 1 diabetes. They do so through education, advocacy, and support. During the month of November, they have been sharing a series of posts on their Facebook page to help educate and celebrate the work being done globally and right here at home in support of those living with type 1 diabetes. Through the advocacy efforts of the T1D support network, any type 1 diabetic, regardless of their age, now has access to their choice of technology to help better manage their glucose levels.

Yukon has blazed a trail for the rest of the country and we look forward to the day when others will follow suit and make this technology accessible.

Applause

Speaker: Are there any returns or documents for tabling?

Are there any reports of committees?

Petitions.

PETITIONS

Petition No. 4 — received

Clerk: Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 4 of the Third Session of the 34th Legislative Assembly, as presented by the Member for Takhini-Kopper King on Tuesday, November 10, 2020.

The petition presented by the Member for Takhini-Kopper King meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Speaker: Accordingly, I declare Petition No. 4 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. 4 shall be provided on or before Thursday, November 26, 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. Adel: Mr. Speaker, I rise to give notice of the following motion:

THAT this House supports implementing a population health approach that considers the social determinants of health to reduce inequities and improve the health of the entire population.

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

THAT this House urges the Government of Yukon to publicly release the criteria used to determine whether or not to maintain an exception to self-isolation requirements for people travelling from British Columbia.

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

MINISTERIAL STATEMENT

Yukon highway border enforcement agreement with Liard First Nation

Hon. Mr. Streicker: I rise before the House today to highlight the importance of measures in place under the state of emergency in the Yukon during the COVID-19 pandemic.

In particular, the state of emergency enables measures that aim to reduce the risk of importation and transmission of the virus, including isolation requirements, border controls, and enforcement. Border controls ensure that those coming into the Yukon are informed of the rules in place in our territory and know what is expected of them as they travel in, around, and through our territory. They improve our ability to track and manage the public health risk and keep Yukoners safe.

Partnerships are key as we respond as a territory and as a community. I am thankful for the great work and cooperation across all levels of government and give my thanks in particular to mayors and councils and their staff, chiefs and councils and their administrations, and our federal counterparts — in particular, those with the Canada Border Services Agency. Partnerships with communities, including municipal and First Nation governments, are integral to maintaining a coordinated response to the pandemic, in keeping our case count low and manageable.

Today I want to highlight a recent partnership established between our government and the Liard First Nation to support border control, including information-flagging services at border stations at both Watson Lake and Junction 37. This partnership expands our collective efforts to respond to COVID-19, built on respectful relationships and with opportunities for local jobs and capacity.

From April to October 2020, our borders were staffed with natural resources officers, conservation officers, the wildland fire team, staff of Tourism and Culture, and with support from local contractors.

Starting in November, the Liard First Nation is providing staff and hiring local contractors for highway border controls. The Yukon government is providing liaison staffing and some training to assist with the transition. We will continue to have

our *Civil Emergency Measures Act*, or CEMA, enforcement officers available to the community of Watson Lake for any issues of concern.

Mr. Speaker, we have also had a close working relationship with the City of Whitehorse which has embedded a bylaw officer within the CEMA investigation unit to work full time and side by side with our investigators. Bylaw services also conducts regular patrols in Whitehorse to monitor the presence and compliance of out-of-territory vehicles.

In our rural communities, Government of Yukon has designated CEMA enforcement officers to follow up on issues of CEMA compliance in the communities. These CEMA enforcement officers are very familiar with their communities and they are committed to the collective efforts to respond to meet local needs. The RCMP further serve as the point of contact in communities and provide a bridge for the work of the Canada Border Services Agency and Yukon's Emergency Coordination Centre. They work closely with the Canada Border Services Agency throughout the course of the pandemic and are grateful for their support, both on the ground and at the administrative level, in helping to keep our territory and the rest of our country safe from the spread of COVID-19.

Mr. Speaker, the relationships with Yukon communities and partnerships with all levels of government have been integral to our government's ongoing response to COVID-19.

Ms. Van Bibber: Thank you, Mr. Speaker, and thank you for the opportunity to respond to this ministerial statement today. I appreciate the minister for highlighting this information.

First off, I want to say thank you to all the Yukoners who worked tirelessly over the last several months staffing our borders and keeping Yukoners safe. Many of these individuals found themselves doing a new and unique line of work that they were not used to, and they performed admirably. Your hard work was appreciated, so thank you.

With respect to the border control measures that the minister highlighted today, I have a couple of questions that I'm hoping he can answer. The first is with respect to the staff for the flagging services at the check stops. This service was previously provided by a local Yukon company that competitively bid through a public RFP tendering process; however, they found out near the end of October that the government would not be renewing their contract, nor would the government be going through a public tendering process.

So, if the minister could explain why the government chose not to go through a public tendering process again for this service, that would be helpful. Also, if he could provide us with the cost for the new partnership and the cost for the previous model to allow us to compare, that would be helpful as well.

I also have a question about the new schedule for border enforcement. On September 30, the government announced that our borders were switching from being staffed 24 hours a day to only being staffed from 9:00 a.m. to 6:00 p.m. Travellers arriving outside of those hours are required to sign a declaration and submit their self-isolation plan along with a contact

number. However, this honour-system approach does leave some questions about enforcement.

I am wondering if the minister could elaborate on how enforcement of entry into the territory outside of business hours is working. Since the transition, how many travellers have entered the Yukon during these unstaffed hours? Is the government confident that all travellers arriving outside of those hours have complied with the honour-system approach? How has the government ensured compliance with this new model? Finally, does the new partnership highlighted today in the ministerial statement adjust the hours that the border is staffed or will it remain from 9:00 a.m. to 6:00 p.m.?

I will leave that with my remarks and look forward to the minister's answers.

Ms. White: Mr. Speaker, I want to congratulate Liard First Nation and First Kaska on getting this contract. We wish them success in the important work that they are taking on.

We also want to sincerely thank all government employees who have worked hard over the last months to keep Yukoners safe. Your work was and is critical in keeping our communities safe. You made sure that Yukoners and visitors alike were aware of the safety precautions needed while travelling to or through the Yukon. We know that some of you faced many challenges, like your pay being delayed or not having access to adequate outdoor gear. You were far from home, in some cases, and not doing the jobs that you love. We know that you shouldered the onus of responsibility for our collective safety every day while on the front lines of an unsecured border.

We know that the communication around the transfer of the contract was far from ideal, and we are sorry that you weren't informed ahead of the decision being made public, because this must not have felt very good. This is unfortunate, and we want to make sure that you know that Yukoners appreciate the work that you have done.

In terms of the measures in place at the border, many Yukoners are wondering if the measures that were put in place in the summer, when COVID-19 numbers were much lower, are still appropriate. We are seeing the numbers of active cases increase very rapidly across the country, including in British Columbia. I'm hoping that the minister can provide some clarity in his responses as to how border controls might evolve over the next few months. If we have learned anything in the last number of months, it is the importance of information. I think that one thing that would help alleviate concerns from Yukoners is if the government would be transparent about what criteria will be used to decide whether or not to keep allowing travel to BC without self-isolation requirements. What criteria will be used and when will this information be shared with Yukoners?

We know that self-isolation was imposed in other parts of the country when case counts were much lower than they are now. How will government decide when the risk is too big? When it comes to enforcement, we know that currently the borders are only staffed from 9:00 a.m. to 6:00 p.m. Could this change if we see border restrictions evolve? Can the minister

please provide information and statistics on compliance outside of those hours?

Hon. Mr. Streicker: Mr. Speaker, I would like to begin by thanking both of the members opposite. I completely agree with them that those staff who have worked to set up the border and keep us safe over the past half a year or more have performed admirably, so thank you. They have shouldered the onus of keeping our roads and our routes safe into the territory. I agree with the members opposite that they have done tremendous work to keep us all safe, so thank you so much to them.

I should note for the Member for Porter Creek North that all people entering into the territory are required to sign a declaration if they are to self-isolate. It's not about what time they come across; all will sign that declaration so that we can follow up with them, contact trace with them, and work in confidence with them.

I will also say that we did have a couple of flagging contracts over the summer in the period up to the end of October. I know that, for the particular flagging company that we had in place most recently, we extended their contract for the month of October. We let them know that we were going with the Liard First Nation and they are doing their procurement process — it's not ours. I am happy to ask the Liard First Nation what procurement process they will be using. I want to thank all those flagging companies.

The member opposite asked for the amount of money we spent. I think it was several hundred thousand dollars for flagging over the summer months. I will get the numbers back here for everyone, and I will also work to get the numbers for the dollars that we are transferring for the Liard First Nation to take on this task.

With respect to how we set criteria for deciding on what to do with our borders, we laid that out in a document very early, called *A Path Forward*. I will happily share it with the members opposite. It highlights the criteria we use to move from one phase to another. I know that the Premier is speaking often with the chief medical officer of health. I spoke with him last week as well. We continue to be in dialogue to get his advice on the epidemiology of British Columbia, and we will continue to make sure that our borders are safe.

Right now, the number of visitors who are coming into the territory from our land borders is dropping. I think that it dropped 15 percent last week alone. Those numbers continue to drop. We have put in place measures to consider after hours — for example, video cameras and CEMA enforcement officers coming forward to do random checkpoints in the evenings. We will work to make sure that it is safe. Can this change in the future? Absolutely. That is the whole point of continuing to monitor and continuing to work to keep Yukoners safe and healthy during a pandemic. It is a lot of work.

Again, I would like to thank all of the staff who have worked there and the Liard First Nation for stepping forward. We have been working closely with them and the Town of Watson Lake. I think that this move is appreciated by all, and we will work to make sure that it is successful.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Panache Ventures return on investment

Mr. Hassard: So, last week when we asked about the \$2 million of taxpayers' money that the Liberal government shipped south to a venture capital firm based in Montréal, the minister said — and I will quote: "... a number of First Nation governments ... had come to us" with the proposal. Can the minister confirm that this statement was accurate, and which First Nation governments proposed investing in Panache?

Hon. Mr. Pillai: As the department had communicated to me, the organization that came to the department was Kluane First Nation. I think there were other First Nations that were involved in this, but that is what I was informed of through the department.

Mr. Hassard: Again last week, when we asked about that same \$2 million of taxpayers' money that the Liberal government shipped south to a venture capital firm based in Montréal, the minister said that the government did due diligence on the investment and he said that his government did a third-party analysis.

So, can the minister confirm that a third-party analysis of this investment was done by the Yukon government, and would he be happy to share that with us, Mr. Speaker?

Hon. Mr. Pillai: Yes, there was a third-party analysis that was completed. The Department of Economic Development contracted Gilles Duruflé, an independent consultant on venture capital. Gilles' track record includes advising the Government of Nova Scotia on setting up some venture funds and investment strategies for governments, and he also did the recommendations to our department. He is well known in the field, and I will endeavour to speak with the department about getting in touch with the work, making sure that there is a not a non-disclosure and making sure that there are no contract specifications around that. I am happy to do it — once again, very open.

I am quite curious about where this is going. It really seems to be a lot of mudslinging. What we do have here is an investment in Yukon First Nations and development corporations with a multitude of benefits. It's not just a return on the investment over the period of time on the fund — which we see the Québec government, the Ontario government, the National Bank of Canada, and others looking at — but also the opportunity when the right investment comes along to be able to support that in that growth stage. Again, it's interesting — it seems like just mud being thrown across the way. Those in the sector feel that this was a good investment.

Mr. Hassard: We now know that, unlike in Alberta or Québec, Panache will not be required to have a presence in the Yukon in return for the \$2 million of taxpayers' money that the Liberals shipped south. We also know that Yukon taxpayers won't receive a financial return on investment for this deal, unlike the taxpayers of Alberta or Québec. We know that, since the Yukon government has shipped \$2 million down to

Montréal, not a single Yukon business has been invested in. One benefit that we were supposed to receive was mentorship and networking for local businesses.

We know that Panache hosted a three-hour meeting in Whitehorse a year ago. So, with the minister unable to provide examples of what Yukon taxpayers received, we are left wondering if all that taxpayers got for their \$2 million was one three-hour meeting. Other than that one three-hour meeting last year, has Panache offered any other opportunities — virtual or otherwise — for mentorship to Yukon businesses?

Hon. Mr. Pillai: I am going to go back to the department to ask if they could reach out to the First Nation Investment Corporation. What their representatives have let us know is that Panache has mentored nine Yukon companies through one-on-one meetings, business introductions, and strategic advice. Some of Yukon's high potential start-ups, including Proskida and Appendo — great companies that have really come into their own over the last number of years — have received advice and worked with Panache to assess their investment readiness. This investment is already benefiting Yukon companies and will again drive future investment. The individuals in this sector who work here feel that this is a really important asset to have for us to be able to see that fund there.

We're still doing the work on angel investment — of course, we have done the NACO piece. We've seen significant growth, again, in this sector. Once again, I'm curious to see where this continues to go. Others who are around it feel that it's a good investment and they're looking forward to the return and to be able to help Yukon companies grow.

Question re: Mixed-use housing project

Mr. Kent: The government is building a 47-unit, mixed-use housing project at 4th Avenue and Jeckell Street here in Whitehorse. On April 11, 2019, the minister stated that this facility would contain market rental units. Her exact quote was that the project would support — and I quote: "... a cross-section of clients in the housing continuum — from homelessness to affordable to market rental housing — all in one development".

However, last week, we asked the Premier how many of the units were allocated for market rent and his response was that none of them were for market rent.

So, I'm just hoping the government can clarify: Why did the minister tell us last year that there were market rental units in this facility, but last week, the Premier told us there weren't? Was the minister wrong when she provided Yukoners with this information last spring?

Hon. Ms. Frost: I'm proud to support this project as it will (1) boost Yukon's economy. It will generate construction jobs, but it will also address and create affordable housing here in the city. This community housing development will be used as the first project that models a mixed-income client allocation.

By its innovative design, this housing development supports achieving the goals set out in *Our Clean Future*. The building has 47 units that include a blend of bachelor suites and

one-, two-, and three-bedroom units. Ten units will be barrier-free, with a targeted completion of December 2021.

We have budgeted \$18 million over two years for this project, which will support clients across the housing continuum from homelessness to affordable rental all in one development.

Mr. Kent: So, my question was about last year when the minister said there would be market rental units in there. Last week, the Premier said there will not be market rental units in there. So, I was asking the minister if she was incorrect last spring when she provided us with that information.

As I mentioned, we are just seeking clarity on the scope and design of this project. On April 11, 2019, the minister stated that there would be market rental units in this housing development. On November 10, 2020, the Premier stated that there would not be market rental units. So, either one of them is wrong or at some point during the development of the project there was a change made.

I am going to assume that neither of them was wrong and ask the minister: When was the change to this project made?

Hon. Ms. Frost: The objective of the Yukon Liberal government is to create safe, affordable housing for Yukoners. It is a priority for the Liberal government and we are making significant progress toward this goal. We know that housing is a basic necessity and that Yukoners have a right to access housing that meets their current needs.

Over the past three years, we have invested significant resources into building safe homes. We have used the guiding principles of the Safe at Home plan, the housing action plan for Yukoners, and we will continue to use these plans as guides as we go forward. Our focus is really on transforming social housing to ensure that it better addresses the housing continuum, and improves community housing and outcomes for Yukoners.

Mr. Speaker, this current housing project is funded through the national housing strategy and aligns with the housing action plan and our goals and objectives. We will look at ensuring that we take the recommendations from *Putting People First* and aging in place and address the current needs of Yukoners. We are very proud, again, of this project. It will meet a diverse need for Yukoners as a mixed-use housing unit.

Mr. Kent: Mr. Speaker, I am not sure if the minister heard my question. It was about the fact that, last year, she announced that there would be market rental units in this building. Last week, the Premier announced that there would not be market rental units. I am wondering when the scope of that project changed.

However, I do have another question about the changing scope. When it was first announced in March of 2019, it was advertised as being a 48-unit housing development. Additionally, a government press release from November 19 of last year, when the design contract was awarded, still referred to it as a 48-unit facility. On November 5 of this year, the minister stated that it had been reduced in size slightly to only 47 units, which again was repeated by the Premier on November 10 and by the minister again earlier today.

