



# Yukon Legislative Assembly

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## HANSARD

Tuesday, October 3, 2017 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2017 Fall Sitting

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

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Ranj Pillai</b>	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Government House Leader Minister of Education; Justice
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Pauline Frost</b>	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
<b>Hon. Jeanie 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, October 3, 2017 — 1:00 p.m.**

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

Members, instead of beginning our proceeding with a prayer, which is our normal practice, I would like to ask all present today to observe a moment of silence for those who were killed or injured in the horrific attack in Las Vegas this past Sunday. We are all so grateful that the Leader of the Official Opposition and his wife were unharmed in the attack. However, we also recognize that this must have been an awful and unnerving experience.

Let us now observe a moment of silence.

*Moment of silence observed*

**Speaker:** Thank you. Please be seated.

### INTRODUCTION OF PAGES

**Speaker:** It gives me great pleasure to announce that the following students will be serving the House as legislative pages for the 2017 Fall Sitting. They are Ljubica Tokić, Aleix Toews and Larissa Marie Cabardo-Atkin from F.H. Collins Secondary School. We also have Emily Robbins, Orin Gladwin and Arya Khodakarami from Vanier Catholic Secondary School, and finally we also have Chayce Giesbrecht from Porter Creek Secondary School.

Today we have with us Emily Robbins and Ljubica Tokić. I would ask members to welcome them to the House at this time.

*Applause*

### Withdrawal of motions

**Speaker:** The Chair wishes further to inform the House of changes that have been made to the Order Paper. The following motions have been removed from the Order Paper as they are now outdated: Motion No. 13, standing in the name of the Member for Watson Lake; Motion No. 16 and Motion No. 75, standing in the name of the Member for Copperbelt South; Motion No. 29, standing in the name of the Member for Lake Laberge and Motion No. 58, standing in the name of the Member for Takhini-Kopper King.

Also, Motion No. 35, standing in the name of the Member for Mayo-Tatchun, has been removed from the Order Paper as the action requested in the motion has been taken in whole or in part.

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

Tributes.

## DAILY ROUTINE

### TRIBUTES

#### In recognition of the United Way Yukon Month

**Hon. Mr. Pillai:** I rise today on behalf of all parties to acknowledge the United Way Yukon and United Way Month. The United Way Society of the Yukon has been an important part of Yukon's community support network and has raised over \$2 million since 1994. These are funds that stay in the Yukon and help our communities and our people.

The Yukon government public service has proudly supported the United Way for many of these years and this support has been incredibly worthwhile. Year after year, the United Way effectively distributes funds to many organizations in the territory that are doing important and much-needed work.

An example of this support is the yearly breakfast and auction, which is organized by Yukon government. This year's breakfast was organized by staff from the departments of Energy, Mines and Resources and Economic Development, who are here with us today. In a moment, I will identify some of the key people, but certainly they are departments I get to work with and I really appreciated the support last Friday.

I would like to give a big thank you to the organizing committee co-chaired by Anna Pearson from the Department of Energy, Mines and Resources and Charmaine Cheung from the Department of Economic Development. Anna and Charmaine led an incredible team for several months to organize the successful United Way Breakfast last Friday. It was inspiring to see so many Yukoners come out to show their support, with approximately \$22,000 raised.

I was proud to volunteer alongside many of the members of the Legislative Assembly as a celebrity server. I don't know if we would put ourselves as celebrity servers, but it was fun to serve with the members of the opposition and our members here.

This year's campaign theme is "Pulling together", and it is really an ideal description of what happens each fall. So many locals support the campaign that it is truly a community-supported organization. The United Way also organized a very fun and creative new fundraising event called "Pulling together", which hopefully many of you have seen — it looked amazing — and which involved teams pulling a Boeing 737 plane along the tarmac of the Whitehorse airport. Every team that signed up to pull raised funds for the United Way, and I want to applaud all who participated in the United Way team for organizing such a fun and innovative fundraiser. Pulling a Boeing 737 — it did not look like a small feat.

I would also like to commend Rich Thompson — Rich made it here today — there you are, Rich — and I see Peter as well from the chamber — for his work in bringing Northern Vision Development on board as the new corporate champion in supporting United Way with its goal of outreach in the broader community.

Over the years, Yukon government employees have supported United Way by signing up for the payroll donation program and, of course, this automatically deducts an amount

of the employee's choosing from their pay each month and sends it directly to the United Way Yukon. This will continue, and now exciting is this new partnership from the corporate sector here in Yukon.

All of these different activities add up to ultimately support the work of Yukon charitable organizations. I would like to thank the United Way Yukon volunteers for the great work they do every year to raise money for these important organizations. Both the United Way and the organizations they support give so much to our community. They help make our territory supportive, inclusive and a caring place for everyone.

I strongly encourage Yukoners to learn more about the work of the United Way. I know that David and the team are always looking for more people to jump on the board and help out. There are lots of tasks. I know they've added to their team over the last bit. You can go on to [www.unitedwayyukon.ca](http://www.unitedwayyukon.ca) if you would like to get more information.

