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HANSARD

Wednesday, October 25, 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

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

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Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

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New Democratic Party

Liz Hanson	Leader of the Third Party Whitehorse Centre
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**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, October 25, 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 Transportation Hall of Fame 2017 inductees

Hon. Mr. Mostyn: This afternoon, I rise to pay tribute to this year's Transportation Hall of Fame inductees on behalf of the Yukon Liberal government and the Third Party.

The Hall of Fame was founded in 1996 to honour those industrious individuals who have made significant contributions to Yukon transportation history. There are currently 90 people in the Yukon Transportation Hall of Fame. This year, we have added three more names to this resourceful, adventurous and dedicated group of pioneering Yukoners in recognition of their contributions.

Mr. Garry Doering has been the voice of Yukon air traffic control for the past 40 years. Being an air traffic controller is recognized as one of the most stressful jobs you can have and for good reason. Air traffic controllers dutifully maintain the flow of air traffic in and out of airports and in-flight, ensuring aviation safety for pilots, passengers and support workers. His calm professionalism helped ensure the smooth operation of the air traffic control system at the Erik Nielsen Whitehorse International Airport.

Yukoners and visitors alike have enjoyed many safe, efficient air travel experiences as a result. Mr. Doering is known for his consistent pleasant, helpful and generous personality. Over the years, he has openly shared his wealth of knowledge of aviation, Yukon geography, Yukon weather, Transport Canada aircraft control protocols and mentioned many in both his office and in the aviation community in general.

It is for these reasons and many others that Garry Doering was awarded the Transportation Hall of Fame Polaris award for 2017.

Mr. Gordon Gee and his family moved to the Yukon in 1964. They settled in Whitehorse, where Gordie's Trucking Limited earned their reputation for reliability, good equipment and "get 'er done" attitude and approach. Not only was Gordie instrumental in pioneering truck hauling for Yukon oil- and mine-related activities, he also saw the need to change how general freight was hauled in the Yukon.

Between 1969 and 1972, he held hearings in Alberta and British Columbia to establish the right to haul general freight into Yukon. He convinced Whitehorse businessmen that he

could provide two-day service from Edmonton or Vancouver, so they no longer needed to wait three weeks for the next boat to arrive with merchandise.

Today we take for granted the kind of service that Gordie helped to introduce to the Yukon less than 50 years ago. His contributions to Yukon transportation history earned him this year's Transportation Hall of Fame Pioneer of the Year Award.

Mr. Keith Byram moved to the Yukon in 1969 as an engineer, working for the Department of Public Works with the federal government. He went on to hold the positions of vice-president and president of the Association of Professional Engineers of Yukon on a number of occasions over the next decade. In 1987, he formed the well-known Yukon business — Pelly Construction. Over the years, several offshoot companies, which also benefited from Keith's leadership, include Kluane Construction Inc. and R.K. Byram Engineering.

In these companies, Keith was involved with over 200 civil construction projects in Yukon and northern BC. The list is long, but notable projects include work at the Faro mine site, the Minto mine near Pelly Crossing and the Wolverine mine, as well as Western Canadian Coal and Golden Bear mines in British Columbia. Keith was also involved with several key highway projects, including rebuilding portions of the Alaska and Campbell highways, as well as construction of the Dempster Highway. This is a very limited description of the work that Mr. Byram has done in this territory.

I can only imagine it must have been an easy decision to name Mr. Byram the Transportation Hall of Fame Person of the Year this year. I commend Mr. Doering, Mr. Gee and Mr. Byram and their outstanding contributions to transportation in our territory, and I am pleased to see them receive the recognition they are due. Please help me give a hand for these amazing Yukoners and their accomplishments.

I would like to welcome and recognize today Gord Gee and his wife Elaine, daughter Leslie Baer, granddaughter Kendyl Baer — with whom I used to work — her husband, Graeme Carruthers — I don't see Graeme here today, but I'll recognize him anyway — Allan Gee, Gordon's bother, and Lynn, his sister-in-law. We also have Keith Byram, his wife Gwen and his daughters Lori and Jennifer. Please help me welcome them to the House.

Applause

Mr. Kent: I am pleased to rise today on behalf of the Yukon Party Official Opposition to pay tribute to three extraordinary Yukoners who have dedicated their careers to advancing transportation and construction within our territory. This year, these three individuals were inducted into the Yukon Transportation Hall of Fame.

The Order of Polaris was created by the Government of Yukon in 1973. It is awarded to individuals, groups or associations with meritorious service to Yukon's aviation industry. This year, the Order of Polaris was awarded to Garry Doering for his 40 years in the aviation industry here in the Yukon as an air traffic controller. Garry's contributions to

our community go well beyond his contributions to the aviation industry. I know him as a dedicated member and volunteer with the Whitehorse Grey Mountain Lions Club. He is a valued member of our community and we are very lucky to have him.

The Transportation Pioneer of the Year award is presented to those who have made advancements to the transportation industry or a closely related activity connected with moving goods or people in the Yukon. This year, this award has been presented to Gordie Gee who notably began Gordie's Trucking Limited and later owned and operated Yukon Freight Lines.

It is Gordie we have to thank for opening up the highway freight industry and shortening the shipping times for goods from the south. Gordie and Elaine are and were avid members of the local curling scene; however, my favourite transportation memories of Gordie involved the old KARA Speedway and his support of the local stock car racing scene here in the 1970s.

His son Tim was an accomplished racer and, as a young boy, I remember the old *Spirit of the Yukon* car roaming around the track out at KARA Speedway. His grandson Skylar has followed in his dad's footsteps, no doubt with an awful lot of assistance from his grandfather, and he currently races on the Lucas Oil ASCS National Tour and is the top rookie so far this year. I believe he finished 10th this past weekend in his race in Mesquite, Texas. I know Gordie is proud of both of them and has spoken to me often about them.

Finally, Keith Byram has been named as Person of the Year. His contributions to Yukon civil construction and infrastructure have been extensive. From Steamboat Mountain near Fort Nelson to the Kenai Peninsula, from Old Crow to the Rothera air force base in Antarctica, his experience and achievements have advanced infrastructure to what we see today.

However, I believe that one of Keith's and Pelly Construction's greatest contributions to the Yukon are the people who work for him now and have worked for him in the past. I was lucky enough to attend a 20th anniversary celebration of the Antarctica project a number of years ago, hosted by Pelly Construction.

Those in attendance were a virtual "who's who" of the Yukon contracting scene. I'm sure if you were to go through the list of people that Pelly has employed, you would find that there are many successful Yukoners, whether they worked the summers to help earn a university degree or continued on in road building and mining.

I would like to thank these three individuals for their extensive contributions to Yukon transportation and beyond and congratulate them on their recognition by the Yukon Transportation Hall of Fame.

Applause

In recognition of Learning Disabilities Awareness Month

Hon. Ms. Frost: I rise in the House today on behalf of all members of this House. I ask my colleagues to join me in

recognizing that October is Learning Disabilities Awareness Month. In doing so, we pay tribute to many Yukoners who struggle daily with learning disabilities. We also honour those who work hard to ensure that people with learning disabilities are seen for who they are and not for the label they have been given.

I would like to begin by thanking the staff and membership of the Learning Disabilities Association of Yukon for working to provide people with learning disabilities the tools to live a better life. I understand that this valuable organization is currently rebranding itself as the LDAY Centre for Learning. The goal behind this change is to place the emphasis on learning, not on the disabilities. Mr. Speaker, a colleague of mine recently shared a personal story about someone with a learning disability, and I would like to take a moment to share it with all of you today.

He told me the story of a man in his late 70s, a family friend who was just diagnosed with dyslexia earlier this year. Clearly this was a diagnosis that came far too late. Bullied as a child, called stupid by family, he left school at grade 7, and struggled his entire life to do things that others found easy.

I think about what the man's life could have been like if his learning disability was recognized at a young age and if he was provided with the supports that are available today. Though this man ultimately found meaningful work and raised a family, he feels that he was not given the chance to develop to his full potential. For years, he was stigmatized and labelled.

Though we've come a long way since that man was young, people with learning disabilities are still stigmatized, and are still overlooked and not given an opportunity to thrive. Roughly one in 10 people in Canada are impacted by a learning disability. Of those, 35 percent drop out of school; 62 percent of those who don't drop out will be unemployed a year after graduation. Typically, almost 50 percent of adolescents who commit suicide have been diagnosed with a learning disability. We can help to change these statistics. Most of us know what dyslexia is, but how many of us know that dysgraphia is a disorder that affects writing abilities and that it affected Albert Einstein.

I would like to encourage all Yukoners to take the time this month to find out something new about learning disabilities and to share that knowledge with a friend. Raising awareness can help eliminate the barriers that stigma creates, making it easier for people to get the supports they need to live their lives to the fullest.

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Mostyn: I would like this House to recognize Yukon Employees' Union President Steve Geick and Deborah Turner-Davis to this House.

Applause

Speaker: Are there any further introductions of visitors?

Are there any returns or documents for tabling?
 Are there any reports of committees?
 Petitions.

PETITIONS

Petition No. 1 — response

Hon. Ms. Frost: Mr. Speaker, I rise to respond to Petition No. 1, presented last week by the Member for Takhini-Kopper King. This petition calls on the government to fully staff all Yukon's community health centres in order that no nurses are required to work alone.

I thank those individuals who took the time to sign this petition. I would first like to say that there is a nurse in every nursing position in community nursing. No position is left vacant because we can't find a permanent staff member. This is what we use auxiliary-on-call nurses for. This ensures that care is available to every Yukon citizen, no matter what community they live in. Providing health care to Yukoners and ensuring the health of our staff is a responsibility that this government takes very seriously.

Our community health centres provide primary care and emergency care. Ensuring that these centres can provide Yukoners with the care and services they need is an ongoing and consistent priority. We disagree with the petition's claim that people are at risk.