I am wondering if the minister can let us know why the facility was changed from the original plans. Was this due to budget constraints or some other reason?

Hon. Ms. Frost: Mr. Speaker, I would like to just acknowledge the efforts of the corporation, the efforts of Yukoners, and of the Safe at Home action group in looking at addressing and meeting the needs of Yukoners. The objective of the 48 mixed-income client allocation model is there to address the needs of Yukoners and that's why the 47 units are broken down into various units — one-bedroom, two-bedroom, three-bedroom units, and 10 units that are barrier-free — to address the needs of Yukoners. That's our objective and I'm very proud of that work.

The major investments in housing that has been put on the market in the last four years is substantial. Over 600 units were added to the Yukon market to address a lot of what we're seeing in our Yukon communities that have been long left vacant — and pressures in our communities. The \$18.8 million to support this 47-unit, mixed-income housing development in Whitehorse is one that was done in partnership with the city. It was done through our municipal matching grant and other federal initiatives as well.

Question re: Whitehorse Correctional Centre policy on safe physical contact with inmates

Ms. Hanson: Friday's *Yukon News* told a story of intergenerational trauma happening right now in Yukon's justice system. An inmate who gave birth while incarcerated was forced to stop breastfeeding because of COVID restrictions implemented at Whitehorse Correctional Centre. She has not been able to have physical contact with her baby since March 24. Contact between a mother and a newborn is critical for a child's emotional, mental, and physical development.

How does the minister justify that, under her watch, a nursing mother at Whitehorse Correctional Centre was forced to stop breastfeeding?

Hon. Ms. McPhee: I think it's important to remind everyone that the health and safety of all of the inmates and the staff at the Whitehorse Correctional Centre must be top of mind. We're currently managing a world pandemic — a situation that requires contact to be limited and visitors to be limited. The story recently from British Columbia shows exactly what sort of risk can occur when an outbreak occurs at a particular institution. We've seen across the country how the effect of COVID-19 reacts and affects thousands and thousands of Canadians in relation to outbreaks at senior care facilities and those kinds of situations where individuals cannot leave the premises. As a result, the decision has been made in the operations of the Whitehorse Correctional Centre to protect the inmates in a world pandemic.

Ms. Hanson: A government policy forced an indigenous mother to stop breastfeeding and has prevented her from having physical contact with her baby for nearly eight months. The minister can't just blame this on COVID. The minister's refusal to recognize this impact is shameful. This can have serious negative repercussions for the child's entire life. Nothing justifies penalizing a baby — a newborn baby, Mr. Speaker. It's

not about creating future trauma. This is intergenerational trauma actively reinforced by Yukon government policies and institutions, and it has to stop.

Will the minister take responsibility and immediately direct that policies be implemented to allow for safe physical contact between mothers and their babies at the Whitehorse Correctional Centre?

Hon. Ms. McPhee: This is certainly a situation that is being reviewed at the Whitehorse Correctional Centre. The experts there are doing their work to determine the health and safety not only of their staff but, more importantly, of the inmates who reside at that location and are subject to the health risks that exist should COVID-19 become an issue at that facility.

The individual case that is being asked about here will, of course, be reviewed.

Ms. Hanson: A newborn baby faces negative lifelong consequences because of government policies. An indigenous mother at the Whitehorse Correctional Centre was forced to stop breastfeeding and has had no physical contact with her baby for nearly eight months. The *Yukon News* has called this — and I quote: “... cruel and unusual punishment.”

The mother’s lawyer has stated — and again, I quote: “... we’re perpetuating systemic racism and colonialism through our institutions.” These institutions are this government’s responsibility. How can the Premier tolerate that this is going on under his government’s watch?

Hon. Ms. McPhee: Mr. Speaker, I appreciate that this is a difficult situation. As I have indicated, it has been reviewed by the experts at the Whitehorse Correctional Centre and those at the Department of Justice who are ultimately responsible for the health and safety of all the inmates.

The elimination or non-introduction of COVID-19 into a facility like the Whitehorse Correctional Centre has been a top priority for the department and for this government in order to keep Yukoners safe. What I am able to say is that we are very proud of how hard Yukoners have worked to make sure that we have not had the increased cases that our country has seen and certainly other countries in the world have seen and that the health and safety of the inmates and the staff who work at WCC — all of them — and those who are required to reside there are a top priority for protection. That unfortunately may have required that the introduction of external visitors has been limited. The case is being reviewed.

Question re: Canada-Yukon housing benefit program

Ms. White: Last week, the government announced the Canada-Yukon housing benefit program. The very existence of this program acknowledges the fundamental problem in our housing market, and that is that people can’t afford rent — even those with a full-time job. People who qualify will receive a rent subsidy to help with the cost of rent. This stop-gap measure is certainly welcome for folks who are struggling to make ends meet, but let’s be clear — this doesn’t address the housing shortage that leads to skyrocketing rents.

Does the minister recognize that the Canada-Yukon housing benefit program does not actually solve the lack of affordable housing in Yukon?

Hon. Ms. Frost: Mr. Speaker, I would like to just acknowledge that the Canada-Yukon housing benefit — the supports that it provides — that wasn’t readily available historically. We had the Yukon rental assistance program. That has concluded and now we have taken up the Canada-Yukon housing benefit initiative, and that is to assist those Yukoners who require assistance in the rental markets. We are very proud of that. Does it address the housing shortage? That is certainly not the objective. We have major investments in Yukon.

With the next question, I can respond to the investments that we have made in the Yukon with respect to the added resources in Yukon for the housing benefits for units.

We now have in excess of \$30 million that we are spending through the housing initiative fund, through the partnership build fund, and I would be happy to respond to the next question.

Ms. White: Many individuals seeking affordable housing end up in long-stay hotel rooms. Their stays in these hotel rooms usually come to an end in the spring, and they are asked to leave for the tourist season. Because their stays are under six months and there is no rental lease signed, they would not be eligible for the Canada-Yukon housing benefit.

Can the minister explain to long-term hotel tenants why they do not qualify for the rental subsidy and what options they have to help with their rental affordability?

Hon. Ms. Frost: There are two things happening. One, rent-assist is to provide for those clients who are not the responsibility of Health and Social Services. We do provide supports through Health and Social Services to ensure that we provide necessary shelter, food, and the necessary resources for those clients who fall under the social income stream.

Now, the housing benefits initiative — the rent-assist program — is intended there to support those clients who are not in that stream. We are reaching far into the Yukon to support Yukoners who come forward requesting assistance. I’m very proud of that and I will continue to certainly reach out. I ask Yukoners that, if they do require assistance, to please reach out to the department and we would be happy to provide you some guidance in terms of where you can get the resources and supports that are readily available.

Ms. White: So, just to be clear: Not all individuals staying in hotels are on social assistance or accessing existing housing subsidies. Many individuals and families live in mobile home parks. Some own their homes while others are renters. Regardless, pad rents are charged on each unit every month. These amounts can vary, but approximately \$500 a month is the standard in Whitehorse.

Can the minister tell those in mobile home parks if they qualify for the Canada-Yukon housing benefit program?

Hon. Ms. Frost: Mr. Speaker, what I can say is that the rent-assist program is to provide for those clients who are on rental arrangements. I would certainly be happy to have that discussion with the minister responsible for the mobile homes. I certainly want to have an internal conversation to look at

alternative options if that seems to be an area that is not addressed.

Right now, the objective of the Canada-Yukon rental benefit is to provide for those clients who are on the list that's required to support some rental assistance initiatives that perhaps are not able to meet the rent due to the global pandemic or other measures that are available. We would be happy to ensure that we provide assistance to them through other means that are available to us that are maybe currently defined in our — and through Yukon Housing Corporation.

Question re: Diabetes treatment

Ms. Van Bibber: Mr. Speaker, a huge thanks is owed to the Yukon T1D support network for their determination and advocacy in securing continuous glucose monitors — CGMs — for all Yukon residents with type 1 diabetes. Anyone who knows about diabetes understands that a CGM not only allows a person to live a near-normal life, but is also a life-saving device.

In a release after October 1 announcing the fully-funded CGMs, the government said in the “Quick facts” section — and I quote: “Physicians will apply for coverage on behalf of their patients.” However, we have learned that some who require this important device are receiving mixed messages on how to secure coverage.

Can the minister clear the air and explain to those with type 1 diabetes what the parameters are to access continuous glucose monitors?

Hon. Ms. Frost: Mr. Speaker, let's perhaps have a discussion about the T1D support that has been provided to Yukoners.

When we first took office, the early initiatives in terms of the pilot project took effect by having a meeting with the families, looking at working with Health and Social Services, physicians were involved. We had a conversation about an initiative that would support young Yukoners who had been diagnosed with T1D. The objective there was to ensure that parents could successfully return to the workplace. Children who are going to childcare centres are appropriately monitored. It was a very successful initiative that ran for two years. I just want to acknowledge the department for doing such an exceptional job in working with the families and the young people who have come forward and addressing their needs.

From there, we've worked with the department, yet again, and we've listened to Yukoners. We are pleased to announce that we are now covering constant glucose monitoring for all Yukoners with type 1 diabetes. It's the first of its kind in the country. I'm very proud of that. I'm proud of the fact that we are supporting Yukoners.

Question re: COVID-19 pandemic — impact on education system

Mr. Kent: The pandemic is having serious consequences for our students, particularly those in grades 10 to 12 here in Whitehorse. The minister has decided that they will remain with half-time in-person learning for the balance of this school year. This follows the cancellation of all in-person

learning territory-wide from this past March until the end of the last school year. We've talked about mental health impacts and economic impacts of this decision. However, my question today is about educational impacts. Can the minister tell us how much of the curriculum she expects to be delivered in this school year?

Hon. Ms. McPhee: Mr. Speaker, I expect all of the curriculum to be delivered, and we have said this on many occasions. The grades 10 to 12 high school students here in Yukon, and particularly in Whitehorse, are learning full time. They are attending classes half time. They are supported throughout the day, should they choose to avail themselves of those supports, with tutoring, with study halls, with additional work with their teachers, and with additional support from their schools and from the Department of Education throughout the process.

As part of the modernization of the Yukon school curriculum, the Department of Education modernized how teachers assess and report student learning. Teachers — I take the opportunity to thank them for their dedication, for their resilience, and for their flexibility in how they do their jobs in the midst of a world pandemic. They are focusing on their students, and we thank them for that. They are focusing on innovative ways and imaginative ways to deliver the curriculum, and we expect that students in grades 10 to 12, as well as all full-time students here in the territory, are adjusting, and we all thank them for their efforts in doing so.

Mr. Kent: I thank the minister for saying on the floor of the Legislature here today that all of the curriculum will be delivered this year, because, as we know, this is an extremely important topic. As we have heard from one student who feels that they are approximately one month behind in some of their classes — this, and we haven't even hit three months of school yet. Another student has told me that they have been told that, if they want to cover the entire curriculum, they will have to do so on their own.

Teachers are, of course, doing their best without the addition of significant resources by this government to assist them, and we continue to advocate for the addition of more resources for our teachers and school staff. But that said, I am wondering: What measures is the minister contemplating to help students get caught up to where they should be in the curriculum delivery, and when will we see those changes implemented?

Hon. Ms. McPhee: Mr. Speaker, the learning — and incredibly dedicated teachers in Yukon schools are doing what is being suggested by the member opposite on a daily basis. They are working individually with their students. I happened to be in two schools today for the purposes of visiting and also expressing to our teachers and to our administrators how incredibly important their dedication has been.

I took that opportunity — and will do so here today — to thank the teachers and the administrators for their dedication and for their caring in reaching out to their students and families. We know that feelings of stress of this situation are affecting teachers. Frankly, they are affecting everyone. We

thank them for their continued energy and enthusiasm for their students and urge them to take care of themselves.

Yukoners are, of course, appropriately concerned with respect to individual situations and the broader scope of the situation. I hesitate to remind Yukoners who are feeling anxiety that there are places for them to go. Particularly with respect to education, we ask them to reach out to their schools. Education and learning are very individual experiences. I note that Nunavut has had to close all of their schools today.

Mr. Kent: Mr. Speaker, I look forward to sharing the minister's responses with those students and families who have reached out to us with concerns about curriculum delivery and the fact that they are behind in their learning this year.

As mentioned, all schools closed in-person learning at the end of last year as a result of the uncertainty around the pandemic. Many in our school communities expected that a portion of the start of this year would be dedicated to catching up on last year's work — and this is across all grade levels and in all communities.

Can the minister tell us how long it took for students to get caught up on the work from last year? If they aren't caught up yet, when does she expect them to be?

Hon. Ms. McPhee: Mr. Speaker, as I was saying earlier, education and learning are very individual experiences. We have known this long before COVID-19. Of course, this situation, perhaps in some cases, has exacerbated the individual experiences. Each student will experience this time differently. It is even more challenging for some individuals.

We have indicated that supports are available and that they should reach out to their teachers. Frankly, teachers know which students are needing individual help; they are experts. We will leave it to the experts. I certainly wouldn't, in my role — as proud as I am to have this role and as dedicated as I am to Yukon students — ever presume to tell individual experts or administrators how to deliver the curriculum. That is a role for our teachers and administrators. It is a role that they have taken on seriously. It is a role that they have taken on with much enthusiasm and innovation in this very difficult time. They are doing what we should all be doing, which is thinking about what is best for the students.

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. 13: *Act to Amend the Elections Act (2020)* — Second Reading

Clerk: Second reading of Bill No. 13, standing in the name of the Hon. Mr. Silver.

Hon. Mr. Silver: I move that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be now read a second time.

Speaker: It has been moved by the Hon. Premier that Bill No. 13, entitled *Act to Amend the Elections Act (2020)*, be now read a second time.

Hon. Mr. Silver: Mr. Speaker, it is a pleasure for me to be able to rise today in the Legislative Assembly to speak to these amendments in the *Elections Act* for the Legislative Assembly's consideration. These amendments will establish that general elections for the Yukon government will be held on a fixed date. The amendments show that the first fixed date election will be held on Monday, November 3, 2025, and that subsequent elections will be held on the first Monday in November in the fourth calendar year following the last election.

Finally, the amendments confirm that nothing in the new legislation will affect the power of the Commissioner to order an election at the discretion of the Commissioner.

Currently, the date for the election of the Yukon government is ordered by the Commissioner, at the advice of the Premier, with a five-year time frame, as set out in the *Elections Act*. The *Elections Act* is currently silent on the timing of an election. Establishing a fixed polling date in legislation for the Yukon government election strengthens the overall democratic process and will support the democratic principles of fairness, transparency, and accountability.

When preparing for an election period, fixed polling dates for elections will support planning and financial efficiencies as well. Costs associated with elections can be more effectively managed when each election cycle is known and therefore can be planned for strategically.

The first Monday in November as a polling day is a day that is least likely to conflict with statutory holidays or with fixed dates of Yukon municipal elections, which are held on the third Thursday of October every three years, or with a federal election, which is held on the third Monday in October every four years.

However, given that it is difficult to predict and to account for all circumstances, there may be an occasion in a year in which the fixed date is not suitable for polling. That is why the proposed legislation confirms that the Commissioner retains the ability to call an election at the Commissioner's discretion, which could be at a date that is earlier, but not later, than the fixed date.

This power is essential to the principle of responsible government and is confirmed in the *Yukon Act*. Overall, these amendments will strengthen our democracy by being open, fair, and transparent about when the next government election will be held.

Establishing those fixed election dates for elections within the *Elections Act* is a recommendation of the Chief Electoral Officer's 2019 report to the Legislative Assembly. I thank the Chief Electoral Officer for this report and assure the House that we are considering all of the recommendations in this report. In recommending legislated fixed dates for elections, the report states that uncertain election dates may reduce public discussion and engagement. The report states that fixed dates will support planning for elections and the recruitment of elections workers and may provide for greater participation of candidates and voters as well.

Currently, Yukon is one of only two jurisdictions in Canada that does not have fixed dates for elections within its

legislation. The important amendments before us today will create consistency with the federal government and most other Canadian territories and provinces that have fixed dates and four-year election cycles.

More importantly, these amendments will further improve the Yukon electoral process. It is my intent, in tabling these amendments today, to have something that all members support, since fixed election dates will enhance our democratic process and they are the recommendation of the Chief Electoral Officer.