Mr. Speaker, there are just a couple of people I would like to recognize. Please help me if I miss anyone. First of all, David Whiteside is the president. He's here today. Vikki Quocksister is here as well. Joanne Oberg is the secretary. Dion Zdunic is here as well. Don McCready is here with RBC but is the new director. Rich Thompson is now the chair of the corporate side and happy to have a chance to work with you guys on pulling that together. EMR's Stephen Mills is here, our Deputy Minister. Shirley Abercrombie is here — ADM; Darlene Morgan is here; Rod Jacob, Ross McLachlan I see up there; Anna Pearson. Who else do we have? Fiona Solon — I know Fiona but I wanted to make sure I pronounce her name properly; Renee Mayes, I see as well. Manon Moreau is here; also Marj Frame, Matt Ball, Colin Bearisto, Julia Nichols, Susan Antepoler — hopefully I got that right — Paul Fairfield, Sheila Smith, Marcel Barrault, Lisa Walker and Tomoko Haigo. I hope I said them right.

I see Justin is here, our Deputy Minister from Economic Development; Jason Rayner from Economic Development as well; Andrew Seymour, Lily Gontard — and I just want to mention Roslyn Woodcock as well, who has done lots of great work — and Peter Turner. I can get in trouble with anybody who I might have missed in Economic Development or Energy, Mines and Resources — I owe you doughnuts and coffee or something like that.

Thank you, Mr. Speaker.

*Applause*

### **In recognition of World Habitat Day**

**Hon. Ms. Frost:** Mr. Speaker, I rise today to pay tribute to World Habitat Day, which occurred yesterday. The United Nations has designated the first Monday in October as World Habitat Day and this year's theme is "Housing Policies: Affordable Homes".

It is an opportunity for us to think about how we can work together as a territory to achieve housing for all Yukoners. Collaboration with our community partners is vital as we work toward safe, adequate housing — a key component of healthy, vibrant communities.

In partnership with First Nations, municipalities and community stakeholders across the territory, the housing action plan for Yukon was developed. The plan has three over-arching goals: help people gain and maintain housing; increase access to adequate and affordable market and non-market rental housing and support for tenants and landlords; and diversify home ownership options.

Three members of our housing action plan implementation committee are here today in the gallery. I just wanted to acknowledge Frank Bachmier of the Yukon Council on Aging; Laura Lang from Health and Social Services; and Mary Cameron from Yukon Housing Corporation. Thank you for taking the time to be with us here today.

Together with our partners, we have advanced a number of projects toward these goals since the plan was launched in 2015. Earlier this year, we released the report on the progress to date. One example is the Klondike Development Organization in Dawson City, which released a new eight-unit affordable housing project, which was opened this past May. This project was the result of the hard work, determination and collaboration between the Klondike Development Organization, the municipality of Dawson City, and the governments of Yukon and Canada to address the needs of more affordable housing in Dawson City.

With the plan as our guide, we will look toward further action toward our shared vision for diverse and abundant housing options that increase the health and stability of individuals and communities in the Yukon.

Currently, we are working with our partners to develop a Housing First program that will increase housing options for our most vulnerable populations across the Yukon. We are collaborating with Kwanlin Dün First Nation, the Ta'an Kwäch'an Council and the City of Whitehorse to develop a safe-at-home plan to end homelessness in Whitehorse that can be expanded to provide connections to all communities. We continue to offer assistance to First Nation governments, development corporations and housing providers for the construction of new housing, renovation and rehabilitation of existing housing and the provision of rent supplements for new rental units.

We recognize that housing challenges facing all Yukoners today — such as aging stock of housing and increasing demand — are greater than any single government can respond to. That is why we are committed to working with our partners across the territory to increase affordable housing options and to build vibrant, sustainable communities.

I would like to recognize the hard work toward affordable housing underway in all of our communities and to thank the governments and housing stakeholders involved in the implementation of the housing action plan.

World Habitat Day offers a chance to reflect on the work that we do with our partners to ensure that all Yukoners thrive by focusing on safe, secure homes. Mr. Speaker, I presented today on behalf, also, of the Yukon Party. Thank you.

**Ms. White:** I rise on behalf of the Yukon NDP to celebrate World Habitat Day. When we hear the word

“habitat”, we can close our eyes and imagine wild places, from coastal rainforests to northern tundra. We can imagine the animals and the creatures that call these places home. What if I told you that, as humans, we also require habitat, but we might call them homes?

In 1985, world leaders participating in the United Nations General Assembly recognized the importance of adequate shelter as a basic human right and World Habitat Day was established. World Habitat Day allows us to reflect on the state of housing not only globally, but closer to home.

Worldwide, it’s estimated that 1.6 billion people are living in inadequate housing, one billion of whom reside in slums and informal settlements around the planet. But what about here in the Yukon? With last year’s point-in-time count, we have a much better idea of the housing insecurity facing Yukoners. A PIT count is a coordinated approach to gathering data on a community on a single night or over a 24-hour period. The data is meant to capture demographic information and raise awareness about the extent and nature of the homeless population in a given community.

Homelessness describes a continuum of housing and shelter circumstances. People without any shelter are at one end and those who are insecurely housed are at the other. Homelessness encompasses a range of physical living situations, and people can move back and forth along the continuum. An individual was considered homeless for the purpose of this PIT count if they did not have a place of their own to go home to on the night of April 13, 2016. Forty-five people self-identified as being unsheltered. They were living on the streets in vehicles or in tents. Twenty-two people were identified as being emergency-sheltered, so they were staying at the Salvation Army emergency shelter, at Kaushee’s, or at the Skookum Jim emergency youth shelter. Fifteen people were provisionally sheltered. That includes people staying at Betty’s Haven, the Adult Resource Centre, detox, the Whitehorse Correctional Centre or the Whitehorse General Hospital.