Recruiting nurses for some of our community health centres is not an easy task. Primary health care nurses require extensive experience and a specialized skillset. It can take up to three months through an extensive orientation and mentorship program for them to be certified to our standards. Over the past few years, we have put strategies in place for the recruitment and retention of nurses. We have developed and implemented a targeted recruitment campaign. We attended job fairs and make use of online and print publications.

We advertise our nurse positions on a monthly basis in the national magazine that is delivered to every registered nurse in Canada. We have targeted our efforts to communities that employ nurses with the skillsets we require, including communities in northern Canada.

We offer nurses generous compensation. They receive subsidized, furnished housing; a retention bonus; a bonus for being an RN; and a bonus for residing in a Yukon community. After two years, this can amount to in excess of \$10,000 over a regular pay schedule and does not incur all the overtime and on-call payments.

These strategies are finally coming to fruition, as vacancies have decreased in communities. In comparison to other jurisdictions, the nursing vacancy rate in rural Yukon is very low. Even as the department continues to achieve the goals of permanently filling positions and providing responsive staffing, unexpected life events occur for employees that create urgent leave requests and gaps that need to be covered.

Turnover is also an issue, as some of our long-term employees in rural communities have retired and left the workforce. As we rebuild with a new workforce, we are finding that many of our new nurses want to work part-time.

We therefore have to make some accommodations for these new demands and hire these nurses in auxiliary-on-call positions.

Working with the Yukon Employees' Union, we established part-time rotation, which allows nurses to rotate through a position, or share a position. I would like to thank the president of the Yukon Employees' Union for participating in that process and ensuring that all of the positions in Yukon and all of the vacancies are addressed by way of a part-time or rotational basis that accommodates the needs of the nurses.

Thanks to a collaboration with the union, Community Nursing was able to support all leave requested by rural nurses this past summer and provide coverage for, at a minimum, every third weekend off, as per the collective agreement.

When a nurse in any community is on days off or takes a vacation, full coverage is provided through auxiliary-on-call and float nurses. We have a strong nursing team that is constantly adapting to maintain services within rural Yukon.

Work-life balance is important, as is the safety and health of our workplaces for both our staff and patients. We have safety practices and protocols that the nurses are following. These include protocols for not putting themselves in dangerous situations or removing themselves from a situation.

Since January 2016, we have hired 25 new primary health care nurses, and these nurses are all new to the territory. It is very important that the hiring criteria we set, and the standards, are upheld to ensure excellent service delivery in communities.

Our nurses are competent, qualified and skilled individuals who do their utmost to serve those who need assistance. Mr. Speaker, we will continue our work to hire and retain the best people we can and will continue to ensure the health and safety of all people in Yukon communities.

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

NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to foster sustainable communities by providing municipalities with predictable levels of funding.

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

THAT this House urges the Government of Yukon to continue excluding the Canada child benefit as income when determining eligibility for social assistance.

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

THAT this House urges the Government of Yukon to consider applying a deposit fee on disposable cups in order to reach the government's waste targets and reduce the number

of disposable cups going into our landfills, roadsides and environment.

Speaker: Are there any further notices of motions?
Is there a statement by a minister?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Ross River infrastructure

Mr. Hassard: Mr. Speaker, this weekend marks the one-year anniversary of this Yukon Liberals' promise to allocate emergency funding for Ross River housing. To quote the Liberal campaign spokesperson, she said — and I'll quote: "These are Yukoners, and they're living in Third World conditions... this is a crisis..."

That was one year ago, so my question for the minister of housing is: Could she tell us how many housing units that this government has built in Ross River over the last year to address this issue?

Hon. Ms. Frost: The Yukon Housing Corporation and the Liberal government is committed to continue working with the Ross River Dena Council and we are doing so in collaboration with Indigenous and Northern Affairs Canada, our health services team, our housing team.

We are working diligently with Ross River Dena Council on their capital maintenance management structure, looking at their housing situation. In fact, we're providing some technical support and guidance to them as they integrate a community sustainability plan to address their housing challenges.

The question about what are we doing specific to housing — we've aligned the Ross River Dena Council well with our Housing Corporation to provide for housing needs of the community as they go to the implementation of their retrofit program and we are also now looking at additional units — making them available in Ross River, and that will happen in the next few weeks. There is a six-plex available for their use, so we are working with them and they are cooperating in the inter-agency discussions.

Mr. Hassard: Of course that six-plex is actually a staff housing unit that was started under the previous government, but one year ago, as I said, this Liberal government promised that there would be money for Ross River housing in this year's budget. To quote that same Liberal campaign spokesperson, she said: "Obviously, it's going to require a financial commitment."

My question is: Over the course of the last year, how much money has this Liberal government spent on Ross River housing in order to meet this election promise?

Hon. Ms. Frost: I would like to thank the Leader of the Official Opposition for the question.

Clearly, the Yukon Housing Corporation, in collaboration with Health and Social Services is providing supports to the Ross River Dena Council. Over the course of the last nine months, we have made many, many trips to Ross River — a lot of time working with Community Services, Highways and Public Works, and working with the Ross River Dena Council

to maximize the resources they currently have, putting more money and more resources into Ross River at this time.

Perhaps it's not the most efficient use of our resources. What we've done is we've allocated six units. The suggestion that the six-plex was initiated by the previous government — that may be so, but the six units that are made available and vacated are going to be designated to the Ross River Dena Council, and we are working with them to ensure that this happens.

I can note that the federal government, in collaboration with the Housing Corporation, has spent and is working on building capacity with the Ross River Dena Council to ensure that they have utilized and implemented the \$2.2 million that they are currently receiving from the federal government. That is our commitment.

Mr. Hassard: Once again, we see no answer coming from this minister regarding the question that was actually asked.

Yesterday, my colleague asked the minister how many social and senior housing units the Liberals would build in their mandate, and the minister again did not feel any need to answer this question. She did, however, make reference to a plan that they had.

Maybe the minister would be able to tell us today, since she has talked about this plan — does the plan actually say how many social and senior housing units that the Liberals plan on building in the communities outside of Whitehorse this year?

Hon. Ms. Frost: I would like to maybe just go back in time a little ways with regard to the Yukon Party's commitment to Yukoners — the housing shortages, the shortfalls within the communities, the indigenous participation. The First Nations' participation on housing shortages falls way short of what is needed.

What we intend to do — by way of our Housing First strategies, our aging-in-place models, our anti-poverty reduction strategies — is to work with our communities in a very succinct kind of way to address the challenges, to define what the needs are at this point within each specific community. That will be driven from the collaborated approaches of the community.

Yes, we have committed to working with Ross River and we will continue to do so.

The member opposite would know, because he attended the first meeting in Ross River when we presented to the Ross River Dena Council and he was offered to engage. Did he engage or provide some of the historical relationships? That wasn't fruitful and it wasn't there, but what we have aimed to do — we had three ministers present.

We will continue to do that in the future and going forward, working with the Ross River Dena Council to address some of the housing challenges. We have done that very successfully, I might add.

Question re: Community medical care services

Ms. McLeod: Yesterday, I asked the minister about Yukoners who have to travel from their communities to

Whitehorse to receive medical treatment. Regarding medical travel, the minister pointed to bringing in Outside specialists as a cost-effective way to provide treatment.

She went on to say — and I quote: “It’s easier to bring services to them in the Yukon or in their respective communities.” As you know, the specialist clinic is located in Whitehorse. However, the minister’s comments suggest that she may be expanding specialists’ services into the communities, which would be quite welcome.

Can she confirm that this is the case, and can she let us know how many specialists will be visiting communities outside of Whitehorse this year?

Hon. Ms. Frost: I would like to thank the Member for Watson Lake. As the Yukon Hospital Corporation chairperson stated yesterday, we are working in collaboration with the Hospital Corporation to maximize the resources we have to ensure that we provide the best care possible in looking at collaborative care in the hospitals. What does this look like? We have just negotiated and ratified the physician negotiations that look at collaborative care in the communities.

Putting money and resources into Wi-Fi in the community hospitals is not where we’re going to put our money. We will put our money into programs and services and health care programs that align well with the health care needs of Yukoners. We will continue to work with the Hospital Corporation. We’ll continue to work with all of our partners in our communities.

Ms. McLeod: I’m sure residents in the communities were quite excited for a minute, while they thought they would get some services in regard to specialist visits, but I leave that open for the minister to respond to.

Mr. Speaker, yesterday during Question Period, the minister referenced documentation that she saw at the recent health ministers meeting in Edmonton, where the federal government — in her words: “... is committed to providing services to the north...” As you know, the territorial government is the health service provider in Yukon. This was a key component of devolution.

So if the federal minister will now be providing services here, that would seem to be a new development. I wonder if the minister could elaborate on what health services the federal government is committing to provide in the north, and will any of these services be available in the communities?

Hon. Ms. Frost: Perhaps I can elaborate for the Member for Watson Lake. There seems to be a bit of confusion as to what was discussed. When we have bilateral negotiations, or national discussions and debate at the federal minister’s level, we look at language that speaks about federal fiscal policies and deliverables across Canada. The language that is delivered or spoken tries to capture all of the jurisdictional scans — I guess — across Canada. What I stated was that the unique circumstances of the north are being considered and that remoteness factor is being considered. Was that a consideration in devolution or in the early years of implementation? It was not, but now I’m happy to say that our discussion at the ministers level, and working with the two

ministers from the Northwest Territories and Nunavut — we were able to speak with our colleagues and get the language into the common agreement that speaks about collaboration about our unique circumstances in the north.

What’s unique about the north? The member highlighted earlier that medical travel is a big issue. No one has ever addressed it. We aim to address that in the future.

Ms. McLeod: Yesterday, we learned that there were staffing vacancies at our community hospitals. The exact quote from the Yukon Hospital Corporation board was — and I quote: “I can confirm that there are vacancies that exist, both in terms of nursing staff and in terms of administrative staff — specifically in Dawson City, the administrative leader.” We were told that currently they use temporary staff to fill these roles.

Can the minister let us know if her government is going to ensure that vacancies are filled at both community hospitals, and what is the timeline to have this completed?