It has been a privilege to be here today to speak on this, and I look forward to hearing from other members on this bill.

Mr. Cathers: In rising to this as our critic for democratic institutions, I note that, first of all, we do not have a problem with the concept of fixing the election dates — in fact, we are supportive of that concept. However, as the Premier should be well aware, we are not supportive of unilateral decision-making on elections being made, especially by a party that was elected to a majority government but with far less than half of the votes. In fact, over 60 percent of Yukoners voted for someone other than the current government.

It is unfortunate that we have seen the government — the Premier and his colleagues have talked a good line on collaboration, but — just as we have seen around other matters such as those related to the imposition of a civil emergency this year related to the pandemic and proposals for all-party committees to discuss matters related to that — we see that this Liberal government is interested in all-party collaboration only on its terms. As in this case — although the Premier indicated that he expects everyone to support it, there has not been discussion of the details of this proposal prior to the act being tabled.

So, I remind the Premier that he and some of his candidates — both in the election and the leadup to it — talked about fixed election dates, but they also talked about collaboration. In fact, one of his colleagues sitting right behind him — the Member for Mount Lorne-Southern Lakes — speaking on behalf of the Liberal Party — and I'm quoting from a CKRW article from Wednesday, November 2, 2016, that was regarding the Liberal Party at the time — their commitment to fixed election dates. In an article entitled "Yukon Liberals commit to fixed election dates", the commitment was made by the Mount Lorne-Southern Lakes candidate at the time who said that "... this would bring clarity and certainty to when the election would be held, and stop the campaigning leading up to an election call."

He also was quoted as saying that "It will allow people to plan better."

The now-Member for Mount Lorne-Southern Lakes indicated as well — quote: "It will allow Yukoners to plan for when they know when an election is going to be, and how they can vote, and it will allow Elections Yukon to plan, and everybody just to have a heads-up about when these things are going to come, and..." — and this is the most notable part of the quote — "... stop making it a political football about choosing the date."

Again, the commitment was made to stop making it a political football, but — just as we've seen with some other matters such as the government fumbling and flailing on their commitment around an independent commission on electoral reform and their absolute refusal to work with other parties on the terms of reference or to allow them a say in the appointments — we've seen that this government, unfortunately — every time they talk about election changes — seems to be fixated on trying to make it a political football.

With this legislation — Bill No. 13 — the government had a very easy option open to it. They had the option that traditionally would occur with changes to the *Elections Act*. It would not be a new process; it would be following past practice. They could have proposed these changes to an all-party committee. Typically, these changes would go to Members' Services Board. The Premier — in the past, we've seen him, in response to — in Question Period — members, including the Leader of the NDP, talking about proposed changes to campaign financing rules. The Premier has insisted that changes of that type have to go to Members' Services Board first. But when the Premier and his colleagues want to make a change, their rules are just a little bit different. Had this change been brought forward to Members' Services Board or another all-party process, there would have been ample opportunity to talk about the details.

I would note that, for a party that campaigned on fixed election dates, it's also notable that this fixed election date doesn't apply to them. It doesn't bind the current government. It sets out a timeline for five years down the road, binding a future government. That — among the concerns we've heard from people — is a question about timing. The Liberal government has chosen that — they believe November should always be the time for an election. Well, some would ask, "Why not October? Why not September?"

There are some practical considerations beyond statutory holidays — which seem to be the Premier's excuse — that relate to the ability to campaign, particularly in some of the rural and remote ridings — the ability to do everything as mundane as putting up signs to simply the comfort level of both candidates and citizens when door-knocking is occurring — are other potential factors that could lead some to suggest it should be sooner or perhaps, instead of earlier in the fall, it should be a spring date.

Ultimately, what this Liberal government has chosen is that, rather than asking Yukoners when they would like a fixed election date to be set for — what time of year — rather than consulting with anyone, it appears that they've made the decisions themselves and brought forward this legislation.

Had they followed the long-standing practice and brought this before Members' Services Board, we would have had the opportunity to debate the merits of any proposed date. Again, we emphasize the fact that we're not opposed to the concept of a fixed election date. But why is it just up to the Liberal Party, elected with less than 40 percent of the vote — probably a one-term government — to set the date of every Yukon election in the future and to decide that it should be the first Monday of November?

It unfortunately seems to be a fixation of this government to refuse to work with other parties when they can — for example, with the pandemic. As the Premier and his colleagues know, we have proposed — multiple times — working together through an all-party process regarding various matters related to the pandemic. The Liberal government has had absolutely no interest in working with other parties, except for the one specific proposal that they made, which has been criticized by people — including the former Clerk of the Assembly — for the fact that it was effectively putting the Minister of Community Services in a conflict-of-interest position where he would be expected to do a review of the *Civil Emergency Measures Act* while continuing to act and issue orders under that act.

Again, we need only turn a little back in time to remember how badly this government bungled their approach on an independent electoral reform commission where, by steadfastly refusing to show the terms of reference to other political parties, they set up a process that had the strong perception of bias and stacking the deck right from the start. We saw a situation where, in fact — though we believe that people who put their names forward did so in good faith, they were unable to effectively work on that commission due to the way in which the government had tainted it with its partisan tactics and political gamesmanship.

I mentioned a commitment from 2016 and cited a CKRW article at the time. I also have a copy in front of me from the *Klondike Sun*, complete with the now-Premier's smiling face, talking to his constituents before the election about what a government under his leadership would do. I would just note for the record and Hansard that this from Wednesday, March 25, 2015, in the *Klondike Sun*. I will, of course, as per usual, when quoting from articles where it mentions the Premier by name, refer to him by his title since I'm not able to use his name.

The now-Premier said — and I quote: "... a Liberal government would spend more time consulting with people to find out what they want and need, rather than spending its time telling people what they were going to get without proper consultation." Maybe I need to repeat that sentence. They "... would spend more time consulting with people to find out what they want and need, rather than spending its time telling people what they were going to get without proper consultation." So, we see this lovely top-down piece of legislation in front of us — Bill No. 13. What consultation did the government do with anyone but themselves on the content of the legislation, the date that would be fixed for future elections, or the fact that the legislation does not apply to the current government, because it doesn't take effect and set a date until 2025? In fact, depending on the nature of the next Legislative Assembly, it could potentially be past yet another election cycle if a minority government were to be elected and not make it a full term.

Returning to *The Klondike Sun* article on March 25, 2015 — again, not using the Premier's name — I quote: "... he was in favour of developing a model for electoral reform, but felt that most of the ones currently under discussion seem to favour

whatever party is advancing them. He would like to see an independent select committee come up with some proposals and see what might emerge."

Again, prior to the election, the Premier's indication to his own constituents was that it would be an independent select committee — of course, the term "select committee" refers to a committee of the Legislative Assembly — yet, after the election, we saw a different approach, where the Premier and his colleagues decided that, instead of doing what they said they would do, they would rather write the rules themselves, set the terms of reference for a commission themselves, and appoint all of the members themselves. This approach, again, is another case where this Liberal government has chosen to depart from the long-standing practice of seeking all-party consensus on changes to the *Elections Act* before tabling legislation.

As an interesting note from this article in *The Klondike Sun*: "Asked if he was in favour of recall legislation referenda..." — the Premier — "... said he wasn't about to go into details at this kind of meeting, but he tended to favour those ideas and was open to finding ways of making them work better than they have in some other jurisdictions."

Again, we haven't seen those commitments followed through on either.

So, again, Mr. Speaker, at the heart of our democracy is the expectation that no party should be allowed to stack the deck or gerrymander the system. Past governments of every stripe have respected the importance of ensuring that any changes to elections laws here in the Yukon are fair and unbiased and are done through an all-party process.

I have to remind the Premier that, when the *Elections Act* was changed during the Yukon Party's time in office, the all-party Members' Services Board reached unanimous agreement on the changes, including when we tabled legislation in 2015. As the Premier will recall, he supported that legislation and was provided the opportunity — through the work of myself, as Government House Leader at the time, and the now-Leader of the Yukon Party, Currie Dixon, reached out and worked with all members of the Members' Services Board, inviting them to express any concerns that they had with the contact. We went through every bit of the bill with the Members' Services Board —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Ms. McPhee: I think that, if I understand the member opposite correctly, he is expressing information and opinions that were given at a Members' Services Board meeting, or several meetings, which I understand were held in-camera to give the opportunity for members to express their thoughts and points of view in those meetings and that those meetings are not to be noted or that information disclosed in a public forum.

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

Mr. Cathers: I think that the Government House Leader, in her urge to shut me down, would find that if she went back to the record from 2015, members from all parties, including myself as the minister who tabled the legislation, spoke about discussions at Members' Services Board — confidentiality had indeed been waived on those discussions.

Speaker's ruling

Speaker: The current Speaker has absolutely no way of being the arbiter of what may or may not have been discussed and the confidences that may have been waived some five years ago now. The current Speaker cannot do that. So, we have a dispute between members as to the narrative.

But the Member for Lake Laberge, in my view, cannot continue along the path of advising what his recollection was of Members' Services Board discussions in 2015 — which in fairness, may be correct; it may not be correct. But the Speaker — the current Speaker — just cannot know that and is in no position to provide any guidance to the 34th Assembly on that topic. So, my inclination — I'll listen further to the Member for Lake Laberge, but my inclination is that he should be going in a different direction on his comments on second reading of Bill No. 13. Thank you.

Mr. Cathers: Thank you, Mr. Speaker. If it would make members more comfortable, I could read into the record the Hansard from 2015 so members can see what was talked about at the time. I will of course respect your ruling, Mr. Speaker — but I do have to point out that I know this is the most secretive government in Yukon history; they reflexively do not want to talk about anything that might potentially be embarrassing. But I am quoting from matters that have been discussed on the floor of this House and can be found in Hansard from five years ago, if they wish to make reference to it — as well as the fact that the Premier seems to forget that he himself was in a press release supporting the tabling of legislation in 2015 to change the *Elections Act*. That is not a matter of secrecy or confidentiality; that is a matter of public record.

But I will move on to other matters here, Mr. Speaker. I will in fact actually, just briefly — and thank you to the Leader of the Official Opposition for handing me this. Just for the Premier's reference, I have the press release in my hand now from October 29, 2015: "Proposed Elections Act amendments tabled" — Hansard will of course find this on, I believe, the government website.

That includes the *Elections Act* — again, this accompanied the tabling with myself as lead minister at the time.

"The Government of Yukon tabled amendments to the *Elections Act* in the Yukon Legislative Assembly today.

"The proposed changes to Yukon's *Elections Act* will help modernize the legislation and make it easier for Yukoners to vote," Premier Darrell Pasloski said. "Updating the act will allow for a more streamlined, clear and consistent experience for voters in Yukon's territorial elections."

"The proposed amendments include: more accessible and efficient voter registration, including a permanent registrar of electors; a simplified special ballot process that allows absentee

electors and others with special circumstances an extended opportunity to vote; and enabling the creation of an independent elections Yukon office."

Then, just briefly referencing the former Leader of the NDP's quote from this — and, of course, I can't reference her by name, though the release did — the Member for Whitehorse Centre — and I quote: "'I'm happy to see the legislature's all-party Member Services Board come to an agreement on some of the Chief Electoral Officer's recommendations from her last review of the *Elections Act*,' Yukon NDP Leader..." — name of the member — "... said. 'These proposed changes are a good first step in modernizing Yukon's elections laws.'

"Several of these amendments stem from recommendations made in the Chief Electoral Officer of Yukon's December 2014 report 'Recommendations for amendments of the *Elections Act*'."

Here's a quote from the current Premier: "'I want to thank Elections Yukon staff for the work they have done to make these improvements to our *Elections Act* possible,' Yukon Liberal leader..." — the name of the member — "... said. 'The amendments address concerns raised by voters in the last territorial election to modernize our legislation.'

"Elections Yukon is responsible for ensuring members of the Yukon Legislative Assembly are elected through transparent, fair, and open elections."

Again, that's the October 29, 2015, release — which, as I mentioned, is speaking to comparing the process that was used for amendments to the *Elections Act* five years ago versus the Liberals-only process used for Bill No. 13. As I pointed out, in fact, the press release and the quote from one of the leaders of the other parties at the time made reference to the fact that Members' Services Board had come to an agreement on changes. That is clearly not a breach of secrecy; it's in the press release.

Unfortunately, if we look back in past discussions that have occurred, we note that, in 2017 on the floor of this House, the then-Leader of the Third Party raised concerns about matters, including the government's commitment to fixed election dates.

For Motion No. 19, on November 22, 2017 — just for the reference for Hansard, I am referring to pages beginning at 1767. Motion No. 19, standing in the name of the then-leader of the Third Party, the Member for Whitehorse Centre, said — and I quote: "THAT this House urges the Government of Yukon to fulfill its election commitment and immediately appoint a non-partisan commission on electoral reform to engage and collaborate with Yukoners in order to:

(1) propose the best system to replace the first-past-the-post voting system, including consideration of proportional representation;

(2) consider fixed election dates;

(3) consider legislative amendments in order that voters have the final say when a Member of the Legislative Assembly changes caucus affiliation after being elected; and

(4) consider banning corporate, union and Outside contributions to political parties."

That was some of the past discussion in this current Legislative Assembly that occurred on that day related to electoral reform, including the government's commitment to fixed election dates.

Following the introductory remarks by the then-Leader of the Third Party, the Premier got up and talked a good line on collaboration. I am going to quote from a few of the excerpts from it that struck me as notable and relevant to both today's debate — and the fact that, again, the Liberal government didn't even make an attempt to reach an all-party agreement on this legislation. They simply chose to frame it in a way that they thought was most advantageous to the current government.

As the Premier will recall, that is a departure from the tradition of working with other parties to try to protect the integrity of the process and avoid there being the types of suspicions about the integrity of the process that can occur. If we look south of the border to the United States — that, of course, is a more extreme example, but a cautionary tale that all members would be wise to heed of the potential that, if parties act unilaterally when they have the power to change laws and if that becomes a pattern over time, it can lead to the type of lack of confidence in the integrity of the system that we have seen become a real concern in the United States.

Now, the Premier may think that this is a laughing matter, but I do not. The first step at avoiding that begins with the fact that the government doesn't need to act unilaterally in matters of this type.

Quoting the Premier in debating the motion regarding matters including fixed election dates, the Premier said — quite ironically — and I quote: “The last thing we want to do, though, is to make this a partisan exercise.”

The Premier also made reference to statements that he made before the election. He said — and again, I quote: “I always look at that statement and I wonder if I might have just boxed myself in, but anyway.”

The fact is that it seems like the Premier decided that he didn't want to be boxed in anymore and they are taking action unilaterally — but unfortunately, that conflicts with the Premier's claim that he doesn't want to make this a partisan exercise. I will again quote from his statements at that time in the House, and the Premier noted: “We have to take a look at a larger community and we have to take a look at all options. We have committed to that. As soon as we have a date ready, then we will absolutely engage with the opposition parties and the greater public ... and others to make sure that the terms and how we go down that road get defined in an open and transparent manner.”

The Premier also makes reference to — again, I will quote from page 1771: “I spoke to the leaders of the two opposition parties today, and I have every intention of involving them in those conversations moving forward.”

Again, it's unfortunate that we heard, prior to the election and early in this term, the Liberal government talking a good line on collaboration, but they made a choice — which they have yet to provide anything resembling a reasonable explanation for, both with this legislation and with their hand-picked commission on electoral reform — to step aside from an

all-party process, go it alone, and set the terms that they feel are most advantageous to them.

It is notable as well that the Premier's short remarks on this make it seem that they are almost ashamed of this act. From his limited contribution to what was a marquee platform commitment, it is clear that their bungling has made them uncomfortable about the conversation.

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Minister of Energy, Mines and Resources, on a point of order.

Hon. Mr. Pillai: A series of points of order, actually. The point of order that we just experienced again was Standing Order 19(g) — against the Premier — speaking about his approach to this particular bill — imputing false motives.