Mr. Speaker, 137 people were at risk of homelessness. They were living in hotels, renting for the short term or staying with friends. We thank local organizations like Habitat for Humanity, the Anti-Poverty Coalition, Blood Ties Four Directions and many others for their tireless work to make housing accessible for everyone.

So on World Habitat Day, while thinking of the billions around the world who are inadequately housed, we need to remember to look no further than our backyard, our alleyways or our emergency shelters to realize that in this community there are individuals who need safe and secure housing. Housing is a human right.

### INTRODUCTION OF VISITORS

**Speaker:** Under Introduction of Visitors, the Chair will take this opportunity to introduce three officers of the Legislative Assembly.

We have with us today Diane McLeod-McKay, Yukon’s Ombudsman and Information and Privacy Commissioner and Public Interest Disclosure Commissioner. As well, we have

Annette King, Yukon’s Child and Youth Advocate. Finally, we have Lori McKee, the Chief Electoral Officer of Yukon.

I would ask members to assist me in welcoming them to the House at this time.

*Applause*

**Speaker:** Are there any other visitors to be introduced?

**Mr. Hassard:** I ask all members to join me in welcoming a couple of people here today. First — obviously he is no stranger to this House — is a former Speaker, Mr. Dave Laxton. Thanks for being here.

As well, there is someone who I think the Minister of Energy, Mines and Resources mistakenly missed and I am sure he was an integral part of the United Way Breakfast, and that is Mr. John Fox. Thank you both for being here.

*Applause*

**Hon. Mr. Pillai:** That is going to cost me a lot of doughnuts, Mr. Speaker.

I just would also like to identify our president of the Yukon Liberal Party, Mr. Devin Bailey, who is here today. Devin works tirelessly for us in a volunteer role. Devin, thank you for being here today.

*Applause*

**Hon. Mr. Streicker:** The Yukon, of course, has many communities and I would like to acknowledge three members of the deaf community who are here today. I am excited that, as an inclusive measure, we have signing for us Mr. Gerard Tremblay, Ms. Elke Kraemer-Tremblay and Susan Smith. Welcome.

*Applause*

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

**Ms. White:** Thank you, Mr. Speaker.

I wasn’t sure, but I’m going to do it. We have in the gallery today Ms. Bonnie Dalziel, who is a tireless advocate for democracy around the planet, for social justice and whole bunch of other things, including seniors’ rights. So Bonnie, welcome again to the first day of the Fall Sitting. It’s lovely to have you here.

*Applause*

### TABLING RETURNS AND DOCUMENTS

**Speaker:** Under Tabling Returns and Documents, the Chair has for tabling the annual report of the Conflict of Interest Commission for the year ending March 31, 2017. This report is tabled pursuant to section 19 of the *Conflict of Interest (Members and Ministers) Act* and was distributed to members and made public on June 29, 2017.

The Chair also has for tabling the *Report from the Clerk of the Legislative Assembly on the Absence of Members from Sittings of the Legislative Assembly and its Committees*, dated October 3, 2017. The report is tabled pursuant to the direction of the Members’ Services Board and this is the report. Thank you.

I believe we have some other reports and legislative returns.

**Hon. Mr. Pillai:** I have for tabling a legislative return — responses to written questions numbers 16, 17 and 18 from the Member for Lake Laberge on June 13, 2017.

**Hon. Mr. Streicker:** I have for tabling several legislative returns in response to questions from members of the opposition.

**Hon. Mr. Mostyn:** I have for tabling a legislative return responding to a question from the Member for Whitehorse Centre.

**Hon. Ms. Dendys:** I have a legislative return to matters outstanding from discussion related to general debate on Vote 54 for Tourism and Culture in Bill No. 201, dated back to June 13, 2017. You can find the details in Hansard on page 923.

**Hon. Mr. Pillai:** I have for tabling a copy of the letter sent by Premier Silver to Minister Morneau regarding the proposed federal small business tax measures.

**Hon. Mr. Streicker:** I have for tabling the Yukon Liquor Corporation's 2016-17 annual report pursuant to section 16 of the *Liquor Act*.

**Speaker:** Are there any further returns or documents?  
Are there any reports of committees?

## REPORTS OF COMMITTEES

**Mr. Gallina:** I have for tabling the *First Report of the Standing Committee on Rules, Elections and Privileges*, dated October 2, 2017.

**Mr. Adel:** Mr. Speaker, I have for tabling the *Fourth Report of the Standing Committee on Appointments to Major Government Boards and Committees*, dated August 8, 2017.

**Mr. Hassard:** I have for tabling the *First Report of the Standing Committee on Public Accounts*, which was made public on August 11, 2017. I also have for tabling the *Second Report of the Standing Committee on Public Accounts*, which was made public on September 18, 2017.

**Speaker:** Are there any further reports of committees to be presented?  
Are there any petitions to be presented?  
Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 13: *Missing Persons Act* — Introduction and First Reading

**Hon. Ms. McPhee:** I move that Bill No. 13, entitled *Missing Persons Act*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 13, entitled *Missing Persons Act*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 13 agreed to*

### Bill No. 7: *Act to Amend the Dental Profession Act (2017)* — Introduction and First Reading

**Hon. Mr. Streicker:** I move that Bill No. 7, entitled *Act to Amend the Dental Profession Act (2017)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 7, entitled *Act to Amend the Dental Profession Act (2017)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 7 agreed to*

### Bill No. 11: *Act to Amend the Health Act (2017)* — Introduction and First Reading

**Hon. Ms. Frost:** I move that Bill No. 11, entitled *Act to Amend the Health Act (2017)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Health and Social Services that Bill No. 11, entitled *Act to Amend the Health Act (2017)*, now be introduced and read a first time.

