



# Yukon Legislative Assembly

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34<sup>th</sup> Legislature

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## HANSARD

Tuesday, May 9, 2017 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2017 Spring Sitting

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

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

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

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

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

### LEGISLATIVE STAFF

Clerk of the Assembly	Floyd McCormick
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Doris McLean
Deputy Sergeant-at-Arms	Karina Watson
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, May 9, 2017 — 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.

Tributes.

## TRIBUTES

### In recognition of Westray mine disaster

**Hon. Ms. Dendys:** Mr. Speaker, imagine these terrible headlines: “26 dead in Faro mine disaster”; “Tragedy strikes at Minto mine, killing over two dozen Yukoners”; “Placer mining accident kills two Yukon families”. None of us wants to wake up tomorrow or on any day to hear those words, but 25 years ago, Nova Scotians faced just such a reality.

Mr. Speaker, I rise today to commemorate those who died in the Westray mine disaster, on behalf of our government and the Official Opposition.

On May 29, 1992, just before 5:30 in the morning, a large explosion caused parts of an underground mine to collapse near Plymouth, Nova Scotia. There were 26 miners working at the time and they were all trapped. That began a week-long rescue effort. The media descended on the tiny hamlet and other small communities near the mine. Near-constant coverage of the rescue efforts gripped the attention of Canadians and people around the world, but the story would not end well.

The bodies of just 15 miners were found. As conditions underground worsened, the remaining 11 had to be left entombed forever.

It was an explosion of methane gas and coal dust that caused the tunnels to collapse that day. Some men were killed after being struck by falling rock or equipment. One was found trapped in his vehicle that had imploded and crushed him. Most were burned and suffocated — the oxygen vital for their breath stolen to fuel the explosion. All died nearly instantly. In hindsight, there was never a chance that any would be rescued.

That tragedy struck the very heart of Canada. Its impact can be felt to this day and in every corner of our country, even here in the Yukon. Our Premier and the Minister of Energy, Mines and Resources in fact shared with me their first-hand accounts of the disaster. They had grown up and lived just a community away. They described an eerie feeling shared among people — a sense of collective claustrophobia — knowing the men were trapped underground so close by. Every year on this day, they are both reminded of their close friends and classmates who were directly impacted, some of who suffered losses as a result of the mining disaster.

Tragedies like this can often seem distant, but this year marks a similar anniversary for Yukon. A century ago, on March 21, 1917, 19 miners were trapped in a collapse of the Pueblo mine just south of Whitehorse. Three of those men were rescued — the other 16 were not. However, their final resting place and the location of the tragedy is commemorated with a plaque just off Fish Lake Road. That tragedy spurred the adoption of the workers’ compensation system in Yukon. The first legislation was enacted the following month, on April 24.

A long period of blame and inquiry followed the loss of the Westray miners. There were lawsuits, trials, inquiries and legislation. Those were important things, but that is not where we find the essential lessons of the Westray mine disaster. That is not the legacy of those men. The message they telegraphed to us is one of commitment. What I hear them saying to us through the channels of time is, “never again.” Never again can we permit a worker to die, whether it’s one or 26. Never again can we ask a community, a country, to experience the tremendous sense of loss that the Westray disaster forced on all of us.

The Minister of Energy, Mines and Resources and I, as Minister responsible for the Workers’ Compensation Health and Safety Board, recognize the value of the laws and regulations that we have in place here in Yukon for protecting people on the job. We also recognize, however, that laws and regulations are only the beginning.

The real source of safety and health in workplaces lies with the community, with the commitment of workers, employers, business and labour. We are in this together. It’s together that we’ll prevent another disaster like that at the Westray mine. It’s together that we’ll make sure each of us gets home safe and healthy every day.

Each year on this anniversary, we pause just for that reason — to use the memory of the Westray mine disaster to remind ourselves that we’re part of a safety community — but we can’t let the memory be rolled into a statistic. Yes, there were 26 men who died that day, but they were people, not numbers. They were flesh and blood like you and I. They went to work that day just as we all did today. They had wives, children, brothers, sisters, mothers, fathers and friends just like we all do. They had names: John Bates, Larry Bell, Bennie Benoit, Wayne Conway, Ferris Dewan, Adonis Dollimont, Robert Doyle, Remi Drolet, Roy Feltmate, Charles Fraser, Myles Gillis, John Halloran, Randolph House, Trevor Jahn, Laurence James, Eugene Johnson, Stephen Lilley, Michael MacKay, Angus MacNeil, Glenn Martin, Harry McCallum, Eric McIsaac, George Munroe, Danny Poplar, Romeo Short, and Peter Vickers.

**Ms. Hanson:** I too rise, on behalf of the New Democratic Party, to mark today, May 9, a day to commemorate the explosion at the Westray mine near New Glasgow, Pictou. Today, hundreds of people will be gathering in New Glasgow, Pictou County, Nova Scotia to remember and to mourn the loss of 26 men killed when fire, fuelled by

volatile coal-dust, ignited and created a fireball that raced through the tunnels of the mine in the early morning of May 9, 1992. As the minister opposite has said, the explosion killed every man in the mine and tore off the metal roof at the pit entrance. Eleven men still lie buried in those tunnels. It's too unsafe to try to recover them.

Mr. Speaker, the tragedy at Westray, as the minister opposite said, touched people across Canada. I know like many people, my husband and I actually made it a point in a trip to the Maritimes to seek out the memorial and to trace those very names that the minister read into the record today. Because Pictou County is like many rural areas of Canada, it had been suffering economically. The promise of work at what was — quote: a “new mine” was greatly anticipated. As one of the women widowed by the disaster put it, “This was a dream for all of these young men. They had new homes, new cars, friends and...” the hopes of “... a 25-year or 30-year life to retirement” — a working life. She said, “... those men needed to go to work.” However, she also said — and I quote: “... if they spoke up about what was going on (at the mine)” — about the dangers of coal dust — “... they were sent packing.”

Mr. Speaker, after the fact, we all now know that many good people — miners and others tried to address the increasingly dangerous work conditions at Westray mine. Five years after the explosion in 1997, a Nova Scotia Supreme Court Justice concluded the disaster was a result of — and I quote: “... incompetence, mismanagement, bureaucratic bungling, deceit, ruthlessness ... and cynical indifference.”

The public inquiry found Westray management and its owner, Clifford Frame — the same Clifford Frame of Curragh Resources that at the same time owned Faro mine — were ultimately responsible for the conditions at the mine. In 1993, the RCMP charged Toronto-based Curragh Resources and two its former managers with manslaughter and criminal negligence causing death. Mr. Speaker, no convictions were ever pursued.

As a result of the failure to successfully prosecute the mine's owners and managers and in light of the inquiry's recommendations, there was intensive lobbying by labour and others across this country to change the *Criminal Code* to make it possible to hold corporate managers and directors who failed to take steps to protect the lives of their workers criminally liable. In 2004, Bill C-45, the “Westray Bill”, was enacted. Bill C-45 is, by amendment to the *Criminal Code*, in theory, a very powerful piece of legislation. However, to date, there have been only four employers prosecuted under the Westray law. We know that every year, over 1,000 workers are killed in the workplace in Canada.

To mark the 25<sup>th</sup> anniversary, the federal government has committed to working with the Canadian Labour Congress and its members, and employers, provinces and territories to ensure that the Westray provisions are applied effectively through training, enforcement and coordination. It's the least we can expect. Disasters like Westray are human disasters, but if that alone does not drive us to take action, let us remember that, politically and economically, the Westray mine was

important — and we think about this in the context of the Yukon. It was important, providing many desperately needed jobs in Nova Scotia. It was supported by both provincial and federal loans and, following the disaster, both Westray and Curragh Resources were bankrupted, impacting the economies of Nova Scotia and Yukon. As we know, Curragh had been the largest non-government employer. It also left \$12 million in debt owing to Nova Scotia, \$85 million in national debt, over 100 lost jobs, and families devastated forever.

Mr. Speaker, the Westray disaster stands forever as a beacon — a warning of the consequences of the human, economic and political consequences of ignoring basic safety rules, and of choosing expediency over due process and greed over common good. It happens daily. Together we can ensure that when it does, our enforcement agencies, our police forces and our courts are equipped to fully implement the provisions of the Westray law. We cannot afford not to.

### In recognition of Teacher Appreciation Day

**Hon. Ms. McPhee:** Thank you, Mr. Speaker.

In recognition of Teacher Appreciation Day, I rise today to pay tribute to all of our Yukon teachers and teachers across Canada and to Yukon's outstanding principal, Lorrie Peterson, principal of Jack Hulland Elementary School.

On Teacher Appreciation Day, we recognize and thank teachers, principals, administrators and all school staff for the work that they do. Our educators carry an important responsibility in their hands. They are leaders and role models in our communities. Each day, they walk into their classrooms and guide our young people along their learning journeys. They are responsible for passing on foundational knowledge and skills needed to live happy and healthy lives. They teach our youth how to read, how to write, how to solve problems, and how to communicate and interact with others. Our young people will use these tools throughout their lives. They are tools they will use to be successful in post-secondary studies, job training or other programs they may choose, and they are tools that will give them the opportunity to find meaning in their jobs and make a difference in our society and our communities.

Mr. Speaker, this year, Lorrie Peterson, our principal at Jack Hulland Elementary School, was named one of Canada's Outstanding Principals for 2017. The Learning Partnership presents this award each year to 40 principals across Canada. Ms. Peterson has done a wonderful job engaging her school staff in evidence-based decision-making, which yielded great results in improving student progress. Teachers at her school are using math and writing checklists and rubrics to provide students with descriptive feedback and helpful information to encourage improvement. The Jack Hulland way guides students in making good choices to create a positive learning environment.

In February, Ms. Peterson joined Canada's outstanding principals in a five-day executive leadership training program at the University of Toronto's Rotman's School of Management. They are all now members of the prestigious National Academy of Canada's Outstanding Principals with

over 400 members, which provides ongoing network and professional development.

Ms. Peterson and all of our educators in the Yukon and across the country deserve our recognition today on Teacher Appreciation Day. My office spoke with her earlier — and I had spoken with her personally about this award. She is unable to be here today, but thanks this House for the recognition.

Through the work of all teachers with our youth, they develop confident learners and informed members of our society and help shape a better future for all of us. On behalf of my colleagues in the Legislative Assembly, I would like to thank all teachers today, recognizing them, as well as principals and school staff, for their commitment to students and education.

**Ms. Van Bibber:** I am pleased to rise today on behalf of the Yukon Party Official Opposition to pay tribute to all teachers, especially as we near the summer break. I love words, and the word “teacher” can encompass a range of terms — educator, tutor, instructor, coach, trainer, lecturer or professor. As I stand before you today, teachers also stand before our children, presenting ideas and facts and encouraging them to create and think about what they are presenting. They engage students through their passion for teaching.

Teachers provide our children with the best possible chances in life. They provide them with the skills and vision necessary to make meaningful contributions and build proactive lives for themselves. I too would like to acknowledge and convey my congratulations to Lorrie Peterson, principal of Jack Hulland Elementary School. Lorrie is one of the well-deserving recipients of Canada’s outstanding principal awards — an award to honour her leadership and initiatives within the school. She has not only built a collaborative and strategic teaching environment for her staff, but ensures that this environment has a direct impact on student outcomes. Lorrie has instituted her school’s character education program, which has been successful in highlighting the virtues of empathy, conscience, self-control, respect, kindness, tolerance and fairness to students and teachers alike.

I know I personally have many stories about teachers who have touched my life and each of us has similar recollections. I do remember each and every one of them. In fact, I am blessed to say that my mentor and my best friend was my grade 7 teacher, and we still hang out today. We laugh, visit and reminisce. I credit her with recognizing and nurturing the character within me that was struggling to emerge from the age of 13. I would encourage all teachers today to take this day as a well-deserved opportunity to reflect on the incredible role they play in the upbringing of our children and the impacts they have on shaping our futures. To quote Maya Angelou: “Don’t just teach because that’s all you can do. Teach because it’s your calling. And once you realize that, you have a responsibility to the young people.”

Thank you to teachers, principals, vice-principals, education assistants, counsellors and substitutes. Thank you for accepting the responsibility of shaping our children to be the best they can be so that we know our future is in good hands.

**Ms. White:** I rise on behalf of the NDP caucus to also offer congratulations to Lorrie Peterson for her award as one of Canada’s outstanding principals for 2017. We know that the staff, students and parents alike have benefitted from her dedication to her job, to her students, to her teachers, to the community and to her profession, so we thank her for the example.

### In recognition of Law Day

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. I rise today on behalf of our government and the members of the Third Party to recognize Law Day in this House, a national event celebrating the signing of the *Canadian Charter of Rights and Freedoms* on April 17, 1982. This year marks the 35<sup>th</sup> anniversary of this pivotal document in our nation’s history.

Informed by the 1948 United Nations *Universal Declaration of Human Rights*, the Charter was preceded by the *Canadian Bill of Rights* in 1960. The *Canadian Bill of Rights* was limited in power because it was not part of the Canadian Constitution and only dealt with federal legislation.

Twenty-two years after the *Canadian Bill of Rights*, the *Canadian Charter of Rights and Freedoms* constitutionally entrenched many of the *Canadian Bill of Rights* underlying principles and fundamental freedoms. The Charter enshrines freedom of religion, expression, association and peaceful assembly, as well as the right to life, liberty and security of the person, equality before and under the law and equality protection and equal benefit of the law without discrimination.

Since the Charter was passed, it has been the law of the land, just as similar documents in liberal democracies all around the world are heralded. A year after the Charter was signed, the Canadian Bar Association started Law Day to commemorate that event. It also marked an annual opportunity to inform Canadians about the law, the legal professions, and the legal institutions that support our Canadian democracy.

Law Day is a yearly reminder of what our laws mean to us. It reminds us that our rights and freedoms are not free and that all of us must strive to maintain and defend them. Canadians have our *Charter of Rights and Freedoms*, but we also have obligations to meet if we are to maintain a fully functional democracy.

As a lawyer and active member of the Canadian Bar Association, Yukon branch and national, and former president of the Law Society of the Yukon, I am keenly aware of the responsibility that members of my profession and the judiciary have to ensure that our justice system remains open, fair, independent and unbiased. I also know that many people work in Yukon to ensure that the justice system and our laws are administered well and fairly to all.

To our judiciary, members of the Yukon bar, those who serve on independent board, tribunals, committees and commissions and all the organizations and advocates who provide legal information and services to the public, I thank you. Our community is better for your work.

Elsewhere, Law Day is celebrated on April 18, but here we prefer to have a northern approach and have it on a day when we have a reasonable chance at least — but not a guarantee — that we will be participating in the annual Law Day Charity Fun Run without ice and snow on the path.

The Law Day Charity Fun Run and Walk was started here in the territory. CBA began this local event and it has been copied elsewhere in Canada. It started 27 years ago. This year's event was held this past Friday on a beautiful sunny May 5 here in the Yukon. It started from the visitor centre next door and it had the theme of "Celebrating the rights of the child". Each year, there is a theme and, for the past almost 20 years, the local CBA has chosen a charity. The Law Day fun run is a charity event. This year's theme was "Celebrating the rights of the child" and it was co-sponsored by the Yukon Child and Youth Advocate office. This is so fitting in light of this year's theme.

As usual, the proceeds of the events, which are from the entries of the runners and walkers, went to a charity. This year's recipient was Autism Yukon, which is dedicated to supporting children, families and individuals living with autism spectrum disorder. The walk/run was a total success — sunny days tend to do that here in the territory — and almost 130 motivated runners and walkers participated, as did 20 children from the Whitehorse Montessori school, who often come. Fundraising tallies are ongoing, but I am happy to tell this House that more than \$6,700 was raised for Autism Yukon. This money will support this organization's vital public awareness campaigns and will improve resources for those Yukoners on the autism spectrum.

Autism Yukon offers services, including a resource library and links to community resources and services. Their mandate is to make life better for those affected by autism here in the territory. This year, Autism Yukon is hosting a special one-day conference this May 18 — next week — entitled "See the Spectrum Differently". It is an all-day event featuring Dr. Temple Grandin, the world-renowned autism advocate, and other speakers. For more information on this gathering and all the important work they do, please look at Autism Yukon's website [autismyukon.org](http://autismyukon.org).

As a former Canadian Bar Association executive member, I'm extremely proud to state that the CBA has supported local charities for the last 27 years and has raised a total of \$89,000 for them during that period of time from this fun run. The CBA has kept up its fundraising tradition this year, as I have noted.

I would also like to recognize that, aside from the sponsorship of the Yukon Child and Youth Advocate office, a host of prominent law firms, local businesses and many too numerous to mention here today supported the run/walk and do so annually. All sponsors deserve a salute.

Thank you to all of the Yukoners who took part this year. The annual event promotes healthy living in a delightful Yukon spring, supports a local charity and reminds us how important our legal system is, all at the same time. It sounds like a pretty great event to me — win, win, win. Thank you again to all who support the Law Day fun run.

In closing, I would like to mention that we have with us today Tom Ulyett. Being a long-time supporter and volunteer for the Law Day fun run doesn't really capture it. It was probably his idea in the first place, and I know he has been an active member. We worked for many years together on that committee and the Law Day fun run, and on other CBA events.

We worked many years together on that committee and on the Law Day Charity Fun Run and Walk and other CBA events. Jessica Lott Thompson, the current secretary-treasurer for the CBA Yukon branch, is also with us. She's the chair of this year's Law Day planning committee. Also in the audience, I think, is Russ Knutson, who is involved with the Yukon Human Rights Commission, and for a long time has been involved with Autism Yukon.

We also have with us Annette King, who is Yukon's Child and Youth Advocate and Annie Blake, who is the administration and communications assistant with the Child and Youth Advocate and also a former student of the Premier.

Also with us today is Kate Swales, the president of Autism Yukon and Leslie Peters, the executive director of Autism Yukon. We thank you all for being here today.