I have also heard — just a moment ago — Standing Order 19(b) by the Member for Lake Laberge, trying to compare — a bit of political science 101 — the US election to the destabilization of our democratic system. Then, of course, earlier on — Standing Order 19(i) as well — which could actually be Standing Orders 19(g) and 19(i) — which would be “... uses abusive or insulting language...” — talking about our government and how it is the most secretive government. This coming from a member who quit his party because of secretive dealings on the other side.

So, again, I find this a real stretch, again — and also with Standing Order 19(g). Thank you, Mr. Speaker — those are the points of order that I see.

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

Mr. Cathers: On the shotgun point of order from the Minister of Energy, Mines and Resources — first of all, I would note that, based on your rulings regarding Standing Order 19(g), I do not believe that I was imputing false or unavowed motives to the Premier. I think that is a misinterpretation by the Minister of Energy, Mines and Resources.

Regarding Standing Order 19(b) — the fact that the minister does not see the relevance between my view that the lack of collaboration on changes to elections laws can lead to the type of lack of confidence in the system that occurs south of the border is not in contravention of Standing Order 19(b), but simply the minister not understanding the relevance.

The minister suggested insulting language. I did not accuse the Premier of being the most secretive premier in history; I accused the government collectively of being secretive. Based on your past rulings, Mr. Speaker, I don't believe that is a point of order.

I think that he threw one more dart at the wall, which was again regarding Standing Order 19(g), I believe. Again, based on your past rulings, I don't believe that I imputed false or unavowed motives to the Premier in contravention of Standing Order 19(g).

Speaker's ruling

Speaker: Order, please.

In a general sense, I am listening to the Member for Lake Laberge. I have certainly provided some leeway and latitude for him to analogize other government decisions with respect to what he is arguing is the process for the implementation of Bill No. 13; however, perhaps at this juncture, it might be useful for me to take about five minutes to read into the record some of what is probably in Hansard somewhere over the course of the last four years.

I will just take us on a trip down memory lane on Standing Order 19(g) and deal with some of the scenarios so that members can review them for future reference.

In one scenario, Standing Order 19(g) says that members shall be called to order by the Speaker if the member "... imputes false or unavowed motives to another member".

It is common for members during the course of debate and during Question Period to offer their interpretation of the positions or policies of parties other than their own. These characterizations — which tend to be unflattering — frequently give rise to points of order. Procedurally speaking, characterizing a party's policies or positions in an unflattering manner is not the same as attributing a false or unavowed motive to another member. This exchange — subject to me reviewing Hansard in greater detail — I think falls into that category.

In addition, the Chair recognizes that the members are here to debate important issues — issues about which they, and their constituents, hold strong views. Strongly held views often lead to strongly worded statements. All members will have to accept that. However, members should also be mindful of the role that they play in ensuring that proceedings are orderly. Procedurally, the Chair has no interest in the positions that members take on issues before the House. The Chair is only concerned with how members express themselves. Sticking to the issues, and wherever possible, not personalizing the debate will assist in this regard.

To violate Standing Order 19(g), a member would have to suggest that another member's reason for advocating a certain policy or position was one that is unworthy of an honourable member of the Assembly — that is, another member adopted a certain position in order to put partisan self-interest or some sort of other self-interest ahead of the public interest. Determining the true nature of a party's policy or position on an issue is a matter for members to resolve through the process of debate, questions, and responses. It is not a matter of procedure on which a Speaker can rule.

Finally, in another scenario, members may not, pursuant to Standing Order 19(g), accuse one another of acting based on motives that are unworthy of a member of the Assembly. I have said a number of times over the course of the 34th Legislative Assembly that this would include any suggestions of illegal or unethical behaviour. Members must be especially careful not to suggest that another member is engaged in a conflict of interest. An accusation of a conflict of interest is a serious matter, and the existence of a real or perceived conflict of interest is for the Conflict of Interest Commissioner to determine, pursuant to the *Conflict of Interest (Members and Ministers) Act*.

That is obviously not a comprehensive review of the scenarios that can arise in Standing Order 19(g), but I would ask members, once Hansard is complete today, to review that.

I think that is all I have to say right now. Like I said previously with respect to the Member for Lake Laberge — I understand that he is debating, arguing, or putting a position forward by analogy, which generally is permitted. But I will certainly continue to listen for an ongoing nexus between his submissions and second reading debate on Bill No. 13.

The Member for Lake Laberge can continue.

Mr. Cathers: I just want to note that talking about the importance of not departing from the tradition of trying to reach all-party agreement on matters in the Yukon was not just something that, as I reminded the government — and I know they don't like being reminded of this fact — in fact, during the time the Yukon Party was in government, we actually had agreement from all parties in all of the changes we made to the *Elections Act*. They, in contrast — both with Bill No. 13 and with previous processes — including their botched electoral reform commission, which was supposed to be one of the crown jewels of their platform, and voting against their own electoral boundaries report — the legislation that the Premier has tabled — I should say, their own legislation and the electoral boundaries report — we have seen this departure from the past process and an unwillingness to follow the tradition of all-party collaboration. This ultimately is not in the best interests of democracy here in the Yukon.

As the Liberals will know — indeed, as all members should know — in fact, not only was this government not elected with a majority of votes from Yukoners, but typically, majority governments in the Yukon have not had the support of over 50 percent of the people who have cast their ballots.

One of the reasons that, in the past, parties have respected the importance of working together in an all-party manner is, first of all, to not be accused of gaming the system or rigging it for their own interest and, secondly, for the fact that they have not wanted to see a situation where they lacked democratic legitimacy in moving forward with changes when they themselves do not have the support of over half of the public.

I'm going to take a moment to quote the former clerk, Dr. Floyd McCormick, in his current capacity as a private citizen — some comments that he made in the public domain on social media on October 25 regarding Bill No. 13, *Act to Amend the Elections Act (2020)*.

I'm quoting from Dr. McCormick: "Bill No. 13, Act to Amend the Elections Act..." — I should just note for the reference of Hansard that these are found on Dr. McCormick's social media account on Twitter. "Bill No. 13, Act to Amend the Elections Act (2020) proposes 'the first Monday in November in the year that is the fourth calendar year after the date of the previous election' as the fixed date for Yukon general elections beginning on Monday, November 3, 2025 ... Nine provinces (excluding NS), NWT, NU & Parliament have fixed-date election laws. 39 general elections have been held in Canada pursuant to fixed-date election laws (1st in BC in 2005). 24/39 (61.5%) actually occurred on the

prescribed 'fixed' date... Six (15.4%) happened earlier or later to avoid conflict with a federal election (NL 2015 & 2019, MB 2016, PEI 2015, SK 2016, NWT 2015); 6 (15.4%) happened early by choice of a First Minister of a minority govt (Canada 2008 & 2011, ON 2014, QC 2014, NB 2020, BC 2020)... and 3 (7.7%) happened early by choice of a Premier of a majority govt (AB 2015, MB 2019, PEI 2019). So, the extent to which a date is 'fixed' depends on the govt. The odds of an election occurring on the fixed date are high (but not 100%) if you have a majority govt... If you have a minority govt the probability, historically speaking, is 0%. But no assembly has continued past the fixed date except to avoid conflict with a federal writ period. So, the 'fixed' date is really an end date. Elections can always occur earlier...

"Bill No. 13 won't change the Commissioner's powers to dissolve the assembly at any time (on the Premier's advice) & order the Chief Electoral Officer to issue election writs. Like other Canadian jurisdictions, an election before the fixed date is still possible... either because the government has lost the confidence of the Assembly or as a strategic choice by the Premier. This is not a problem created by fixed-date election laws. It is a reality of our current system that will remain. But expectations (politicians & voters) should change..."

"Bill No. 13 also raises some questions: Like, why pick the first Monday in November for the fixed date? Weather-wise, campaigning in September and voting in early October seems like a better choice than campaigning in October and voting in early November... Fun fact: Every Canadian jurisdiction with a fixed election date (except AB & ON) schedules their elections for October. AB has spring elections and ON elections occur in June. Yukon would be the only jurisdiction that deliberately picked November for its elections..."

"Since the Assembly's spring sitting will be the last before an election, why wait until November to vote? An early October election also raises the odds that the Assembly can meet before Christmas to elect presiding officers, appoint committees, & maybe do other work... Getting on track sooner will be better if the assembly and the govt are facing a 4 year term, not a 5 year term. Also, Monday is the usual polling day for Yukon, but BC held its latest election on a Saturday. Is that a good idea, is it feasible? Might Yukoners want that?"

"Also, Bill No. 13 doesn't contain provisions to delay or advance a polling date that conflicts with the federal writ period. Do we need that option (where possible) or are we willing to conduct an election as usual, even if there is an overlap with a federal election?"

"A fixed election date is not a guaranteed election date because that kind of certainty can't exist in a system based on cabinet maintaining the confidence of the House. But Yukon govts have recently chosen to go 5 years between elections. That's too long. Four years is... standard in Canada & there is no reason the Yukon needs longer terms. If nothing else, Bill No. 13 should end 5 year terms & in so doing perform a necessary service for Yukoners. I hope the bill gets the consideration that it deserves before (if) it becomes law."

That is the end of my quotes from Dr. McCormick, former Clerk of the Assembly, on October 25, 2020, regarding this legislation.

Speaker's statement

Speaker: Would it be useful — perhaps in the circumstances — to file that, in that you are asking Hansard to search social media? Would it be useful for the member to file it? If the member could file it, please.

Mr. Cathers: I will just ask staff to print off another copy and provide that to Hansard directly, if that is acceptable to you.

Speaker: Yes, if you have notations or there are certain things that you do not wish to file, that's fine, but I think that, for the benefit of Hansard, they should receive a hard copy of what you have just referred to.

Mr. Cathers: Of course — I would be happy to do that, Mr. Speaker.

So, what I wanted to point to — in noting some of the comments that the former Clerk, in his current capacity as a private citizen, has provided — is that with this type of legislation, even from those who support the concept of fixed election dates, there is room for debate on the details. There is, in fact, a lot of room for debate on the details, as outlined in the comments that I shared of Dr. McCormick's perspective on this legislation. The timing — the fact that the current government has chosen November as a date is unusual — unique, in fact, in Canada — when most jurisdictions have chosen to go earlier, with most of those provinces that fall into the earlier category being somewhat more temperate, in terms of climate, than Yukon.

My point in illustrating this is not to specifically say that it shouldn't be in November, but to note that there are a lot of good arguments for why it should perhaps be earlier. While I tend to agree with it myself, the real point is that deciding when a fixed election date should be should not just be up to one party to decide. Again, the past tradition in this territory is to attempt to reach agreement on election legislation. In fact, when we look at this bill itself, it is a pretty tiny bill — it has one page of text. Compared to the size of the elections legislation that I tabled, as the lead minister for the government in 2015 — and I read from the press release to remind the members of the fact that not only did Members' Services Board reach agreement on it, but it was in fact publicly stated in a joint press release that agreement had been reached on the legislation.

We provided that legislation to Members' Services Board and gave the opportunity for members to go through it in detail with the legislative drafter and the Chief Electoral Officer at the time, and — surprise, surprise — we reached agreement — all-party agreement — to table the legislation.

Now, unfortunately, in this case — yet again — the current Liberal government isn't even attempting to work together. Now, the Premier in the past — on November 22, 2017, he told this House: "I will just start by saying that working together is difficult." That's on page 1773.

He again went on to note on that page: “I can see why silos happen — because working together is difficult. We will continue to try our best to work together on as many things as we possibly can.

“This is what I am trying to accomplish.”

Well, that’s fine as a statement, but with Bill No. 13, we see yet again that there wasn’t even an attempt made to work together and to come up with an agreement.

While the Liberal government may see the comparison to the United States as a comparison to a problem where things have developed far worse — my point in that is that the tendency in the States — we’ve all been aware that there have been concerns going on for years about allegations of parties using the opportunity to gerrymander districts in the States and to use it to their own benefit when they have the power in their hands to make changes that will benefit them down the road. Those types of concerns go beyond the short-term problem to — potentially, if they build — lead to a long-term distrust by citizens that the system — the electoral system — is fair and impartial.

Ultimately, beyond the time that any one of us serves here in this Legislative Assembly, there is a fundamental value in having Yukoners’ confidence in the fairness and integrity of our electoral system. The root of that in the Yukon has been based on the tradition of all-party cooperation. That is also why, when government departs from that, we feel it is our obligation to challenge them on it and express strong disagreement with their choice to bypass an all-party process and go it alone.

We are proud of the work that we did in the past with the unanimous agreement of all political parties of the Members’ Services Board and continue to be of the view that, when any changes are being made to the *Elections Act*, it is important that there be a sincere effort to seek all-party agreement on those changes. We were successful in doing that twice. It is very important that any changes made to election laws are not made by a party with the majority in an attempt to serve their interests or their views. It should be done in a manner that is fair, balanced, and following a sincere — and hopefully successful — attempt at reaching all-party agreement on those changes.

Again recapping some of the history regarding this government’s previous floundering around the issues of electoral changes — we saw with the *Electoral District Boundaries Act*, where they became — to the best of my knowledge — the first party in Commonwealth history to defeat their own bill regarding *Elections Act* changes. The Premier, at the time — in Hansard of November 19, 2018 — cited concerns related to the addition of a 20th MLA. I am just going to briefly quote from that. The Premier said, on page 3646 — and I quote: “We have heard concerns mostly on two different issues. One was a lack of consultation on adding a 20th MLA and, quite simply, the lack of demand for more politicians.”

The Premier goes on to say — and I quote: “Very late in the process, after most of the consultation was completed, the suggestion of a 20th riding entered the conversation. The final report ended up recommending 20 ridings.”

The Premier went on to note, “I have yet to meet a Yukoner who believes this Chamber needs to add another member at this time, and that speaks to the second point here: the lack of demand for more politicians.”

So, that was the reason cited by the government. There were others who simply saw it as a situation of government believing that the redistribution would have been contrary to their political interests and chances in the next election. In contrast, if one is comparing the cited reason for not accepting a report that came out of the Electoral District Boundaries Commission in comparison to the fact that this government has added 568 full-time equivalent government employee positions since taking office, it rings quite hollow to hear them use the cost argument against adding a 20th MLA and, meanwhile, their actual record is growing government by more than a small town the size of Carmacks or Mayo and giving everyone a government job — 568 employees being the growth of government according to the government’s own numbers.

I want to go back to the comments that we have seen made by the former Clerk, Dr. McCormick, in his capacity as a private citizen when he mentions the issues including some of the details of this legislation.

We have also seen previously — Dr. McCormick noted, regarding a previous process proposed by the government that is very relevant to Bill No. 13 here. His criticisms of that approach relate very directly to Bill No. 13.

I will quote from a CBC article that Hansard should find online dated October 24, 2019. If not, of course, we can provide a paper copy of it. The title of that article is “Yukon MLAs debate electoral reform process as former clerk rebukes gov’t” — “Floyd McCormick says Liberal commission ‘undermines’ Legislative Assembly”.

At the time — and it was in the context of debate beginning on a motion to establish an all-party committee on electoral reform — Dr. McCormick — and again, I am quoting from the CBC article: “In a letter to the Speaker of the Legislative Assembly, Floyd McCormick says the government is overstepping its bounds in overseeing an electoral reform commission, struck by...” — and it says the Premier’s name — “... this summer.

“McCormick says the Liberals’ approach is not fair, and undermines the authority of the Legislative Assembly.

“Both opposition parties — the Yukon Party and the NDP — accused the government of being heavy-handed, and not including them in the process.

“McCormick, who retired as clerk last April after 18 years in the job, waded into the fray with a ten page letter to speaker Nils Clarke on August 2.”

It gives the Speaker’s name again and then notes: “... is chair of the all-party Member Services Board, which makes decisions on assembly policy, finances, and administration, including election matters.

“The letter was tabled in the assembly on Tuesday by the NDP.

“Process ‘fails the fairness test,’ says former clerk.

“In the letter, McCormick echoed the opposition’s concerns.

“The ‘ICER [Independent Commission on Electoral Reform] process... undermines the ability of the Legislative Assembly to perform its core constitutional function — holding the executive accountable for the way it governs Yukon.’

“McCormick wrote that...” — name of the Premier — “... electoral reform process ‘fails the fairness test because only one political party — the Yukon Liberal Party — has had a hand in creating the ICER process.’”