*Motion for introduction and first reading of Bill No. 11 agreed to*

**Speaker:** Are there any further bills to be introduced?  
Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Canada to ensure that changes to the proposed small-business tax do not have negative consequences on the growth of the economy.

I also give notice of the following motion:

THAT the *First Report of the Standing Committee on Rules, Elections and Privileges*, presented to the House on October 3, 2017, be concurred in; and

THAT the amendments to Standing Orders 11 and 75 recommended by the committee be adopted.

**Mr. Adel:** I rise to give notice of the following motion:  
THAT this House urges the Government of Yukon to properly plan capital projects in order to avoid costly delays and additional future expenditures.

**Speaker:** Any there any further notices of motions?

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

THAT this House urges the Government of Yukon to revoke the designation of Whitehorse Correctional Centre as a hospital.

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

THAT this House urges the Government of Yukon to develop and introduce a homeowner protection act that includes mandatory licensing for home builders and contractors and an effective warranty program for new home construction and home renovations.

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

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

#### Point of order

**Speaker:** Leader of the Official Opposition.

**Mr. Hassard:** On a point of order, Mr. Speaker?

**Speaker:** Yes.

### MOTION OF URGENT AND PRESSING NECESSITY (NO. 1)

#### (Standing Order 28)

#### Government of Canada's proposed tax changes

**Mr. Hassard:** I request the unanimous consent of the House to move a motion of urgent and pressing necessity pursuant to Standing Order 28. That motion is as follows:

THAT this House urges the Government of Canada to extend public consultation on its proposed changes to tax law affecting small businesses, farmers, placer miners and medical practitioners, and to ensure that Yukon citizens have an opportunity to fully participate in the public consultation, including holding a public meeting here in Yukon as requested by the Yukon Chamber of Commerce as well as the Whitehorse Chamber of Commerce.

Mr. Speaker, as you know, small businesses such as farmers, placer miners and medical practitioners are an integral part of our economy and our communities. The changes to the tax code that the federal government is proposing will result in these groups paying more money. The federal government has provided only 75 days of consultation in the middle of summer and, as you know, during summer, most Canadians — Yukoners —

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

#### Point of order

**Speaker:** Member for Takhini-Kopper King.

**Ms. White:** It was our understanding that calling a point of order under Standing Order 28 — that you are only able to give a very, very brief description of the motion as opposed to a justification.

**Speaker:** Member for Copperbelt South.

**Mr. Kent:** Thank you very much, Mr. Speaker. In consultation with the Clerk of the Assembly this morning, he did inform me that the member is entitled to two or three minutes. I believe the Leader of the Official Opposition was just about to wrap up his remarks. He had one more sentence left.

**Speaker:** Government House Leader.

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. I certainly understood, as did the member opposite from the Third Party, that there would be a brief introduction and, in fact, the motion itself would be stated, not a justification. Any notification that we received with respect to this did not include the comments that the Leader of the Official Opposition is now making.

#### Speaker's ruling

**Speaker:** Thank you. I've heard all comments — in particular, the comments from the Member for Copperbelt South, in that the comments are to be wrapped up shortly. What I would say with respect to section 28(1) is that the main focus of the introduction of the motion and the justification therefore is to make a case as to why the motion is urgent and pressing. It's not, in my view, to be providing the background. I understand that those are interwoven sometimes, but generally speaking, you are providing support for the proposition as to why it is pressing and urgent.

Leader of the Official Opposition.

**Mr. Hassard:** Thank you, Mr. Speaker. I believe that, as consultation closed yesterday, this is my point as to why this is urgent. As I said in discussing the consultation part of it, such a short consultation on a major financial policy in the middle of summer — I don't feel is helpful or designed to actually allow Canadians to provide their opinions.

**Speaker:** Is there unanimous consent?

**Some Hon. Members:** Agree.

**Some Hon. Members:** Disagree.

**Speaker:** Unanimous consent has not been granted. This then brings us to Question Period.

### QUESTION PERIOD

#### Question re: Federal tax policies

**Mr. Hassard:** Mr. Speaker, small businesses are a cornerstone of Yukon's economy. There has been much talk about the tax hike that the federal Liberals are planning on implementing. In fact, last week, the Chamber of Commerce had an emergency meeting to discuss concerns with the changes. At that meeting, they said that the changes would hurt their bottom line. They were also clear at that time that they wanted an extension to the consultations. At that meeting, the Minister of Economic Development told the business community that they would also call on the federal government to extend consultations. However, today, when we bring forward a reasonable motion for the House to call on the federal government to extend the consultation, the government will not support it.

Mr. Speaker, can we please hear why it is that the Premier and the minister are breaking their promise to Yukon's small-business community?

**Hon. Mr. Pillai:** It's good to see all of our colleagues back after a bit of a break. Certainly I'm happy to see my colleague from Teslin home safe. It's probably the most important thing we'll talk about today.

As for the comments and the question, what a great opportunity that was provided to the business community — absolutely concerned. The business community was out in full force. I had an opportunity to sit next to the Leader of the Third Party and there were members from the Opposition there. I think we all heard the concern. The spin right out of the gates here today is the fact that we said we would bring that forward. Actually, we had already brought it forward before we had even walked in.