*Applause*

**Mr. Cathers:** Thank you, Mr. Speaker. I am pleased to rise today in also acknowledging this 35<sup>th</sup> anniversary of the establishment of Law Day and the Law Day Charity Fun Run and Walk. I would like to echo the Minister of Justice's comments in thanking those who have joined us here in the gallery today and particularly acknowledge, if I understand correctly — that Tom Ulyett and Dan Shier, I believe, were the co-founders of the Law Day Charity Fun Run and Walk here in the Yukon and the fact that their idea and their work has spread across the country is something that they should be proud of, and for their ongoing efforts of some 27 years as well in helping to organize the race and to run in it — I know in Tom's case.

I would like to as well acknowledge and thank all of the runners and all of the supporters of the Law Day Charity Fun Run and Walk for their work in making this year's event yet another success and thank the Canadian Bar Association for their work in planning this annual event.

Each year across the country, Law Day is celebrated to recognize the proclamation of the *Canadian Charter of Rights and Freedoms*, which took place on April 17, 1982. This year celebrates the 35<sup>th</sup> anniversary of the signing of the *Canadian Charter of Rights and Freedoms* and its proclamation. The Charter was built on the foundation of the *Canadian Bill of Rights*, which was brought forth by Prime Minister Diefenbaker in 1960. He stated that a bill of rights was required to take a forthright stand against discrimination based

on colour, creed or racial origin. The rights contained in the *Canadian Bill of Rights* include: the right to life, liberty, security of the person; the right to freedom of speech; the right to freedom of religion; equality rights; the right to fundamental justice; and the right to counsel. Each of these rights has been reflected within the *Canadian Charter of Rights and Freedoms* and celebrated annually through education and activities across the country.

I do want to again point out what I believe is a flaw in the *Charter of Rights and Freedoms*, which is the omission of a key part of the former Diefenbaker *Canadian Bill of Rights* — that is the right to own property, which is protected in the Constitution, and was also supported through a motion in this Legislative Assembly on November 24, 1982 — moved by Andrew A. Philipsen, after whom our current Law Centre is named.

That motion, which was passed in this Legislative Assembly, read: "... that the Legislative Assembly of Yukon support the resolution passed unanimously the Legislative Assembly of British Columbia on Tuesday, September 21, 1982, respecting an amendment to Section 7 of the *Canadian Charter of Rights and Freedoms* so that it would read as follows: '7. Everyone has the right to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except in accordance with the principles of fundamental justice.'", and urge the legislative assemblies of all other jurisdictions and the Senate and the House of Commons of Canada to adopt similar resolutions.

Again, in noting that point, I want to acknowledge the work of Mr. Philipsen, the Legislative Assembly of that day, and also note that, despite that flaw, the *Canadian Bill of Rights* and the *Canadian Charter of Rights and Freedoms* are in fact continued protections of the principles of legal rights within our Canadian democracy. They owe their existence and their roots to other important revolutionary legal documents, notably the Magna Carta, which was created in 1215. The Magna Carta and its companion document, the *Charter of the Forest* set the groundwork for many concepts that continue to define democratic life today, not only in Canada, but across many countries. As symbols of justice, they also act as powerful reminders to those who govern. They do so only by the consent of the people.

The Magna Carta is widely viewed as one of the most important legal documents in the history of democracy, as there are many enduring principles of liberty within it that still resonate and inspire people today. Some of the examples of the principles that never lose their relevance are key concepts of the Magna Carta, which include: nobody is above the law of the land; the rights of habeas corpus, being the freedom from unlawful detention without cause or evidence; and the right of trial by jury.

Early women's rights were acknowledged within the Magna Carta, although have been widely expanded on since that time. The reference that was first included in the Magna Carta included that a widow could not be forced to marry and give up her property.

The companion document to the Magna Carta — the *Charter of the Forest* — was originally issued in 1217 and held up the values of universal human rights, which set out the protections for the common man and the protection of the commons, which set clear limits to privatization and the importance of stewardship for shared resources.

I should note that the Magna Carta actually began its life as a peace treaty — a treaty that has motivated people, whole countries and movements, and effected change. As many members may know, one of the copies of it — the original — was available for viewing here in Canada on its 800<sup>th</sup> anniversary. I know that my colleague, the Member for Watson Lake, along with many other Canadians, took the opportunity to view this piece of our history.

The Magna Carta holds a place in our hearts as a first in a series of instruments that are recognized as having special constitutional status, and it is worth noting that even democracies such as the United States use the Magna Carta as an important building block for their Constitution.

Now, in conclusion, I would like to briefly mention a few things about the Law Day Charity Fun Run and Walk. Its purpose is to educate the general public about the law and how the legal system works. Professionals are also able to take the opportunity to educate and inform about the importance of the law and the vital roles that lawyers and the judiciary serve in ensuring that our system is and remains independent, open and unbiased.

Law Day empowers the public at large through a variety of celebrations and activities that bring awareness to the importance of the history of our law and its evolution, as well as the administration of justice. In concluding my tribute, again I would just like to acknowledge and thank both the founders of this run and all who have continued to make it a success for some 27 years here in the territory and indeed across the country.

**Speaker:** Introduction of visitors.

Are there any returns or documents for tabling?

Are there any reports of committees?

## REPORTS OF COMMITTEES

**Speaker:** Member for Copperbelt North.

**Mr. Adel:** Mr. Speaker, I have for tabling the third report of the Standing Committee on Appointments to Major Government Boards and Committees.

**Speaker:** I'm sorry. The Member for Copperbelt North, I should have recognized you as the chair of the Standing Committee on Appointments to Major Government Boards and Committees.

Are there any further reports of committees for tabling?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to fulfill its election commitment to invest \$30 million annually in an energy retrofit program for residential, government and commercial buildings.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to publicize and update the Department of Environment's online bear incident map for the 2017 season.

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

### Speaker's statement

**Speaker:** Prior to proceeding with Question Period, the Chair will make a brief statement regarding the manner in which members address one another in the House.

The Chair has heard members on a few occasions — particularly during Question Period — use the word “you” in reference to another member of the House. I would remind all members of Standing Order 17(1), which says — and I quote: “Every member desiring to speak shall rise in his or her place and address the Speaker.” In other words, when a member has the floor, the member is to speak to and through the Chair. The member is not to speak directly to the member who has posed a question or the minister who has provided a response. Members should refer to one another by their electoral district or by some other position that they hold in this Assembly. This is primarily, obviously, for members who are new to their jobs. I am not casting any aspersions on members who have been here for awhile, although it's useful to remind everyone.

I thank members for their attention.

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Opioid crisis

**Ms. McLeod:** Thank you, Mr. Speaker. My question today is for the Minister of Health and Social Services. The opioid crisis in this country sadly looks like it is getting worse. Last week, Yukon's coroner confirmed that, in Yukon alone, there have been five deaths in a little over a year related to fentanyl. Can the Minister of Health and Social Services update this House on what the government is doing to address this growing crisis?

**Hon. Ms. Frost:** The Yukon, as is much of Canada, is seeing an increase in this crisis. Yukon is no different and we are taking the necessary approaches to address that in an expedient fashion. We are working with the health professions. We are working with our NGO groups and with our health professions to come up with a strategy. We have taken that approach through education initiatives and through the introduction of the naloxone kits into our health centres, as

well as going out into the media, social media and taking necessary measures.

**Ms. McLeod:** One important way to help address the crisis is to educate our children so they understand the very real dangers of opioids like fentanyl.

Yesterday, my colleague, the MLA for Porter Creek North, put forward a motion that reads: “THAT this House urges the Minister of Education in collaboration with the Minister of Health and Social Services to instruct their departments to begin work to develop a health curriculum for use in schools that educates on the dangers of prescription opioid abuse for all students in the Yukon education system.”

We believe that this issue is something that should rise above political stripes, so would the government consider supporting this motion? We would, of course, be open to a friendly amendment if there are issues within the current wording.

**Hon. Ms. McPhee:** I thank the honourable member for her question. We would love to debate this particular motion because we find it critical that we address the issues around fentanyl — Education and Health and Social Services in partnership. I can indicate that Health and Social Services and the Department of Education have already begun working in partnership. I was happy to hear the motion yesterday, and we're well on our way to a cooperative arrangement between those two departments.

The Government of Yukon is working with the Yukon schools to inform students, staff and families about the risks and dangers of fentanyl. As graduation season is coming up, students need to know the danger of these drugs and how small of an amount can cause serious repercussions and often death.

Fentanyl is sometimes mixed into other drugs and is extremely toxic even in small amounts. We have made take-home naloxone kits and are training staff and students on how to use these kits. We're also sharing information through school newsletters and how to talk to kids about fentanyl, and information for parents, teachers and staff at the schools so that as much education and information as possible, we hope, will save lives.

**Ms. McLeod:** I appreciate the response from the Education minister. Over the last several months, the federal government has been signing individual health transfer deals with the different provinces and territories. In addition to the health transfer and all the money for home care and mental health, British Columbia received an extra \$10 million to help address the opioid crisis in their province. Alberta also received an additional \$6 million to help address the opioid crisis in their province.

The government previously said that if any other jurisdiction got a better deal than Yukon, then we would be able to match it. I'm wondering if the minister can tell us if Yukon has received extra money to address the growing opioid crisis in our territory. If not, is the Government of Yukon currently in discussions with Canada to amend our health deal to ensure that we also receive money to address this important health issue?



**Hon. Ms. Frost:** I thank the member opposite for the question. Most definitely — we are looking at all options. Clearly this is not a Yukon-only issue and we are looking at ensuring that we have the necessary resources in place, whether they come from the federal government or from within our own budgets. We need to address it as a major crisis and we are, as expressed, working with the departments, First Nations and the health professions to address the crisis that we are confronted with. As indicated in the media yesterday, we have an indication from our chief medical officer that we have had five verified deaths in our communities, and that is most definitely a crisis. As government, we put that as a highest priority and we will do what is necessary to educate, support and ensure that we have the safety measures in place.

**Question re: Bear hunting**

**Mr. Istchenko:** When the bison season closes at the end of March, many Yukon hunters turn their thoughts to the spring bear hunt. It has become an annual rite for many Yukon hunters and provides the opportunity to get out on the land early in the season — it's usually a few weeks before the ice is out. However, there are indeed some Yukoners who don't support this hunt.

Does the minister support the spring bear hunt, or will she take action to restrict it?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question. The question, I guess, posed to me is: Do I support it? I personally don't have an opinion, but I will most certainly consult with the renewable resources councils, the Fish and Wildlife Management Board, the Yukon Outfitters Association and those who are directly impacted in our communities. As due process and legislation changes, this is a necessary process, so I personally don't have an opinion, but I will seek the advice from the parties that are directly impacted.

**Mr. Istchenko:** The Yukon is not the only jurisdiction that allows this — the opportunity for hunting bears in the spring. British Columbia has a long history with this hunt. However, hunters and other stakeholders have taken note of the fact that this issue has come up in the BC elections. Both the Green Party and the NDP in the province have committed to ending the spring bear hunt. I have heard from several Yukon hunters who are concerned that this trend will carry on to the Yukon.

Can the minister assure those concerned hunters that the Liberal government here in the Yukon won't follow the lead of the politicians in BC by advocating for the closure of the spring bear hunt?

**Hon. Ms. Frost:** I guess I'm going to recite that we will go through a consultation process to address any pressures that are coming at us. If there is an indication that perhaps we should change legislation from avid hunters like me and perhaps the member opposite or others — if they or others in our community would like to see some legislative changes, then that due process will take effect. At this point in time, we

have not heard any indication recently — at least I haven't — that this is a direction that we should be taking.

**Mr. Istchenko:** Thank you, Mr. Speaker and I do thank the minister for her answer.

Another issue related to bear hunting in the Yukon has been the issue of roadside hunting. In 2014, there was a regulation change put forward to the Fish and Wildlife Management Board process to make it unlawful to hunt bears during the spring hunting season within 30 metres of the centre line of the highway in southwest Yukon. After careful consideration, the Yukon Party government decided to continue to allow roadside hunting.

Does the minister support this decision or will she take action to reverse it?

**Hon. Ms. Frost:** Recognizing that any hunting in our Yukon — is it a right? Do we have regulations around how these things are managed? We look at the indigenous right to harvest. Those are things that we can't control. They have an obligation and the inherent right to proceed in that fashion.

With regard to the grizzly bear hunting and restrictions to roadside hunting, my opening comments really brings me to chapter 16 of our self-government agreement, where it refers to the Fish and Wildlife Management Board and the RRCs and the obligation to develop management strategies specific to any wildlife management, whether it be species at risk or whether it addresses some of the current pressures on respective wildlife, such as bears, grizzly bears, spring bear hunting, the corridor — anything to that effect. I think that we have to follow those processes.

**Question re: First Nation and temporary teachers**

**Ms. White:** When the original *Education Act* was created, there was agreement among all stakeholders that the number of First Nation teachers in Yukon schools should be proportionate to the ratio of First Nation people in Yukon. Currently, about one in four Yukoners identifies as First Nation, Métis, or Inuit. While the initial efforts boosted the ratio of First Nation teachers to about 10 percent, that number seems to have stagnated since.

Mr. Speaker, what are the Department of Education's current figures in the number of First Nation teachers in Yukon and what concrete measures will the minister take to increase the number of First Nation teachers in our schools?

**Hon. Ms. McPhee:** Thank you to the honourable member for her question.

I do not have the figures with me at this time. Fortunately, for a question that was asked of me yesterday, I do have the answer, which I will provide for her later.

Unfortunately, sometimes it seems that for the questions that the member opposite is asking, I don't have the actual figures. Again, I am happy to get them and I commit to doing so. I do not have the actual numbers in front of me. That said, the second part of the question involves: What are we doing to increase First Nation teachers in our schools?

I can assure this House that is a priority. It is a priority for the department that we're supporting programs at Yukon College to train teachers, that we are actively looking for —

there is a protocol in the department of course to hire First Nation teachers and there is a protocol for the opportunities for Yukon and other First Nation teachers to be considered for positions as openings occur. That needs to be maintained. We need to make sure that there are homegrown opportunities here in the territory for members of our First Nations and other First Nation teachers to find themselves in classrooms.

**Ms. White:** Mr. Speaker, I look forward to getting those numbers back at a later date.

Temporary teachers are an important part of our education system; however, their positions are filled with uncertainty. They do not enjoy the certainty of employment that permanent teachers do, which makes it difficult for them to set down roots in our communities. The Yukon *Education Labour Relations Act* clearly states that temporary teachers must be made permanent after being employed for two years, except in exceptional circumstances.

Mr. Speaker, can the minister tell us how many temporary teachers have been teaching for more than two years in temporary positions?

**Hon. Ms. McPhee:** I cannot tell you how many teachers, but I can tell you about temporary teachers, because it happens to be a file I have a lot of experience with. I appreciate that this question is somewhat off the original topic, which is about First Nation teachers, but I can indicate that the temporary teacher issue is one that has been dealt with in the last number of years. With respect to the previous practice where a number of people hired as temporary teachers were teaching in classrooms much longer than the two-year maximum, what the member opposite mentioned is correct with respect to what is in the legislation.

That said, there was a marked discussion and collaboration with the Yukon Teachers' Association to maintain a list of those individuals who were in those circumstances, deal with them on a case-by-case basis, and to actually have those temporary teachers made permanent outside of that process so that this practice — if I could say — on the part of the former government wouldn't continue.

**Ms. White:** It's important to note that precarious employment still happens within the Department of Education. This is a long-standing problem and it's not the first time that we've raised it in this House. In fact, the government has seen many cases of temporary teachers having to go through a long and costly arbitration process, only to be told that the government has to respect the law and provide a permanent position after two years as a temporary teacher. There is no doubt that kids in communities would benefit from permanent teachers who can actually set down roots in their communities.

Mr. Speaker, we understand what the minister has just said, but will she commit to following the government's own law and ensure that no teacher is stuck in a temporary position for over two years without being offered a permanent position?

**Hon. Ms. McPhee:** I thank the honourable member for her question. She will likely know that, in my mandate letter, the Premier has tasked me with reviewing the hiring practices

for teachers, temporary and permanent, and determining how we can move forward to do that in a way that is beneficial to all Yukoners and particularly to students in classrooms.

I'm not aware at the moment that there are the cases that the honourable member has noted. I am aware of them in the past because they were part of something that I worked on. As a result, I do take the comments seriously. If that is continuing to occur, we want to make that this not the case. If the honourable member is asking me if my intention is to follow the law, it certainly is.

#### **Question re: Affordable housing**

**Ms. Van Bibber:** During the election, the Liberal government promised to prioritize federal funding toward the creation of affordable housing. In the recent federal Liberal budget, only \$2.1 million a year was allocated to the Yukon for housing. At the time, this government said it was happy with this investment even though it was only 10 percent of what Nunavut is getting for the same thing as part of their budget.

Obviously with such a little amount per year, resources will be stretched thin. We are wondering if the minister has plans for how she will allocate these funds toward the creation of affordable housing and which communities will be prioritized?

**Hon. Ms. Frost:** I thank the member opposite for the question. We have a housing strategy, the housing action plan and Housing First models. We have a policy in place that the previous government initiated — a process with respect to ending homelessness and anti-poverty strategies. That will drive a process of how we prioritize and address some of the current pressures that we are feeling and seeing in our territories.

My mandate is really to look at housing shortages in rural Yukon and what can we do differently so that all Yukoners have equal opportunities to the resources that are being identified through the federal budget.

**Ms. Van Bibber:** With respect to the minister's plan for the funding of affordable housing, is the plan to give the money to municipalities or First Nation governments for them to develop affordable housing, or can the private sector also apply to access the funding?