I’m going to step aside from the article for a moment and point out that, while those comments were made in reference to the Liberal government’s aggressive approach on electoral reform — where they wrote the terms of reference themselves and appointed all the members — it relates very directly to Bill No. 13 because the same principle is at hand — government having been the only ones that have a hand in creating the process and the reference the former Clerk made to the importance of the Legislative Assembly performing its core constitutional function of holding the executive accountable.

So, again returning to the article that I was quoting, he — and that is Dr. McCormick in this case — says — name of the Premier — “... is ‘mistaken’ in thinking that the Liberal Party’s control of the commission process is legitimate because they are the government, and goes on to say that a political party shouldn’t control the electoral reform process, because it has a ‘vested interest in the outcome of elections.’”

“McCormick says the process ‘marginalizes’ the Legislative Assembly, by developing bills that affect the authority of the assembly.

“‘This problem cuts to the core of the Westminster parliamentary system of democracy, one in which cabinet governs the territory and the Legislative Assembly holds cabinet accountable for how it governs,’ he wrote.

“‘Put simply, the Legislative Assembly cannot fully perform its constitutional function if its authority and that of its House Officers can be unilaterally determined and altered by the entity it is supposed to hold accountable.’

“McCormick ended his letter by offering to meet with the Member Services Board.”

I’m going to stop quoting from the article briefly for a moment to note again that, in my view, the same principles are directly at hand with Bill No. 13 — that the unilateral approach undermines the Legislative Assembly and its constitutional function.

Returning to the article: “McCormick ended his letter by offering to meet with the Member Services Board.” The Premier “... defended his commission, taking exception to McCormick’s criticisms.” He said, “I am going to have to disagree with the ... former Clerk...”

We know that he has disagreed with independent experts in the past. We know that ultimately that commission’s process failed and floundered because of the government’s unwillingness to “play nicely with other children”, if I may say. But in all seriousness, Mr. Speaker, the principles of working with other parties, when you are talking about changes to elections acts or electoral boundaries, are very important. This is not a small matter. As I mentioned, if we look at where a small thread in unravelling the confidence of political parties in

the process and undermining the public’s confidence in the process can go if it continues to unravel, we see the situation in the United States where it didn’t happen overnight, but eventually a pattern of politicians and citizens not having confidence that the party in power wasn’t rewriting the rules to its own benefit has led to a situation where the United States is very polarized and divided. We are all aware of what has occurred in the lead-up to the presidential election this year and in the aftermath.

While we are fortunately not there as a society, any party that steps aside from an all-party process does so at the risk that they begin to start that thread that unravels public confidence in the fairness and impartiality of our institutions. We know that ultimately, in the past, their approach on electoral reform led to a situation where their chair resigned and other members were not able to perform the function that was envisioned.

I do want to just note that, for all of the members who served on that commission, I don’t take away for a moment from any citizen who put their name forward who wished to contribute to that process, nor do I make assumptions about how they would have conducted themselves. But the government itself, in setting up a process under a cloud of partisanship, doomed the exercise from the outset.

Mr. Speaker, I think at this point that I will wrap up my comments on this legislation. I would note, in closing, that this Liberal government — this Premier — chose to go it alone and act unilaterally. That was not the only option open to them. They chose to go it alone instead of presenting their proposals to Members’ Services Board or some other all-party committee and attempting to reach consensus. While the Premier may rise — or perhaps some of his colleagues will — and argue that they don’t think we would have been able to reach consensus, I will point out that the record very clearly shows that, during the two times that the legislation was changed during the 14 years that the Yukon Party was in office, we did reach agreement with other members on the content. There was discussion, there was debate, and there were changes made throughout that discussion, but ultimately we reached a point that everyone could live with and no one saw it as being to the benefit or detriment of any political party.

Just in wrapping up my remarks, I would note that, while I’m limited in what I can say about the current Members’ Services Board until and unless either there is an agreement to waive confidentiality around recommendations of the Chief Electoral Officer or at such point as the motion brought forward by my colleague, the Leader of the Official Opposition, were to pass — that being urging MSB to waive confidentiality of the recommendations — I would ask the question of why, at this point, we’re not seeing and discussing, along with this proposed change to the legislation, any changes that the Chief Electoral Officer of the Yukon may have recommended related to operating an election safely and effectively during a pandemic. Why are we not discussing that topic at this point in time?

I would note, in conclusion, that, while I am not really able to go further in talking about that without risking compromising Members’ Services Board confidentiality, the Yukon Party supports waiving confidentiality on any recommendations that

the Chief Electoral Officer made to the Members' Services Board this year regarding safely conducting an election during a pandemic.

With that, Mr. Speaker, I will be wrapping up my remarks and noting that we will not be supporting this bill at second reading not because we disagree with the concept of a fixed election date, but because we strongly disagree with the government's choice to go it alone and write the legislation themselves instead of taking the simple step that they could easily have done of working with all political parties and making a sincere attempt to reach agreement on an outcome that all parties could support.

Mr. Gallina: I will take the opportunity to thank the Member for Lake Laberge for expressing concerns around the process for this bill and the amendments to the *Elections Act* coming forward. I would just like to take a moment to unpack a little bit of what was said.

The member spoke to this as political gamesmanship. I don't see political gamesmanship in bringing forward this bill that would set fixed dates here in the territory. I see this as certainty for Yukoners. I see this as certainty for those who support government. I see certainty for Yukoners engaging in our electoral system.

I appreciate that the member has concerns around the collaborative nature in which this was brought forward and that the member is looking for an all-party discussion around this. He references the steps that his government had taken to work toward all-party collaboration in Members' Services Board.

He calls this "political gamesmanship", but I would note that the Member for Lake Laberge is prepared to waive confidentiality for recommendations brought forward by the Chief Electoral Officer at Members' Services Board. He is prepared to do that — only for that one specific topic, though. The rest still remains confidential.

For Yukoners to understand, Members' Services Board is an all-party committee that meets to discuss different types of business that is brought before the House — how the House conducts itself. I am not part of this committee, so I don't know all the details, but what I do know is that there are no minutes that are shared from this meeting. We are not able to discuss what happens within Members' Services Board here in the Legislative Assembly. That is the structure of that committee. That has been the structure of the committee for many, many years. The Member for Lake Laberge calls that "political gamesmanship", and he is prepared to waive confidentiality on only one specific aspect — only on his terms only on the terms for the Member for Lake Laberge.

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker (Mr. Hutton): Mr. Cathers, on a point of order.

Mr. Cathers: I think the member is in contravention of Standing Order 19(g) — putting words into my mouth. I am certainly prepared to entertain waiving confidentiality on a wide range of matters before Members' Services Board, but I

was simply expressing the importance of waiving confidence on the matter related to safely operating an election in a pandemic. I would ask you to have the member retract his statement.

Deputy Speaker: The Member for Porter Creek Centre, on the point of order.

Mr. Gallina: I was just reiterating what the member had spoken to about 15 minutes ago — in waiving that one clause within Members' Services Board. I don't think that I am putting words into the member's mouth. I am simply reiterating what that member had stated. I am making my conclusion on the statement that he made.

Deputy Speaker's ruling

Deputy Speaker: I don't see this as a point of order. I am going to characterize it as a dispute among members at this point. I will take it under advisement with the Speaker, and if there is a different conclusion, I will bring it back to the House.

Mr. Gallina: I do appreciate that there is a long-standing process in discussing issues within Members' Services Board to come to consensus on certain topics. I think that is a good thing. I think that Yukoners would think that is a good thing.

One thing that I didn't hear from the Member for Lake Laberge was: What is the member proposing? The member had a shotgun of various different approaches. So, there could be an all-party committee, Members' Services Board, we could take recommendations from the public who have brought forward ideas — that's great. I didn't hear specific recommendations.

For the public, this bill has been on the Order Paper since October 6. So, since October 6, the public has known about these specific changes. I am sure that MLAs have all reached out to their constituents — those electoral matters are important to them — and have said, "Hey, this is important." MLAs would have brought recommendations forward. They could do that through motions. They could have private members' motions and we could discuss options for addressing fixed election dates or how we move forward with elections here in the territory. So, that is an option.

I am not saying that it is the only option — and I see that the Member for Whitehorse Centre is grimacing — I am merely stating options that are available. I am stating that the public has had an opportunity to review this bill — this important bill — since October 6, and I am not hearing specific recommendations made by the Member for Lake Laberge.

I would argue that — as a new member to this House — yes, we have been here for a number of years — but going through these processes — this is new to me, frankly, Mr. Deputy Speaker. I would actually look at the process that we are going through right now in second reading as an all-party contribution. I would say that — again, the Member for Whitehorse Centre is grimacing — as I am making note. This is the ability — all of us have the opportunity to speak to this bill right now. We can make our recommendations. We can talk about what we think should happen and what we think shouldn't happen, but I am not hearing that, and I haven't heard from any other members. I have heard from the Member for

Lake Laberge, and his issue was with the process. His issue was with the lack of collaboration that was used in bringing this bill forward.

So, Mr. Deputy Speaker, I am happy to be speaking to Bill No. 13, *An Act to Amend the Elections Act (2020)*. I am not going to take much more time, but I do want to highlight a few points that I think are important to Yukoners

When I was campaigning in the lead-up to the 2016 territorial election, I, along with my Liberal colleagues, made a number of commitments to Yukoners. Establishing fixed election dates was one of those promises. I'm happy to be standing here today speaking to this bill that would see fixed election dates set here in the territory. By taking this step, we will be providing more certainty to Yukoners so that they know when a territorial election will have to take place.

I do see benefits. I see benefits to public servants who will work with the sitting territorial government members, members of this Legislative Assembly. They will certainly have clear direction on the length of the government's term and the time that they have to work to deliver on a government's mandate.

I see certainty for Yukoners who want to make a difference and run for office. Those folks will be able to manage their time accordingly and have an opportunity to strike a balance between work, volunteer time, personal time, and family time — all of which have the potential to be negatively impacted when there's uncertainty around election dates.

With this bill, I see a stronger connection and greater clarity between Yukoners and our electoral system. I feel as though Yukoners have a very strong grasp of the political landscape here in the territory, but with fixed dates, people will know when territorial elections are going to take place and it will allow them to have more pointed conversations.

By eliminating the guesswork in elections, Yukoners will be able to be more engaged and up to speed about what their elected officials are doing and how much time they have in office to deliver on their commitments. As I look to some of the commitments that this government has delivered to Yukoners to be more open and more transparent and accountable, I'm proud of the progress that has been made on this front. Because of these actions, I do believe that Yukoners have a stronger connection and stronger confidence in their elected officials and to this House.

This government created a publicly disclosed lobbyist registry. The Yukon lobbyist registry contains information for the public about who is lobbying the government and what issues they bring forward. Its purpose is to make lobbying in Yukon more transparent for the public.

As well, fixed calendar dates for legislative Sittings are now in place. As the chair of the all-party Standing Committee on Rules, Elections and Privileges, I am happy to report that, early on in this government's mandate, fixed Sitting dates were brought forward as a result of this committee's work and agreed to by all members in this House. By setting fixed Sitting dates, there is certainty for public officials and those supporting and covering the Legislative Assembly.

During the mandate of this Liberal government, it has been a requirement for all Yukon government entities to appear

before the Legislative Assembly once a year. This didn't happen under the previous government. With the amount of engagement and questions asked by opposition members, I feel as though this has been a positive and productive step forward in being able to gain a deeper insight into government entities and the decisions that they make.

I have spoken about the importance of Public Accounts previously in this House. While hosting public hearings on the Public Accounts themselves was not a promise that I made to Yukoners, I am happy to report that, for the first time that I can recall in the territory, public hearings have now been held on the year-end audited financial statements of the Public Accounts. This is an open public forum facilitated by an all-party committee to scrutinize government spending and ask questions of department officials. I do see this as a sign of openness and transparency, and I expect these hearings to continue.

As I close, I will reinforce my support for the amendments to the *Elections Act* and for fixed election dates here in the territory. As I have stated, by establishing fixed election dates and a new consistent standard that is set for everyone, it limits uncertainty and allows people to work toward defined timelines. I am supportive of this bill and of the other commitments and efforts made by this government to operate in an open, transparent, and accountable way.

Mr. Kent: I appreciate the opportunity to speak at second reading of this bill today. I wasn't going to comment but, after listening to the Member for Porter Creek Centre, I think it's important to put a few things on the record. Obviously, the first thing I wanted to talk about was the comment made by the Member for Porter Creek Centre about waiving the confidentiality for the Members' Services Board. He cited one example. My colleague, the Member for Lake Laberge, stood up on a point of order and mentioned that there were numerous examples to waive confidentiality of the Members' Services Board. It sounded to me like the Member for Porter Creek Centre was also in favour of waiving a number of confidentiality from the Members' Services Board. My suggestion would be to have the leaders of the three parties here in the House meet and talk about which confidentiality we should be waiving from the Members' Services Board. Of course, there was a letter that was sent to the Members' Services Board that became a topic of discussion on the floor of the House.

That is one of the issues. There are a host of issues that I think we could get the leaders together on — to talk about — and that are before Members' Services Board where we could waive those confidentiality. I'm certainly pleased that the Member for Porter Creek Centre seems to be in agreement with that. It's important to have members from all sides of the House — both sides, all three parties represented here — supportive of waiving those types of confidentiality so we can get that information out to Yukoners.

There are a couple of the other things that my colleague, the Member for Lake Laberge, talked about. Of course, we have witnessed the Premier's attempts and this government's

attempts at electoral reform and the bungling that has gone on with that going back to a private member's motion introduced by the Third Party, talking about setting up the committee — and the terrible job that the government has done since then in bungling that to the point where I think we've run out of time in this current Legislative Assembly to get anything meaningful done. Any electoral reform will have to be accomplished by the next government after the next election.

Of course, we've also seen this government — I believe one of the few times in parliamentary history where they voted against their own bill, the electoral boundaries redraft. Government members voted against that bill, and now we see a situation where the Member for Porter Creek Centre has a riding almost three times the size of the Member for Porter Creek South's. The Member for Porter Creek South's riding now, I believe, is the second smallest riding in the territory — behind Old Crow — as far as population goes. The people of Whistle Bend in Porter Creek Centre will be underrepresented because the government chose to vote against their own bill. It was an all-party structure that was put together and included now-retired Yukon Supreme Court Justice Veale, as well as nominees from each of the three parties. They came up with a plan that could have worked, but again, in some strange manoeuvre, the government decided to vote against their own bill — something that has happened very rarely when it comes to democracies where the government will vote against their own bill.

Finally, when it comes to the bill that is before the House — these changes to the *Elections Act* to put in a fixed election date — the Member for Porter Creek Centre suggested that we come up with ideas to make changes and change the bill.

This bill was introduced by the government. I guess that if they are willing to see some changes to the date that they have proposed in 2025 — I believe that is when we will see our first fixed election date — those changes can be made in Committee of the Whole. Those changes can be proposed in Committee of the Whole. They are not to be proposed at second reading. I think that he mentioned as well that the bill was first introduced on October 6 — I believe that is the date that he said. We are only halfway through this current Sitting. After today, we still have 22 more sitting days. We are here until December 22, so there is lots of time to discuss this in Committee. There are other opportunities to raise concerns that we are hearing from constituents about this.

In trying to fulfill a promise, they have come up with something that rings hollow with many Yukoners, from what I understand from the individuals whom I have talked to. They see something that is being imposed in 2025. There is an election, obviously, between now and then. Many members in this House who are here today may not be back for that next Legislature. That's where we are at. We are curious as to why this fixed election date wasn't set for this mandate. Obviously, other members may wish to weigh in on this, and if we do have some proposed changes, we will propose those during Committee of the Whole, which is when we will be in clause-by-clause and general debate on this bill.

That said, Mr. Speaker, I thank you for the time this afternoon. I will conclude my remarks.

Ms. Hanson: I just want to start by commenting that, in fact, I was grimacing. I was grimacing a lot during the conversation this afternoon — the comments made by the Member for Porter Creek Centre.

You know, Mr. Speaker, I take democracy really seriously. When I hear members regurgitating the governing party's spin over the last four years, my facial expression, in fact, is a grimace. If the Member for Porter Creek Centre finds that offensive, so be it.