The letter that I tabled today was the letter that was sent to Mr. Morneau specifically requesting additional time for the consultation. We think that's important and that's what we said. There's no going back on it. Actually the work that the business community wanted to see was executed before I even attended the Westmark. The reason it was is because I've had an opportunity to have multiple business people come and tell me how important this is to them. As well, the chamber has done a fantastic job of communicating to us.

There are members — I see Mr. Turner here today, as well as the Whitehorse chamber. It's key to keep in contact with the business community. We hear what they're saying. This work has been done. Mr. Speaker, I think there's a bit of confusion across the way. We've taken that message forward.

**Mr. Hassard:** Yes, there certainly is some confusion. When we wanted to discuss this exact issue a few minutes ago, the government was not willing to discuss it and help us debate this issue, so it's very interesting.

You know, it appears to me — or we have to be concerned — that maybe this is another case of the Premier rolling over to Ottawa.

Last week we heard the government tell the business community that the consultation was too short. We know that the Premier has made his 16<sup>th</sup> trip to Ottawa, and we have seen the Premier roll over on the carbon tax, we've seen the Premier roll over on health transfers, and it appears that now maybe the Premier is picking the federal Liberals over Yukon businesses.

Will this government stop being cheerleaders for the federal government and stand up for Yukoners?

**Hon. Mr. Streicker:** I would like to thank the member opposite for raising this issue. Because there seems to be some confusion on their side about what the Premier is doing, let me just read from the letter where the Premier is standing up for Yukoners and Yukon businesses. I quote: Yukon businesses "... have warned of unintended consequences..." and "We suggest that the transition provisions be considered."

Further on we suggest that "... changes should be made in a way that do no cause unintended consequences for the entire small business community.

"We urge you to listen, and account for, the concerns of economists and small business owners who are worried about the impact that some of these changes could have on economic growth and on small businesses.

"While the Yukon is currently enjoying stronger economic growth... Any actions that could have a negative impact, particularly during slow economic times, are cause for concern..."

"I am pleased to hear that the Government of Canada is listening to the concerns raised and that you have indicated you are open to making adjustments based on the feedback that you receive. In this light I would urge you to extend the consultation period to ensure those concerned had a full opportunity to share their views."

**Mr. Hassard:** We have some serious confusion here. I had a phone call from the Premier at lunchtime telling me that he had just spoken to Minister Morneau and was not interested in asking for extensions on this consultation, so clearly somebody has their wires crossed here, Mr. Speaker. I guess we would really like to hear some clarification on this issue because we're here to ask questions for Yukoners and clearly there are some very, very mixed messages coming from this government.

**Hon. Mr. Pillai:** Mr. Speaker, the interesting thing is that although the theatrics are pretty strong today, people can really see through it.

The concerns this summer that I heard from the business community is — as we've gone through the analysis and had a better opportunity to look at what has happened from a fiscal financial framework, we've come to understand that, at the rate that our friends across the way were spending — they were spending at about \$1.50 for every \$1 coming in. What the business community is concerned about is — business people like good fiscal restraint, strong fiscal frameworks, and certainly those are some of the things that I have been hearing.

As for trying to put a spin on the fact that we follow through on what we said we were going to do, I guess I would put it this way: I think what we all have an obligation to do is fight for Yukon businesses, and that's what I think we all should be — it was good to see everybody together there the other night. We've put a letter through and I think the opposition has put a letter through, but certainly we're seeing the spin machine back in business on day 1 here.

We're going to keep representing the business community. Certainly that's what I have committed to do. That's what the Premier has committed to do.

We understand that it is the backbone of this economy. That being said, we will follow through, but I hope that we have a more thoughtful, impactful —

**Speaker:** Thank you.

#### Question re: Financial Advisory Panel

**Mr. Cathers:** I have more questions to government about commitments they make and don't follow through on.

A few weeks ago, the Official Opposition was briefed by the Financial Advisory Panel. In the spring, the Premier said this panel would get as much information as they needed and suggested they would be poring through the government's books to advise government. However, when we met with the panel we got a very different story. The panel told us they were relying on publicly available information and specifically told us they had not been given access to more detailed financial information such as ministers receive. They told us in fact they were largely relying on the Public Accounts. From what the panel told us, they were given no



special access to documents to actually review the government's financial situation in detail as the Premier promised they would.

Why did the Premier not follow through on what he committed to and failed to allow this panel to look at the government's books in detail?

**Hon. Mr. Pillai:** First and foremost, I want to thank Yukoners who have had an opportunity this summer to provide their perspective to the Financial Advisory Panel. I know this week there are more opportunities — I hope the Member for Lake Laberge has been putting a lot of concepts and ideas on social media — but there is an opportunity for you this week as well if you would like to take part. There is a drop-in style consultation from October 3 to 5, so you do have a chance to bring that forward.

There has been good information provided to the Financial Advisory Panel. That information has led to a series of suggestions. Quite simply, as a government right now, we are waiting to hear what Yukoners have to say on these options. That is where we stand. I think that we're looking at a wrap-up of the consultation period near the end of the week. Certainly we have not heard from anyone that there has been a lack of information provided. I think there has been ample data to provide a series of options. Other than that, we are going to wait to hear from Yukoners because we know in the past that when you start to make decisions before a consultation is done sometimes it leads to challenges and problems.