Hon. Ms. Frost: The Member for Watson Lake maybe is a bit confused again about where and how resources are expensed to the hospital. We provide umbrella funding to the hospital in collaboration with the hospital. The recruitment and retention strategy, as clearly expressed yesterday, works through the Yukon Medical Association with the hospital. That does not fall under the responsibility of the minister or the department. We look at the health centres and the opportunities for working with the health centres collaboratively.

I can state again that we worked quite well with the union in addressing the pressures on auxiliary-on-call and part-time nurses to fill the pressures that we are feeling in the communities. We have worked quite closely also with Community Services to ensure that emergency medical responders were in the communities — that those positions are maximized and filled and, whenever we have the opportunity, we look at all of our options. Of course the recruitment and retention strategy is huge. Expanding that care and the compensation package allows for that to happen, and we are focused on recruitment and retention of services in our communities.

Question re: Teacher staffing

Ms. White: Last summer, an adjudicator ruled in favour of eight temporary teachers who had been denied permanent teaching jobs, despite working for two years on a temporary contract. The ruling is clear: The government’s approach to temporary teachers is unfair. The adjudicator also noted that the government makes a mockery of some provisions of the *Education Labour Relations Act*. To top this off, this isn’t the first time the government had been told that their approach to temporary teachers isn’t in line with the law. A 2013 judgment on a similar case came to the same conclusion. Hopefully, the government has now learned its lesson.

Mr. Speaker, will this government respect the adjudicator’s ruling judgment and its own act and grant

permanent status to teachers who have been stuck in a temporary for two or more years?

Hon. Ms. McPhee: I appreciate the question. It happens to be something I know quite a bit about because I worked on these files before I had this job.

The Department of Education has abided by temporary teacher adjudication decisions. Since the time the first one came out in 2013, I was involved in negotiations following that with the teachers' union, which were lengthy, detailed and very specific with respect to individual cases and individual teachers, and the resolutions that came from those cases were of interest to both the union, the individual teachers and the Department of Education — and they were resolved. With respect to the adjudication that came forward, that is the process for dealing with disputes. It was appropriately used.

There's a determination now by the adjudicator, in this case, that the facts of the situation with respect to those individuals who came forward was found in favour of the individuals and not necessarily the union, but the determination of how their matters should be dealt with. The department is responding as a result of that decision which has come out to deal with their cases.

Ms. White: Mr. Speaker, the Yukon Teachers' Association has indicated that there is a backlog of teachers stuck in temporary positions. Last spring, the minister indicated that 12 teachers were in temporary positions for more than two years. The misuse of temporary classification also affects language teachers and educational assistants.

This, Mr. Speaker, has real consequences for educators and for communities. Not having a permanent position makes it difficult for teachers to set down roots in our communities and getting a mortgage can be near impossible. We understand that many of these cases started before this new government took office, so here's an opportunity to chart a new course and show some respect for our educators.

Mr. Speaker, will the minister ensure that teachers and educational assistants who have two years of temporary assignments will no longer have to go through arbitration to get permanent status?

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. I don't think it will surprise the Member for Takhini-Kopper King that I personally — and our government — value the contribution of all of our teachers that they make to the success of students, including temporary teachers and educational assistants. They all have a key role to play in making students' lives better and achieving education standards that we want here in the territory.

Temporary teachers are hired or defined regularly and on occasion for defined periods of time to meet temporary programming needs in Yukon schools or to backfill for a permanent teacher who might be on leave. As a result of that practice, some individuals are hired on temporary contracts or as temporary teachers for the purposes of meeting the operational needs of the Department of Education and, more importantly, the operational needs for students in classrooms.

As a result, the disputes that have arisen in this area have gone to adjudication. We now have great guidance from the adjudicator's decisions on how to resolve these matters, and we're working very diligently to do so with the union and with the individuals who are involved.

Ms. White: Mr. Speaker, when a grievance makes it all the way to an adjudicator, it's because more collaborative avenues for resolution have not succeeded. If this government is truly committed to a more collaborative approach, teachers should not have to take their cases all the way to adjudication to get permanent status. The adjudicator in this latest case wrote that the Yukon government has had very clear direction from a previous judgment in 2013 on the very same issue. He went on to highlight that — and I quote: "... it is a waste of scarce resources to relitigate issues settled by..." arbitration.

Mr. Speaker, can the minister tell this House how much has been spent by the Yukon government, including staff time and legal fees, on the grievance and adjudication process regarding temporary teachers?

Hon. Ms. McPhee: I also need to make sure that I emphasize in relation to the answer to this question today that discussions are ongoing with the Department of Education and with the teachers' union, the Yukon Teachers' Association, and their representative of the temporary teachers in the circumstances that are in the matter that has been brought forward. I can indicate that the adjudication process is put in place for the purposes of resolving disputes.

Not everyone is going to agree with an interpretation that has been taken either by the department or in fact by the Teachers' Association. That process for resolving those kinds of disputes is, appropriately, the adjudication process. That is why we have it, so that we can avoid a court process and so that we can resolve disputes. By far, the vast majority of those disputes are resolved without having a decision from an adjudicator. Sometimes those things can't be resolved and the adjudicator gives the guidance that is absolutely necessary. That is the process we have — that's fair and that's appropriate.

In relation to the question, I don't have the figure on how much would have been spent with respect to this particular case. I can undertake to ask that question and determine whether or not I can release that information to the member opposite.

Question re: Takhini elk herd

Mr. Cathers: Wild elk are not native to the Yukon. They were imported by the government and the Yukon Fish and Game Association. For years this introduced species struggled to survive. A 1991 report by the Department of Renewable Resources estimated the population of the Takhini elk herd at 30-35 animals. In the past decade, the population has increased dramatically.

Changes were recently made to the management plan for the wild elk into the harvest management plan, but it's clear that much more needs to be done. Farmers in my riding are still losing fences and crops. The wild elk were originally imported so that people could hunt them, yet the Department

of Environment is currently issuing just two permits for the Takhini elk herd and one for the Braeburn herd.

What steps is the Minister of Environment planning to take to address the wild elk problem?

Hon. Ms. Frost: I would like to thank the Member for Lake Laberge for the question.

Clearly we are hearing quite a lot in the Yukon about the integration of animals that are not traditional to the Yukon. We've brought in wild sheep, we've brought in elk, we've brought in bison and then the government is obligated then to try to manage those herds as they expand and grow. Clearly the Government of Yukon is collaborating with landowners and hunters to address the elk and agricultural conflicts.

The Department of Environment, working with the Minister of Energy, Mines and Resources and lands to address the agricultural conflicts — this is not new. This has been a long-lasting issue — it has been there in excess of three years. Establishing a list of eligible hunters or culling of the herd — the department is always looking for options and looking for collaborative approaches on how we can best address and modify what we're doing to proactively address the issues and concerns that are brought to our attention.

Mr. Cathers: It's important to note that most of my constituents who farm did not move into elk habitat. The wild elk herd ballooned in size and moved into the area where they have been peacefully farming for years. The 1991 government report recommended that the Yukon government increase the size of the elk herd to 100 animals, but not exceed that target population, based on the report's assessment of carrying capacity in a core range.

According to the Department of Environment's website, they estimate the current elk population at 300. Farmers in my riding have had 80 to 100 wild elk on a single field damaging their crops after breaking through fences and have photos to prove it. Hunters want to be able to hunt the elk; farmers want to be able to grow their crops in peace without losing crops.

Will the Minister of Environment agree to increase the number of elk permits being issued and work with the Yukon Agricultural Association, Ibex Valley Local Advisory Council, RRCs, the Fish and Wildlife Management Board and farmers to revise the harvest plan and the management plan and fix the wild elk problem, which is hurting Yukon farming?

Hon. Mr. Pillai: I would like to thank the Member for Lake Laberge for the question. It has been a pleasure to work with the Minister of Environment on this file. It's very important, as the member opposite has said and as stated to his riding for the farmers there. I have had the opportunity to spend a bit of time in the Hot Springs area, walking the fence lines of a series of different individuals, and the impact is quite significant.

I do need to take time, which I haven't done yet — I apologize to the Assembly — to sit down and understand why the Member for Lake Laberge didn't tackle this issue while in the Energy, Mines and Resources portfolio, but I'm sure there are some reasons for that.

We at the Agriculture branch — some of the things we do is provide funding to protect crops, for storage areas, for the purchase of guardian dogs, to erect and repair damaged fences — and compensation is also provided to farmers who have experienced financial loss due to elk damage on their fields. We had a great meeting last night with the Laberge RRC, which oversees this. This is what they would call their traditional territory, right in the back yard for the Member for Lake Laberge. They had some great comments.

Maybe I'll leave it to my associate to continue on with the questions.

Mr. Cathers: I would like to thank the Minister of Energy, Mines and Resources for reading off programs that were introduced when I was the minister responsible for that area. I would note the compensation programs were intended to be a temporary measure until the problem was solved. The Minister of Environment has the authority to manage elk and their habitat in the Yukon under the *Wildlife Act*. This species was originally introduced with the intention of allowing people to hunt elk as an alternative to hunting moose but, today, the herd is roughly triple the size the 1991 report by the Department of Renewable Resources recommended growing it to, and government is only issuing three permits for hunting elk.

This lack of management has continued to result in damage to farms and has caused hundreds of thousands of dollars in crop, fence and land damage to fields. If the government is serious about supporting the growth of Yukon agriculture, it does need to fix the problem caused by this introduced species. What new steps will the Minister of Environment take to fix this problem, and when does she plan to take them?

Hon. Ms. Frost: With respect to elk management, the Member for Lake Laberge noted that when he was the minister, the programs that were introduced to provide some supports were insufficient, and that's why the questions are being raised today — lack of management — highlighting the lack of management — results in what we're confronted with today.

We have a working group that's comprised of representatives from Yukon First Nations, Yukon government, renewable resources councils, Yukon Fish and Game Association and the agricultural industry. Long-term solutions will require sharing the responsibilities to address agricultural attractants and manage the elk, looking at Yukon government providing necessary supports to the farmers and the agricultural industry. Whether the terms of the hunting modifications are something that is being considered will derive from the engagement and the consultation.