**Hon. Ms. Frost:** Yesterday we went through a supplementary budget process. In that budget process and in my presentation, I identified and highlighted specific areas that Yukon Housing Corporation had identified. The previous government had initiated some processes in terms of how funding was allocated to the communities and to the First Nations. Perhaps some of those will stay in existence and perhaps some will change, but that will be done by way of advisement with the housing committee, as well with the First Nations and the various municipalities that we're working with through the municipality matching grant process and through the national housing strategy.

As background, the Canada Mortgage and Housing Corporation is leading the development of the national housing strategy. That will form some discussions for us and

some direction moving forward in terms of what we do with a regional strategy. We are trying to look at all avenues and all options that are available to us to address some of the pressures that we are feeling in rural Yukon and in Whitehorse as well.

**Ms. Van Bibber:** There is a lot of unused government land throughout the territory that may provide opportunities for private developers to create more affordable housing. Can the Minister responsible for Yukon Housing Corporation let this House know if the government is currently considering options to develop or make available any unused government land for the development of affordable housing?

**Hon. Ms. Frost:** I am going to go back to my presentation yesterday on the supplementary budget. Any unused funds that were identified in the previous budget — I think that is an indication from the previous government that there was money left on the table for social housing and poverty-reduction strategies. That is not my intention.

My intention is to work with the department and work with the municipalities. Perhaps the opposition may want to have some input in terms of what we do with existing funding that might be left over at the end of the year.

My goal is to ensure that we take every possible avenue and address some of the questions that were posed to us. Aging while in place — what does that model look like? The Member for Kluane wanted to know what we are doing for the Kluane area with respect to some of the pressures there.

We have unincorporated communities in our Yukon that do not have access and that won't have access to resources that are available. First Nation housing strategies, initiatives — those are all things that perhaps we need to have a broader discussion on and we will.

We will have those engagement strategies with the parties — the parties being the municipalities, First Nations and our community members at large, and NGO groups.

#### **Question re: Ross River Dena Council wildlife management**

**Mr. Istchenko:** On July 31, 2014, the Ross River Dena Council filed a statement of claim seeking a declaration that the Yukon government has a duty to consult and accommodate the RRDC prior to issuing hunting licences and seals for big game animals in the area around Ross River and Faro.

At the time, the Yukon Party government disagreed with the claim and put forward the position that the Yukon's cooperative and collaborative wildlife management system — including the direct engagement with First Nations to address limitations on harvesting and develop necessary regulations for wildlife harvest in response to conservation concerns or other wildlife interests — was sufficient to meet Yukon's duty to consult and accommodate. Does the minister agree with this position, or does she plan to change the Yukon government's position?

**Hon. Ms. Frost:** I thank the member opposite for the question. There is litigation in effect, and I don't really have

an opinion on that because that is not my jurisdiction or my responsibility. That would fall on the Minister of Justice.

I will respond to the question posed — not specifically to the question but the fact that we are consulting and engaging with the Ross River Dena Council on all matters affecting hunting and hunting regulations, as well as outfitters' concessions. We are planning a meeting there next week. During that time, we will have further discussions with the Ross River Dena Council and most certainly take their input and their advisement on how they would like to proceed on certain fronts.

**Mr. Istchenko:** I thank the minister for her answer again.

Last year, we know the Supreme Court found that the Yukon government had substantially consulted and accommodated with the Ross River Dena Council with respect to wildlife management in the area. Essentially, the Supreme Court had agreed with the Yukon government's position that Environment Yukon has made continuing and extensive efforts to consult RRDC about wildlife management.

Can the minister please update Yukoners on the current status of this important case? Has the RRDC filed an appeal and, if so, what will Yukon government's position be?

**Hon. Ms. McPhee:** I thank the honourable member for his question. I can't say too much about this and I know he's aware of that. The Ross River Dena Council, as he knows, commenced another lawsuit against the Yukon government regarding the hunting licences and seals issued in the Ross River area.

The case is, as the preamble noted, substantially similar to the case decided by the Supreme Court of Yukon in November 2015. In that case, the court found the government had a duty to consult with Ross River Dena Council but that duty hadn't been met.

As the matters are before the court, I don't think it's permissible for me or appropriate for the Yukon government to comment any further.

The question of the member opposite does, in my view, ask for details of the litigation that are just not available for me to discuss at the moment.

**Mr. Istchenko:** Thank you for the answer. To date, both Environment Yukon and the Yukon Fish and Game Association have been very clear and strong in their defence of our cooperative and collaborative wildlife management regime in the Yukon.

It is a system that has been responsive to the needs for continuous change in wildlife populations and respects the integral role of First Nation people and First Nation governments in wildlife management. The RRDC court case has worried a number of our partners in wildlife management, whether they are members of some of the RRCs, the Yukon Fish and Wildlife Management Board, some First Nation government wildlife managers or even Yukon hunters themselves.

It's important that they know what the position of the current government is, so I would like to give the minister another opportunity to reiterate her position and clearly

explain her thoughts about whether she will stand up for our current wildlife management system.

**Hon. Ms. Frost:** I am going to bring us back to the earlier point that the member opposite had raised with respect to grizzly bear management strategies. The department has an ongoing process of engagement and partnership with First Nations on a number of initiatives. This includes Yukon-wide engagement on the development of a grizzly bear conservation and management plan, which has involved community workshops across Yukon. A number of plans for habitat protection areas are underway that are developed by joint Yukon and First Nation steering committees. This is an indication that we are working with our communities, our First Nations and our RRCs, and we will address the questions that are posed to us.

The outcome hopefully will provide a smarter, more efficient and effective strategy for us that will align with management measures that meet the needs of Yukoners and then has direct input from the community at large — First Nations, NGO groups, RRCs, and the municipalities perhaps. Some of this hunting is happening without jurisdictions that perhaps fall within municipal boundaries or outside of municipal boundaries, but we still need to consult very broadly with Yukoners.

#### **Question re: Campground development**

**Ms. Van Bibber:** Campgrounds are very popular in our territory. Yukoners love the outdoors and spending time with family, camping, fishing and enjoying the fresh air. One issue we know that people who use our campgrounds want to see continue is early openings and late closings of the campgrounds.

Has the minister asked her department to continue with the previous government's commitment to open campgrounds early and ensure they are open later in the season?

**Hon. Ms. Frost:** Thanks for the great question.

Most definitely we want to ensure that Yukoners have quick access and easy access, and that the parks and wilderness areas and our campgrounds are open. Our drive really is to ensure that our families are out enjoying our Yukon wilderness and that there are opportunities during early parts of the season, like the upcoming long weekend, for extended stays perhaps. These are some of the challenges. Things we will address — inappropriate use of the campgrounds. We have put significant resources in our budget to allow for the development and enhancement of our campgrounds to allow for that to happen.

**Ms. Van Bibber:** Thank you, Mr. Speaker. Accessing our campgrounds is an important part of what the Government of Yukon does every summer as we get ready for this camping season. This means ensuring access roads are in good condition and the campsites well-maintained.

Can the minister also confirm that the access roads to campsites will be graded and the sites themselves will be in great condition prior to the opening of the campgrounds?

**Hon. Ms. Frost:** I will say for certain that in 2017, we are making further investments in upgrading our campgrounds

to ensure that they are safe, accessible and enjoyable for all Yukoners and visitors.

**Ms. Van Bibber:** Last year, the Department of Environment did a survey on campgrounds and Yukoners' opinions on the matter. We have already seen some results of the survey reported by CHON FM, but I don't think the full survey has been made public yet. I think this information would be helpful and informative and I hope that it is made public.

Will the minister make the results of the survey public? Also, can she provide a timeline for when it will be made public?

**Hon. Ms. Frost:** Just by way of data, I can reveal that in the last 10 years, occupancy of campgrounds doubled. Yukon Parks provided over 52,000 nights of camping and in 2016 we had 73,000 people engage with our campgrounds in the Yukon. The question about the data — we will ensure that you get the necessary data. That most definitely helps us to better align services in providing services for our campgrounds.

**Speaker:** The time for Question Period has now elapsed.

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

#### **Point of Personal Privilege**

**Speaker:** The Hon. Premier, on a point of order.

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker. Sorry to interrupt the flow here, but I rise on a point of order to correct a statement that I made in Committee of the Whole yesterday on Bill No. 200, *Second Appropriation Act, 2016-17*.

Yesterday, I said — and I quote: “Severance packages for MLAs, Cabinet staff, approximately \$624,700 — of course, nobody can forecast how many severance packages are going to happen, but this is an expense that wasn't accounted for and that has to be accounted for...”

Mr. Speaker, the correct figure is \$1.3 million and this does not include the severance costs for MLAs.

Thank you, Mr. Speaker.

**Speaker:** Thank you.

#### **Notice of opposition private members' business**

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, May 10, 2017. They are Motion No. 55, standing in the name of the Member for Porter Creek North and Motion No. 15, standing in the name of the Member for Lake Laberge.

**Ms. White:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Third Party to be called on Wednesday, May 10, 2017. They are Motion No. 52, standing in the name of the Member for Whitehorse Centre and Motion No. 38, standing in the name of the Member for Takhini-Kopper King.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Motion No. 39

**Clerk:** Motion No. 39, standing in the name of the Hon. Ms. McPhee.

**Speaker:** It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2) of the *Human Rights Act*, does appoint Maxwell Rispin and Benjamin Bruce Warnsby to the Yukon Human Rights Panel of Adjudicators for a term of three years, effective immediately; and

THAT Karen Keenan be reappointed to the Yukon Human Rights Panel of Adjudicators for a term of three years, effective immediately.

**Hon. Ms. McPhee:** Thank you, Mr. Speaker.

As of December 2016, term-end dates came up for three members and one has resigned due to the upcoming appointment of the Yukon Human Rights Panel of Adjudicators.

At that time, the panel of adjudicators had a nine-person membership, which is one more than the normal eight-person membership, leaving three vacancies. All expiring members were notified ahead of time and the positions were advertised. The all-party Standing Committee on Appointments to Major Government Boards and Committees has reviewed all applications and put forward their recommendations for the appointments to the Human Rights Panel of Adjudicators in their first report, which was tabled on April 20, 2017.

I would like to take the opportunity to thank all of those who put their names forward. There were many qualified and outstanding applicants. We depend on Yukoners who are committed and hard-working to serve on such boards and committees and we thank them for their willingness to put their names forward and to serve.

By way of a brief introduction, I would like to highlight the recommended applicants.

Mr. Rispin made a career in education while also acting as a senior Justice of the Peace in the Northwest Territories for in excess of 25 years. He has extensive board experience, including two previous terms served on the panel of adjudicators. Mr. Warnsby is a jurist doctor — also known in lay language as the recipient of a law degree — and a Tr'ondëk Hwëch'in citizen who lives and works here in Whitehorse. He currently serves on the Judicial Council and is a young and spirited worker. Ms. Keenan has served one term on the panel and shows great commitment to it. She worked as an advocate worker for the Teslin Tlingit Council, focusing on the well-being of victims, families and the community. Ms. Keenan also served as a Crown witness coordinator for the Public Prosecution Service of Canada from 2006 to 2012.

All recommended applicants have a plethora of skills and are qualified to hold a position on the panel of adjudicators. I look forward to working with each of them and to having

them on the panel. Thank you to the Standing Committee on Appointments to Major Government Boards and Committees for taking the time to make these recommendations.

**Mr. Hassard:** We as the Official Opposition would like to thank everyone for putting their names forward, whether chosen or not. We especially thank all of the members for their time and commitment to these very important positions. Of course, I would like to make a special note for Ms. Karen Keenan, as she is a constituent of mine. I am happy to see that she has been reappointed as well.

**Ms. White:** The NDP caucus thanks all applicants to the boards and committees for the Yukon Human Rights Panel of Adjudicators, and we wish the three new recipients well in their work.

*Motion No. 39 agreed to*

#### Motion No. 40

**Clerk:** Motion No. 40, standing in the name of the Hon. Ms. McPhee.

**Speaker:** It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 22(3) of the *Human Rights Act*, does remove Raymond Kokiw, Michelle Mbuto, Elaine Cairns and Darcy Tkachuk from the Yukon Human Rights Panel of Adjudicators, effective immediately.

**Hon. Ms. McPhee:** This is the second motion pertaining to the Yukon Human Rights Panel of Adjudicators that I presented and it has been moved to revoke the expired and resigned members of the panel. I sincerely thank Darcy Tkachuk, Raymond Kokiw, Elaine Cairns and Michelle Mbuto for the time and time and energy that they have committed to the Yukon Human Rights Panel of Adjudicators. Signing up for a panel of this magnitude comes with paramount responsibilities. All four members have contributed their time and their energy to the panel of adjudicators, for which we are all truly grateful.

**Mr. Hassard:** Speaking on behalf of the Official Opposition, I would just like to say thank you again to those members for their time and commitment on the panel. We certainly appreciate all of the hard work that they have done over the years. Thank you.

**Ms. White:** We too, the NDP caucus, thank the past members for their valuable contributions and we wish them well in the future.

*Motion No. 40 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Mr. Hutton):** Order. Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 201, entitled *First Appropriation Act, 2017-18*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** I will now call Committee of the Whole to order.

### Bill No. 201: *First Appropriation Act, 2017-18*

**Chair:** We will be discussing Bill No. 201, entitled *First Appropriation Act, 2017-18*.

**Hon. Mr. Silver:** I'm pleased to rise in Committee of the Whole today to present the introductory remarks for Bill No. 201, *First Appropriation Act, 2017-18*, more commonly referred to as the 2017-18 main estimates.

Our government is grateful to voters who entrusted us with the profound responsibility of governing this wonderful territory and its diverse and vibrant communities. We are determined to ensure strong, sound public finances for Yukoners, and that is what we set out to accomplish within this budget. However, we have a difficult job ahead of us.

Coming into office, we understood the Yukon had a surplus budget, yet there was no surplus. There was, in fact, a deficit. In this past fiscal year, our government needed to issue a special warrant for the last three months of the fiscal year. It provided additional budgetary authorization for up to \$29.4 million. It wasn't needed for new programs or services; it was needed to cover commitments already made by the last government not accounted for in the previous budget.

Mr. Chair, our government presents a 2017-18 budget that is clear and measured because we know sound finances are not simply a government achievement. They are a shared achievement made possible by the contributions of Yukoners impacted by these decisions. Because we respect Yukoners, our budget is open and transparent. We're giving you the whole picture as it stands right now. Because we need the ideas of Yukoners, our future budget process will include engagements. Because we believe in Yukoners, we will deliver a series of budgets that address their concerns and speak to their hopes for themselves and for our territory. Because government-to-government relationships with First Nations are Yukon's future, our budget will include collaboration with First Nation governments.

Mr. Chair, Yukon faces several challenges that demand greater strategic thinking and a better financial acuity. One challenge we face is that our long-term revenues must align

with our long-term expenditures. The money coming in and the money going out must balance. As Yukoners' public capital assets grow, it costs more to operate and maintain them. Yukon also faces challenges associated with aging infrastructure and the need to keep pace with improvements in technology. We can't just replace our infrastructure; we must modernize it as well.

An aging population also brings greater challenges. Our government is determined to present a series of budgets over the next several years that will create an environment for Yukon's people and economy to thrive. We are going to get Yukon's finances back on track. We can make choices now to steer the ship in another direction to a more sustainable financial picture. That is why our government is establishing an expert Financial Advisory Panel. The panel will be chaired by a Yukoner and will include members with backgrounds in businesses, government, and research. The Financial Advisory Panel will discuss facts, options and ideas with Yukoners. The panel will engage with Yukoners, First Nations, municipal governments and businesses so that everyone can contribute to the discussions. We are setting aside \$250,000 to cover the costs of the panel's work, including broad public engagement. This will help us put Yukon's finances on a sustainable path together through open and honest dialogue about our shared future. We know that we're all in this together.

All of this will be done while building on our priorities. These priorities are: our people and their well-being; our healthy, vibrant communities; strong government-to-government relationships; fostering reconciliation and cooperation with First Nations; and sustainable economic growth, providing good jobs for Yukoners.

This year's budget provides funding toward those priorities. This includes total expenditures of \$1.44 billion, operation and maintenance expenditures of \$1.13 billion, capital expenditures of \$309 million, an annual surplus of approximately \$6.54 million and an accumulated surplus of \$1.36 billion.

This budget reflects a clearer picture than any previous budget.

Allow me to focus the members' attention on the unconsolidated figures — the amounts to be appropriated that are supported by Bill No. 201, entitled *First Appropriation Act, 2017-18*. Members will find the non-consolidated summaries starting on page S-5 of the 2017-18 main estimates document.

Focusing on the unconsolidated side, members opposite will observe that the total expenditures identified in the 2017-18 estimates are \$1.44 billion, of which \$1.13 billion is allocated to operation and maintenance and \$309 million represents our government's investment in capital.

Mr. Chair, our government has tabled a budget that will make life better for all Yukoners. Our fiscal position for this fiscal year reflects an annual surplus of about \$6.5 million, as noted. The previous government often spoke of net financial assets as a — and I quote: "pre-eminent measure of a government's finances". These are set to plummet because the previous government did not budget for things like the full

operating costs of the Whistle Bend continuing care facility for example. We have a net financial asset position of \$93 million forecast for the beginning of year but, by the end of the year, projected net financial assets are forecasted to be \$9.5 million, a significant drop as a result of those things that have been left out by the previous government's budget.

The reality is that Yukon's current path leads to fiscal uncertainty. We can't sustain this. As I said before, the longer you go down a path in the wrong direction, the harder the trip back up will be. This is why we need to stop, look around, get our bearings, determine the course of correction and head in the right direction toward a new destination. This is where we will seek the expertise of our panel.

As I noted in my earlier comments that this 2017-18 budget reflects total expenditures of approximately \$1.4 billion, to go through the entire budget on how we are contributing to improving Yukon would be an exercise in patience for all members here, so I won't do that. Instead I will give you some highlights ahead of the department-by-department debate.