**Mr. Cathers:** Thank you, Mr. Speaker. The Financial Advisory Panel is a marquee initiative of this Liberal government. The Premier talked about it many times during his budget speech and press releases. He is also spending a quarter-million dollars of taxpayers' money on this flawed consultation process. Now we have learned that, contrary to what the Premier promised, the panel was not given detailed access to the government's books to do a full and proper analysis of the government's financial picture.

No matter how good a financial expert or manager someone may be, it's hard for them to provide useful insight into spending if they aren't given access to the details of the financial information. Ministers do have access to those financial details, but the panel that is supposed to provide the Liberal Cabinet with solutions told us they do not.

Can the minister tell us why the Premier is wasting taxpayers' time and money by creating a panel whose members weren't even shown the books and haven't been given full details about the government's finances? While he is on his feet, perhaps he would like to answer the first question that he didn't provide an answer to.

**Hon. Mr. Pillai:** Thank you, Mr. Speaker. I think the question is really: Why are we doing this process? Certainly there is a key to it —

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

**Hon. Mr. Pillai:** Well, let me explain to my friends — because for every new dollar they spent \$1.50 and Yukoners understand that.

It was unsustainable. For every new dollar, they spent \$1.50. If you look at the growth of their spending versus the amount of revenue coming in, we are moving into a fiscal cliff. That is why we are spending the time on this. I think there are many things that we could prioritize in this government. My colleagues have lots of different pieces of legislation and work to do.

I know that, from a financial perspective, there are lots of priorities that we could be looking at, but right now I think we are all in this together. The spending was done; the planning was not done. We have \$150-million buildings that were built but no O&M put into the budget. We have a series of rampant spending that did not go through Management Board at the end of the year before we took government.

The scenario is this: We feel, on behalf of Yukoners, that we have an obligation. If I walked out of this Assembly right now and asked a Yukoner on the street: "Hey, somebody has looked after your bank account for 10 years, but over the last while they have ramped up, and for every dollar that came in they are spending about \$1.50." Do you think they would want to continue to get advice from them? I will hold on the advice.

Please go to the panel this week and you can share with them. Other than that, we are going to continue to come up with solutions for this government.

**Mr. Cathers:** The minister is again giving us an example of the Liberals talking out of both sides of their mouths and giving mixed messages. In fact, yesterday the government issued a press release referencing Standard & Poor's rating of the territory's finances and lauded how great it had been for the past eight years, but again we hear something different today from the Deputy Premier.

The Premier said he already knew what options the panel would look at in the spring. Now we know one of the options being considered by the government is imposition of a new sales tax. It is supposedly expected to generate \$28 million per year while raising the cost of living for every Yukoner — \$28 million being taken out of the Yukon's economy.

Will the government finally show some leadership and come up with a plan to manage the growth of spending instead of imposing new taxes on every single Yukon family and business, and will the Deputy Premier explain why the Premier did not keep his promise to this Assembly and let the panel look at the books in detail?

**Hon. Mr. Pillai:** Once again, when you do a consultation and you do it properly, you give an opportunity for Yukoners, in this case — all Yukoners and organizations — to provide input. Based on that, you look at a series of decisions.

Right now what we are hearing from the Member for Lake Laberge taking one element — I know he shared on social media that he wants to see a capital cut and so he is going to have to explain that to his colleagues next to him who are asking for certain pieces of infrastructure and to the builders out there. Certainly, we can share that on your behalf. That is not a problem. There are going to be a lot of different ideas and concepts, but the reality is that we have to wait to

listen to what Yukoners are saying. There is still a consultation period that is underway.

As for his initial question, we — and I — have not heard any concern about information being provided, or a lack of information provided, but certainly we want to ensure that this process is open and accountable. It is hard for my friends across the way to believe — maybe they haven't taken part in one of those processes — but certainly we are going to, Mr. Speaker. We are going to wait to hear from Yukoners, and then we will come back and we will have ample time to debate where the government goes. That is what this Chamber should be used for, not to keep the old spin machine going.

**Question re: Whitehorse Correctional Centre segregation cell**

**Ms. Hanson:** Last month, charges against Michael Nehass were stayed, putting a pause on the nearly six-year judicial saga of this Tahltan man. The UN Special Rapporteur on human rights has said that solitary confinement for longer than 15 days is a form of torture. Experts, including Canada's corrections ombudsman, have also indicated that solitary confinement should not be used for inmates with mental illness; yet, an indigenous man with known mental illness spent much of the 2,000 days he was at the Whitehorse correctional facility in solitary confinement. After the charges were stayed, Justice Ron Veale took the exceptional step of issuing a memorandum in which he describes the Yukon's justice system's handling of the case as a sad state of affairs.

Will the minister acknowledge that the Yukon justice system has failed this indigenous man, and will she commit to end the use of solitary confinement for mentally ill inmates?

**Hon. Ms. McPhee:** I thank the Leader of the Third Party for her question. I too have many of the same questions that she has raised here today in this House. As a result of those questions and as a result of the timing of the case that she noted, it is appropriate in my view to find out what happened in this case.

In order to do that, I have used a never-before-used section of the *Corrections Act, 2009* to order an inspection of the Whitehorse Correctional Centre to determine exactly what this current situation is, what the past situation was with respect to how that matter was dealt with and determine what next steps should be for improvements of those services provided.

We do know that a significant number of inmates in the Whitehorse Correctional Centre suffer from mental illness — from mental health issues — and require appropriate services and appropriate treatment. I expect that the inspection that I have ordered, which will take place pursuant to the *Corrections Act*, will uncover the facts of the matter and allow us to make decisions about what the next steps should be moving forward.