I thank the member opposite for raising this really important question that is highlighted for the minister now responsible for agriculture because he raised this very question last night with the renewable resources council for which this traditional territory in this area falls under.

Question re: Yukon Resource Gateway project

Mr. Hassard: I have some questions about the Yukon Resource Gateway project. Of course, the Yukon Party is very supportive of this initiative, as we first introduced the idea to Canada during our mandate. Again I would like to congratulate Canada and Yukon on reaching a deal on this funding, but, as you know, Mr. Speaker, there is still a lot of work to come.

Yesterday during debate the Premier mentioned — and I will quote: “... that to support the initial planning stages, this supplementary budget includes \$600,000, of which \$400,000 will be paid for by the Government of Canada.”

I’m curious — could the Minister of Highways and Public Works give us any more details on this expenditure and what results we can expect from it?

Hon. Mr. Silver: What we can comment on about the funding so far is that we want to make sure that the agreements are in place with our First Nation government partners and get out to the consultation stage of things, originally. We had lots of conversations among Highways and Public Works, Energy, Mines and Resources, and the Minister of Finance as well about making sure we had money out the door so that these agreements could start and so the conversations could start.

The member representing Highways and Public Works can speak to this as well — specifically to his department — but initially what the money upfront is for is those conversations and those agreements. We’ve committed — when the announcement was made for over \$300 million for the Gateway project, one of the largest infrastructure spends in Yukon history — that we wouldn’t make sure that any of this would move forward unless we had those agreements with the First Nations whose lands would be affected by these.

In cooperation with other governments, we want to make sure that the conversations are had in earnest now, upfront, before any of these improvements for our economy’s sake will be made.

I appreciate the start of this file from the previous government. It was quite an agreement that had to get figured out, and I’m really proud of this department for hitting it out of the park.

Mr. Hassard: I’m happy to hear the Premier say that because those certainly are the same commitments that we made as well.

I’m curious — can either the minister or the Premier give us a progress report on those agreements and when they anticipate them being in place? Will they include such items as road management and/or contracts for construction and maintenance?

Hon. Mr. Pillai: I appreciate the opportunity to speak to this. As we look at the Gateway project, part of the reason that we have been able to come to general agreement with our First Nation partners and with the federal government is based on the fact that we’ve had a one-government approach. I actually owe an apology to the members of Highways and Public Works because they did a great deal of work which I didn’t mention in our last conversation — and the minister as

well. The Environment minister has also given us great support.

At this particular time, Energy, Mines and Resources — and, through our strategic shop, the Member for Copperbelt South was, I think, integral and probably the establishment of some of that entity with Energy, Mines and Resources — we have really bulked it up. They play an extremely important role. At this particular time to the Member for Pelly-Nisutlin, we are starting to engage with our respective First Nation partners, all the while reviewing the initial application and ensuring that we prioritize based on where projects are and starting those conversations.

The dollars that have been identified are certainly dollars that pay for the costs that are taken into consideration with those negotiations. I know the members opposite would be very well aware of what those expenditures look like. That is the travel that is taken into consideration, the venue and, in some cases, the consultation costs, as we begin the dialogue.

Mr. Hassard: Yesterday, we also heard from the Premier — and I quote again: “There is also a capital investment in Highways and Public Works to establish a project office and begin environmental and socio-economic planning...” There wasn’t enough time yesterday for the Premier to mention the actual amount allocated for this. I am curious if the minister could tell us how much this expenditure will be. Will the minister be starting the YESAA process prior to the project agreements being completed?

Hon. Mr. Silver: As the member opposite knows, there is obviously a YESAA process and that is still to come and will be determined in the very near future. We are dealing with the supplementary budget right now to pass that money to be able to start down this process. In due time we will make sure that we do things in the proper progress to make sure that all the stakeholders involved are going to be able to move forward on this project.

It is worth noting at this time as well that the benefits of this project include a lower cost for upgrades of roads, economic opportunities and safer access for local First Nations and other users, including exploration companies, tourism operators and those engaged in activities such as fishing, hunting, snowmobiling and dogsledding.

I am very proud of the work that has been done on this side of the table, and I really believe that this money was in jeopardy as to whether or not we were going to be able to get these agreements-in-principle done. I believe it was the activities of having the chiefs of the First Nations with us at Yukon Days in Ottawa — not just as a cultural component, but as government-to-government-to-government conversations — that really hit this home and allowed this money to flow for the benefit of First Nations and for the benefit of the economy of the Yukon.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 139

Clerk: Motion No. 139, standing in the name of Mr. Cathers.

Speaker: It is moved by the Member for Lake Laberge: THAT this House urges the Government of Yukon to not implement a territorial sales tax.

Mr. Cathers: It is a pleasure to rise here today in the House to debate this motion. Of course, the reason that we are bringing forward this motion is that this topic is of concern to Yukon citizens. Between the announcements made by the federal government and the announcements made by the territorial government, Yukoners are becoming increasingly concerned about what new taxes they may have to be paying next year. They still don't have the details on the Liberal carbon tax that is supposedly coming next year. They have been concerned about the changes that the federal government was planning on imposing for small businesses. We know that the federal government was forced to back down on some of those changes, but people are still worried about what the implications will be and have not always, even with those changes, had a chance to assess what it will mean for their homes or their businesses.

We have also heard from Yukoners who, in addition to being concerned about the cost of a carbon tax and what pressures it will put on their businesses, they're concerned about the lack of transparency from both the federal and territorial government about what the new taxes will look like. People are particularly concerned by the indication from the government's hand-picked Financial Advisory Panel about the idea of imposing a territorial sales tax or harmonized sales tax, and are concerned about how it would affect their cost of living, their cost of doing business, their cost of heating their homes and their cost of feeding their families.

One of the other suggestions made by the Premier's hand-picked panel under the terms of reference he set was to raise the royalties on placer gold. We appreciate the fact that the Premier did, after pressed on the issue, take that off the table and make it clear that despite the panel recommending it, the government is not going to increase royalties on placer miners and that is of some comfort to those Yukoners. But again, we're hearing from Yukoners across the territory who are concerned about the possibility of a sales tax and believe that they deserve an answer from the Premier and his government about whether they plan to implement a sales tax and if so, what it will look like. So that's why we have brought forward this motion — urging the government to take a position clearly in favour or not on the topic of a territorial sales tax.

I would also just note for context for those who are listening on the radio or watching this or reading it in Hansard that in fact as the Premier's own budgetary documents and press releases indicate, the government was in a healthy

financial position at the beginning of this fiscal year. Quoting from the Premier's own press release issued October 2, it said, "... the 2017-18 Main Estimates indicate that the Government of Yukon held \$93.4 million in net financial assets at the start of the fiscal year ..." Again, for those who are not familiar, what composes the net financial assets are a number of different financial instruments. It might be short-term GICs other investments, but it is effectively government's cash-in-the-bank position.

We see here plans contained within this year's budget, which is not only the largest budget in territorial history, but in fact shows, according to the supplementary budget tabled by the Premier this month, a plan to burn through over \$80 million in cash this fiscal year. We believe that it's important that the Premier be accountable for the spending decisions this government makes and realize that an attempt to blame your own spending choices on previous governments may work for a while during the honeymoon period, but Yukoners are fast catching on and realizing the fact that this government chose to table the largest budget in history and chose to increase spending in a number of areas, including adding, by the Premier's own admission, 202 full-time equivalent employee positions this fiscal year. Those are decisions that government should be accountable for and should not attempt to pass those costs on to Yukoners because of their failure to responsibly manage the growth of spending.

Mr. Speaker, I note as well that one of the arguments used repeatedly by the government in trying to justify outsourcing the job of the Finance minister to the Financial Advisory Panel includes the Premier's incorrect claims that the previous government didn't properly account for operation and maintenance spending for the Whistle Bend place.

However, an important fact for Yukoners to note is that, even if that incorrect claim were true, we have a situation here where the Whistle Bend place is not open this fiscal year. It is not going to be open during this fiscal year. Contained within this year's budget, we see costs for recruitment and staffing the Whistle Bend place, but the full operational costs are not included in this fiscal year, yet we still see a budget in front of us that will take the Yukon from \$93.4 million of cash in the bank down by over \$80 million and that is due to the growth of spending under this Premier and Finance minister and this Yukon Liberal government.

We have been clear and continue to be so. We believe that government needs to responsibly manage the growth of spending. It should also be noted that, counter to the rhetoric of the Liberal government about the past Yukon Party government's financial management, when they refer to some of the reduction of net financial assets over the period of the last five years, they conveniently fail to remember to point out that this included paying down over \$27 million of debt that was held by the Yukon Hospital Corporation. Yukoners interested in learning more about that can refer to the Public Accounts Committee transcript from June 19, 2013.

It included, as well, roughly \$20 million in cash that the government loaned to Yukon Energy Corporation via Yukon Development Corporation, related to the LNG plant. That was

to avoid them having to seek Outside financing as they planned to do so and to ensure that when they were paying interest that rather than paying interest on that to a bank, they would pay the interest on that to Yukon Development Corporation, who would then pass it on to the Yukon government.

I would note, as well, in specifically referring to the testimony of the official from Health and Social Services from June 19, 2013 Public Accounts Committee that the effect of wiping out \$27 million of the hospital's debt was to reduce their interest costs by \$12 million in total, or just over \$1 million a year.

Those spending decisions — that \$47 million in total, of the amount by which the previous government reduced the cash in the bank, or net financial resources — were what we believed to be sound investments in capital and helping two corporations with the Yukon government, in one case reducing their costs by \$1 million a year and in the case of the other — Yukon Energy Corporation — to allow them to proceed with a project that they have done in partnership with Kwanlin Dün First Nation's development corporation, and ensure that in fact their interest paid on that cash given to them by the Yukon government is interest that is paid ultimately to the Yukon taxpayers.