Investing in Yukon's aging infrastructure will be one of our most costly initiatives, but also one that is the backbone of daily life and future development in our territory. In 2017-18, we are investing \$35.8 million in highway restoration and rehabilitation projects across the Yukon. We will invest \$30 million in infrastructure in communities, and another \$15.3 million will go toward bridge rehabilitation projects. This includes repairs needed to the Nares River bridge, the Nisutlin bridge and the Fox Creek bridge. A total of \$6.5 million more will go toward restoration and rehabilitation of Yukon airports and airstrips.

In order to find energy solutions for the north, this government will be putting \$1.5 million toward an innovative initiative supporting renewable energy projects, \$1.6 million will go toward residential and commercial energy incentive programs and \$3.5 million will be used to extend the interim electrical rebate.

This government is also committed to making sure companies continue to invest in Yukon and in its workers. To facilitate this, we are reducing the corporate tax rate for small corporations from three percent to two percent and the general corporate tax rate from 15 percent to 12 percent. This will help the private sector create new jobs. This will also help make Yukon a more attractive place for investments in the long term.

To further help develop our local economy, we are also doubling the regional economic development fund from about \$405,000 to \$800,000 and spending \$150,000 to develop an overarching strategy to support Yukon's tourism sector.

We also want to ensure that Yukoners have the skills needed to access these new jobs. We are supporting education at any stage of life by contributing \$4 million to increase school staffing and \$422,000 to implement a new school curriculum and expanding training opportunities for Yukoners. This government will also spend \$145,000, which will go toward operational and activity funding related to the

cultural component of the Carcross/Tagish First Nation learning centre.

Mr. Chair, we are committing \$100,000 annually to host the Yukon Forum four times a year, which helps to advance relations with Yukon First Nations and build a Yukon that is modern, diverse, inclusive and strong.

We are budgeting \$150,000 to support indigenous women's organizations.

This government is providing \$325,000 to support the Yukon Aboriginal Sport Circle in delivering training to communities and to Team Yukon attending North American Indigenous Games.

We are also happy to report that we will be spending \$1.5 million for the First Nation housing program and will be supporting new housing, renovations and rent supplements as well.

This is just a sample of what is included in this budget. We are also putting money toward seeking local solutions to local problems in order to build stronger communities and support Yukoners' well-being through programs and services.

While this list is long, the budget goes far beyond what I have mentioned here and I do encourage you all to speak to the individual ministers about the spending in their respective departments once we get into the line-by-line debates.

Finally, Mr. Chair, I would like to talk a bit about revenue. In 2017-18, Yukon will see a modest increase in the non-consolidated revenues to \$1.29 billion. This increase is possible, even with changes to the small and general corporate tax rates, with decreases from three to two percent and from 15 to 12 percent respectively. Even with these changes, tax revenue overall will be up slightly once all the changes take effect. Changes to the corporate tax rate plus associated increases to the personal income tax, an increase to the tobacco tax — all of this will net about \$1.5 million more in total.

You will see that Yukon's transfers from Canada are higher, with contributions from the federal government totalling \$971 million. Recoveries from Canada are also up slightly in this year's estimates at \$142 million, while third-party recoveries are slightly lower. Adding it all up, total revenues are 2.6 percent higher than in the previous year.

In my role as the Minister of Finance, Committee of the Whole provides me with an opportunity to speak to some of the commitments, questions and concerns that arose in this House in recent days. There are a few things that I think are worth highlighting and reiterating, both for the members opposite and for the public.

First, to the issue of carbon pricing — carbon pricing, in whichever mechanism the federal government decides to implement, will be a federal price on carbon. We are working with Canada to understand the full impact of their initiative on carbon pricing to understand what the impacts on Yukoners will be and what future efforts can be undertaken to mitigate these impacts. I can assure Yukoners that, once we know the impacts, we will account for costs to our O&M budgets. We can't do that until we know what it looks like. There are many ways a price on carbon could be implemented. We are

working with Canada to figure out what they will look like for Yukon.

Our commitment to returning those costs charged by the federal government to Yukoners has not changed. In what form or in what mechanism — we are still in the early days and we are working through these details. Canada hasn't unveiled their pricing mechanism to date. I will assure the members opposite that we are at the table with Canada. We will continue to advocate for Yukoners, as we committed, but governing is about making choices and setting priorities. We must make decisions based on what we know now and what we can reasonably forecast based on the current realities and the information that we now have. Much has been said about what we are or are not doing with carbon pricing, but I think that it is more important to focus on our overall fiscal picture and not just this one aspect.

The second issue that has taken up much of our time together is the government's forecast for expenditures over revenues in the upcoming years. We have been accused of not having a plan, but that is simply not true. We have shown the real picture — the real current picture in this budget — and we have a plan to change this course. That plan centres squarely on asking Yukoners how they want us to address our future challenges. Our plan and intention with the Financial Advisory Panel is to ensure that, when the time comes to make the hard decisions we will need to make, we are doing so, based on what Yukoners have told us are their priorities. The panel will hear from Yukoners and, in turn, give us their best advice. Because we are committed to taking a non-partisan approach, this panel will be independent. Because we recognize that Yukoners want to enjoy the summer months and not be stuck in meetings, we are going to engage online in addition to face-to-face. Yes, that is not necessarily ideal, but when the chequebook doesn't balance, we can't wait for the ideal time to take action so we are using all of the variables that we can. We must act now.

As I conclude, I would like to reiterate from my speech of April 27 in this House that this is our first budget and we recognize the amount of work ahead of us in the upcoming years. Our commitment to evidence-based decisions is strong and unwavering. Change is already occurring. It's positive and it is in the best interests of all Yukoners as we move forward.

Mr. Chair, I'm looking forward to the discussion that will occur in the upcoming days as go through each of the various departmental budgets. Thank you for your time.

**Mr. Cathers:** Thank you, Mr. Chair. I am pleased to rise today in my capacity as the Official Opposition Finance critic to discuss the 2017-18 main estimates. I would like to begin by again acknowledging and thanking my constituents for the continued opportunity to serve them. I appreciate their support in this, my fourth consecutive election, and what is now 14.5 years serving as their MLA for Lake Laberge.

I also would like to thank the Leader of the Official Opposition for entrusting me with the critic responsibilities that he has assigned to me, including Finance, Justice, Protective Services, and Sustainable Resources, and to thank him and all of our caucus and our staff for their continued

support in helping me do my job here in this Legislative Assembly.

Beginning to address and respond to the comments the Premier has made, I would note that while we do dispute and we will continue to dispute the Premier's assertion that the government inherited a deficit for the 2016-17 fiscal year, we will be more focused on the future and of course on reminding the Premier that, in fact, having the unprecedented luxury of being a Premier taking over from the previous government with roughly \$100 million in cash in the bank is a far cry from what every other Premier has been faced with.

Certainly the trajectory of spending always requires careful decisions, but we do believe, as I noted in my remarks, that some of the estimates made for future years — the decision by the Premier to increase the net capital amount budgeted for out-years by some \$45 million is a decision made by this government and is not a decision that can be blamed on the previous government. Indeed, other areas in reference to the 2016-17 fiscal year — I believe I heard the Minister of Finance when he rose on a point of order today to correct a statement he made yesterday, and he indicated that some \$1.3 million of the \$8.2 million booked as a deficit for the 2016-17 fiscal year was due to staff severance. Certainly that is not something for which any government can blame their predecessors — failing to budget for the costs of staff severance if they were not successfully returned to government. That is the outcome of an election process and is the type of thing that I think if the Minister of Finance were to ask the question in the last year of a mandate: Would he budget for the prediction of all of the Cabinet staff and others having to be paid a severance package? I'm sure he would not do that either.

In addition to that \$1.3 million number, I would appreciate him noting when he rises the total amount of the deficit booked in the 2016-17 fiscal year according to *Supplementary Estimates No. 1*, which can be attributed to MLA severance for those MLAs who were not successful in being re-elected to this Assembly in the 2016 federal election.

Mr. Chair, before going on at great length, I will just note as well that the Premier, when in opposition, was quite critical of any increases to the size of the public service by the previous government, even if those overall increases in personnel numbers were due to meeting vital areas, such as health care pressures and so on. My simple question to the Premier is: Can he tell this House how many new government positions are being created this fiscal year and how many new FTEs in total are being added to government in the 2017-18 fiscal year?

**Hon. Mr. Silver:** I appreciate the brief opening from the member opposite. I like to engage in getting the questions answered and debate without a lot of background, so I do appreciate that.

When we talk about the situation and take a look moving forward as to what the pressures are, we've put it on the table what we believe we were left with — the situation that we were left with. In that, it has to be stated that from the 2016-17 last fiscal year, the previous government did table a surplus,



but in the end, by all intents and purposes, this is not a surplus. It is a deficit in the end. Spending happens. The member opposite is correct that you can't blame the previous government for the fact that there are MLAs who are no longer in this room, but there is also money calculated as far as Cabinet expenses and the severance packages that come with those. When you have a government that has been in for 14 years, there is a number that is attached to that and it's a big number. The \$1.3 million, as we talked about before, is on the Cabinet side. The number for the MLAs — we will get back to you with a number, but it's a simple calculation that anybody can do. It's laid out in the legislative rules as far as how many years' service determines how much you get. We will get back to the member opposite with that number. I don't have it right in front of me right now.

Just back to the current situation that we're in, some of the additional spending that wasn't forecast in 2016-17 — and this is just a matter of fact. Let's just start with that. These are the facts. There wasn't money set aside or budgeted in the main estimates for the collective bargaining agreement. There wasn't money set aside or accounted for, but the money was spent for increased staffing for teachers, for pension solvency payments for the college and for the hospital, for the new continuing care beds at the Thomson Centre, the hospital, the McDonald Lodge, increases to home supports, a contribution to MacBride Museum for the expansion — all of this is money that has been spent. That ship has sailed.

We can call on a Monty Python line and say, "Let's not bicker and argue about who killed who", but basically these dollars have been spent and they have been spent by the previous government. They just weren't accounted for by the previous government.

We didn't have a supplementary budget in the fall. There was an election. There could have been a supplementary budget before the fall if we used our supplementary budget properly for unforeseen costs — if we used our supplementary budget for pressures that were not identified or weren't known about by the mains in the spring. Overruns to the rural hospitals — these are millions of dollars in overcosts that happened years previously and just were never accounted for. These are the numbers. We put them on the record yesterday and we put them on the record today as well. Saying that our forecast is some kind of Liberal spending and that's why we're seeing this new fiscal pressure — I respectfully disagree with the member opposite in that as well.

For one thing alone — and that is the Whistle Bend continuing care facility — of \$36 million a year in costs that were never accounted for — improperly accounted for at best. These are pressures. They are known pressures. We have identified the known pressures. We will get back to you with the numbers for the severances.

As far as the individual MLAs, it is good to have roughly about \$100 million in the bank, but again, with all of these pressures, the money has to come from somewhere. We can take a look historically over the last three years, the last five years or the last 10 years at how that money has been spent, when it has been spent, and which pressures — I think we

need to do a better job of forecasting into the future. We need to do a better job of forecasting how much we can build in a particular year. I think that what we're doing with the new Financial Advisory Panel and with the changes in the Finance department, we're going to have a better understanding of forecast pressures. I think what we'll be able to do every year is provide a budget that does a better job of showcasing to Yukoners what the pressures are, line by line — what the pressures are, dollar for dollar. I think that was missing before.

There was a question about growth of government. At the end of the fiscal year of 2016, we had 4,623.1 full-time equivalencies — that's in the fourth quarter of 2016, versus the fourth quarter of 2015, which would be 4,456.9 FTEs, to answer the member opposite's question.

**Mr. Cathers:** Actually, that wasn't the question I had asked the Premier. I will again restate it. I was not asking about the growth in the total FTE count of 2016 compared to 2015. I am familiar with those numbers.

A reminder to the Premier that his comments as the former MLA for Klondike and Third Party leader are coming back to haunt him. When he was in opposition, the Premier was very critical of any increase made by the previous government to the size of the public service, no matter what the cause of those increases was.

That included when increases were made in vital areas such as health care staff. The Premier and then-Leader of the Third Party was the first to rise and to criticize government for growing the public service. My question for the Premier was: How many new government positions are being created in the 2018-19 fiscal year and how many new FTEs are being added to government?

I will add another question: What would the Premier say to Yukoners and to his former self while in opposition about why his solution to reducing future O&M costs is to begin this mandate by adding dozens of new permanent staff positions, including a dozen new positions in his Department of Finance alone? Again, the question is: How many new government positions is the Liberal government creating this fiscal year, and how many new FTEs are being added in the 2018-19 fiscal year to the size of government?

**Hon. Mr. Silver:** The question was asked that I asked in opposition — doing my job asking those questions. When we were in situations with a decreasing GDP, I was asking questions about the previous government as far as why the government is growing — and, to be very frank, I didn't get answers from the previous government when I asked those questions. What I got instead from the member opposite's party was, "Who would you cut?" Again, in opposition — that is an unfair thing to ask the opposition because, if you are in the opposition, you don't have access to the knowledge of the departments that the members opposite do. I will commit, in the Department of Finance, to talk to you exactly about the increases and why we are doing it, which is what the previous government wouldn't do. We asked these questions because we wanted to know. We wanted Yukon to know. You are growing the government, so how are you doing it — in what

departments? What are these jobs for? If that is me being critical, I will take the compliment because that is exactly what we are trying to get.

As it relates to the Department of Finance itself, we do have a financial strategic investment. The role and the mandate of a corporate department of the Ministry of Finance in all other provinces and territories is to provide the government with strategic and evidence-based recommendations and advice. Our government made a commitment to evidence-based decision-making and we intend to keep that. The Yukon Department of Finance currently doesn't have the capacity and the systems to effectively meet the needs of the government and to deliver on this mandate. With a conversation with my deputy minister and other officials from the department, we came up with some strategic investments that we are making in the Department of Finance. I'm not sure how the member opposite's team did this, but we meet as a caucus and we discuss these issues. We forensically analyze the data that is coming toward us. We make a determination about these positions and I encourage the members opposite to, as we go into each department, ask each department what increases are there — I am sure they will — and have a conversation as to why you feel we need to justify these particular appointments.

The strategic investment that we are making in the Department of Finance now is in an effort to save money in the long run and to ensure that the Government of Yukon is financially stable now and also into the next generation. One of the areas of interest is a new program evaluation branch. I would like to talk about that for a bit here. Program evaluation is, in the opinion of this government, a cornerstone of sound public management. It allows for government to make decisions about policy and about program and to make program choices that are based on evidence. We're very proud to make this investment for Yukoners for the Yukon's future.

That's part of the business reorganization that we're talking about here specifically within the Department of Finance. We have done other changes as well that I would love to highlight as far as bringing on the Bureau of Statistics and economic research units that are now in the Department of Finance. This is an acquisition that was based on the knowledge that's needed to create a consistent population in economic forecasting. These aren't new jobs. This is a transfer from one department to another, and it's a big process and I'm very proud of having the department of statistics in the Department of Finance.

I'll switch over to more of the strategic investment if the member opposite has more questions on it, but to answer his question as far as the increase, the total increase in FTEs is 201.75 and that's mostly for teachers.

**Mr. Cathers:** I'm not sure if the minister misstated that or if he's actually telling me that there is an increase of 201.75 FTEs in this fiscal year. I will give him an opportunity to correct that if I misunderstood what he was saying, but if he's actually adding 201.75 new FTEs this fiscal year after being so harshly critical of the previous government any time there were additions to FTEs, I think there are a lot of Yukoners

who would feel that he has a bit of explaining to do about why there has been such a dramatic change of heart on his view toward increasing the size of government. I will give the Premier an opportunity to restate his answer to that question if I misunderstood, but I believe he said that he's adding 201.75 FTE positions this fiscal year, which includes increasing the Department of Finance, ballooning it with the addition of a dozen new positions this fiscal year alone.

**Hon. Mr. Silver:** No, I believe this microphone is working very well and I believe the member opposite heard me. The number is 201.75, but I need to explain. I do need to explain to Yukoners that 88 of those were from a decision from the member opposite's own party, the Yukon Party, where they hired teachers and education assistants outside of the accounting process, so 88 of those hires were already hired. There were people already in classrooms; there were educational assistants already working in the Department of Education. Those decisions to hire those teachers came from the Yukon Party.

When we took a look at the fiscal situation that we've inherited, we went to all the departments and we said that they need to do more with less. They were instructed to do that. I have to say that the process of watching the departments work day and night to do their overviews of their departments and to try to find money within to make sure that programs and services didn't suffer — I really have to give a shout-out to all the departments and to how diligently they worked to make sure that the departments themselves didn't take on any new costs to be able to accomplish the goals of our new mandate and to keep things running here, making sure we didn't lose programs and services.

That's harder to do when you have 88 hires from the previous government. Really, when you inherit the new government, they come out of the blue. I guess I would ask the same question to the member opposite: When was his government intending to explain it to Yukoners? It didn't come out during the election campaign; that's for sure.

There were a lot of conversations about bridges to Riverdale — I remember that one — and different other commitments that were definitely showcased and highlighted. We had a question today in the Legislative Assembly from the NDP about how the hiring process takes hold. The Minister of Education responded correctly, in my opinion, by saying she has a mandate to take a look at how we do hires, but I tell you, when you come in and you think you know the complete picture — the reality of what has been spent on what — and then all of a sudden you're hit with 88 new hires that were done outside of the Cabinet and Management Board process from the previous government, that does hurt. It does take a toll on the decision-making process; that's for sure.

**Mr. Cathers:** I would certainly question that statement by the Premier about previous hires. I know, in fact that, contrary to the member's assertions, all hiring, including temporary, was done in full accordance with the law and with Management Board directives. What I would ask the Premier is: In his 201.75 new FTEs that he is adding to government, including ballooning the Department of Finance by adding a

dozen new positions and increasing the department budget from \$8.6 million last fiscal year to almost 50-percent more — \$12.2 million this fiscal year — how many of the Premier's new positions growing the size of government are in Yukon communities?