**Ms. Hanson:** When the minister announced an independent inspection of how the Whitehorse correctional institute handles inmates with mental illness, we welcomed the step and we hoped at the time that the inspection would be

truly independent. We're still waiting for the inspection to commence.

Mr. Speaker, in his memorandum, Justice Veale was unequivocal about the Whitehorse Correctional Centre's status as a hospital under Yukon law. He said — and I quote: "I strongly recommend that the Yukon government revoke the designation of the WCC as a hospital." In fact, during court proceedings, Yukon's Director of Corrections clearly stated that the Whitehorse Correctional Centre — and I quote: "... is in no way, means, shape or form a hospital."

Will this government respect Justice Veale's call and revoke Whitehorse Correctional Centre's designation as a hospital?

**Hon. Ms. McPhee:** As I have noted, we will be seeking the information necessary to make that decision — as well as others, quite frankly — from the inspection.

I take issue, I guess, with the idea that we're still waiting. The announcement of the inspection has been — I think it might be two weeks old, but it's not very long. The department began immediately in working to contact experts in the area who could carry out this work. We have been in touch with more than one person and we are awaiting responses from them with respect to their own personal schedules and timing when that could be done — whether they're interested, in fact, in the ability to do that and how that might be carried out.

While that work is happening, we're also working on the terms of reference for the inspection. So the work is ongoing. It began immediately.

In my view we should be — and we are — awaiting the answers from the experts in the area so that we can have the best possible inspector carry out this work independent of our own system, independent of the Whitehorse Correctional Centre and independent, frankly, of the Department of Justice. That work is ongoing and it will continue. We will be pleased to announce who the inspector will be as soon as that information is available.

**Ms. Hanson:** Quite frankly the minister doesn't need to wait for a review or an inspection to take action. Yukon court decisions in 2000, 2004, and Justice Veale's memorandum last week have clearly established that the Whitehorse Correctional Centre is not now, nor has it ever been, appropriate for use as a hospital. Corrections experts, psychiatrists, UN officials and many others have identified the devastating impact of segregation on mentally ill inmates.

Mr. Speaker, it's Mental Illness Awareness Week. Ministers of this government need to do more than tweet their support for the cause. Specific action can and must be taken now to address mental illness within Yukon's Corrections.

Mr. Speaker, will the minister take action by putting an end to solitary confinement for mentally ill inmates and revoke Whitehorse Correctional Centre's designation as a hospital?

**Hon. Ms. McPhee:** I think the member opposite may be under the misconception with respect to the current practice of separate confinement. The statistics on separate confinement are posted on the department's website and

updated annually. Just as partial information for the question, 34 individuals were separately confined for 37 incidents from July 1, 2017 until August 17, 2017, either by Corrections management or by independent hearing adjudicators. Nineteen of those incidents were for medical reasons. Eighty-nine percent of inmates — many of them suffering from mental health issues — were not ever separately confined for any reason during that period of time.

It would be inappropriate to simply make the move that the Leader of the Third Party is suggesting without alternative services available. She is quite correct that it is a designation under the *Criminal Code* that the Whitehorse Correctional Centre is, as she has indicated, designated as a hospital facility because such a designation is required. We need to figure out how the proper services can be provided to inmates with mental illness, where those services can be provided, and we need to move quickly on this.

**Question re: Criminal justice workers support**

**Ms. McLeod:** This year Yukon has seen an increase in major crimes, including homicides, drug-related and organized crime, as well as deaths related to the opioid crisis.

Those working on the front lines recognize that there is a gap in what is required to address the recent spike in crime and what they are able to provide. The RCMP have said that their resources are stretched thin, and they have stated publicly that they need increased support from the Government of Yukon. The Official Opposition asked the minister in July to take action on this, and her response to us, essentially, was that her government does not think this is an urgent matter and that everything is fine.

Can the minister tell us why her government is not treating the strained resources by our police officers seriously, and will the minister be supporting the submission that the RCMP is putting forward now?

**Hon. Ms. McPhee:** Mr. Speaker, I very much appreciate this question because the opposition has been spending quite a bit of time informing the press and the media in this territory of information that is clearly incorrect. While it may be the opinion of the member opposite that the government is not taking these issues seriously, she would not be correct.

The most recent request from the RCMP that I am currently assessing was sent to me at my request. I have been working on this issue since long before the letter that the member opposite notes, having arrived at my office in July, which I readily and quickly responded to. Prior to that, I had already been working closely with the RCMP. The government supports the RCMP having the resources that it needs in order to protect our community and to serve Yukoners in the very best possible way. As a result, I received the letter — that she has noted and that I've mentioned here — on September 20. As a result, an analysis began immediately. That is only some 12 or so days ago — 13 days ago — and as a result that work is underway and I fully intend to analyze it properly to make a fiscal decision that is appropriate.

**Ms. McLeod:** Thank you, Mr. Speaker. Definitely the proof will be in the pudding.

The RCMP was very clear when they said they needed more resources. These are people who are in a very dangerous line of work and we need to ensure that they have proper resources to do their jobs.

Asking for an increase in resources is not arbitrary for the RCMP and front-line workers. When they ask for it, they need it. While we understand that there may be help available from BC and Alberta, it's not sustainable in the long term. These men and women go out every day and night to do dangerous work to keep our community safe. The minister must look at ways that this government can help and not leave the RCMP to find additional resources on their own, as she indicated in her letter.