I will remind the Member for Porter Creek Centre and the members opposite that the grimace is borne out of the fact that this government committed during the last election campaign in 2016 — and I was optimistic, Mr. Speaker. I was optimistic because I heard them talking the language of electoral reform. They did talk about — as did the NDP — the notion of including, in that broad discussion, fixed election dates.

Do you know, Mr. Speaker — it didn't start in 2016, and the debate in this Legislative Assembly about how we reinvigorate the democratic process did not start when people got elected in 2016. Sorry if people weren't aware of it before, but many members of this Legislative Assembly and many of our predecessors — some still alive, some deceased — going back over 20 years, have taken this very seriously.

As much as the issue of Bill No. 13, in and of itself — and if the Premier doesn't want me to speak to this bill —

Some Hon. Member: (Inaudible)

Ms. Hanson: I will not stop speaking and he can —

Speaker: Order, please. The Member for Whitehorse Centre has the floor.

Ms. Hanson: The Premier can catcall as much as he wants. That's fine because I don't have a problem with that. That's part of the democratic process in the Legislative Assembly. Let him continue, and I will continue.

As I was saying — before I was so rudely interrupted, Mr. Speaker — the issue of Bill No. 13, the notion of fixed election dates in and of itself is not a bad thing. It's something that we've discussed and that I have raised in this Legislative Assembly. The fact that we're having a debate solely on one aspect of what could have been a broad, deep, and fulfilling conversation with all Yukoners is a sad commentary on this failed Liberal government's commitment that they made to offering Yukoners a fair and free opportunity to engage in an unfettered discussion about the cornerstone of our parliamentary democracy — that is the process by which Yukoners select and elect from among their fellow citizens those who will serve them as elected members of this Legislative Assembly.

You know, Mr. Speaker, I have only been a member of this Assembly for going on 10 years. Yet I know — as I have said — that in addition to the many motions and debates in this Assembly brought forward by the NDP on the importance of democratic renewal — working with and listening to Yukoners about ways that we can improve the exercise of our democratic rights and responsibilities and ensure that the processes that we

set in place ultimately play a role in determining who is elected, how they are elected, how election campaigns are financed and by whom and what constitutes a fair, balanced, and equitable approach to ensuring the representative nature of the Legislative Assembly — particularly given the concentration of voters in Whitehorse — this notion of equity was entirely ignored by the Liberal government when they voted against their own bill on electoral boundaries. They might want to go back and read the case law on that.

All these and other matters have been raised and debated in this Assembly. As I have said, it's not just the last 10 years, but prior to that.

Yes, when I grimaced when the Member for Porter Creek Centre was speaking, I was thinking about a process that my predecessor, the MLA for Whitehorse Centre and the former Leader of the New Democratic Party, Todd Hardy, had put forward in this Legislative Assembly. He put forward a number of private member's bills. He introduced, among others, a democratic reform bill. In 2009 — so not 2016, but 2009 — there was Bill No. 108, the *Legislative Renewal Act*. That was to establish an all-member select committee on legislative renewal. It received the approval of all Members of the Legislative Assembly to establish that select committee. Liberal and NDP members and the Yukon Party agreed. Then, somewhat similarly to what we've seen in the recent past with the Yukon Liberal Party, the Yukon Party wasn't interested, and that select committee did not meet before they called the election.

So, as you'll recall, Mr. Speaker, during the debate in 2017 when we discussed a proposal that the NDP had put forward with respect to trying to reignite the conversation around democratic renewal — whatever you want to call it. There are so many aspects to it — but the notion that we would look at aspects of electoral reform. We went back and looked at so many of the previous exercises that had occurred, all to be thwarted by the government in power.

So, it was disappointing from the outside watching that process 11 years ago. It has been incredibly frustrating to watch the process from a government that says — I don't know how many hundred times I've heard in this House that they're open, transparent, and accountable, except it's only on their terms. We saw that on November 22, 2017, because the government did as they do so many times when opposition members bring forward motions for debate. They contain it because they have an incredible need to control. "If we didn't say it," they say — "If it's not our idea" or "We didn't put it in our platform" — "it's not valid." So, therefore, the motion comes forward; they have to amend it so it comes down to what they narrowly promised.

So, Mr. Speaker, this has been repeated many times.

Some Hon. Member: (Inaudible)

Ms. Hanson: And she does have a need to speak, she is speaking, and she'll continue to speak.

We've been through this before. We've tried to have an open and frank conversation in this Legislative Assembly and to get this Legislative Assembly to agree to a fair process so that we can engage with Yukoners to talk on ideas about our

system of voting on fixed election dates, campaign financing rules, et cetera that would ensure that the government is accountable to individual Yukoners above all and not to Outside interests or corporate interests or deep-pocketed vested interests.

I am going to continue to hold out the hope that the Liberals will live up to their mantra about listening to Yukoners, but it won't happen, because from what I have seen as time has gone on, it has become evident that the only voices listened to — we saw this clearly when it came to the whole issue of electoral reform where the inner circle of Liberal advisors and spin doctors — who had led the Premier and his caucus to believe that they, as the executive, had the right to dictate to the Legislative Assembly — this body of all elected members whose core constitutional function in a parliamentary democracy is to hold the executive accountable in the way in which they govern the Yukon. That is what it is. That is what democracy is about.

I have grimaced because I have experienced and listened to them as they insisted, and continue to insist, that they alone have the sole prerogative to determine — had the sole prerogative to determine — the terms of reference, the timelines, the membership, the budget, et cetera for that whole failed process on electoral reform.

Much has been said both inside this Assembly and outside about the ham-handed approach — the "my way or the highway" intransigence — of the Yukon Liberals in seizing defeat from the jaws of victory. That is what they did. It would have been so easy to have an easy win — to engage with Yukoners — but they had to control it, and therefore they just seized defeat.

The Liberals clearly feared that loosening their control on the form, function, and outcome of any discussion on ways to improve and possibly change the electoral status quo — as it has been with the relentless Liberal focus over the past four years on process, where citizens were invited to offer their views on a wide range of matters, only to see the Liberal government respond: "Hmm, nice, but that is not our mandate. We have decided what is best for Yukon and Yukoners."

This was clear, as I said in November 2017 — when the Premier, in response to the motion that we put forward for debate to establish a commission on electoral reform — that it was his prerogative — the executive's prerogative — to determine what and how it would be discussed by the public.

He stated — and I quote: "The background work ... is currently being done by the Executive Council Office ... When we are ready to make an announcement on this ... we absolutely will."

So it goes in a majority Liberal government that values control over democracy — they amended the motion to reflect the exact wording of their election platform, and that's what we have come to expect. Here we are today, three years later, the Liberal-controlled independent commission on electoral form — air quotes — imploded. Scratch that campaign promise. So, we see an amendment to the *Elections Act* to establish fixed election dates.

Arguably, if they had been serious about this — if they had been serious, as this is one of their election platform commitments — it would have been a priority. The Liberal majority government could have — perhaps should have — introduced this immediately after the last election. We would have seen a fixed four-year term commencing this fall — that is, November 2020 — if they were serious about it. But no, it's just another aspect and a demonstration of this government's cynical and controlling approach.

Instead, the Liberal government has demonstrated again that the line between the Liberal government and the Yukon Party government is not so clear. The Yukon Party gamed the system to govern for five-year terms. This government is doing the same when it can. Then, pushing out to the future some time, another government will be required to do four years.

The Yukon Party did five-year terms because that was the constitutional limit. As we've heard over and over again, it's so unusual in Canada for governments to do that, but they can, they will, and they are. Liberals will say, "Oh yeah, but we promised to change. We promised to change." When? Oh, in 2025. Well, isn't that lovely.

So, Mr. Speaker, I grimaced and I'll continue to grimace when I hear these platitudes — meaningless platitudes.

As I said at the outset, in and of itself, there is nothing wrong with an amendment to the *Elections Act*. We will support this bill. We support clear four-year terms for government. We do question why this is the only recommendation of the many suggested changes that the Chief Electoral Officer has tabled in this Legislative Assembly and that he made with respect to improving Yukon's *Elections Act*. This is the only one that the Yukon Liberals have chosen to act upon — but as they have made clear, they have the majority and will continue to ignore the rights, roles, and responsibilities of this Legislative Assembly, other than the taxpayer-funded opportunity to give daily, televised, self-promotional, campaign-style announcements, or re-announcements — the so-called "ministerial statements" — because they can. It's a misuse —

Some Hon. Member: (Inaudible)

Ms. Hanson: Of course, as the Premier says, we have to get our message out, because that's what we do. We use taxpayers' dollars to televise re-announcements of re-announcements of re-announcements. They can do it, Mr. Speaker, because they don't really care, as long as they are able to control the message. It's hardly democratic, but that's the way they do it.

That being said, the NDP will support this bill as one small step in regulating the electoral process, if only to place a time limit on the unfair, unfettered majority governments.

Hon. Mr. Streicker: I would like to thank all of the members for their comments today. Bill No. 13 is, of course, about fixed election dates. There have been lots of other conversations that we have had today about other issues around electoral reform, all of which are important.

I have a fundamental faith that all of us, as elected representatives, will take our role here seriously and bring all integrity to this Legislature in order to try to represent citizens

across the territory. I don't for a moment think that this is an easy thing to do. I respect that there are different perspectives that each party brings. However, I feel that, underneath that, all of us believe in this immense, awesome responsibility of trying to represent the Yukon — our constituents, but the whole of the Yukon.

I think that one of the things that we're trying to do with this is to provide clarity and certainty that will allow Yukoners to plan. So, let me begin by echoing the remarks that I made — and I thank the Member for Lake Laberge for quoting me earlier. I will say again: I think that's very important. In fact, when I was thinking about this piece of legislation — this bill before us — I thought that its main purpose is to help Yukoners to be able to plan — whether that's individual Yukoners, whether that's businesses, whether that's public servants — that foreknowledge of when there will be an election. I went back and I looked at when Canada brought this in. It was in 2007 and it was under Prime Minister Harper. I'll quote from the Prime Minister.

He stated at that time — quote: "Fixed election dates prevent governments from calling snap elections for short-term political advantage ... They level the playing field for all parties and the rules are clear for everybody." That is a great point about fixed elections.

The Member for Lake Laberge went on to talk about — that we have not engaged with Yukoners on having fixed election dates. Actually, I disagree. We did run on it. We did stand up and say to Yukoners that if we were elected as a government — if we had the role, we would bring forward legislation here to this body — to this Legislative Assembly — that proposes fixed election dates and that is what we're doing. I disagree. I think that there was engagement with Yukoners.

I also will say that — the Member for Whitehorse Centre said that we haven't brought forward anything else, but we were here last fall also bringing forward other amendments to the *Elections Act* that were brought through — I believe through the Members' Services Board — and again, there was that all-party work which is what the Member for Lake Laberge has stood up and said we didn't do this time — and yet they voted — the Official Opposition voted against that legislation. They said, "Sorry, it went through Members' Services Board, but there wasn't a chance to engage the public so we're going to vote against it."

Then the members opposite from Lake Laberge and Whitehorse Centre both spoke about the work on the electoral boundaries. Why did I vote against that? Why did I believe we voted against it? It was because, at the eleventh hour, the commission changed everything and brought forward a new riding. It wasn't about re-aligning boundaries for Porter Creek Centre; it was about adding a riding and not engaging the Yukon on that. That was the challenge. How did that happen? We felt that was a fundamental change. We did engage the public on fixed election dates. We ran on it, Mr. Speaker.

I will just provide a few details on it. I look forward to Committee of the Whole — if the Official Opposition has other suggestions. We already heard the Member for Lake Laberge read into the record the social media feed from Dr. McCormick.

I thank him for doing that. In that, Dr. McCormick pointed out that there are only two legislatures in the country that go for spring elections. All the rest go for fall elections. If we go with the norm of Canada and we go for fixed elections in the fall, I don't want them in September because there are too many people out on the land. I think that's a challenge. I have heard from Yukoners about that. I am glad that we are not going in October because we have municipal elections during October and federal elections during October. That is why it landed on November.

If they have another suggestion, I really do want to hear it, because I think the Legislature is the embodiment of democracy here in the territory. This is where we are supposed to work, bring forward our debate, and have this discussion so that as we move bills into acts, we all express that opinion about what we believe is correct for the Yukon, for our citizens, for constituents, and for the betterment of this place.

So, yes — I think that this is an important piece of legislation that will improve elections. Do I think it is everything? No. Do I think that there is more needed? Yes. Do I look forward to that? Yes. Will I work for that? Yes. But do I think that this is not worthy? I think that it is a worthy piece of legislation. Frankly, when I came in here and we were heading toward this fall, I wondered whether we would be in a fall election, but do you know what? A pandemic hit — and I, for one, am pretty glad that we didn't have to have an election this fall because I have looked at some of the other jurisdictions that have gone through elections — and how do you make that hard choice? In the USA today, their case count is through the roof. It has to have been hard — how to have an election?

I am not saying that it was done inappropriately — although I was a little surprised to hear the Member for Lake Laberge compare us to the Republican Party. I was pretty shocked at that. I don't think that is a fair comparison. I will say here in this Legislature that I respect the range of views that are here. I will never find myself standing up in this Legislature and denigrating the opposition because they hold a different perspective. That is not what I intend to do here.

I worry, though, that you have to make this hard trade-off between how to knock on doors and talk to the public or to hold an election. When I look at the provinces — British Columbia didn't need to go to an election, but they chose to go to an election, and I worried for them because they are in the middle of the second wave of a pandemic, and I am sure that was tough.

Saskatchewan, on the other hand, did have a fixed election date. I thought they were going to go — terrific — but it is still hard. That is a hard choice. So, if you had the opportunity about whether to go this fall or not — I am glad that we didn't go, just because it is a troubling time. That is not to say that I don't believe in democracy. I hope that, through my rising today to speak to this piece of legislation, it is clear that I believe in democracy.

I think that it is very important that we have fixed election dates. I agree with Dr. McCormick — let me state that. I agree with him that fixed election dates are very important. I think that November is a good choice to avoid other conflicts, plain and simple. I look forward to hearing from members opposite,

if they think there is a better date. I will remain open to hearing what they have to say, but I am going to continue to believe, at this point — from everything that I have heard from Yukoners, from all the debate that has happened in this Legislature — that fixed election dates are the way to go.

Ms. White: I have just a couple of thoughts as we are talking about Bill No. 13 right now. First, I am going to point out that there is a contradiction that the Premier keeps making — he said that changes to the *Elections Act* must go to Members' Services Board when I asked him questions about political financing, including the \$100,000 that he and his party received from anonymous sources. When I asked questions about that, he told me that I should put that on the list for Members' Services Board. But here we are — somehow, the changes that we are seeing in Bill No. 13 — well, they didn't come to Members' Services Board first. When we went to the briefing, we were told that, for one, the question of when the election — if we were going to make it fixed — that was not put out to the public, nor was it discussed with Elections Yukon. That Elections Yukon part is interesting because, although Elections Yukon has made a whole list of recommendations for changes to the *Elections Act* to both improve accountability and transparency, they aren't included in this bill, unfortunately. That's one thing.

Like I said, it appears to be a little bit of a double standard. But I think the most obvious double standard in this bill is when it comes to the next year, this coming election. The Premier himself just recently said that a fixed election date is more transparent and accountable. So, why does this bill set a fixed election date only in 2025? Why are we talking about the future, and why is the Premier excluding the upcoming election in 2021 from this bill and keeping the next election date secret?

In media scrums, he said that it was going to be the Liberal election committee that would decide when the next election was. It's fascinating, because I would have thought that it wouldn't be just a partisan committee making that decision and that it would be a government, for example — or if we have fixed election dates, it would be that.

So, when the Premier said that it would be more transparent and accountable for future governments, here we are, not knowing if there will be an election in the spring or the fall. That doesn't seem very transparent.

Maybe in his response, before we vote on this in second reading, the Premier can tell us: Why is a fixed election date so important for 2025 but not for 2021? I look forward to Committee of the Whole because I think this is going to be a good one.

Speaker: If the member now speaks, he will close debate on second reading of Bill No. 13.

Does any other member wish to be heard?