**Hon. Mr. Silver:** Again, it's interesting that we see a narrative with the Yukon Party. They make some decisions and now they're pointing the finger at the Liberals saying they were our decisions and criticizing us for those. If we again take a look at the fourth quarter of 2016 and the fourth quarter of 2015 as far as the sum totals of departments, the fourth quarter FTEs for 2015 are 4,456.9. The fourth quarter for 2016 sum of department counts is 4,623.1, which is 167.8.

Lots of decisions were already made by the previous government. Again, I answered the question. We did our due diligence to make sure that we weren't trying to put a lot of new positions into government. We want to do as much as we can with what we have now because of the fiscal situation that we found ourselves in. I think we did a very good job of that. I really do.

I'll let you in on a little bit of anecdotal information. We had a hard conversation about the Department of Finance and extra hires. The member opposite is right that I do want to look at the new hires and make sure that we're using Yukon taxpayers' money properly.

The way the conversation went — it was unanimous consent from this side of the House — is that you need to spend some money up-front now to make sure the fiscal scrutiny is there for all decisions — not just for this current government, but for future governments to come. I'm convinced that the process that we have set up in Finance is going to help that. We have set up a lot of constraints so that we're going to limit things called "walk-ins" as much as we possibly can. Things aren't just going to come to Management Board or just to Cabinet. We need a process. We have set up two more processes for that where we have committees to make sure that conversations and due diligence is done on the financial piece.

When we put all of this pressure on the Department of Finance, the Department of Finance needs to start working like a Department of Finance as opposed to more like a budgetary consideration office. I believe that, if you take a look at how we've restructured the Department of Finance, this makes sense for a modern government. It wasn't that way for the last five years. We need to put this investment in. We put up money now. We were very critical about how we're going to move forward — what hires are going to be had, and I think we did a good job of spending the money that we need to do now to make sure that the fiscal balance and the fiscal scrutiny is there for decisions for tomorrow.

**Mr. Cathers:** Again, the Premier didn't answer the question. The question I asked about how many new hires of his — the 201.75 FTE positions he is adding to government — how many of those are located in communities? Again, the former Member for Klondike, the ghost of the then-Leader of the Third Party is standing here in this House and the words that the member stated and told Yukoners prior to being

elected will in fact perhaps be his harshest critic as Finance minister.

Again, the Premier in opposition was very critical of increases to the FTE count. He just stood in this House and he referred to his characterization of his questions of the previous government, talking about when FTEs were added — how are you doing it and what departments and why? Those are the same questions we're asking. Of these 201.75 FTEs that are being added, Yukoners deserve a full breakdown on this and they also deserve an explanation by the leader and perhaps some clarification about whether he feels his previous words and his statements when in opposition were a little rash, and perhaps he made commitments in the election without fully understanding the budget. I know that the member had a lot on his shoulders as the then party of one in trying to understand the budget, but the fact is that the numbers were presented in this House and debated in this House on multiple occasions.

I would actually ask the minister for clarification on a point he made. He was referring to his past remarks in this Legislative Assembly and suggesting that he was primarily critical of increases to government staff in years when the gross domestic product was declining. Now we have heard — we know that the Premier also made contrary statements to that remark on April 4 in front of the federal finance committee where he said — and I quote: "I want to draw the committee's attention to the fact that GDP may not actually be a perfect measure of growth for the territories." Perhaps the Premier would like to expand on those comments again while he is standing up and explaining, in his role as both Finance minister and as Premier, to what departments are these new FTEs being added and why? Also, are any of them in Yukon communities or are they all just Whitehorse based?

**Hon. Mr. Silver:** Thank you to the honourable member opposite for the question. I can tell him that in the Department of Finance, the 10.6 new staff are all in Whitehorse. That is where the department exists and that is where they are. I could ask the member opposite about the 88 teachers who they hired — if he knows the breakdown of where they are — but we can get that back. All of these numbers we do have, but I would suggest that in Committee of the Whole for each department that this is a conversation for each of those ministers. We do have the totals here and we can give them to the member opposite — not a problem. With the Yukon Legislative Assembly increase — zero.

We are looking at a few increases that are big. Education is the biggest one. That is 135.71 — the increased number — that's the total of this year plus the 88 that was added during the Yukon Party's last year as well. That is the biggest number for sure. The total is 200 and if you take 88 from that — or 135 from that — it leaves the second largest being Health and Social Services. Again, I would ask the member opposite or the Yukon Party that, if they want a breakdown as to who they are, where they are and what community they live in and what their shoe size is — well, I would ask them to ask the minister responsible for that. As far as the Department of Finance, we definitely have the numbers here. They all live in Whitehorse and it is 10.6. Thank you for the question.

**Mr. Cathers:** Of course we don't want to know the shoe size of any of the employees. I know that might change over time — I am not suggesting they are getting fat feet, but there might be different employees in place.

What I think the Minister of Finance — I have the sense that he is getting annoyed at the line of questioning. What I want to point out to him is that in fact the growth of FTEs in government is not just something that he was critical of in opposition. In past eras when governments were truly short of cash, there was at one point a hiring directive in place that prevented any new FTEs being hired without Management Board approval. That approval — although the directive is no longer in place, there is still reporting to Cabinet and, for the funding of those positions, unless this government has changed it since we handed over the reins of office to them — during our time in government, there was always a requirement for ministers and departments to report on the increase of any new full-time equivalent positions and also to seek funding approval of Management Board.

In some cases, depending on the nature of the program, there would be a requirement as well to receive Cabinet approval. This is not just a detailed question for the department. I would argue that, just as past finance ministers and premiers have accepted personal responsibility for overseeing and being aware of any growth to the size of the public service, the Member for Klondike, the Premier, should — particularly in light of his past statements on the topic — be able to tell us the breakdown of any new FTEs. Considering the fact that he was so harshly critical of the previous government for any increase in the FTE count, he should explain that to Yukoners — not just to this House, but to all Yukoners through this Legislative Assembly

One thing that we've seen since taking office is that, despite some fairly grandiose claims prior to being elected by the Premier about being more transparent and more accountable, the Premier has had a habit actually recently of not answering questions in this House and ministers not answering questions and then going to the media afterwards — after they have had officials or political staff help them with knowing what to say. That not only is a departure from past accountability standards, but is the type of behaviour that the Premier, when in opposition, would have been the first to criticize.

We would encourage him in fact to ensure that not only he, but also his Cabinet, take a fulsome effort to become briefed before appearing in the Assembly and, if unable to answer the question, to commit to actually getting back to the Legislative Assembly with an answer instead of stepping outside and providing an answer that Members of this Legislative Assembly — even though we represent different parties, we all represent Yukoners and Yukoners in each of our respective ridings voted for us. In some cases, they voted for people because of the party they're running for and in some cases because of the person, but ultimately they chose their representatives in this Assembly. I would suggest to the Premier to ensure that he and his Cabinet actually answer questions here, and if unable to do so, return to the House with

the answer instead of stepping outside and talking to reporters. This would be the proper respectful approach in the context of this House and the Westminster system.

Mr. Chair, the Premier has made claims that there were 88 teachers and educational assistants hired outside the normal process. That's certainly not in line with what we understand. In the past, all hires under our watch, to the best of my belief, were done in full accordance with the law. The Premier is welcome to release the Management Board documents if he wishes to demonstrate that to this House, because of course we don't have access to that information any more. Those records were sealed and taken by the ECO to be put in archives upon us leaving office.

Again, I would appreciate a breakdown of which communities and which departments FTEs are occurring in. Certainly we're not asking for information that would contravene the *Access to Information and Protection of Privacy Act* or asking for these people to be named individually, but in fact when new positions are being created, any of the new positions that are truly new hires being created in the 2018-19 budget out of the 201.75 new full-time positions being created, with the exception of the handful that are in place, most of those would be positions that are as yet unfilled, so there should be no privacy issues at hand in disclosing in which departments, in which communities and for what purposes those new positions are being hired.

**Hon. Mr. Silver:** That's a lot to unravel here. We'll start with in the media as opposed to outside. The member opposite talked about the Westminster system. Maybe as they get used to their new role in opposition, they should realize that when they offer their own answers to questions in the Legislative Assembly, they come dangerously close to impeding certain Standing Orders in the House.

What we said in the Legislative Assembly was exactly the same thing that we've said with the media, which is, "We're not considering any layoffs at the time." The Yukon Party tried to set some kind of a — I don't even know. They are trying to be clever in the Legislative Assembly, trying to ask us some questions. I don't know what their intent was, but we were very straightforward in saying, "Nobody was considering any layoffs." I believe that was my exact quote and you can check Hansard. I went upstairs and said to them the exact same thing: "We're not considering any layoffs."

Anyway, I'll get back to answering the questions based upon the legislative process of doing Committee of the Whole on the budget.

As far as the GDP goes — I do believe that the GDP isn't necessarily the be-all and end-all and the best indicator, but it is an indicator that the previous government kept at. Our point, when we were bringing up these questions, is that you'll take credit when things are going good according to the GDP, but you're not going to take the blame when things aren't going so well. GDP was the number and the way that we answered questions — the way that the questions were asked in the 33<sup>rd</sup> Legislative Assembly — those were the rules of engagement. We were asking the questions based upon the previous government saying that everything was rosy and

everything was fine. We would find ways to say, "Okay, well, explain this and explain that."

Yes, I stand by my comments as the Minister of Finance. There is a bigger picture. There are unemployment records, there are population records, and, of course, the Yukon Party was very good at presenting those when we criticized the GDP numbers. They would make reference to those things.

That's your job in opposition and kudos to you for continuing down that path.

As far as me not giving the numbers — I would prefer it if the Yukon Party could ask the ministers themselves, but if he wants me to, I'll give the numbers. That's fine.

When you compare mains to mains, there is: no change in the Yukon Legislative Assembly Office; in the Elections Office, there is 0.5 of an FTE less this year; in the Office of the Ombudsman, no change; in the Child and Youth Advocate Office, no change; in the Executive Council Office, there are 8.2 fewer employees there and, of course, that's for changes from department to department — you'll see those numbers appear in the Finance department; then you have Community Services, 4.75 more, mains to mains; in Economic Development, three less; in Education, 135.71 more, and that includes the Yukon Party — as far as I know, because we don't have this information, those 88 hires from the Yukon Party government were not done through a Management Board submission. The member opposite can criticize us for process, but as far as I can understand, there was no Management Board submission for those 88 new hires. Anyway, 135.71 is the new — from mains to mains — increase, which includes the 88 new hires that were done outside the mains and outside the accounting process from the Yukon Party government.

We have: Energy, Mines and Resources, no change; Environment, 2.33 more; Finance is 23.43 more — and again, we talked about the 10 more that are actually new hires, but the other hires are not new hires. Those are from Executive Council Office coming over and from the Bureau of Statistics coming over. I'm hearing the Official Opposition going crazy about these numbers, but again, if we compare mains to mains for the last five years — that would be a whole other story.

Anyway, from the last mains to this mains, we were at 23 for Finance and then we have French Language Service Directorate, 8.5 more. We have Health and Social Services with an increase of 69.74. We have a decrease in Highways and Public Works of 35.51. We have an increase in Justice of three. We have a decrease in Public Service Commission of one. Tourism and Culture — an increase of 1.5; Women's Directorate — an increase of one; Yukon Development Corporation — no change; Yukon Housing Corporation — hey, look, I'm answering questions about the corporations. That's a novel exercise here in the Legislative Assembly. We have Yukon Housing Corporation at eight less; Liquor Corporation at eight more; and loan capital and loan amortization — no difference there. That's the total of the 201 added from mains to mains. As far as any other particular information that the member opposite would like as far as where they live, what their jobs and roles are — absolutely —

if you ask all the ministers responsible, they will give you that information as well.

**Mr. Cathers:** I appreciate the answers that the Minister of Finance did provide there. I would still ask for a breakdown for the community.

Part of the reason I'm asking is that I know that the member has criticized it, along with other members — including the Third Party — in the past when the increase of government has been primarily in Whitehorse. I think that's the type of thing that, especially considering the past statements in the House — I would encourage the minister in future to briefed on and be prepared to respond to questions of that type. It's not just the standards we're imposing or attempting through our questions; it's really holding the member to account for his own past statements in the Legislative Assembly in criticism of the government. We're just trying to ask questions that the Member for Klondike would have asked himself when he still had the ability to do so while in opposition.

I'm not going to spend a lot of time in debate debating who engages with whom and how in this Legislative Assembly, but I would point out to the Minister of Finance or the Premier that when he was being critical of the rhetorical style in Question Period of members on this side that there are two things. One is that I would point out that in reply, he attempted to ask questions himself. In the past, when he was in the Legislative Assembly as the Leader of the Third Party, the then-Leader of the Third Party and now-Premier of the Yukon was in fact at times — well, let me simply say this rather than risking crossing the line with unparliamentary language. I would encourage the member to take a walk back through Hansard and look at some of the questions that he asked in this Legislative Assembly. I think he will find that none of the questions we've asked to date nor the questions we will ask in future are actually any more aggressive or leading than some of his were in opposition. Just as he said in the past, the view is a little different from this side of the House — I believe those were his words. It's easier to criticize than to be on the receiving end. It's easier to ask questions than it is sometimes to hear those same questions asked of yourself.

We are just trying to get the types of answers that Yukoners want to hear when government is increasing the size of government. As I offered to the minister — with his assertion that the Yukon Party had 88 teacher and education assistant positions that weren't properly accounted for — we would be happy to have him release the current Management Board information about that since we don't have access to that information, and we don't believe the assertion was correct.

When it comes to the question of the Financial Advisory Panel, although the minister may have, and has, characterized opposition questions about whether layoffs are being contemplated as being unreasonable. I would point out to the Minister of Finance that we understand he has now given a fairly definitive answer to that. Based on his statements on May 2, on page 183, when he said that they are going to look

at all options, the government knew what the options were. It was the type of question that we hear from Yukoners who wonder if government is asserting that the trajectory is unsustainable and asserting that change is necessary. Some of the questions that come to the minds of Yukoners — especially those who are government employees — is whether their job is at risk, whether their taxes might go up and whether services and programs that are important to them are potentially on the chopping block.

The minister may see that as being unfair framing on the part of the opposition, but in fact we are simply reflecting the genuine concerns of Yukon citizens. The Premier, as the leader of a government that ran on a platform promising Yukoners that they would be heard, needs to recognize that sometimes when people feel that they are not being heard by government or haven't been given an explanation about what government is doing or why, the way that they are heard is by contacting their MLAs, which include those of us in the opposition. We also hear from Yukoners from the ridings of members of the government who are not hearing answers to questions that they have posed. That is part of our job here as Official Opposition — to bring forward those concerns and questions and to find out so that we can get back to those people about whether or not government is contemplating certain options that spring to the minds of Yukoners that they are concerned about.

Without belabouring the point too much, I would note again that we haven't seen a community breakdown of the FTE increase. In the absence of an explanation about where those positions are going and in which communities, we are left wondering if they are all in Whitehorse. That is the type of thing that Yukoners in rural Yukon are quick to ask — whether as a result of the proposed increases, they will see any increase in people living in their communities or any change in services and so on, or if it's simply growth of government in Whitehorse again. That is exactly why we ask those questions.

I am going to move on to a couple of other areas that are of concern to the Official Opposition. We do care very deeply about the finances and the decisions being made by government and are concerned by the indications we are hearing.

We are also concerned about other areas. As members know, and as my colleague, the Member for Watson Lake, asked the Minister of Health and Social Services in Question Period earlier today, we know that lab results from British Columbia have confirmed that five Yukoners have died of a fentanyl overdose in just over a year. Part of the reason for the lag time in information is, as we are given to understand from information that the chief medical officer of health told the media — that the average wait time is four to six months for that information.

The question that I have, as the Finance critic for the Official Opposition, is: Will the Premier task the Minister of Health and Social Services, the Minister of Community Services, the Minister of Education, the Minister of Justice and their respective officials to review and take a look at the

services and the support structure in place for responding to the rise in fentanyl use? That includes the approach suggested by my colleague. I believe it was the Member for Porter Creek North who tabled a motion encouraging government to do more in the school system.

It also involves looking at the support structure and ensuring that doctors, nurses and other health professionals have the information and the supports they need. It includes ensuring that rural EMS volunteers and full-time paramedics are trained and equipped to respond to fentanyl overdoses as well as, of course, staff in nursing stations. It includes ensuring there is effective post-incident support and counselling for EMS staff and volunteers in Whitehorse and rural Yukon.

It includes ensuring there is effective post-incident support and counselling for social workers in Whitehorse and rural Yukon and ensuring there is effective post-incident support and counselling for staff of the coroner's office and coroners in rural communities. It includes as well ensuring that there is effective post-incident support and counselling for other first responders, including firefighters both in Whitehorse and rural Yukon, and ensuring there is effective post-incident support and counselling for RCMP members, victim assistance volunteers and auxiliary constables across the territory, as well as effective post-incident support and counselling for search and rescue volunteers in Whitehorse and in rural Yukon.

As well, I believe that government should assess whether the coroner's office needs a second full-time coroner position to deal with not only the issues around fentanyl, but the recent increase in the number of deaths being dealt with from a number of causes across the communities and assessing whether additional RCMP members are required to deal with fentanyl and other issues, both in Whitehorse and across the territory, and assessing whether additional Victim Services staff are required. I would note — and I hope that the Premier is not going to simply point fingers and say that this should have been dealt with earlier — that the rise of fentanyl is something that every government across the country, particularly in western Canada, has had to respond to. The spike has been hard to predict. It has been of great cause for concern. The Yukon's chief medical officer of health recently — I believe it was this week — made his concerns known about the topic. I believe, although I don't have his quote right in front of me, he made some comment along the lines that he was concerned that people would not treat this seriously enough. In light of that, we have urged the government to take a look at this.