Having set the stage for that context, I would note that if past performance in this House is carried forward to today — the Premier has tried to claim repeatedly that everything the Financial Advisory Panel does really isn't him and claims there is no control on this, but what I do have to point out is that you created this structure, you let it out of the bag and Yukoners are very concerned about some of the recommendations. They are concerned when they hear that layoffs of the public service are being considered and that government has not conclusively ruled those out. They are concerned when they hear that the Financial Advisory Panel is recommending a sales tax. That and the government's refusal to rule that out leaves the strong sense for Yukoners that government is considering that option.

What we're doing today is giving the government an opportunity. If they truly are not considering implementing a territorial sales tax, they can stand and vote for this motion. If they plan to implement a territorial sales tax, then presumably they'll vote against this motion or move an amendment that effectively negates the intention of this.

This is an opportunity for the Premier and his colleagues to provide comfort to Yukoners who are worried about a new sales tax, potentially making it harder for everyone from businesses to low-income families to make ends meet. They have the opportunity to stand clearly on record and say yes or no on whether they will implement a territorial sales tax.

With that, I will turn the floor over to members opposite and hope they will comfort Yukoners by supporting this motion.

Mr. Adel: I would like to thank the Member for Lake Laberge for bringing this motion forward for debate today, as it will allow us to discuss a number of important issues related

to the territory's financial position and the need for strong financial management going forward.

All Yukoners are affected by the territory's financial position, and all Yukoners have a stake in the territorial government's finances, as they affect all Yukoners now and in the future. It is so important that we have these discussions. This is why we were elected to this House. This is why our constituents want us here. It's their future we're dealing with.

It's also important that Yukoners understand the position their government is in, how it got there and the options to moving it forward. I say "options", Mr. Speaker. That's a very important distinction.

I appreciate the opportunity to speak to this motion because I think it's maybe a little misguided for reasons that I will discuss. We might assume that the intention of this motion is to elicit a response to, and get on record, a discussion of the potential implementation of a territorial sales tax. I think an appropriate place to start for that is the *Taxpayer Protection Act*. The *Taxpayer Protection Act* was introduced in this House in 1996 by Government Leader John Ostashek.

Section 8 of the *Taxpayer Protection Act* concerns changes in tax law. Subsection (1) reads — and I quote: "A bill to impose a new tax, or to increase the rate of tax imposed by the *Income Tax Act* or the *Fuel Oil Tax Act*, must not be presented to the Legislative Assembly unless the government first puts the question of proceeding with such a bill to the electors of the Yukon in a referendum and the electors approve the imposition of the new tax or the increase in the rate of tax."

The qualification at the end is important, Mr. Speaker, so I'll repeat it: "... unless the government first puts the question of proceeding with such a bill to the electors of the Yukon in a referendum and the electors approve..."

Consider the motion before us, which urges the Government of Yukon not to implement a territorial sales tax. The motion makes no mention of putting the question of such a tax to the people of Yukon and instead asks us to make the decision for Yukoners without first engaging them — a pattern we have seen repeated many times. This is not an appropriate way to govern. Our role as the elected officials of Yukoners demands that we represent the will of Yukoners. That is what Yukoners expect, and that is what Yukoners rightly deserve.

This motion, however, which was put forward by the Yukon Party, is effectively asking us to act without first engaging Yukoners. As such, it would go against the *Taxpayer Protection Act*, which was also introduced by the Yukon Party. The spirit of that act is that Yukoners be engaged about the administration of the finances of the Government of Yukon because it is a significant concern of Yukon residents to maintain financial stability and integrity within their government and within their homes.

We on this side of the House certainly agree that financial stability and integrity of the territory is a significant concern of Yukon residents. We have heard from Yukoners across the

territory about this concern, and Yukoners have told us that what they want is strong financial management.

As I was going door to door, a lot of the concerns I heard were: We're moving forward, we're building lots of new things, but can we afford to carry them? Is it an appropriate thing to do? This is the start of us trying to deal with that.

We started to address these concerns by reducing the corporate tax and then the small-business rate, but it was also important that we further engage Yukoners about our current financial situation.

This is precisely why our Liberal government made the decision to establish an independent Financial Advisory Panel to provide independent and expert advice on how to improve the Yukon government's financial outlook. The reason why we established this plan is no secret. The Yukon government is facing financial challenges going forward. Current projections indicate that following a small surplus in 2017-18, the government will face significant deficits over the next three years, based on anticipated revenue and spending levels.

In addition, the government's net financial assets are forecast to become negative in 2018-19 and are projected to reach net debt of \$216 million by 2021 — that's \$216 million. The negative outlook is based on growing pressures and demands on government spending.

Some of these challenges include: increasing O&M costs, operation and maintenance, of public capital assets such as schools that have yet to be built, extended care facilities that have yet to be finished. In the past, long-term plans have not fully accounted for these costs. This was the case with projects such as the Whistle Bend continuing care facility and the new French language school.

Just a quick look at the publications, multi-year projected listings — in half a minute, I have tagged \$6 million that has been moved forward from spending that wasn't put forward by the Yukon Party, stuff that they put into our lap. I am sure I could find an awful lot more, but I would be taking up a lot of time in the House. It is all here for people to see.

Infrastructure — municipalities need new infrastructure because much of what they have is aging. Municipalities also need infrastructure that is more efficient and environmentally friendly.

An aging population — in 2016, people who were 66 and older made up 10.3 percent of our population. By 2030, it will be 15.3 percent. We need a plan for the services that we need in order to support our seniors to live a full and engaged life. One of our platform pieces was helping Yukoners to live a long and healthy life in their communities.

A volatile global economy and mineral resource prices are somethings that we cannot control, Mr. Speaker, but we need a plan to help soften the blows in a downturn and maybe add to it when things are roaring right along.

Competition for tourism dollars — I know my colleagues in the Tourism and Culture department are certainly working hard to make those opportunities happen year-round for us.

An annual financial transfer from Canada — our allowance, as it were — that does not keep pace with the territory's financial liabilities, both past and going forward.

For the benefit of those listening in on this debate today, I would like to give a brief history of the Yukon Financial Advisory Panel. During the 2016 election campaign, the Yukon Liberals committed to improving transparency in government operations and finances. We listened on doorsteps, as I said before, in coffee shops and other venues where Yukoners wanted to speak to us. Following many years of financial mismanagement and last-minute, unplanned, non-allocated big bills and decisions by the previous Yukon Party government, Yukoners wanted better management of the territory's finances. When we took office, we were dismayed to learn that the territory's finances were not in as good a shape as the members opposite would have us believe. So we made a decision to form this panel because we recognized a need to have an open and honest discussion with Yukoners about the true cost of government and the reality of financial pressures moving forward.

The Yukon Financial Advisory Panel — YFAP for short — began their work in the spring of 2017. Their mandate is to develop options — I repeat, Mr. Speaker, and this is important: options — on how the Yukon government can deliver on its priorities while meeting the fundamental needs of Yukoners in returning to a healthy financial position. It is important that Yukoners hear these words, so I will repeat them: "returning to a healthy financial position".

In formulating its options and advice, the panel has been specifically tasked with meaningfully considering the thoughts and opinions of Yukon residents, governments, organizations and other stakeholders as expressed through public engagement. As this House has been made aware of on many occasions, they have been going out and meeting with the public regularly. There has been a draft report produced and a final report is coming out shortly.

We look forward to receiving the final report and I would like to thank YFAP for the work they have done on behalf of Yukoners to this point. Perhaps the larger question is: Why did the Official Opposition feel compelled to bring a motion forward that focused on only one part of many options proposed by the Yukon Financial Advisory Panel in their draft report?

Additionally, why did the Yukon Party mislead Yukoners about the work of this panel?

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: For the member for — whatever his riding is — to refer to and accuse the Yukon Party of "misleading Yukoners" about the Financial Advisory Panel certainly seems to be in contravention of Standing Order 19(h) — charging another member with uttering a deliberate falsehood — and I would ask you to have him retract that remark.

Speaker: One moment please. Just for the Member for Lake Laberge's future illumination, the member speaking represents the riding of Copperbelt North. The member who

was speaking — about whom you had some memory lapse as to which riding he represents — represents the riding of Copperbelt North, for future reference. Thank you.

Government House Leader, on the point of order.

Hon. Ms. McPhee: Thank you, Mr. Speaker. It is my submission to you, that context is critical with respect to this situation, but in fact, the Standing Order has not been breached and that the speaker, the Member for Copperbelt North, was actually interrupted prior to him finishing the context in which he has made that statement and that should be permitted.

Speaker's ruling

Speaker: My ruling at this time is that it's a dispute among members as to the facts and we'll continue to hear from the Member for Copperbelt North. Thank you.

Mr. Adel: Thank you, Mr. Speaker. The Official Opposition has made several claims about the government's finances and the work of the panel that simply doesn't hold water. It hasn't stopped them from repeating them over and over again. This is another play straight from the Stephen Harper school of communications: Say it often enough and people might believe it.

Here's an example: the Official Opposition has claimed that the government-appointed Financial Advisory Panel has not been given access to the detailed information about the government's financial situation. The accusation was made on the first day of the Fall Sitting. Here's what the panel had to say about the accusations coming from across the floor.

They responded in a local paper: "The Star spoke Tuesday afternoon with Trevor Tombe, a member of the panel and professor of economics at the University of Calgary." My apologies if I got Trevor's name wrong. I quote: "We've been given access to absolutely everything that we needed, I honestly couldn't think of what else we could want to do the work we are still doing."

These are people who revel in financial dealings, and they should know what they need to ask for. They're claiming that they got everything they needed.

A lot of information about government financing is publicly available and consequently didn't require special permission to access, Tombe pointed out. However, the panel did need to request certain information like that about territorial formula financing, the key source of funding from Ottawa. When they did so, they were granted that information, he said. That was on October 4, Mr. Speaker.