While the request from the RCMP is being evaluated, can the minister tell us what her plan is to help keep our communities safe in the meantime?

**Hon. Mr. Pillai:** I just want to take the opportunity to touch on an interesting trend here. The Member for Watson Lake puts a very important point forward, but I think I appreciate the retort from the Minister of Justice that she did actually request this.

In the same way that we started today with a question about if we were going to follow through — and we did, we brought that letter in as well — and our Premier has spent the time today having those conversations with the Finance minister. When it came to the question about the Financial Advisory Panel, we hear out of the blue that there wasn't enough information, but we've certainly seen that information. It's quite interesting.

There was a CBC article this week and I think it's probably framing — for a lack of a better opine — what we're going to see over the next bit. Essentially what it says, by this specialist, is: "A good example, says Basen, is the Yukon Party's endless repetition on the looming carbon tax. The prime minister and the federal Environment minister have stressed that it's a federal pricing..."

Just as an example — they're taking a statement that doesn't have a lot of truth to it, saying it over and over again, and then it becomes internalized with voters so that they really can't distinguish between what is true and what is simply political rhetoric. It's political framing.

**Ms. McLeod:** That wasn't even a subtle deflection of the question.

In the letter that was written to the minister in July regarding the need to assess RCMP resources, another area of concern brought forward is the assessment of needs in Victim Services and the coroner's office. As I previously mentioned, front-line workers are feeling the pressure with the increasing crime here the territory. This increased pressure is being felt through the Department of Justice into Victim Services and the coroner's office.

The minister's response previously indicated that this wasn't urgent and would be addressed during a regular departmental review of Victim Services branch and that the department would make short-term capital repairs. Regular

reviews and short-term fixes aren't enough for these front-line workers. They and the RCMP need support today. Will the minister commit to reviewing the resources allocated to the RCMP, Victim Services and the coroner's office?

**Hon. Ms. McPhee:** Thank you very much. I appreciate the question, although I am concerned that it's somewhat repetitive.

Absolutely we'll commit to reviewing those resources. It's an ongoing issue. The Department of Justice works very closely with the RCMP. I believe I've said this and maybe I can say it a bit more clearly. We need to ensure a professional, efficient and effective territorial policing service. The process includes undertaking regular assessments of staffing levels and examining future resource requirements. I can repeat that sentence with respect to Victim Services and with respect to the Coroner's Service, which, again, was something that I initiated upon entering this office and made significant improvements already to the Coroner's Service that were of serious concern for families.

The Department of Justice will continue to work with the RCMP through established processes, not the media, to ensure that resourcing pressures are understood and that opportunities to address these pressures are realized in light of emerging issues. In order to have appropriate, meaningful conversations with respect to these matters, they need to — at least initially — be confidential, so that determinations can be made that address the issues that have been raised by both the department and the RCMP.

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

#### Notice of government private members' business

**Hon. Ms. McPhee:** Pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of the government private members to be called on Wednesday, October 4, 2017.

They are Motion No. 94, standing in the name of the Member for Porter Creek Centre, Motion No. 32, standing in the name of the Member for Copperbelt North, and lastly, Motion No. 70, standing in the name of the Member for Mayo-Tatchun.

**Speaker:** Government House Leader.

**Hon. Ms. McPhee:** I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 2:03 p.m.*

#### The following sessional papers were tabled October 3, 2017:

34-2-22

*Conflict of Interest Commission 2016-17 Annual Report* (Speaker Clarke)

34-2-23

*Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sitzings of the Legislative Assembly and its Committees October 3, 2017* (Speaker Clarke)

34-2-24

*Yukon Liquor Corporation Annual Report April 1, 2016 - March 31, 2017* (Streicker)

34-2-25

*Standing Committee on Rules, Elections and Privileges First Report* (October 3, 2017) (Gallina)

34-2-26

*Standing Committee on Appointments to Major Government Boards and Committees Fourth Report* (August 8, 2017) (Adel)

34-2-27

*Standing Committee on Public Accounts First Report* (August 11, 2017) (Hassard)

34-2-28

*Standing Committee on Public Accounts Second Report* (September 18, 2017) (Hassard)

#### The following legislative returns were tabled October 3, 2017:

34-2-51

Response to Written Question No. 16 re: Fox Lake local area planning process (Pillai)

Response to Written Question No. 17 re: Shallow Bay planning process (Pillai)

Response to Written Question No. 18 re: Takhini Hot Springs application to subdivide and amend zoning (Pillai)

34-2-52

Response to oral question from Mr. Kent re: after-school programming (Streicker)

34-2-53

Response to oral question from Mr. Kent re: hazardous waste contract (Streicker)

34-2-54

Response to matter outstanding from discussion related to a letter received from Ms. White re: mobile homes (Streicker)

34-2-55

Response to oral question from Ms. White re: recycling system and waste management strategy (Streicker)

34-2-56

Response to oral question from Mr. Cathers re: helicopter training and policies (Streicker)

34-2-57

Response to oral question from Ms. Hanson re: upgrade to road between Faro and Ross River (Mostyn)

34-2-58

Response to matter outstanding from discussion related to general debate on Vote 54, Department of Tourism and Culture, in Bill No. 201 (Dendys)

**The following documents were filed October 3, 2017:**

34-2-15

Federal small business tax measures, letter re (dated September 27, 2017) from Hon. Sandy Silver, Premier, to Hon. William Francis Morneau, Minister of Finance, Government of Canada (Pillai)