My question — again to recap from the long list of people I cited who may need additional support, in areas where there may need to be additional services — I would again ask the Premier if he is prepared and willing to commit to this House that he will task the Minister of Health and Social Services, the Minister of Community Services, the Minister of Justice, the Minister of Education and their respected officials to review the existing services and the existing support structure for responding to the rise of fentanyl use in particular, but also

for the use of other drugs and other problems that exist within Yukon communities.

**Hon. Mr. Silver:** I do appreciate the question from the honourable member across the way. I think my ministers did a fantastic job today of actually answering the questions already. I would again urge the Yukon Party that if they want more knowledge about what the specific departments are doing when it comes to fentanyl, addiction services and mental health, they will get much more information from the departments. To say that I am going to task them now — well, they are already working on this. I agree with the chief medical officer that this is not something to take lightly — up to five deaths. Those are just the ones that we know of. There is a delay because of records and all that. The ministers responsible can talk to you about the delay and the reasons for the delay, but that is the minimum. There could be more. In a small jurisdiction like this, that is huge. It is something that a government cannot ignore and we are not ignoring it currently. To ask us to start looking into it is a moot point. We already are.

Again, when it comes to mental health, the commitment we've made to putting 10 new mental health workers in the rural communities — that alone answers a lot of questions that the member opposite has talked about as to if all the hires are in Whitehorse. Well, no, they're not.

I stood up in the Legislative Assembly for years talking about two mental health workers for all of rural Yukon. There were two mental health workers for all of rural Yukon? Anyway, the whole point is we do need to do a better job of reaching into the communities. We are doing our best with the limited finances we have. I think that's a great initiative from the Department of Health and Social Services.

I do agree with the member opposite that we do need to take a whole-of-government approach when we take a look at the hiring process — and there's more to come on that. We have four more budgets. We can't wait to draw down on "all communities matter". That's one of our campaign commitments.

We're looking into some really interesting initiatives, like secondments and giving opportunities for public servants to go out into the communities — not have to move there permanently, but actually go out and take a look into the communities. I know the Member for Watson Lake is scoffing at that, but I think that's a good idea. She can stand on her feet and she can tell us why she doesn't think that's a good idea, but I think it's a great idea. There are a lot of public servants who have never made it to Ross River. There are a lot of public servants who have never made it to Watson Lake or Dawson, and to give them an opportunity to go on a secondment — I think that's a great opportunity to start looking at the ability to communicate with the leaders and the other governments that are in those communities. We're working on that.

The problem is, the previous government left us with a little bit of issues when it comes to housing. A Yukon-wide look at how we do housing is not working for all of the different communities, so we need to deal with that. We need

to make sure that there are availabilities in the private sector for growing and expanding, housing options, and freeing up some of our Yukon Housing solutions for this type of initiative. I agree that we do have to do a better job as a government to make sure that we do hires in the rural communities. I'm from Dawson. That's my riding, so I would agree that we want to see all communities matter.

It's interesting. We've had this conversation internally with all of the MLAs on this side of the House — when we say "all communities matter", Whitehorse is a community too. Every community is so important. Every community has its own values and its own worth and we need to make sure that the hiring processes that we use as a government reflect the vibrant communities that we have, the initiatives that we're seeing with the private sector, with the municipalities, with the First Nation governments and all of these different communities and, working hand in hand, better those relationships so that we can actually do more to the member opposite's points as far as hiring outside of Whitehorse and into other communities as well.

We're looking forward to doing more on that. I think we've done a good job this time around and I'm looking forward to my ministers having that debate and that conversation with the members opposite as far as our initiatives moving forward compared to previous governments. We talked about this in the Legislative Assembly a little bit today. Tens of millions of dollars in social housing money from the previous government was left in the bank account when that money could have gone toward housing solutions in the rural communities.

We're moving forward and we want to do more in that capacity. I'm very proud of the Minister responsible for Yukon Housing Corporation, looking at the situation that she's inherited. Again, she is making commitments not to just the community that she comes from, but to this whole-of-government approach — to all communities and not just all communities on this side of the House. It's our commitment to "all communities matter" and it's an important commitment that we will stand by on this side of the government.

I do have a number for the member opposite as far as severances for the MLAs — this just in — \$627,588 in severances for MLAs in the last election. We all know how that works as far as the severance package. If the government is late in calling an election so that it's five years and a day, all of a sudden there is this huge increase — this massive increase in the severance packages — and it has got to stop. I made that commitment already on the campaign trail. We're going to look into that. So that would be legislation that of course we don't need up-front right now, but we will look into that to make sure there is a better way of offering severance packages to MLAs. If you're going to work five years and then you work five years plus a day and you double your severance in one day, that's just — anyway that is not something that we want to support moving forward, so we will change that.

The member opposite mentioned that they are just mentoring on the MLA for Klondike as far as their approach

to asking questions in opposition. I've got to say, what a great mentor to go with. My personal opinion is that it's a fantastic one. I believe that the other members who were there as well — Jan Stick, Lois Moorcroft, Kevin Barr and also the two members of the NDP who are in the House now — also did a fantastic job of holding the government's feet to the fire.

I'm really appreciative of the NDP's approach now. It's about moving forward and it's about looking at the actual issues. The way that I would describe the NDP's approach right now is taking a look at the Venn diagram where Liberal commitments and NDP priorities cross, but aren't necessarily aligned. I think that is a fantastic way of holding this government's feet to the fire and pushing us and pushing the envelope of the people who voted in these two honourable members. I think that is a great approach and it's a challenging approach. That, to me, is a more stressful approach, because we owe it to the quality of questions and the quality of research that is being put into those questions to have significant answers, so I really appreciate that approach from the NDP. To answer the member opposite's question about whether or not I think it's more stressful on this side or that side — I think it's stressful on both sides if you're doing your job. I think it's a different type of pressure.

It's very interesting to be over here and to have access to so many wonderful people who are in the departments — the public servants who provide the information. In opposition, you don't have that. We're trying our best to change a lot of how we work with opposition in consideration of how we move forward together and the ideas that are shared. I campaigned on the notion that there is no limit on which party is going to have the best ideas. There are good ideas to the left and there are good ideas to the right. I think we'll do a good job in this government if we give credit where credit is due and not be caught up on whose good idea it is. I think that, in opposition, one of the things that we're trying to do that I didn't get from the last government is to say, "You are right." To actually say, "You are right. That is an issue; we need to work on that." I don't remember a time when that actually happened in the last five years and that's what we're committed to.

So again, I would urge the Yukon Party in their new pursuit here in opposition to take us up on that challenge, to work with us as far as where the ideologies between the two parties don't necessarily match up and work with us in finding solutions. We'll do what the previous government didn't offer, which is to, again, give credit where credit is due.

Again, there are going to be a lot of debates as far as the numbers. I urge the member opposite to talk to ministers responsible for each of the departments that I outlined. He now has the information as far as the numbers and increases from mains to mains as far as full-time equivalencies.

Yes — challenge my ministers as to where those jobs are and continue on that line of questioning. We did commit that all communities matter and we do have a plan to try to do our best to make sure that we hire in a way, from the territorial government's perspective, that helps the communities to thrive. It's not only to survive, but to thrive as well.

I think that was all from the questions asked by the member opposite.

Back to education — he started with the education piece. We need to respect the confidence of the Members' Services Board, as the member opposite clearly already knows. It's an interesting line of questioning, so kudos to him on that line of questioning. But here's the thing: when you win the election and then you come in, and the teachers and assistants are already hired — 88 new hires are already there — how on Earth would that be our Management Board process? You would have to go back in time. You would have to challenge the laws of the quantum reality that we're in right now. That's not debatable, really. The teachers were already hired. It's our understanding that the Yukon Party's previous Minister of Education did so outside of the Management Board process. It's my understanding that happened. If the members opposite didn't shred those particular — if they want to show us the Management Board submissions, then that's where that information would be. We don't have that information. When we took a look at the education system, we took a look at how many hires were made last fiscal year, in the last mains — those 88 teachers came from the Yukon Party. It's indisputable because, as I said, they were already in the teachers' classrooms — the assistants were already there. So 88 teachers of the 130-some-odd teachers I quoted — of new hires main to main — come from the Yukon Party.

**Chair:** Would members like to take a brief recess?

**All Hon. Member:** Agreed.

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

#### *Recess*

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

**Mr. Cathers:** I would just like to continue debate with the Premier on the budget.

Before moving on to other areas, I do have to point a couple of areas where I have to take issue with the Premier's remarks or understanding of things. First of all, in the area of responding to the fentanyl crisis, I would note that, when you compare the number of deaths in the Yukon to our population, it actually puts us in the situation where, similar to British Columbia, those numbers are extremely concerning as a percentage of the population, not to mention the fact that, needless to say, every death is a tragedy for that person and their loved ones.

As my colleagues earlier urged the Minister of Health and Social Services, through a motion and during debate urging more action to be taken by government in responding to this and recognizing that this is a new and emerging problem that needs a proportionate response — again I would urge the Premier to direct ministers and officials to work together and consider formally reporting to the public on what steps they are taking in that regard. This is something that does require a serious and thoughtful response. One thing I can assure the Premier is that you are not going to see us in the Official



Opposition getting into a lot of ambulance-chasing or talk about specific situations that are very sensitive to those families, but, looking at that individual number, we are concerned by that rise and do think that, in addition to the Premier's basic acknowledgement back in December that there were additional health care dollars that they maybe could have gotten but left on the table through not negotiating strongly enough — with the fact that both BC and Alberta have been given specific funds to deal with fentanyl, we believe this government should go to Ottawa and send the message to the federal government that we are facing a similar situation. We are immediately adjacent to both provinces. We unfortunately see people coming up from those areas not just for tourism and employment purposes, but also we see drug traffic coming in via, in most cases, the Alaska Highway — although it's hard to precisely determine the source of illicit substances. The government and RCMP are unable to track these until they have caught someone in the act, and it's difficult to know where that is coming from.

We would just urge government to recognize that, in addition to some of the tragedies that have occurred specifically in certain communities, including within Whitehorse and certain small communities in rural Yukon, there are a number of communities that are facing a lot of pressure. Particularly in rural Yukon, we're concerned about the amount of weight that is being placed on the shoulders of a handful of people, including first responders.

One thing that happened during our time in government — I had been made aware of the fact that rural EMS volunteers were not able to access some of the counselling and mental health supports that they would have been able to had they been employees. We took action at that time, and I believe that is still working effectively, but I would encourage government to look at that and to look at what is available for volunteer firefighters, as well as for others across the system from the list I mentioned.

For the handful of people especially in rural communities, there is often a fairly small nucleus of volunteers who shoulder a lot of the weight of that emergency response. For example, in the riding of the Member for Mayo-Tatchun, without naming anyone's name — even when I'm commending them on this topic — I know that in terms of EMS response that one of the volunteers there really goes far above and beyond the call of duty in being available for EMS service and is really, based on the last numbers I had, the heart of that community's EMS response. In other communities, it's often a relatively small handful of people who provide those services in EMS.

In the area of fire as well, I would note that across the territory — again, without bringing specific individuals' names into this debate here this afternoon — I note that for both of the fire departments in my riding and for a number across the territory, the fire chiefs and a handful of other volunteers have really been providing that volunteer service, year after year after year. In some cases, they're going on for over a decade or over 20 years in some cases.

I hope the Premier will take my remarks in this case in the tone that they're intended, which is to simply recognize that in light of the increased pressure and stress that is being placed on the system and potentially on some of these first responders, including those like firefighters or police who may not see it as frequently as EMS or nurses do, to take a look at how well the system is working. Reach out to those staff and those volunteer first responders, as well as the coroner's office, community coroners and staff at nursing stations and just ask if they need more support or if they have concerns or ideas about the system. Engage with those people in recognition of the fact that, especially if there is more than one tragedy in a row that they are being faced with, it really puts a lot on the shoulders of those people, whether they are staff or whether they're volunteers.

We need to take a look at it, in my humble opinion, in a considered manner and simply ensure that there is a coordinated interdepartmental approach and that there is a proactive effort made by staff and by government to reach out to these people who are really the backbone and the heart of our rural services in particular, but also within Whitehorse. Just ask them, "How are you doing? Do you need more resources? What can we do?" Then of course take the information from that and determine what government may be able to do to provide those services. In some cases — such as in the specific example I mentioned of EMS not receiving access to services in the past — there may be a situation within existing government resources where government can simply — with relative ease — extend that service to people in need of it and ensure that they have the support, the resources, the services and the information they need.

I would just encourage the Premier to reconsider that. I'm not going to spend a lot of time belabouring this point, because I don't want to really make a political issue of this fentanyl situation. I am simply and sincerely bringing forward a concern that I think there is increased pressure on our communities and our service providers that requires an interdepartmental approach in reaching out to these people who are the heart of our system, just making sure that we're supporting them to the best extent government can.

I would also note — in the Premier's comments about how all communities matter — and remind him that I hope he didn't forget but just didn't happen to mention it that, when you're looking at all the communities, it's important to recognize that, within my riding of Lake Laberge and within the Minister of Community Services' riding of Mount Lorne-Southern Lakes, there are very high populations there outside of any municipality. In the case of my riding, the combined population of the Mayo Road area and Hot Springs Road area is over 900 adults. Information from my riding — and criticism I've had in the past of the stats branch, not anyone else, just the way the information is compiled. In fairness to them, they rely on some of the ways the federal government compiles it but, when the statistics show up, they don't give a clear breakdown. For departments that are looking at that information, it can often lead to a situation where they don't really have a clear picture of the size of those populations.

In this area, although methodology might help in the future, there's actually a fairly simple solution available to every member of the Legislative Assembly based on the changes that were made to the *Elections Act* last time with the establishment of the permanent voters list, in that we have access to information compiled by the chief electoral officer confirming the number of adults in our area who are eligible to vote. It won't encapsulate or incorporate landed immigrants but, as the Premier can confirm with the chief electoral officer if he wishes to check on the numbers on this, if you look in the area of my riding alone, the Hot Springs Road area and the Mayo Road area combined is some 900 citizens. In each case, it would make it larger than most medium-sized Yukon municipalities.

In the case of the riding of Mount Lorne-Southern Lakes, I don't have that information at my fingertips, but I know the Minister of Community Services, in his capacity as MLA for the area, would have access to the electronic voters list and would be able to get that information. My simple point on this is to recognize that those people are not always as well captured as those within communities when government is considering services and needs.

I would also just take this opportunity to pitch, as I have previously to the Minister of Community Services in a letter, the importance of completing the civic addressing initiative, especially within rural Yukon. In the case within my riding, as I believe I mentioned in the letter, although there is no local advisory council in the Hot Springs Road and Mayo Road area, the Hootalinqua Fire Protection Society is a group of people composed of long-time firefighters and volunteers who support them. They are well-placed and willing to work with the government in the same way that local advisory councils have in other areas that have received civic addressing.

I would just note that, in a situation like that — and I think the Premier knows very well from the fire chief for his riding, who has been a very vocal advocate on the expansion of 911 service and areas like civic addressing — in an emergency, people forget key details or they get the details wrong. If there are children or visitors, they often don't understand the information they need to provide and all of that information that reduces the potential confusion in a time of emergency, such as civic addressing, is helpful to those first responders and can make the difference between whether someone's house is saved or whether a life is saved in a crisis.

Mr. Chair, moving on to a bit of a different area here, I would just like to recap the fact that, through the Standing Committee on Statutory Instruments — and I would like to commend the government for calling the committee to sit. I note that, in fact, we had requested it but I'm glad they also were proactive in doing so. We had at that committee suggested that the committee should conduct a review of building inspections to address not only concerns that we've heard from Yukoners, but the fact that, as we had begun some preliminary review before leaving office, the building inspection structure — there's a building standards appeal board that has been in place since the act was passed back — I forget the year it was actually passed but I believe it was

roughly 30 years ago or it might even be longer. During that time, though, based on the last information I had, they have heard single appeals. We have heard some concerns from Yukoners about how that system operates and how, if they have concerns with a decision of the inspector, they can go about potentially appealing that decision.

In saying that, we're simply suggesting a systemic look at it — an opportunity to talk to Yukoners who have concerns for the committee, to hear from them, and for the committee to make recommendations on whether changes are necessary and what those should be.

Secondly, the other area we suggest that the committee review is how the environmental health structure is working, and that includes the public health act, within their purview. I would just ask the Premier if he is willing to commit to recommending to the Standing Committee on Statutory Instruments that they review those specific areas that we have brought forward.

**Hon. Mr. Silver:** That was a lot. I'm going to go back. I appreciate the comments from the honourable member opposite.

He started with fentanyl. Percentages comparisons — it's an interesting road. Absolutely not to belittle five — and again, we're probably looking at a situation where there are more, once more data comes in — but I can't imagine being emergency measures or initial responders in Vancouver where there are 20 a day. It has to just eat at your heart and soul to see so many suffering individuals in that community. I just don't want to get caught up in the comparisons because when you see the number five and then you see what's going on in Vancouver, some might think that we don't have as big of a problem.

We have a huge problem here. This is a big issue and it goes past fentanyl. It goes into addictions in general. It goes into why people feel the need to get out of their sober minds. The illegal drug trade that is going on — we have to do more. We definitely have to do more in education. We have to do more when it comes to our vulnerable people — I agree.

There is some stuff going on here. I have some information here from the Minister of Health and Social Services. On May 31 and June 1 at the Kwanlin Dün Cultural Centre, there is a preventing and managing opioid addictions misuse through innovative models of care workshop that is happening. This is being hosted by the Department of Health and Social Services. We have some keynote speakers. Mae Katt, who is a nurse practitioner and a citizen of the Temagami First Nation, is recognized for her experience with community-based models of care including the innovative use of suboxone in rural communities and remote communities. We also have Launette Rieb, a physician, who is also speaking. She is certified by the American Board of Addiction Medicine and the Canadian Society of Addiction Medicine. Dr. Ribe will be leading sessions on addict and opioid prescriptions. The management of chronic non-cancer pain is her background. This is one of the initiatives that is being offered by the Department of Health and Social Services. I hope that the Yukon Party will bring this up in the

departments of Health and Social Services, Education and Justice to make sure that all departments get their opportunity to speak to what they are doing as individuals. I take the member's comments — and as far as getting the numbers back and sharing information, we campaigned on that. We will share information as it comes in.