Has that stopped the Official Opposition from continuing to say that the panel has not given them access to everything they need? No, Mr. Speaker. The Member for Lake Laberge had this to say just yesterday in the House — and I quote: "... there is little value in spending \$250,000 or so in bringing in outside experts if you're not going to allow them to look at the same level of detail in the books that ministers have access to. While it is possible that these people could, if provided access to the books and details, identify areas such as where administrative costs could be reduced, service delivery

improved, and many other areas that could be achieved through finding minor efficiencies..." The Official Opposition is repeating the claims that have already been proven to be false.

South of the border, Mr. Speaker —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: The Member for Copperbelt North, in making reference to it, has not only accused the Official Opposition of knowingly making false claims, but now he has personally directed that toward me — referring to me by name and riding — and I think that is clearly in contravention of Standing Order 19(h). I would ask you to have him withdraw that and apologize.

Speaker's ruling

Speaker: What I would say to the Member for Copperbelt North is that the debate should not be personalized, and if you have a position that you are putting forward with respect to how the Official Opposition has mustered its argument, then you probably should, in my view, be referring to the Official Opposition and their position.

I agree with the Member for Lake Laberge to the extent of those comments that he made.

Mr. Adel: Mr. Speaker, just on a point of clarification — am I required to apologize then? I wasn't clear.

Speaker: I have provided my guidance on this. I would ask you to be careful with respect to personalizing the debate going forward but you can proceed now.

Mr. Adel: Thank you, Mr. Speaker. I appreciate your comments.

South of the border there has been — I believe this is called "alternate facts". This is a pattern we have seen repeatedly over the last year for the Yukon Party. As a former Yukon Party minister famously said, "The numbers don't matter." In this case, the fact that the panel was given full access doesn't seem to matter either — just keep repeating the charge. This is the way they do business.

Another allegation that the Official Opposition has made is that the deficit projections are not real. They have accused the government of manufacturing deficits as cover for raising taxes — quite an accusation. Again, it doesn't hold up under scrutiny.

I'll quote from a local newspaper. The panel was asked this question, and here is their response — and I quote: "Kneebone and panel chair Norm McIntyre, a Whitehorse chartered accountant, said they had no reason to doubt the Liberal government's forecast of future deficit budgets presented in last spring's territorial budget.

"McIntyre noted the work of the panel has been completely independent of any government influence."

Mr. Speaker, the Yukon Party didn't trust the website that the government created to gather public input. Again, the

Official Opposition criticisms seem to be baseless. The Official Opposition said that the website, www.yukonplans.ca, is — and I quote — “... susceptible to abuse...” and could put public survey results in jeopardy. The party claimed the survey could be filled out by anyone, anywhere, any number of times.

This is another quote: “This major problem with their website is another demonstration of how little attention has been paid to ensuring the results reflect the views of Yukon citizens.” It was said by the MLA for Lake Laberge. The Yukon’s Bureau of Statistics can verify responses by comparing overly similar surveys to an IP address used multiple times. They are able to scrutinize and reject submissions if they appear to be duplicated submissions — in this case for all Yukon government surveys, and likely most surveys done elsewhere as well.

The project manager in the Department of Finance working with the panel has not yet seen indications of tampering. He told a local paper that the site was designed to have as few barriers as possible for people looking to participate — and I quote: “With 150 responses, it certainly doesn’t appear that someone was trying to hack the process and fill it out 20 times.”

Another approach the Official Opposition has taken to try to discredit the panel — this is a panel —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: The Member for Copperbelt North appears to me to be clearly in contravention of Standing Order 19(g), imputing false or unavowed motives to another member. He is claiming that the Official Opposition — and was clearly making reference to me, based on repeating quotes I have made — as trying to discredit the panel when, in fact, we have done nothing of the sort. We respect these individuals and it’s offensive for him to make that remark.

I would ask you to have him retract that remark and apologize for making it.

Speaker’s ruling

Speaker: I will have to review Hansard and return to the House with a ruling if necessary.

Mr. Adel: Another approach — the Official Opposition party has referred to them as “hand-picked” as Liberals, as Outside experts. The opposition seems to miss the point that two of the leading panelists are prominent Yukoners. If you are on the panel, it appears that you are a puppet of the government, according to the Official Opposition. I don’t know if the members opposite have met Grace Southwick, but I can tell you, she is nobody’s puppet — and that’s a fact.

I would like to urge the Official Opposition to take into consideration the credibility of the Yukoners who are on this panel and the hard work that they have endeavoured to do to help us to get to where we want to go.

But this is not the first time the Official Opposition has criticized individuals related to financial matters. Yukon public servants will remember the criticism over new employees in the Department of Finance this past spring. It was said that they would be doing unnecessary work and be part of a ballooning public service. A few years back, lawyers who worked for the Government of Yukon were also criticized. They were incapable of winning a legal argument with mineral claim holders in the Peel. There is a pattern here, Mr. Speaker, and people are watching.

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: Mr. Speaker, it is a very interesting speech that someone has written for the Member for Copperbelt North, but again the member continues to impute unavowed motives to members of this House, making claims that we criticized government staff, which are not factually correct, and continuing to engage in not only accusing members of unavowed motives but, in fact, I believe he is also in contravention of Standing Order 19(i): “uses abusive or insulting language... in a context likely to create disorder” in this Assembly. I would ask you to have him raise the bar in debate and apologize for his remarks.

Speaker: Government House Leader, on the point of order.

Hon. Ms. McPhee: Unfortunately, I see that the member opposite is taking issue with some of the choices of language and some of the choices of emphasis being made by the Member for Copperbelt North, but that does not, in my submission to you, Mr. Speaker, raise a point of order. They may well disagree about the emphasis that should be put on something, but in fact the Member for Copperbelt North is ascribing — actually quoting — sentences, comments and things that were said by the Official Opposition in the past. He is describing them in a certain context that may be of concern to the members opposite, but it is not insult. This is a debate.

Speaker’s ruling

Speaker: I have a few things to say. The first is that I would urge the Member for Copperbelt North to perhaps stray back or guide yourself back to the motion. Some of the quotes are getting to be, in my view, not particularly relevant to this motion. One of the quotes, as I recall, involved the litigation success or lack of success of government lawyers with respect to mineral claims, which in my view is getting pretty tangential to Motion No. 139.

Conversely, I do agree with the Government House Leader to an extent that a lot of what is being put forward in the last two or three minutes by the Member for Copperbelt North is pretty clearly a dispute among members on the facts. Certainly the Member for Lake Laberge will have every opportunity to refute in debate any concerns he has with respect to the characterization that has been made about

quotes that are attributable perhaps to his previous government or agents for his government.

Where that leaves us — the Member for Copperbelt North, I would ask you to return to a certain degree to focus on Motion No. 139 and certainly, wherever possible, please do not personalize the debate. Thank you.

Mr. Adel: Thank you Mr. Speaker, I will just move forward here a little bit; just bear with me for a second.

Our government has cut taxes and the Yukon Party did the opposite when it was in power. We know why they are here. The previous government was spending beyond its means. Even —

Some Hon. Member: (Inaudible)

Speaker: Order, please. Order.

Mr. Adel: Even after it tabled its last budget, it kept spending. It didn't just put these amounts into the budget plan. There was just a stack of IOUs on the Finance minister's desk when we arrived last December.

We also know the previous government underestimated the operating costs of new projects such as the continuing care facility. In the public knowledge to date there is \$36 million estimated now for the Department of Finance. We have fully accounted for these costs and put them into the long-term budget projections, and it has certainly changed the long-term projections for the worse. It is also accurate and provides a true picture of the future. The Yukon Party and their unbudgeted spending have got us here. Now, it's time to see how we can get ourselves out.

The Yukon Party has suggested they would cut capital spending and cut contracting opportunities for the private sector. Contractors I have spoken to are certainly not happy with the suggestions coming from the Yukon Party.

I am curious if they have any other suggestions to help fix the problem that was created. I will also note that, at the same time they are suggesting we cut capital spending, they are asking the government to build new capital projects — housing in Ross River and other projects. Money has to come from somewhere.

Yukoners deserve to know the facts. I plan to address these questions by speaking to specific points from the Yukon Financial Advisory Panel draft report, which is a publicly accessible document. The government has demonstrated its commitment to transparency by making this draft available for any of the public to view at their convenience. It can be found at www.yukonplans.ca. I encourage Yukoners to review this document and to contact their MLAs should they have any questions, concerns or feedback.

Mr. Speaker, I would like to give this House a clear picture of what we need to do to address this situation based on what we've heard from the Yukon Financial Advisory Panel. I will talk about what has gone before, what we're doing as a government now and what the options are going forward, so that we may implement practices for strong financial management for Yukoners under a Liberal government. My intention is to illustrate why the narrow focus of Motion No. 139 does not serve the purpose of strong

financial management for the Yukon and that draft recommendations by the Yukon Financial Advisory Panel were not intended to be used in isolation of other financial implementation considerations.

Let's start with what has gone before, Mr. Speaker. Over the last decade under the Yukon government, spending increased 2.5 percent while revenue only increased by 1.7 percent. At that rate, for every new dollar the government brings in, its spending is about \$1.50 and Yukoners understand, even on a personal level, that's not sustainable. In the run-up to the election, we had a considerable amount of unbudgeted money spent. I sort of compare this to Christmas. You may think that your family will love you the more you shower them with gifts — to heck with the budget — because you're buying love and affection. However, once January arrives and the bills roll in and the glow of Christmas giving is beyond the family's means, it wears off quickly and necessitates a plan to recover finances in order to provide for basic everyday expenses.

Mr. Speaker, this example is typical of the non-budgeted-for spending spree that the Yukon Party went on in the months leading up to the Yukon territorial election in the fall of 2016: unbudgeted salary increases for a new collective agreement in the Yukon Employees' Union; new teachers hired without budget dollars allocated to them; pension solvency payments for Yukon College and Yukon Hospital Corporation; new continuing care beds at Thomson Centre, Whitehorse General Hospital, Birch Lodge, and McDonald Lodge in Dawson; increased home care supports and a significant contribution to the MacBride Museum for expansion. Mr. Speaker, we don't deny that these services are needed. These decisions must be made with thoughtful consideration and not a knee-jerk reaction and definitely not in an election year. Mr. Speaker, it's self-serving and Yukoners and our constituents are smarter than that.