Hon. Mr. Silver: Thank you to everybody today for their comments. I know that this is an important issue, obviously, by the conversations from the members opposite. It is interesting to note that we really didn't hear a lot of questions

on the actual bill. We heard questions on engagement. We've been in the Legislative Assembly many times talking about our record on engagement compared to the previous government. I think we stand on that right now. We did hear from external stakeholders and other governments. They have told us in the past about engagement — has very much ramped up — and their capacity is a barrier to meaningful participation in that pursuit, so we're very careful about how we continue to engage. But we have set records. We've set records in the last four years in engagement with the tourism strategy, climate change, energy, the green economy strategy, talking Yukon parks, and LGBTQ2S+ inclusion, just to name a few, Mr. Speaker.

Members opposite say we didn't engage on this. Well, again, this was a platform commitment and we're making good on a platform commitment. This is the one platform commitment that we engaged with — it was our commitment on our platform and we're doing well on this. So, we're doing well on this particular piece.

Some Hon. Member: (Inaudible)

Hon. Mr. Silver: As the members opposite speak off mic again as they always, always do — I can wait.

Speaker's statement

Speaker: Order, please. As I provided the members on the opposite side, the —

Some Hon. Member: (Inaudible)

Speaker: Yes, but the government side was admonished at the time too.

So, anyway, the Premier has the floor right now.

Hon. Mr. Silver: Thank you very much, Mr. Speaker.

So, again, yes, I did go out of character today and decided to imitate the member opposite, and she did not like that very much.

I will continue to talk about the actual questions that were asked. The Leader of the Third Party did ask a question in the end: Why not this time? Why into perpetuity but not this time?

Well, this is a decision that wasn't made lightly; that's for sure. We had a lot of conversation with people during our platform commitment. We had a lot of conversations internally as well, and we know that if we did change the current Sitting, we would get so much scrutiny from the opposition for changing the rules of the current Sitting. So, again, that's what we would hear here in the Legislative Assembly: "You went ahead and changed the rules when all of these people..." — about 19 different ridings, with at least three candidates in each riding all making decisions on their next five years, knowing full well that the rules will be —

Some Hon. Member: (Inaudible)

Hon. Mr. Silver: It would be five years — if the member opposite would listen to me, she would be able to hear what I'm talking about.

When you move forward in the election process and you know that there are going to be people running in each riding from each party, knowing that it's a five-year term, it would be very hard to change that to a four-year term and not get the scrutiny of the opposition, saying, "You changed this from a

five-year term to a four-year term. All of our candidates knew that it was going to be a five-year term and now you changed it." In that case, we would get the same type of scrutiny from the opposition. So, we felt that it would be smarter for us to make sure that we have the ability to move forward after this term and have four-year terms after that. We are changing the rules for that.

If the members opposite don't like that and if they form government after the next election, then they can move that out again, but until then, this is something that we are making good on — a platform commitment to Yukoners — so we are doing that. We made this commitment in 2016, and we are very happy to deliver on this commitment to Yukoners. We believe that all Yukoners are going to benefit from this transparency.

What changes are going to be made? Well, the proposed changes will set those fixed dates for the territorial elections to the first Monday in November every four years. Currently, the government determines the timing of the election within a five-year period, and that is not what happens in all the other jurisdictions that have gone to fixed election dates. That is why we made this decision.

The first election date, as we said, is going to be on Monday, November 3, 2025. After that, it's going to be the first Monday —

Some Hon. Member: (Inaudible)

Speaker's statement

Speaker: Order, please. The Premier can sit down for a moment.

I am sure that the Member for Whitehorse Centre can have a fruitful conversation with the Premier outside of the Assembly. They can meet and perhaps exchange their perspectives. Recognizing that this House is not a bridge club or whatever analogy — no disrespect to bridge clubs at all — and that the temperature can rise, I have been listening to the Member for Whitehorse Centre engage basically in a conversation with the Premier over the course of the last three or four minutes.

As I said at the beginning of my comments, if the Member for Whitehorse Centre wishes to continue that conversation with the Premier, it is up to the members to do so outside of the Assembly. This Chamber does not have to be still or silent, but I think that we've gone a bit far over the last three or four minutes. I caution the Member for Whitehorse Centre.

Hon. Mr. Silver: Mr. Speaker, this is why we are here today on the floor of the Legislative Assembly to hear from the opposition about this bill that we intend to pass. We believe that this is an extremely important piece — a piece where Yukon is now catching up to other jurisdictions. We know that the Yukon Party didn't have a lot to say in terms of changing from five-year terms or getting out of the practice. We know that they've gone to the very last day and beyond, and that has caused problems. We saw problems with severance payouts to the MLAs. With moving over one day of that five-year term, the new Leader of the Yukon Party personally benefitted to the tune of more than \$29,000 more in severance for going over that

time into the last day of a five-year election term. We changed that. We thought that this was not the proper way in which the severance packages were supposed to be determined. We already corrected the way that a politician's severance is paid there and it's now based on the years of service. This is extremely important.

Another piece of this is coming to fixed election dates for a four-year term. We were asked again: Why November? I said in my opening comments in second reading that the first Monday in November was established as a fixed date, considering the appropriateness of the time of year compared to annual or seasonal events, but also considering municipal elections and also federal elections.

There weren't many more questions, so I assume that we're going to be getting a lot of questions during Committee of the Whole. I relish the opportunity to engage with the opposition as to why this is an important change for this government to consider. We've heard that the Yukon Party is not in support of fixed election dates, and we've heard that there is going to be support from the NDP. We'll continue the conversation in Committee of the Whole. I want to thank everybody for their comments 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. 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. White: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are 11 yea, five nay.

Speaker: The yeas have it. I declare the motion carried.
Motion for second reading of Bill No.13 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 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.

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

Recess

Chair: Committee of the Whole will come to order.

Bill No. 205: *Second Appropriation Act 2020-21* — continued

Chair: The matter before the Committee is Bill No. 205, entitled *Second Appropriation Act 2020-21*.

Is there any further general debate?

Mr. Kent: I would like to welcome back the Deputy Minister of Finance here today to provide guidance and advice to the Premier and Minister of Finance as we work our way through general debate on the supplementary budget.

As I have mentioned before, the Yukon Housing Corporation doesn't have a line item identified. That is where the focus of my questions has been — and, for the most part, will continue to be as we move through the balance of the afternoon here today. I do have a couple of issues that were raised in Question Period today that I wanted to follow up with the Premier on.

The first one is a health-related matter. I know that the Department of Health and Social Services will be coming forward at some point. We don't know when yet, but it will be before we rise on December 22, but my colleague, the Member for Porter Creek North, asked a question about the CGM coverage today. Obviously, in the preamble to that question, we wanted to thank the Yukon T1D support network for their determination and advocacy. We now have CGMs covered for all Yukon residents with type 1 diabetes and we should all be proud of that.

We are the first jurisdiction in the country to do that. I know that the Saskatchewan Party, in their recent election down there, promised these devices for kids or for Saskatchewan residents up to the age of 18. I'm pleased that we were able to go beyond that.

My colleague mentioned this afternoon that, in a release from October 1 which announced the fully-funded CGMs, the government said in the "Quick facts" section — and I'll quote again here: "Physicians will apply for coverage on behalf of their patients".

In conversations that I've had with some individuals and some families that have family members or themselves have

type 1 diabetes, there are some mixed messages around that — whether or not the physicians will apply for the coverage — or I've heard that perhaps it's a prescription-type system. I'm hoping that the Premier can provide some clarity or provide a contact whom I can refer these individuals to within the Department of Health and Social Services just to get the proper information when it comes to how individuals become eligible for these CGMs.

Hon. Mr. Silver: I don't have that information in front of me. I do know that we recognize the extreme challenges that Yukoners and families who live with type 1 diabetes have had over the last couple of decades when it came to the supports that the government had for it, so I am extremely happy that this minister has moved forward in creating a policy that is the best in Canada when it comes to type 1 diabetes.

We're doing this investment because it will improve the access to care and we're very proud to be the first jurisdiction in Canada on a lot of different fronts on this file. For example, the continuous glucose monitoring for youth — the pilot project at first was for those under 18 years of age and then moving forward on that — taking the lead along with — there are other jurisdictions, including Ontario and Québec, that have provided coverage for flash glucose monitoring for diabetes. But to continue on and to see the minister work within the means necessary — but at the same time, identifying and prioritizing something that was not a priority in the past — it's extremely important. So, we're very happy to move forward and be the lead in Canada on that.

The member opposite asked about a specific contact in health. As you can imagine, Mr. Chair, as I'm here in general debate for a department that is not being discussed in general debate. I don't have the contact information for a type 1 diabetes individual in Health and Social Services that the member opposite could access. But I will speak with the minister responsible and get that information for him.

Before I cede the floor, there were some questions from the other day that I would like to address as well and give the member opposite some information on.

On November 10, I was asked about the Normandy project. I gave some information and talked with the department. I have just a little bit more clarity and a little bit more information for the members opposite. In total, there is a contribution from the Housing Corporation of \$4.5 million. That includes — a little bit more of a break down here — \$500,000 under the housing initiative fund, which includes \$450,000 paid in 2019 and an additional \$50,000 to be paid upon completion of the project. These funds are to be paid from the existing funding program. This can be found on page 20-10 of the main estimates of the corporation's capital vote. There is \$500,000 under the municipal matching grant, which includes \$450,000 paid in 2020 and the \$50,000 to be paid upon completion. These funds are to be paid from the existing funding program. Like I say, that can also be found on page 20-10 under the main estimates under the corporation's capital vote. \$175,000 is to be paid in 2022-23 upon occupancy and \$3.325 million will be paid in 2020-21, which includes \$1.088 million from CMHC deferrals. The remaining \$2.237 million is being funded through the

project reprioritization. The Yukon Housing Corporation has identified potential options to offset the unbudgeted support for the Normandy project. We'll continue to update as progress is made on a great project here.

I was also asked on November 10 about an item in table 6 of the 2021 five-year capital plan. We did answer on the floor of the Legislative Assembly, but I just have a little more context. The item in that table was for social housing renewal. I can confirm that the funding from 2021 to 2025 listed in the capital plan is for existing stock — which was one of the questions from the member opposite and we just clarified. This is the budget to replace out-of-service units in various communities.

The project supports YHC's strategic goal of community housing renewal and rebalancing. It does this by addressing aging infrastructure and shifts in housing need priorities and programming as well.

There was a question also about the 10-unit mixed-use housing in Old Crow on November 10 from the member opposite. I was asked about that. We did respond about the funding in the design phase as \$750,000. We also talked about the five-year capital plan. There is \$8.96 million in the five-year capital plan for this project. We broke down some of the years and the funding there — but for just a little more context: The 2020-21 five-year capital plan identifies a range of \$7.5 million to \$14 million for this project. The range for 2020-21 was \$500,000 to \$1 million. I confirmed on November 10 that we are spending \$750,000 on the design phase in 2020-21. The project is scheduled for completion in late winter of 2022. The current budget for this project, including previous years, is \$10.3 million.

I just want to also talk for a moment about budget ranges in the five-year capital plan. We have had a few questions from the opposition on this. It is important to remember that — this information is worth repeating — we are always looking to provide the best information and estimates over a five-year horizon. Projects have a varying level of planning and estimating done. Of course, you throw into that things like negotiations of NAFTA or you throw into that COVID, as well, and we can see why estimates are estimates. Projects that are closer in the plan have more planning and better estimates while projects deeper in the plan have preliminary estimates which are often subject to change as the planning process progresses.

This can be in either direction, but it is not always an increase. They give an indication of the scale and magnitude of a project without signalling the precision that an exact estimate may have. So, certainly there are going to be changes in the planning process, and if so, those estimates will be refined as they go.

In a small market, we also tend to not release pre-tender estimates for most procurements, as price is a significant component of competitive tendering, and we want proponents to give us their best price rather than there being an opportunity for bidding up the price.

This practice may differ in different jurisdictions where there are more competing firms, but this has been the methodology used for quite some time here in Yukon.

I will check through my notes. There might be some more from the member opposite, but I will cede the floor for other questions and see if I have some more answers from November 10.

Mr. Kent: Just quickly on the CGMs — I understand that the Premier doesn't have a contact here on the floor today. I just hope I don't have to wait until the Health department comes up for him or his minister to e-mail us a contact that we can send on to the constituents who have reached out to us.

Again, we are very pleased that this coverage has been extended to Yukoners of all ages. I've heard it from other ministers across the way when we have had motion debates surrounding coverage for CGMs for type 1 diabetes that a lot of the time they will say that the previous government didn't do anything when it came to CGMs, but one thing that I want to flag for the Premier is that this technology was not approved by Health Canada until November 14, 2016. I think that is an important thing to flag when it comes to the Premier saying that we didn't do anything when it came to CGMs. I guess, obviously, the reason that we didn't is because Health Canada hadn't approved this type of technology and this type of device for Canadians before the 2016 election.

Again, I hope that the Premier can get some information either to our staff or from his minister to me when it comes to who to contact for some clarity about how to get coverage.

The other question that I raised today in Question Period is a housing question and is with respect to the 47-unit mixed-use housing project on 4th Avenue and Jeckell Street. As I said today in QP, on April 11, 2019, the minister stated that this facility would contain market rental units. I will read again her exact quote at the time: "... a cross-section of clients in the housing continuum — from homelessness to affordable to market rental housing — all in one development."

Then, as I mentioned earlier today, we asked the Premier last week how many of the units were going to be allocated for market rent, and his response was that none of them were for market rent. When I asked this question today, I didn't get an answer from the minister, so I'm hoping that the Premier can let us know when this project changed from 2019 when his minister of housing said there would be market rentals to last week to when the Premier said there would not be market rental units in there.

Hon. Mr. Silver: I'll start with the last question and work backward.

Again, when we're in Question Period and we're being told that we said one thing one day and another thing the other day — with all due respect to the members opposite, we'll take a look to see exactly what context they're speaking of to see if we're comparing oranges to oranges instead of apples to oranges.

In this case, the member opposite talked about early-day discussions — early discussions which did have in that a consideration for market rent matched to mixed-use, mixed-income projects in other jurisdictions which is a more common model. Of course, those were earlier conversations with full disclosure. The minister responsible has talked about where we were at that time. But once conversations and engagement got

underway, it was confirmed that this was not a gap that the Housing Corporation needed to support — no market rental. Instead, they're providing capital incentives to support the public sector to develop affordable units, and that's through the housing initiatives fund.

So, again, the member opposite asked: Has there been a change? Consultation — yeah. So, from there, we — the member opposite is laughing at consultation over there; I'm not sure what that's all about. But he asked. We looked into his question. We're answering it, and we said we're telling him here on the floor of the Legislative Assembly that the difference is: After initial models were being discussed — consultation — we decided to go in the direction that we went in right now. So, that's where we are. But no specific dates for the decisions were made on market rental. There was an open house that was held June 18, 2019 — just for the record.

When it comes to the question about type 1 diabetes — members opposite should know from the news release that, to be eligible for the benefit, Yukoners with type 1 diabetes who meet the benefit criteria must register with the chronic disease and disability benefit program.

There is a phone number attached to that from the news release. For members opposite, it is 867-667-5092, and people aged 65 or older can contact the pharmacare program at 867-667-5403, but this is by physician referral. Physicians will help to determine if CGM is the most appropriate to manage the diabetes, so it is extremely important that it is by a doctor. To apply to chronic disease programs, doctors provide confirmation of type 1 diabetes on a case-by-case basis. You can also call the chronic disease benefits program or pharmacare and extended benefits programs for people, as I mentioned, over 65. The direct step is to apply to the chronic disease program.

Mr. Kent: So, again, on April 11, 2019, the minister stated that this would contain market rental units. There was another announcement — a press release that was put out last fall, I believe — so there was another reference to it there. We have asked about this project a number of times, specific to market rental units, on the floor of this House. Obviously, people in the landlords association and others were quite concerned that it appeared that the government was going to be competing with the private sector, especially after the Premier has mentioned and his Minister of Economic Development has mentioned that they are getting out of the business of doing business. This seemed to be the exact opposite to us, so we are not criticizing the fact that the government has decided not to proceed with market rental housing in this development. We are just wondering when that decision was made.