The member opposite talked about how Vancouver specified this is a crisis in their negotiations with the Minister of Health on a national basis. We had a similar conversation and we reinstated the THIF funding — territorial health investment fund. This was set to sunset. It was going away. The funding was set to expire. We got the federal Minister of Health to commit to five years of funding — \$25.6 million more over top of the money that they are going to be giving for housing and for mental health services. For us to maintain the same quality of health care as other Canadians, a lot of that money has to go to medical travel and medevacs, but nothing stops us from committing certain dollars — THIF funding or from other pockets — for how we are going to deal with fentanyl.

From the preamble, the member opposite might think we are disagreeing on this topic, but I think we are saying the exact same thing. I think this current government is working on solutions for addiction services, including fentanyl. I think that the departments of Justice, Health and Social Services, and Education are doing a fantastic job with this whole-of-government approach when it comes to addictions and issues in general. We are working on it and we will commit to the member opposite that, as information comes forward, we will share that information. I see no problem in that.

We talked a bit about initial responders and the good work done in Mayo-Tatchun. We talked about how we can reach out and make sure that they're involved in the conversation. I completely agree with that statement. For years in opposition, I fought for a coordination of services in Dawson, talking about responsibilities of search and rescue agencies, coordinating with the RCMP, coordinating with the Rangers and opportunities there. I think we have a lot more work to do there — when we talk about engaging with emergency medical individuals, organizations like the Rangers, and also the community leaders — as far as how we can make sure that everybody coordinates services. I totally agree with that statement.

We talked a bit about the stresses on the emergency medical teams that are out there dealing with addictions. I couldn't agree more. When Jeff Dill came up and presented to the Association of Yukon Fire Chiefs, he did a fantastic job of identifying that whole concept of making sure that post-traumatic stress doesn't become a disorder, being able to work with the government and Workers' Compensation and initial responders to make sure that the stress doesn't become the disorder. We spoke a bit about this the other day in the Legislative Assembly — of how these special management teams get together and the psychological wing of WCB, as people come in and go through the process. These individuals can't be living in a silo, compared to the individuals who are being affected — the individuals they're doing evaluations on.

They need to go on ride-alongs. They need to understand the daily grind. They need to understand what our initial responders go through.

It is the small, little things that Mr. Dill talked about. If the team is paying attention to behaviours, that can be so helpful. He spoke, when he talked to us as a group, about a firefighter he worked with who started to go to every funeral in town. Whether it was a car crash or anything that they respond to, he was going to every single one of those funerals, internalizing all the damage and internalizing all the pain of the families. In his words, that was an odd response. He doesn't know these families, but he's going to all these and he feels bad because, if he had the knowledge he has now — that was a trigger. He knew that was a different type of behaviour, and that different type of behaviour should have invoked these special management teams to reach out. He said it sounds like a simple thing, but it's such a stoic culture. We're always taught, sometimes improperly, to keep those feelings in and never to share those things. That's what these upfront groups do.

I appreciate the work of Mr. Dill, when he came and talked with the Association of Yukon Fire Chiefs. I want to go back to my notes on that. I want to go back to the fire chiefs and talk about that conversation to see what we can do to do more under the vein of what the member opposite was talking about — as far as reaching out to the organizations and agencies that are on the front lines when it comes to dealing with this.

The member opposite also talked about civic addressing and the communities that are sometimes lumped in and associated with Whitehorse as a community. I agree, and we have had great conversations with the member from the beautiful Mount Lorne-Southern Lakes. We could add that to beautiful Lake Laberge as well.

They are distinct communities. I can hear the Member for Kluane already — you're talking about beauty — okay, yes, everybody is beautiful.

It's a valid point. Sometimes they do get lumped in and I do appreciate the numbers that were shared with the member. Civic addressing is being announced today or continuing, but I think we're finding continuing civic addressing on the north and south Klondike Highway — that has been moving forward. I think that this helps in addressing the statistical issues and relevance that the member opposite is speaking of. He mentioned Jim Regimbal, who was instrumental in helping me understand that we went 20 years where 911 didn't go past the boundaries of Whitehorse and so it was time. We needed to do that. One of the problems with that is civic addressing. You need to have that up-front.

I have a great picture of Chief Roberta Joseph, Mayor Potoroka, Fire Chief Jim Regimbal and myself at my house when I got my civic addressing, because, as of that day, I was "42 Mary McLeod Road". Before that, I was "turn left at the D9 Cat". Again, it helps for the initial responders to make sure that they know exactly where they are going.

The member opposite went on to the Standing Committee on Statutory Instruments. What I'm being told on this side by

members is that they deal with the regulations once they have been finalized in the Standing Committee on Statutory Instruments. I will take into consideration, under advisement, the two inspectors and the health issues that were brought up by the member opposite as far as his advice, but again, it's good to see this select committee meet. It hasn't met. It didn't meet in the five years that I was in opposition. It met right away and I'm glad that all three parties are working together. The member opposite gave some great suggestions here that I will definitely take under advisement. Again, we look forward to the next meeting of that particular select committee.

**Mr. Cathers:** I thank the Premier for that response. Before leaving the subject of Search and Rescue and EMS, I would just note, departing from my usual role of not naming peoples' names, I know that one of the Premier's constituents, who I'm sure he's familiar with, John Mitchell — I would encourage him and the Minister of Community Services to seek input from him. There are some areas where further improvements could be made in terms of response, both as it pertains to EMS and Search and Rescue, especially when they are doing a remote wilderness response. I would just encourage them to sit down with him. He has a number of excellent points and suggestions, which I think warrant further action and would help improve our system.

Moving on to elsewhere in my notes, there's just one comment in reference to how all communities matter, I would just bring forward on behalf of the only LAC in my riding, the Ibex Valley Local Advisory Council, I would just note for the Premier — he may not be aware of this, but if he wants to give a response to this, I would be happy.

They have recently written to the Minister of Energy, Mines and Resources expressing their concern with the fact of recent new placer staking within the area of Ibex Valley. Of course, placer staking is something that is not allowed within any municipality. As occurred within Whitehorse during my time as Minister of Energy, Mines and Resources, we put in place a staking withdrawal that basically reinforced the official community plan. I would just explain for anyone who is listening who may be confused that placer staking isn't allowed in municipalities, but quartz staking typically is. In 2012, we worked with the City of Whitehorse. We put in place a staking withdrawal affecting new quartz staking within the City of Whitehorse, affecting some 74 percent of the Whitehorse area. If there were existing claims within the Whitehorse area, they did not get expropriated as long as they were valid.

Again, the Ibex Valley Local Advisory Council has written to the Minister of Energy, Mines and Resources and if the Premier would like to give me a response, I'm happy to hear it — but I respect that with that level of detail, he may not have had a chance to discuss it with the minister. I would just simply, on behalf of the local advisory council, who I report to as their MLA, bring forward that request that I support it. I would respectfully encourage the minister and the Premier to take that request positively and work with the Ibex Valley Local Advisory Council as well as others who may wish to consider how staking withdrawals in their area may

prevent new staking conflicting with existing private property or protected open spaces.

Moving on to another area within the budget — and I'm just trying to find my thoughts in my notes here. I would just note as well that as the Premier and others may have heard from First Nations and municipalities in rural Yukon, in considering dealing with everything from obesity to addictions problems, one of things that we heard in our most recent community tour was from community leaders who were emphasizing the importance of recreation facilities and opportunities. For example, both Little Salmon Carmacks First Nation and Na Cho Nyäk Dun — I recall vividly sitting down with them and they brought forward a desire for working with government to expand recreational activities in those areas.

In the case of Carmacks, it was a skating rink that was the top priority for not only chief and council, but for the municipality of Carmacks. Indeed, they had some different ideas that they brought forward there. I would just encourage government to work collaboratively with all Yukon communities — First Nation, municipal and unincorporated — to recognize that the ability to expand community recreational infrastructure that meets a common interest in those areas can have a very positive effect in the lives of youth and adults and can encourage active living and discourage riskier behaviour, such as falling into a pattern of substance abuse.

It's by no means a magic wand or a solution in all cases, but it is an important part of the overall picture, and can make a very big difference in the lives of some individuals and keep them out of problematic behaviour in the first place.

In the case of the THIF — the territorial health investment fund — I would congratulate the Premier and the minister for getting that renewed and reinstated. I would note that this fund has in fact taken several names since it was first put into place in — I'm trying to remember the signature date. I know that we actually began spending the money in 2006, but I would actually just take this opportunity to remind the Premier and all members that this fund, which originally began as the territorial health access fund, was itself a time-limited agreement that was replaced with another time-limited agreement and then another time-limited agreement and renamed and rebranded along the way from THAF to THISSI to THIF. That fund, which has provided tens of millions of dollars of health care funding to Yukon citizens since its inception, occurred as a result of the Yukon government not taking no for an answer in dealing with Ottawa. Credit is due to the Premier of the day, former Premier Fentie, and to the Health and Social Services minister of the day, the former Member for Klondike, Peter Jenkins, for their work on that file.

I would just remind the Premier and all members in dealing with Ottawa that it's important to recognize that sometimes you have to figure out how to change a "no" from the federal government to "yes" and, in that case, as a result of a successful pan-northern approach, we were successful in getting the federal government — and the federal government

wasn't very happy about it — to reconsider their position on not providing a different structure for health care funding for the territories. At the time, with the united pan-northern approach, when the three northern premiers walked out on the Prime Minister of the day on national television and refused to sign the agreement, they were successful in taking a united approach and in receiving funding in that area that has stood us in good stead since that time.

To that end, I would just note, both with requesting additional funding for fentanyl, which I would encourage the government to do, and with the issue of the carbon tax, which I know the Premier is probably sick of hearing about by now — but again, in the area of a carbon tax, we see this as a similar situation. The federal government has laid its position down and drawn a line in the sand. But just because the federal government has said “no”, that does not mean necessarily that it's impossible for the three territories to take a united approach to get the federal government to back down from their strong language and potentially recognize the unique needs of the north.

Our concern, as I have indicated and colleagues of mine have indicated — going back to before the election campaign and during the election campaign and in this House — is that a carbon tax not only seems to be an ideologically driven policy, but for a tax that is set to come in during this fiscal year, whether locally developed or federally developed, it's still taxing the same taxpayers.

The fine print on this tax has not been shared with Yukoners. We know from budget briefings that the cost of the carbon tax is not factored into this budget, although it's set to come into effect this fiscal year — that is our understanding. Again, it's not only the fine print that Yukoners have a right to know in terms of what they'll be facing for costs in this fiscal year. It's really easy to say, “Don't worry, we're going to give you all the money back through a rebate”, but to say that a jurisdiction will keep their money and that there will be no net revenue to the federal government as a result doesn't factor in a very important question: Who gets the rebate cheque? It's easy to say, “Don't worry — the Yukon is getting all its money back.” But if you have paid money in a carbon tax and you don't get the rebate, it may be great for your neighbour, but it is absolutely not good for your bank account.

It's important for everyone in this Assembly to recognize that people who are concerned about this are often the typically blue collar Yukoners who have to manage their finances carefully. They have to take a close look at their household budget. They make decisions around when they can actually afford discretionary spending — or not. These are people who are looking down the road through the next 12 months. They are concerned about the fact that they are going to pay a tax. They don't know how much the tax is going to be and they don't know on what. While they have heard that someone in the Yukon is getting the money back, they don't know if it's going to be them.

Another part that needs to be recognized is that when government is looking at things from, in theory, a level of 30,000 feet, it's easy to say, “Don't worry, you'll get the

money back.” If you are someone who is having difficulty making your mortgage payments, if you are someone who is having difficulty putting food on the table, if you are any one of the working poor who go to the food bank for assistance, getting the money back in 12 months isn't good enough for you because you then are likely having to borrow money, go to the food bank or borrow from friends and family while you wait for what you pray will be a rebate cheque at the end of the year.

Again, the fine print on this is something that I believe — and my colleagues in the Official Opposition believe — that government really needs to disclose to Yukoners. They need to acknowledge the fact that, even if there is no net revenue to the federal government, if there are additional administration costs taken out of it, the question of how many millions of dollars are being spent on administration reduces what the rebate is that is going to anyone.

Moving on to a specific example for the carbon pricing, I would note as well that the Premier is probably aware of the situation of the Agnico Eagle, which has warned the Government of Nunavut that a “... carbon tax would not only hurt the company's viability, but could also deter future mining investment in Nunavut.”

For members who are looking for this, I am quoting from a CBC online article that should be publicly available to all members. It was posted on February 24, 2017. The title of the article is: “Gold miner Agnico Eagle warns against carbon tax in Nunavut.”

In addition to that warning, in the article, Premier Taptuna said that the Government of Nunavut “... is working on finding solutions to mitigate the impact of a carbon tax on Nunavummiut, who already pay some of the highest commodity prices in Canada with most goods flown in.

“When pressed in Question Period in the legislature” — on Thursday before the article was written — “Taptuna said they're in talks with the federal government about potentially exempting certain types of fuel from the carbon tax, specifically heating fuel, jet fuel and fuel for ‘generating power.’”

Again, that's an area where we would encourage the territorial government to have a change of heart and to recognize that the Government of Nunavut, the Premier, has said that they are working on negotiating an exemption. If the three territorial premiers were to work together and take a united pan-northern approach in presenting a joint position to the federal government, they in fact might be successful, just as we were in the past on the territorial health access funding and getting the federal government to change from a firm “no” to a “yes”. In this case, we believe that, in the north especially, even if a carbon tax works south of 60, because of the costs that are placed on us with increased costs for heating fuel and increased costs for transportation — most members would agree that we're far too dependent for our liking on goods shipped up from southern Canada and, even with efforts to diversify and to increase local food production, local manufacturing, local forestry, et cetera, the fuel needs to be used for those purposes.

In the case of the agriculture sector, as I mentioned in a motion tabled in the Assembly earlier, there are a number of areas within the agriculture sector that — even those that are successfully significantly increasing our production of local food beyond what it was before — they pay costs for irrigation. In the case of the new privately opened abattoir that is in place, they are currently an off-grid facility. I know from farmers in my riding — in addition to the owners of the abattoir, who are my constituents as well — there are a number of farmers who told me that they increased the number of cattle and hogs that they were raising last year because there was finally an abattoir to take them to, rather than having to deal with getting the mobile abattoir on-site, which also requires a fair bit of paperwork and personal involvement on the part of farmers.

That private initiative — that new abattoir — is having a significant benefit within our farming sector that goes far beyond the owners of that facility. It's really breathing new energy into the beef- and hog-raising portions of the market as well is having a positive effect within the white meat segment of the market.

If they're in a situation where the generators that they are using to run their facility and their freezers — if their costs go up significantly — depending on how much those costs are and whether they are eligible for a rebate or not, it could have the effect of shutting down that fledgling business. I'm not trying to be alarmist. I'm simply bringing this forward to members that private businesses looking at their fiscal year and wondering how much of a tax they are going to have are asking us to ask government, first of all, "Can you at least make an attempt, a sincere attempt, with the other premiers across the north to negotiate an exemption for our carbon tax?" Just as happened in health care funding in the past, they may tell you no, but presented with a pan-northern front, the Prime Minister might change his mind.

Secondly, they are asking: "If we are going to face a carbon tax, how much are we going to pay? Will we be eligible for a rebate? When will we get the rebate and what is this going to mean for our ability to carry on business to feed our families and to continue to employ the people who work for us?"

**Hon. Mr. Silver:** Thank you for the comments from the honourable member opposite.

I'll start where he started. He said he wasn't going to mention anybody specifically but then mentioned Sergeant Mitchell. I totally agree. Again, Sergeant Mitchell has always been a great source of information for me. I know that the Member for Mayo-Tatchun, as well, holds him in high regard and has had many conversations with Sergeant Mitchell.

When it comes to the whole concept that we've debated in the Legislative Assembly here about saving Grandma from a steep embankment — that all came from the information that was shared by me from Sergeant Mitchell. His concerns with the previous government as far as the oversight and the legalities about his organization going out and actually doing what they do — and that needs to be looked at because you are getting people who are trained in our community of

Dawson who might be in some kind of trouble if they act without some kind of central organization in Whitehorse telling them what to do. Of course the Member for Klwane knows exactly what I'm talking about. It's an issue in his community as well.

There have been times where a colleague of mine — who knows what would have happened to her, as she fell on to the Klondike River from hiking in the middle of winter, if Sergeant Mitchell, the Rangers, KSARA — the Klondike Search and Rescue Association — and the RCMP didn't do what they do, which is saving people.

Again, we have brought this up in the Legislature a few times. We need to do better in coordinating our services to make sure we're not as clunky in the responsibility needed. I mean, if communities don't have the capacity, that's one thing. But if communities are pushing the envelope to get the ability, the training and the ability to go and make decisions on the fly in the communities because they actually have the best available training and resources to do so, I think we need to do a better job of coordinating those services.

I agree with the member opposite. Sergeant Mitchell is a wealth of resource — and also all of the Rangers right across the Yukon, not just necessarily specific to Dawson City.

A very specific question about the local advisory council and the Ibex Valley staking — I am going to defer to my colleague, the Minister of Energy, Mines and Resources, to answer that question. I will encourage the Member for Lake Laberge to make a phone call, if he hasn't already, to talk to the minister and to make sure that the concerns of the local advisory council are being presented directly to the minister and to allow a response. If, after that process, he is not happy with the responses that we give as a department, then by all means, bring it up in Question Period and challenge us on our responses, I guess. But that's a very specific question and the Minister of Energy, Mines and Resources will do a much better job of communicating that. You can do that either in the members' lounge or, if you want to, have it in Committee of the Whole when we get into his department or, if you want to, pick up the phone.