Getting back to my Christmas example, Mr. Speaker: it's January; the Visa bill is due and now you have to explain your expenditures to your partner and this information is not received well. The result is that you can neither buy love nor loyalty.

The member opposite is quite enamoured with explaining to the House that the former government left our Liberal government in the best financial position ever — \$93 million in net debt. He has spoken repeatedly on that in this House, even today. I repeat — \$93 million in net debt. This dollar amount might be acceptable if it reflected the real situation this government was left in. Numbers don't lie, and it is there in black and white and, unfortunately, red.

The report that the Yukon Party gave to Public Accounts and tabled at the end of October 2016 included a financial snapshot and it did show indeed that there was money in the bank, but it didn't show the liabilities attached to it. They built us half a house and didn't leave us with any money to finish it. When you make a long-term financial commitment to capital projects, there will be ongoing O&M and construction costs. That same report will be released at the end of this month and will reflect on the former government's position right up until

the Liberal government took over on December 3, 2016. The unbudgeted spending will be there for Yukoners to see and they can determine what net debt is and what was left for us to work with. The numbers are there, Mr. Speaker.

The unattainable financial forecasts going forward by our government were necessitated in direct response to the previously unbudgeted commitments made by our predecessors, the Yukon Party. These include operating the Whistle Bend continuing care facility set to open in 2018. Under the Yukon Party government, digging began without an O&M budget, which was released just today, that is going to be on or about or exceed \$36 million in a year. Just because it is not opening in this year — it is opening in 2018 — those expenses are still out there. They are still waiting for us to pay them. We still have to make the appropriate arrangements so that we can pay them.

Costs associated with an aging population: On this last point, Mr. Speaker, I would like to make a personal note that it is of great interest to me — aging in place — because I am, like everyone else, aging in this place. That should help us understand some of the major contributing factors that got us here.

I will now move on to what we are doing about improving the financial outlook for the Yukon Liberal government and all Yukoners. Again, I am going to be paraphrasing here a bit on some of the options that were put forward by YFAP to give us a more fulsome view of why Motion No. 139 is definitely too narrow: Long-term changes in government policies — spending or tax changes, including reducing corporate income taxes; improving government services and programs; institutional reorganization; skills upgrading of public servants; capital investment; and process delivery and funding innovations.

There are government's priorities and policy change suggestions: program evaluation — let's see what we can do about stuff that is redundant; let's see what we can do to improve it; let's see what we can do to streamline it. Contracting options for IT services — activities that include processing and purchases. We just went to a seminar this morning on procurement and how we can deal with it.

Consider additional corporate tax rate reductions — that's tax reductions, Mr. Speaker. Consider diversification of partnerships in order to share costs and risks associated with large infrastructure projects. Look at the options to utilize income tax revenues from businesses to support programs for business. Consider a systematic health care review to determine the costs moving forward — again, aging population, running large buildings. Explore ideas around health care funding and delivery. Review and consider programs to address adult literacy rates and impacts. Some of this will hopefully be addressed in our school system with the new curriculum that was brought forward by the Department of Education this year — some exciting stuff there.

Upgrade and maintain economic infrastructure using a percentage-based spending formula. Work with First Nation communities to assess ways to improve educational outcomes for aboriginal students — again, with our new curriculum,

hopefully we'll get better numbers and more Yukoners will be available for jobs in our booming economy. Consider partnerships with First Nation governments, including public/private partnerships.

In the short term, spending restraint — the sooner we restrain spending, the sooner we'll have a balanced budget. Looking back at the example I used about Christmas, the sooner that expenses are budgeted for and balanced against revenues, the sooner we will have a balanced budget. That's what economic prudence means.

Look at raising revenues using a variety of taxation formulas — it's an option, Mr. Speaker. Explore all options for restraining spending while raising revenues. Medium term — index Yukon's borrowing limit to the gross domestic product — what that means is that we have a fixed amount of money we can spend based on a multiplication formula on our gross domestic product.

Proceed with a complete revenue-neutral implementation of a federal carbon tax while offering a \$300 cost-of-living credit, reducing personal income taxes by 20 to 25 percent for all Yukoners and further reducing the corporate income tax rate — again, Mr. Speaker, reducing taxes.

Fully consolidate territorial budget information, including projections, in a transparent and understandable fashion. Review the current health care system in order to ensure cost-effectiveness in both theory and practice. Review the mining royalties and taxation structure — again, these are all options.

Work with the federal government to plan for Yukon aging population in order to plan for appropriate territorial health services. Plan for economic infrastructure investments by ensuring they are not constrained by spending.

Long term — consider the economic value of the tourism sector for Yukoners while considering the implementation of a tax structure. Consider a targeted debt to gross domestic product ratio when planning long term. Assess the merits of having a tax savings fund.

Those are the opinions that the YFAP have heard. This is what I am bringing to the House today. Now, as I get to the end here, I am just going to go through some of the consolidated options that have come forward.

Option 1: Restrain spending growth. In order to achieve a balanced budget by 2020, the Yukon government could restrain spending growth by limiting spending increases to one percent a year. Alternatively, a more relaxed approach could see it capped at two percent per year, which would balance the territorial budget by 2022-23.

Option 2: Increase government revenue. The government could establish a territorial tax — a sales tax. It's an option. The sales tax would address near-term financial challenges and grow with the territory's GDP. Each one-percent increase in the sales tax would raise an additional \$7 million per year in government revenues. This is a consumptive tax, Mr. Speaker, and some day when all of us are on a fixed income, if this is one of the options chosen to be exercised, we all may appreciate it. A consumptive tax you can control; keeping your income taxes high, you cannot.

Some Hon. Member: (Inaudible)

Mr. Adel: It sounds like there is some excitement from across the floor, Mr. Speaker. They must be really in favour of all of this.

Option 3: Combine the new revenues with spending restraint. There is an opportunity to combine options 1 and 2, capping the growth at two percent and introducing a four-percent territorial sales tax in order to balance the territorial budget by 2021 — remember, as I said before with the tax act, that none of these options can be exercised without the direct input from Yukoners, our constituents — or capping growth at 1.5 percent and introducing a territorial sales tax at four percent in order to balance the territorial budget by 2019-20; or capping growth at 0.05, introducing a two-percent territorial tax in order to balance the territorial budget by 2019-20.

Option 4: Do nothing. Do nothing, as proposed by the panel, is the final option that suggests there is an opportunity to accept the status quo and make no deliberate action.

The panel's draft opinions highlight the Conference Board of Canada's territorial outlook. We are in an upswing in our economy and it may just do the trick. Planning for the worst and hoping for the best, I think, makes more sense than just hoping for the best.

We have some mid-term options for financial health. We can index the borrowing to GDP, which again is a fixed mathematical formula that allows us to only borrow as much as that percentage of our GDP, shifting taxes away from income toward consumption, which we just talked about.

Another option is a savings fund. The Government of Yukon could establish a savings fund that would receive deposits in the years when tax revenues come in at above the threshold and withdraw from the fund in years when revenue comes below that threshold. This could help level out the boom-and-bust economies that we have and long-term effects on our financial position.

I have enjoyed enlightening the House today, however little. Now, in light of this, I would like to propose an amendment to Motion No. 139.

Amendment proposed

Mr. Adel: I move

THAT Motion No. 139 be amended by:

(1) deleting the words “not implement a territorial sales tax”; and

(2) substituting the words with “fully consider the options provided by the Financial Advisory Panel and the views of Yukoners in developing appropriate ways to strengthen the territory's financial position.”

Speaker: I have had an opportunity to review the proposed amendment with Mr. Clerk and can advise that the amendment is in order with respect to form and content.

It has been moved by the Member for Copperbelt North:

THAT Motion No. 139 be amended by:

(1) deleting the words “not implement a territorial sales tax”; and

(2) substituting the words with “fully consider the options provided by the Financial Advisory Panel and the views of Yukoners in developing appropriate ways to strengthen the territory's financial position.”

Therefore, the proposed amended motion will read as follows:

THAT this House urges the Government of Yukon to fully consider the options provided by the Financial Advisory Panel and the views of Yukoners in developing appropriate ways to strengthen the territory's financial position.

Member for Copperbelt North, on the amendment, you have 20 minutes.

Mr. Adel: Thank you, Mr. Speaker. This amendment has everything to do with consultation. This is engaging Yukoners.

Some Hon. Members: (Inaudible)

Mr. Cathers: I believe the Member for Copperbelt North sat down and concluded his remarks.

Speaker's statement

Speaker: There was a level of discussion among members who did not have the floor, which was rising to a level that was, in my view, about to cause some level of disruption.

I would ask the members who have not been recognized to speak to keep it down, please.

Member for Copperbelt North, continue with your remarks on the amendment to Motion No. 139.

Mr. Adel: Thank you, Mr. Speaker. I appreciate that.

This is about consultation. This is about talking to Yukoners about these options. This is about the Yukon Liberal government engaging with them and being transparent to help them be part of the financial planning that brings us back to the place that we want to be.

Mr. Speaker, I think that by bringing this amendment to the motion, we can look at not contravening the *Income Tax Act* that was brought up in the first part of my speech. I hope that the members of this House will recognize the fact that when it comes to our financial future, all Yukoners need to be involved; all Yukoners need to have a say. Mr. Speaker, as we campaigned on, we want Yukon constituents to “Be Heard”. We think their opinion matters.

So Mr. Speaker, I encourage my companions, compatriots and so on in the House to vote for this amended motion as I think it puts us in a light where we want Yukoners to see that we really do care and we want to be heard. Thank you.

Mr. Kent: Mr. Speaker, we will not be supporting the amendment put forward by the Member for Copperbelt North because we feel it drastically alters the intent of the main motion put forward by the Member for Lake Laberge. What we were seeking here today — and I'm sure as the Member for Lake Laberge talked about previously — is that we wanted to ensure that the Yukon government was cognizant of the fact

that there is a significant amount of opposition out there to the territorial sales tax as the Member for Lake Laberge mentioned in his remarks.