The quote that I introduced is from Hansard, and it is from the minister. Those were her words on April 11 of last year — 2019. She stated that the facility would contain market rental units. So, I am curious why the Premier or the minister don't know when they made that decision to not have market rental units in there.

When we talked about this on November 10 of last week, just before we broke, the Premier — and I have the Blues in front of me here — said: "To be clear — with the 4th Avenue

and Jeckell Street project, none of them are market rent; all are rent geared to income.”

To me, what that suggests, then — and again, I’m looking for some clarification from the Premier — is that there would be some individuals off the social or seniors housing list who would be eligible for some of these units and, with what the Premier said, that would appear to be all the units. I’m wondering if he can give us a breakdown. Of the 47 units there, how many of them are rent geared to income? I suspect it’s not all because the minister and the Premier have said that some will be for affordable housing. How many are rent geared to income? How many will be designated for affordable rentals?

Hon. Mr. Silver: Again, I’m very proud to support this project. As we’ve said a few times in the Legislative Assembly, not only will it boost Yukon’s economy, but it generates construction jobs and creates affordable housing in Whitehorse. The community housing development will be used as the first project that models a mixed-income client allocation. We can speak more about that if the member opposite needs a breakdown of that.

It has a very innovative design — and the housing development support achieving this goal that was set out in *Our Clean Future*. The minister spoke today about the building having 47 units that include a blend of bachelor suites and one-, two- and three-bedroom units. Ten units will be barrier-free. The project is due to be completed in December 2021. We have budgeted \$18 million over two years from this project, which will support clients across the housing continuum, from homelessness to affordable rent, all in one development. This is exactly what the minister said the other day in the Legislature.

We also know that the housing project is funded under the national housing strategy as well, to be clear, which aligns with our housing action plan, which helps us to meet those Yukon goals and achievements. The project will also align with the recommendations of *Putting People First* and also the aging-in-place action plan.

I had mentioned that 10 units will be barrier-free. This will not have market rental. This is non-market housing to support our transformation to community housing. None of them are market rent — just to be clear.

Mixed use is based on demographics — singles, families, seniors — but again, for mixed use, mixed income. Again, I could go into more detail on mixed-income client allocation if the member opposite wants me to, but I believe that I answered his question. Just to be clear, all are rent geared to income — for all 47.

Mr. Kent: So, we’ll find an opportunity to follow up with the minister on this. The Premier spoke about mixed use and mixed income and rent geared to income, which would suggest to me that this is a 47-unit social housing development only and doesn’t include affordable rentals, but we’ll hopefully find another opportunity to follow up with the minister on this.

I have just one quick question before I leave here. As was mentioned again in Question Period today, when it was first announced in March 2019, it was advertised as being a 48-unit housing development. Then there was a press release from

November 19 last year when the design contract was awarded — still referred to it as a 48-unit facility. So, I am just curious. On November 5 of this year, the minister stated that it had been reduced in size by one. Was that a design element, or was it a budgeting element? Why did the facility shrink by one unit since it was announced?

While the Premier is getting advice, I am curious as to if he can also let us know when that decision was made. Obviously, it was between November of last year and this year, but when was the decision made to shrink the size of the number of units?

Hon. Mr. Silver: I believe that both press releases said it was up to 48 units. It didn’t confirm that it was 48 units, but there definitely was a design issue. I don’t know if that is humorous to the member opposite. He seems to be laughing about it, but that gives me an opportunity to talk a little bit more about mixed use and mixed income.

I am very pleased to see that we worked with local housing stakeholders and developed our mixed-use and mixed-income housing model. There has been a lot of consultation. Now, having mixed-use and mixed-income housing as a complementary model, which is addressing the emergent community’s housing needs in the context of a very diverse and growing population — and an aging population as well — in mixed-use housing, different client groups from our community — including seniors, families, and individuals — are housed together in specifically designed multi-unit buildings. The building is specifically designed to allow for a wide range of tenants to live successfully. This means that we can better respond to the dynamic housing needs of a community by de-labelling some of the housing and focusing on creating healthy and vibrant communities within multi-unit buildings.

A mixed-income building is a new approach to allocate housing that will provide homes for clients from a range of incomes. It is affordable housing, Mr. Chair, with all of the existing household income limits. Now, we will support clients with deep or shallow subsidies, according to their needs, and all tenants will receive the same type of housing regardless of their income. That is a breakdown of mixed use compared to mixed income. When it comes to mixed income, this is a community housing approach that enables social diversity and supports better social outcomes and fiscal responsibility as well.

All tenants will pay an affordable rent in a mixed-income model to be below the median market rent. I believe that it is important to give that distinction. There are several models of mixed-income housing in Canada that all have a consistent goal of achieving financial and social stability in the community, and it is exciting to see the minister taking us on this route.

We will take into account best practices during the development of models that reflect the housing needs here in Yukon, but also with a lens to best cases and best practices across the nation as well. As an element of modernizing the social housing toward community housing, some of our new developments will be used to test a mixed-income allocation model with mixed-use design. So, again, that is a little bit of a breakdown of the differences or the concept of mixed income

and mixed use. I don't have a lot more detail here on the floor of the Legislative Assembly when it comes to the great work that the Yukon Housing Corporation is doing when it comes to all of these models, but I thought that it would be important to give the member opposite some context of the community housing that we are doing with the department. It takes things onto a more sophisticated plane than the corporation was using in the past, which was a model that was for all of Yukon. Now we are having a mixed model that includes best practices right across the nation — a real presence on the national stage, as well, with Yukon being right there in the chair position on some conversations nationwide, but also the good work done by the corporation right now to really revolutionize how the Yukon Housing Corporation is looking at all communities and how every community is different. So, I am really embracing it and I'm happy to see the Yukon Housing Corporation doing so much tremendous work on changing the model to community housing.

Mr. Kent: I appreciate that update from the Premier. I will take him back to table 6 in the five-year capital documents here. It says the Whitehorse 47-unit project is a mixed-use housing project, Old Crow is a 10-unit mixed-use housing project, and Carcross is a six-unit mixed-use housing project. Are there any mixed-income projects planned for the next five years? I don't see any here. If the Premier can just give us a sense on where we would find the planning for a mixed-income project, because all of these say "mixed use".

Hon. Mr. Silver: The member opposite referenced a few other projects. It gives me an opportunity to discuss some of the projects in the rural communities. I know I don't have to tell you how important it is that we consider every community when we take a look at housing.

We'll start in Carcross. We're currently actively working with all the communities — whether it be Carcross, Watson Lake, Old Crow, or Mayo, for example — trying to find unique solutions to these community housing needs. When we work with Yukon communities, we work with municipalities and First Nation governments to identify housing needs in each one of their distinct communities through direct investment and infrastructure. The capital building, planning, and maintenance is important as well — the delivery of the subsidized housing and then transforming our community housing programming, as I discussed here on the floor.

Each of our Yukon communities or municipalities, as I mentioned, have very unique and very different housing needs. Our programs and services are both designed to be flexible and to be responsive. When we start planning new projects in communities, we reach out directly to community stakeholders to ensure projects are meeting those local needs. That's an extremely important piece as we look toward models that are going to work in the communities.

One example would be in Carcross. We worked with the Carcross/Tagish First Nation to discuss the new six- to eight-unit Yukon Housing Corporation building in their community.

The current discussions are focused on potential locations for that building and ensuring that they meet the local needs

there. As that progresses, we will continue to reach out to local stakeholders and members of the community as well.

Also, we are excited to work with the community and Carcross/Tagish First Nation as they, too, advance new housing projects, which is really exciting to see. We are working together on housing solutions there, so a shout-out to the Haa Shaa du Hen for the amazing work that the First Nation is doing in that area — government-to-government work when it comes to looking at the social needs in that community.

In Watson Lake, we are in discussion about land options for a Housing First supportive housing project with that community as well, based on a housing needs assessment recently completed by the community. Again, working with the community to identify the needs is extremely important. We know that there is a significant need for supportive housing in that community. When we have identified the land options, we will continue to work with the community for further input on that project.

In Mayo, we have been in contact with the community of Mayo to discuss Yukon Housing Corporation's five-year capital plan and how it can support the needs in that community. We are very much looking forward to continuing this conversation in Mayo with the Na-Cho Nyäk Dun. We are also working to renovate and repair two of the Yukon Housing Corporation's community housing units.

I did mention Old Crow earlier regarding the tenplex. I won't go into too much detail there. For communities that we are not yet working directly with, we will continue to support those needs in those communities through our outreach at the First Nation town hall in November. The Safe at Home and housing action implementation committees and local housing staff were in many communities, but we will continue to tailor our programs to each of the communities to make sure that they meet those communities' needs.

To answer the member's questions specifically, projects are still in the planning and design phases. I told you about a few of the programs that are going on in different communities. I won't say on the floor of the Legislative Assembly what decisions have been made on those because, as you see, a lot of them are in the design stage and that type of thing. As community engagement occurs and continues, we will be able to further update as those updates become available, but again, it comes down to determining what the needs are in those communities. As I outlined the work that we have been doing in each community, that is the context in which we are going to make the decisions about mixed use versus mixed income or hybrids therein. But working with the communities to determine mixed-income needs is an extremely important part of that conversation.

Our home ownership loan program this year is really helping us to focus in on Yukoners living outside of Whitehorse as well to buy or to build homes, which also has to be taken into context as we decide on the use of these projects per community. Our home repair program as well — extremely important to remember that — includes the accessibility grant therein and the emergency repair grant and home repair loan to help Yukoners keep their homes safe and healthy. All of these

things contribute to limiting the need in certain communities. If we can keep people in a repaired home, an energy-efficient home, a retrofitted home — or through the home ownership loan programs — these are other initiatives from the government that help us to reduce the strain on the system.

I'm very pleased to see an uptake in the municipal matching rental construction program, which is designed to incentivize the development of affordable market rental units in Whitehorse and in the rural communities, including Teslin, Dawson City, Carmacks, and Watson Lake. Also, we're offering the housing initiative fund program this year. This is the fourth intake, and it will be launched this fall. Over the past three years, the housing initiative fund has contributed to over 350 new affordable homes for Yukoners. There is lots of work to be done, lots more information as far as mixed-income needs, but I'm very proud to say that there have been many, many different ways that we're working with communities to support affordable housing for Yukoners. It's not a one-size-fits-all type of answer — but by community engagement in each community. We're listening and we're incorporating the advice and feedback from the stakeholders into the day-to-day working of the Housing Corporation. We're very committed to continue to work with our partners in that pursuit.

Mr. Kent: When we started discussions here this afternoon, the Premier did provide an update on the social housing renewal. He said that he had answered the question last week. I looked up the Blues from last week, and maybe this is why we have a disconnect here sometimes in the Legislature between what the minister says is an answer to a question and what we perceived to be a non-answer.

I asked the Premier about that specific spend on social housing renewal that is in table 6. I'll just quote myself: "I am hoping that the Premier can just give us a sense of what this is for. Is it to refurbish existing social housing stock, or is there replacement contemplated for existing social housing stock out of this particular project line in the five-year capital documents that the Premier and his colleagues tabled in the spring?"

The Premier's answer to me — and I'll quote again: "I will have to endeavour to get back to the member opposite when it comes to that specific question. Again, I don't have that information here."

To me, that jumped off the page as sometimes why we have a challenge. If the Premier perceived that as an answer to the question and he was just answering it again here today, that's why we often have disagreements on the floor of the House as to whether or not the Premier is answering a question or not.

That said, I wanted to ask about a couple of other line items here on this table 6. The Premier mentioned Mayo community housing. Now, that doesn't start until 2023-24, according to this document. It's a range of \$0 to \$500,000, which I'm assuming would be for planning, and then \$5 million to \$10 million in the following fiscal year. I think the Premier said that they are having conversations with the community now on that. I'm curious why it will take three years to get to a point where they can spend some money on community housing in Mayo.

I want to jump up a couple of lines to rural community housing. Again, we're a couple of years out before any money

is spent — it looks like design money — and then there is a more significant investment in the following two years — if the Premier can explain to the House what that line entails.

I know he referenced as well the Carcross six-unit mixed-housing unit that's here as well. In this fiscal year, \$0 to \$500,000, and then there's a gap of a fiscal year, and then they spend \$3 million to \$4 million. I'm just curious why there is a gap for that 2021-22 fiscal year when some of the other projects obviously are moving through in consecutive years.

Hon. Mr. Silver: I apologize to the member opposite. He mentioned specifically Mayo and Carcross, but there was a third and I didn't catch it.

Mr. Kent: The other line item in table 6 looks like more of a catch-all line. It's rural community housing, and there's a range of \$7.5 million to \$10 million, but it doesn't start until the 2022-23 fiscal year.

Hon. Mr. Silver: Yes — as in the past, if I don't have the information in front of me, I will say that I will endeavour to get back to the member opposite with that information. What I am doing today is getting back to him with that information. I was asked on November 10 about an item in table 6 on the 2020-21 five-year capital plan. The item in the table was for social housing renewal. I can confirm, as I did earlier today, that the funding from 2021 to 2025 listed in the capital plan is for existing stock. This is the budget to replace out-of-service units in various communities. The project does support the strategic goal of the housing renewal rebalance and this does address the aging infrastructure and shifts the housing needs. I was asked that question and I'm responding to it now.

I think there was also another question specifically — no, it was the Old Crow piece that I already answered.

The member opposite is now asking about the Mayo project and the Carcross project. We talked about the Mayo project and where we are right now in discussions with Mayo and with Na-Cho Nyäk Dun and working to renovate and repair two of our community housing units in that community.

When it comes to the Carcross unit, that was discussed. We are also working with the Carcross/Tagish First Nation, discussing the six to eight units, and just to ensure that it is "six to eight" units. I don't want to come back and hear "You said it was six and eight units", but it was "six to eight" units in the Yukon Housing Corporation's building in their community. We are currently focusing on the locations therein. We already talked about those things.

The rural community housing is definitely going to help with the Yukon Housing Corporation on replacement housing. This is planning for housing replacement — the "catch-all" that the member opposite is talking about is planning for housing replacement, which happens on a regular basis as we take a look at need, take a look at aging infrastructure — that type of thing. As far as — I believe that is what the reference is — is to the "catch-all" as the member opposite calls it — it absolutely will be helping with Yukon Housing Corporation on replacement of housing. So, it's planning for the replacement of these housing units.

We don't have very much time here until the end of the day, so what I will do is sit and see if the member opposite has

some other very specific questions for the department. If he wants me to endeavour to get back to him on any, we can use this minute or so for him to have the floor and then have it for him when we come back to general debate next time.

Mr. Kent: What I will do to close out the day is just ask a question around the Challenge Cornerstone project. It is well underway. Construction is well underway at the top of Main Street here in Whitehorse. It looks from the budget documents like there is \$4 million for this year and then \$2- to \$3 million for next year.

Can the Premier — perhaps I will get him to get back to us with this response. I am just looking for the overall commitment from the Yukon government to this project. I can't recall if there is also a commitment from the Challenge organization as well — if it is being matched by them or where the other funding is coming from. That is what I would be looking for when we return to debate on this.

Just quickly, I have a couple of other things to flag, then, for the Premier for when we come back. There is the rent supplement program — a constituent of mine reached out and had applied for that. It is the same application as social housing, so they applied to the rent supplement program and someone from the Yukon Housing Corporation got back to them and said, "Congratulations, your social housing unit is ready for you", but that was not what they were looking for. I am just curious if the Yukon Housing Corporation has given any thought to changing up those application processes.

People who had applied for the rent supplement program in the prior budget item — do they have to reapply or will those applications just be transferred over? If we could get that information. The final piece that I'm looking for from table 6 when we come back is with respect to the deployable mobile home units. Are those for social housing or are they going to be used for staff housing? Is there any idea at this time about where they will go?

Those are the final questions that I will have for Yukon Housing Corporation. Hopefully, the Premier is able to get those responses back to us when we get back to discussions around this next time.

Seeing the time, Mr. Chair, I move that you report progress.

Chair: It has been moved by Hon. Mr. Kent that the Chair report progress.

Motion agreed to

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

Chair: It has been moved by Mr. Streicker 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. 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.