The member opposite talked about THIF and gave some thanks and kudos to previous members and talked about how it was being renamed. Well, the new name was going to be "null and void" because that was set to expire. That is the reality that the Minister of Health and Social Services faced. I think that kudos and credit need to be given to the Minister of Health and Social Services for her ability to explain to the federal Minister of Health what the *Canada Health Act* says. There is an obligation there to make sure that we have the same quality of health care. We fought to get that reinstated. It wasn't an obvious "well, we are just going to change the name." No, that was set to expire. It wasn't going to get renamed — it was gone. Kudos to her, to her team and to the public servants in Health and Social Services for identifying that as a crucial component to making sure that Yukoners receive the same quality of care as the rest of Canada as set out in the Canadian health agreements and the *Canada Health Act*.

Moving on here — the member started talking again about carbon-pricing. He prefaced it by saying that I might be sick of hearing about it, but I'm not. Any opportunity that I get to stand on my feet and set the record straight as to exemptions or what the other territories are doing, I absolutely relish that opportunity. I was there at the Council of the Federation speaking directly with all of the premiers and also the Prime Minister. This federal carbon-pricing mechanism was moving forward. There are no exemptions. Premier Wall is probably the most vocal, but again, there will be a tax for Premier Wall. He can sit there and talk about exemptions as much as he wants — there are no exemptions.

Let's say that all three territories said the same thing: "We all want exemptions." It is not going to change the reality that the federal government made a commitment to the environment. The federal government made a commitment to our future when it comes to trying to get us off of fossil fuels. As we take a look at permafrost issues in the Yukon, we take a look at rising sea levels across the world and the storms that are happening — and the catastrophes. Think about the price of the catastrophes across the world. To do nothing, to stick your head in the sand — that is not the approach of this government. I think Yukoners agree with that. The whole concept of going back to ask for an exception — no, we are not going back to ask for an exemption because Yukoners knew that we campaigned on finding a solution and finding a way of working with that federal carbon-pricing mechanism with Yukoners. We have given a revenue-neutral option to Yukon families and businesses. I do feel the member opposite — that when he talks to constituents and businesses that talk about increasing costs — well the good news is that this party campaigned on a promise to make sure that we rebate that money.

I will say that I agree with the member opposite that more details need to come as far as how that rebate happens, and I agree that if you wait too long, then there is money in and money out and all of that. There are issues to be figured out. Again, this is a federal carbon-pricing mechanism and what Premier Taptuna is doing is what we are doing and what Premier McLeod is doing, which is adhering to the annex. In that annex — very specifically in that annex — and I'm going to quote from ours: "Carbon pricing policies should minimize competitiveness impacts and carbon leakage, particularly for emissions-intensive, trade-exposed sectors."

The Member for Watson Lake is shaking her head on this one. That's fine. But when Premier Taptuna is talking about those parts of the mining sector — and he's talking about the mining sector — that's what he's talking about: this part of his annex — very similar language.

When you start talking about people who are marginalized and trying to make ends meet — people with lower incomes — I'll quote again: "Carbon pricing policies should include revenue recycling to avoid a disproportionate burden on vulnerable groups and Indigenous Peoples."

So again, we understand the comments from the member opposite. We agree that we need to make sure that the carbon-pricing mechanism does what it's supposed to do and that it

doesn't overly penalize those who can't make change in certain areas and also that the marginalized individuals don't feel this disproportionate burden. We absolutely agree with that. We agree with it so much that we put it in our annex when we put forth solutions — when we actually worked with the federal government and didn't just say, "Can we have an exemption?" and just stop there and just say we're going to fight for an exemption, when really, everybody knew from the get-go that wasn't going to happen. No region in Canada was going to get an exemption.

When you take a look at making sure that those affected actually are part and parcel of the philosophy of the carbon-pricing mechanism — then sure. But again, we have already said the details from Canada are expected to come in the next few months and Yukon is going to need that clarity from Canada prior to designing a rebate program on how Canada will adhere to the principles that we just talked about that was agreed on in the pan-Canadian framework. I mean, this is for all jurisdictions. Premier Taptuna has his annex and he's making sure that the federal government, when they come up with their response to our annex, listens to the concern of the north. I have had great conversations with all three leaders right across the three northern territories. Again, we're waiting to hear from Ottawa.

Now, all of those details — we would love to have the input of the Yukon Party. We're starting to get it slowly as we start to debate this in the Legislative Assembly as to how they want to see this mechanism rebated. So let's talk about that. How do you want to see it rebated? What is your input? As we already talked about here in the Legislative Assembly, this government wants to get ideas from the opposition and we want them to be involved in that process. So when we hear back from Ottawa as to how their carbon-pricing mechanism is going to unravel, we'll share that with the opposition and we'll look forward to your input to make sure that your constituents' concerns are heard. But again, the big thing to take back here is: our plan was broadcast during the election and that is revenue neutral. That money is going back to Yukoners and Yukon businesses. I didn't hear a plan other than "no" from the Yukon Party. We're now in a majority situation here, so I think Yukoners have told us that they do agree that we need to be on the right side of history as far as not just what Yukon is doing with the federal mechanism, but what all of Canada is doing, and really, what the international community needs us to do to make sure that this planet is inhabitable into the future generations and to make sure that we seize the opportunity here of moving off fossil fuel. As you move off fossil fuel, you create innovation; you create technology; you create opportunities.

You have to take a look at jurisdictions like New Brunswick. Back in the day when people were looking at dot matrix computers and saying how they were not sure about this new Internet community or this fibre optic — that's when New Brunswick seized the opportunity. They got ahead of the curve. Today, they lead the international community in a lot of pursuits when it comes to fibre optic technology.

This was an emerging and new industry that a particular jurisdiction — a small jurisdiction in Canada — seized as an opportunity and, because of that, their economy has — they transformed back in that time in the 1980s and 1990s from a have-not to a have province with technological advances. It's really important to make sure you take a look at what the international community is doing.

The Canadian mining alliance — the Mining Association of Canada — has agreed that a carbon-pricing mechanism is the way forward. We need to have a price on carbon. We understand there have been some organizations that have talked about concerns. We want to hear their concerns. We want to make sure we're working with industry when we're talking about the rebate of this federal carbon-pricing mechanism. Again, I think the Yukon Party should take a look at the opportunities. Revenue neutral is good for Yukon businesses and Yukon people. Switching over to a non-fossil-fuel-based economy — there are opportunities there. There are opportunities in technology; there are opportunities in cold climate innovation. We need to seize this opportunity, and we can do it together or we'll work with the NDP, because I'm sure they're willing to help us in that pursuit.

**Mr. Cathers:** I do have to point out to the Premier that, while his explanation that Nunavut was doing exactly what the Yukon government is doing and working within the annex sounded good, it's not what the Premier of the NWT said. The Premier of the NWT said that they are working on exemptions. I would also note that we haven't gotten any answers from the government on the cost of carbon pricing to Yukoners, other than hearing the really nice, bland tagline that says it will be revenue neutral.

Again, my point is: revenue neutral to whom? If it's revenue neutral to a jurisdiction, it doesn't mean it's revenue neutral to a family. Yukon families are asking the question that I think, regardless of the ideology of any member in this House, when we're talking about this fiscal year, it's a fair question for people to ask as they're doing the budget for their families or trying to figure out what they can do for discretionary purchases, or upgrades to their home, or the purchase of a new vehicle. Those are the types of things that Yukon families need to consider. The Premier and his colleagues should recognize that, in the absence of details on a federal tax, people tend to be a little more reticent to spend money. It can have a negative impact on consumer confidence and a negative economic impact simply while they're waiting for details on the cost of pricing.

As any careful, thoughtful, logical person trying to manage their family's household budget would do, if you're trying to decide whether you're putting a new porch on your house, if you're trying to decide if you're investing in energy retrofits, if you're trying to decide if you're putting solar panels on your house or buying a new car or buying your kids some additional sporting equipment that you want to buy them — but that they don't really need — if people aren't sure how much more tax they're going to be paying and on what and what's going to be left in their bank account, most people are

going to tend to be a little bit cautious on their spending and focus on core purchases.

I don't have the exact figures on the economic impact — perhaps the Premier may — of the effect on consumer confidence of government not being forthcoming enough for the details on a carbon tax and who is going to pay what, who will actually be eligible for a rebate, and how much, but the Premier should recognize — and the entire government should recognize, as we would hope the federal government would — that if a government is being not forthcoming about the details of an upcoming new tax, it has a negative impact on consumer confidence and particularly the discretionary spending.

I would also note that, in the case of Nunavut, it appears that the Government of Nunavut has been more forthcoming with the mining company Agnico Eagle at least than the territorial government or the federal government here have been with Yukoners, because the company wrote a letter, dated January 26, 2017, to Premier Taptuna of Nunavut. In that letter, the company comments on the carbon pricing scheme and they indicate that the impact to Agnico Eagle will be approximately \$20 million per year into 2023 for its carbon emissions in Nunavut. Again, this is an area where we think that if the government is set on pursuing carbon pricing and not willing to attempt to join with Nunavut and NWT in standing up in a pan-northern approach to Ottawa, they at least should be more forthcoming about the cost that Yukon families will be paying.

I appreciate the Premier's comments when he said that THIF, the territorial health investment fund, was set to expire and there was no funding. That's actually not a new story. That has been the case — the federal government was extremely reluctant to provide what was then the territorial health access fund in the first place. They only did it because the three northern premiers were working together in a united approach and on something that was equally important to the Prime Minister of the day as carbon pricing is to Prime Minister Trudeau. Those three premiers refused to sign his deal and said, "It's not good enough. You haven't recognized the unique needs of the north with our large regions and our sparse populations and the fact that per capita funding is not sufficient to meet our needs. We need increased funding for medical travel and so on." The Prime Minister had told them "no" before they said that.

While I can't claim to be a personal confidant of that Prime Minister, I think that if the Premier ever talks to him, he would find out that he was not very happy with the territories at the time. I know the Premier, in his testimony before the federal finance committee on April 4, mentioned not wanting to bite the hand that feeds you, but I think there is also a need to recognize that in standing up for the real needs of our territories, there are times when it is the job of territorial premiers and territorial ministers to go to Ottawa, preferably arm in arm with other colleagues and take a strong stand.

One doesn't need to be nasty about it. One doesn't need to resort to name-calling or to be unnecessarily confrontational about it, but there is a need sometimes to take a strong stand and say, "We're not prepared to sign on unless



you make additional changes.” That is where we think there is still an opportunity. Again, based on the Premier of Nunavut’s comments, as reported by CBC — Premier Taptuna said they’re in talks with the government about potentially exempting certain types of fuel from the carbon tax, specifically heating fuel, jet fuel and fuel for generating power.

Some of the fairly common language that is used to defend carbon pricing — about the urgency of climate change, how we all need to do our part, et cetera — especially for a government that talks about being committed to evidence-based decision-making, the devil is in the details. The question is: Will the specific proposed scheme you’re talking about actually lower emissions, and how much? Where is the evidence of that, based on reputable scientists or economic modellers looking at it?

It is much easier for governments to defend a new tax if they tell people that it’s the only way to save the environment. But again, as we did when in government and as we argued in the election campaign, there are approaches that we believe are more effective, such as incentive-based approaches.

I would express concern about the impact to our agriculture sector of a carbon price, particularly when it comes to irrigation, off-grid power and farming equipment and whether the government — no doubt with best intentions — would impose a carbon tax that potentially shuts down a small producer or processor. My point on this is that, rather than simply responding with the nice line that, “Don’t worry — it will be revenue neutral”, the government owes those Yukon individuals and those businesses the information on what the cost will be to them.

I have a quote from another CBC article posted on December 15, 2016 and comments by Premier Wade MacLauchlan of PEI. Based on those statements made to the media: “Gas used on P.E.I. farms or in the Island’s fishing industry won’t be charged a carbon tax, says Premier Wade MacLauchlan.

“Agriculture and transportation accounts for 65 per cent of P.E.I.’s greenhouse gas emissions, but MacLauchlan said gas in the fishing and farming sectors will be exempt.”

These are again some specific examples where exemptions are being contemplated, even in jurisdictions that have signed on to a carbon tax.

In contrast and contrary to the Premier’s claim that the Yukon Party didn’t have a position on what we would do with the carbon tax — our position is that, of course, no government can guarantee, when you set out to get Ottawa to change its mind, that you’ll be successful in that endeavour. We have been successful in health care and a number of other files in working hand-in-hand with the governments of Nunavut and of Northwest Territories in a pan-northern approach.

The optics and advantage that we have as the territories are that we are far out of the national media — the centre of their world in Ottawa and Toronto. We also, when we have a powerful united appeal, have been successful in the past in getting the sympathy of not only the national media but the

hearts and minds of our fellow Canadians when we make a reasoned, solid, evidence-based case to the federal government, as we did in the area of health care, that the federal proposal was inadequate. In fact, it is possible — and as we have seen in the area of health care — and has resulted in tens of millions of dollars of health care funding that the federal government had said no to. If you actually make the effort, it is possible to move mountains. We have argued and continue to argue as the Official Opposition that investments such as the ones we have made in, for example, the Yukon Research Centre, the Cold Climate Innovation centre, in energy retrofits for both residential and commercial buildings, in solar and microgeneration, in the good energy program — the rebates that were first announced by me as Minister of Energy, Mines and Resources in 2008 or 2009 and have been added to by my successors in that role. Another example — but not on energy efficiency — is the well program. The well program, the microgeneration program and the changes that we made through Bill No. 80 in the last Legislative Assembly — those changes in expanding the rural well program to Yukoners within municipalities and allowing Yukoners who are on-grid to borrow money for solar projects have had a very positive effect on the system.

I have the figure buried somewhere in my notes here, but the number we heard from officials of the increase in solar projects and the increase in capacity added to the grid as a result of those initiatives is significant. Those are the types of initiatives — more incentive-based than penalty-based — that we think have proven to be successful approaches and will continue to be, in doing our part to reduce emissions here in the territory.

It doesn’t sound like we’re going to get success from the Premier in realizing that there is actually more he can do on this file if he tries. If the government is ideologically committed to carbon pricing, the thing they need to recognize, especially if you have a mishmash across the country of carbon pricing and cap-and-trade and inconsistent models — and no credible economist has done the math on how these systems are working together — you are going to see a situation where, if you have different pricing schemes and different cap-and-trade schemes in different jurisdictions, you’ll end up with businesses making decisions to relocate as a result, because of how it affects their specific industry.

We have also heard examples of cases where, through what is commonly called “carbon leakage”, if the system is set up in the wrong way, government can end up increasing the cost of local manufacture and making goods shipped in from Outside less expensive and result in a situation where products that are actually produced with higher carbon emissions out of the country are then being imported because the local ones have been made economical.

One example that comes to mind is when we’ve seen information on the cost comparison of aluminum imports. It needs to be recognized that if you haven’t thought out the fine print on your carbon-pricing scheme or your cap-and-trade scheme and understand how it’s working with your neighbouring jurisdictions, you can end up with a situation

where you have actually increased global emissions as a result of, quote, “doing your part” while you have killed your local manufacturing or resource-production sector in that specific area.

My point is if you’re doing a complex scheme like this, you need to understand the fine print. If even the Premier doesn’t understand the fine print, how are Yukoners supposed to plan for their budget with a new carbon price?

Mr. Chair, I’m going to move on to a few other areas before we wrap up today. I would just note that, in capping off our comments and assertions made by the Premier about the alleged deficit received from the previous government, the decision by government to book the solvency deficits for Yukon College and Yukon Hospital Corporation in the 2016-17 fiscal year account for roughly \$4 million of the so-called \$8.2-million deficit. I would point out that if the member referred to the 2015-16 Public Accounts — which, for the NDP member listening, is the same Public Accounts document tabled in the House and available online — looking at page 14, you’ll see that the Auditor General acknowledged, for the 2015-16 fiscal year, that the issue was the valuation, if those pension plans were terminated — that as of the valuation date, the deficits that Yukon College and the Yukon Hospital Corporation did were addressed to the satisfaction of the Auditor General by this: Yukon College entered into “a letter of credit in lieu of making solvency payments”. The Yukon Hospital Corporation also entered into a letter of credit in lieu of making solvency payments, as well as making cash payments in that case.

As I noted — and I read the excerpt from the Auditor General’s letter yesterday — when the Auditor General gave the government a clean bill of health — because that relates to the wrap-up of a public pension plan. The minister should know that has often been an issue. A number of finance ministers across the country have taken issue with that actuarial approach because those types of pension plans do not typically wrap up or become insolvent. That is another area where a specific choice made by government was not strictly required.

In closing off, I would also note that, for a government talking about fiscal control — if we look to the government’s transition costs, there is \$111,550 spent for transition costs. I will not name names but would note that, for four of those positions, the amounts that were paid for one month’s work were \$33,000, \$30,000, \$23,000 and \$16,000. If one extrapolates \$33,000 over a year-long period, that’s a \$396,000 yearly salary, compared to an average annual salary in Yukon of a little over \$52,000 per person.

The minister may wish to consider what explanation he is going to provide Yukoners about the very high rates paid to his staff and his failure to take accountability for that.

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

**Chair:** It has been moved by Mr. Cathers that the Chair report progress.

*Motion agreed to*

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

**Chair:** It has been moved by Ms. McPhee that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

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

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

### **Chair’s report**

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 201, entitled *First Appropriation Act, 2017-18*, 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 5:31 p.m.*

### **The following sessional paper was tabled May 9, 2017:**

34-2-17

*Standing Committee on Appointments to Major Government Boards and Committees Third Report (May 9, 2017) (Adel)*