The Premier has indicated that one of the recommendations of the Financial Advisory Panel, which was to increase placer royalties, would not be considered because that it was included in a letter that, I believe, the Premier sent to the KPMA during the campaign that the royalties wouldn't be touched. That being said, we've seen the government come out against certain recommendations that the Financial Advisory Panel has put forth and we felt that this was another opportunity through this motion — a very straightforward motion — put forward by the Member for Lake Laberge to not implement a territorial sales tax and for the Liberal government to join us in our opposition to a territorial sales tax and vote in favour of a motion that asks them not to implement this sales tax.

What the Member for Copperbelt North has essentially done is delete the words “not implement a territorial sales tax” and substitute instead the words “to fully consider the options provided by the Financial Advisory Panel and the views of Yukoners in developing appropriate ways to strengthen the territorial's financial position”. While this amendment has been ruled by the Speaker to be in order, we feel that it substantially alters the intent of the motion moved by the Member for Lake Laberge, so of course we can't support that.

This was an opportunity here today for legislators on both sides of the floor to come together and say that a territorial sales tax is something that we don't want to proceed with. By amending this motion in this fashion, it certainly takes away that intent and the intent of the Member for Lake Laberge for putting this forward.

Again, we won't be supporting it. As I mentioned, we have seen the Premier and his colleagues already come out and say that they would not be supporting an increase in placer royalties based on a campaign commitment, so this was an opportunity for legislators on the floor to come together on a motion to say that a territorial sales tax should not be considered. We're quite disappointed in the changes that the Member for Copperbelt North brought forward. Obviously, with a majority, they'll be able to force this amendment through to the motion put forward by the Member for Lake Laberge. It's disappointing; it's disappointing that we aren't able to send a strong message to those Yukoners who struggle on a daily basis making payments, trying to balance a family budget — a budget at the kitchen table — deciding whether or not they can put kids in music lessons or in sports, like hockey or soccer and those types of things. It's a disappointment for them that a territorial sales tax is still on the table, and that we weren't able to come together here today, based on this amendment put forward by the Member for Copperbelt North, and say no to a territorial sales tax.

I'm sure Yukoners who are listening, and those who will reach out today, will be disappointed that another tax is potentially coming their way and that they're going to have to make tough choices around their kitchen tables when it comes to what they're able to afford for their family.

That said, we're very disappointed with the amendment put forward by the Member for Copperbelt North. It defeats the intent of this motion that should have garnered support from both sides of the floor — we hoped it would. I guess Yukoners will have to wait and see what the government decides to do with the territorial sales tax.

It has the potential to not be a very merry Christmas for some Yukon families when it comes to this amendment that was put forward by the Member for Copperbelt North today.

With that, Mr. Speaker, I'll conclude my remarks and again reiterate that we won't support this amendment, but the government will use their majority to make this amendment and defeat the intent of what we were trying to achieve here today.

Speaker's statement

Speaker: Just before the Leader of the Third Party speaks, I want to say something. I'll work through this with the Clerk. Obviously, this motion made it to the Order Paper this afternoon. I concede I'm still new at the job but I'm reviewing chapter 6 in the Standing Orders, section 29(1), which says as follows — and like I said, I'll receive guidance on legislative history — “A motion is used to propose that the Assembly

“(a) do something;

“(b) order something to be done; or

“(c) express an opinion on a matter.”

I am just wondering out loud — and I will come back to the House on this — it doesn't really provide provision for a motion to not do something, in my view — the plain wording of the language. Like I said, this motion — well, there is a proposed amendment now anyway, and I will speak to the Clerk about this, but I have reviewed that midway through the debate. There is also an annotation indicating that it is customary for motions to be expressed in the affirmative. In any event, it has struck me also as a bit curious to be urging an entity not to do something.

Anyway, like I said, I will get back to the House, and I am just reviewing that Standing Order during the course of the debate.

Ms. Hanson: Well, I guess, I too, after all of these years, am still hopeful that opposition Wednesday might actually lead to a fruitful debate. We saw again this afternoon that this was not to be the case.

There is — and there was — an opportunity to have a discussion about the merits, history and issues associated with imposing a sales tax — first of all, define the terms to have an informed discussion about what a sales tax is and where it has been used, why it has been used and the nature of a sales tax as opposed to other forms of taxation. That wasn't about to happen in this Assembly — very clearly. We had two parties at play here — each one slugging the other back and forth. That, in my mind, is not a very helpful discussion.

I am totally ambivalent. I don't really care, quite frankly, nor does the Third Party care about either of the two motions put forward. One is simply the power play of the government

in power to say, “We can play with your motions, opposition” — and you do — fine — you win that one. The other one coming from the Official Opposition was an opportunity to make a statement repeatedly but without getting to the substance of the matter: What is a sales tax? What about a sales tax don’t you like? What would you propose as an alternative? None of that was debated here, Mr. Speaker, so that is disappointing to the New Democratic Party because there are many issues associated with imposing a regressive form of taxation like a sales tax, but we are not going to get to that. So let’s move on.

Mr. Cathers: Certainly we are disappointed that the Liberal government has chosen to take this approach. It is interesting. There was a lot of fairly spun rhetoric coming from the Member for Copperbelt North —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Silver: Mr. Speaker, I let it go a couple of times today, but “rhetoric” has been ruled out of order in the past many times, and the Member for Lake Laberge knows that.

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

Mr. Cathers: I will, of course, defer, as we all do, to your judgment, but it is my recollection that “rhetoric” has been ruled out of order in certain contexts but not as an absolute prohibition in this Assembly, and I don’t believe my use of it was contrary to past rulings.

Speaker’s ruling

Speaker: All I can say to the Member for Lake Laberge is that there is not very much context because it was one of the first words that came in your submission with respect to the amendment. It’s tough for the Speaker to rule on the context because it was, I think, the second sentence that came out of your submission. In that context, I would ask you to avoid the use in that circumstance.

Mr. Cathers: Respecting your ruling, what I would note is that the Member for Copperbelt North made a great number of statements this afternoon and many of them do not align well with the facts.

I would note, as well, that the member in some cases appears to have been simply confused and did not understand whether — I’m assuming someone else wrote the speech for him. He certainly didn’t understand the budget. He seemed not to understand key terms.

The Member for Copperbelt North actually mixed up —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Ms. McPhee: Now we actually do have insulting language, and I’m suggesting to you that this is a point of order based on the fact that he is making personal insults to the Member for Copperbelt North. If he disagrees with his position, with the words that he might have put forward, the arguments that he has made to this House, then he can say so. He should not be permitted and cannot call names or insult personally the member who spoke on this issue.

Speaker: Member for Copperbelt South, on the point of order.

Mr. Kent: On the point of order, what I heard the Member for Lake Laberge talking about was the substance of the remarks that the Member for Copperbelt North was saying, and that was what he was speaking to. There were no personal insults. It was merely challenging the substance of the remarks made by the Member for Copperbelt North that led to the amendment that he put forward here today.

Speaker’s ruling

Speaker: I have heard enough; thank you.

I recall this afternoon, the Member for Lake Laberge urging members in general to depersonalize the debate. I agree with the Member for Copperbelt South that there were elements that were not personal, but I would caution the Member for Lake Laberge to depersonalize his comments.

Mr. Cathers: What I will simply note then, respecting your ruling, is that much of the content of the statements made by the lead speaker for the Liberal Party did not align well with the facts. The speaker, in fact, actually mixed up net financial assets and net debt. That’s a pretty big error.

The speaker in his comments actually contradicted the budget documents tabled by and signed by the Premier. The statements as well contradicted the press release issued by the Premier on October 2, which, as I have noted before in this Assembly — and I again will quote from exactly what the Premier’s own press release noted: “... the 2017-18 Main Estimates indicate that the Government of Yukon held \$93.4 million in net financial assets at the start of the fiscal year...” Again, the member, in speaking on behalf of the Liberal government, got that backwards and made the factually incorrect claim that the government had instead \$93.4 million in net debt. That is a pretty big accounting error.

I’m assuming that the member is unfamiliar with the content of his speech, but if he did write it himself, he got his facts badly wrong.

I would note that the reason we brought this forward is that, while members of the Liberal government seem to be comfortable in standing back in the shadows — saying, “Let the Financial Advisory Panel do their work. We’ll consider everything after the fact” — what they don’t seem to understand is that Yukon businesses and Yukon households are concerned about new taxes when they hear both the federal government and the territorial government talking about them. When those businesses are trying to make their financial plans for next year — just like government, businesses and many households make plans for a year down

the road. They are asking us and asking government — but their questions are falling on deaf ears — what the tax structure is going to look like next year.

Yukoners were concerned by the indication that a sales tax — whether a territorial sales tax or harmonized — might be on the table. We've heard the Member for Copperbelt North claiming that government can't do that without a referendum and that, of course, is what the *Taxpayer Protection Act* says. We in the Yukon Party Official Opposition both fully support and are proud of that legislation as a protection of Yukoners, but the government has a majority and has the ability to perhaps implement amendments to the act, which would gut the *Taxpayer Protection Act* and eliminate the requirement for a referendum. That is what Yukoners are concerned this Liberal government may intend to do.

Again, if government wishes to put anything before the public in a referendum, certainly any referendum with a clear and fair question is something that is hard for those of us who genuinely believe in democratic involvement of the public to argue against. But, if government doesn't want to implement a territorial sales tax, they have every option of saving — I forget the exact costs of running a territorial election. The Chief Electoral Officer, I'm sure, can provide that number, but the cost of a territorial election or a referendum is a significant cost for the territory, and government can save people a lot of time and a lot of money by deciding not to proceed with implementing a territorial sales tax.

In some of the language that was used that did not align with the facts and the incorrect assertions made around it, as well as the attempt to take words said in the past by members of this side of the House and use them in an entirely different context than how they were actually intended, thus leaving the casual listener to perhaps reach erroneous conclusions — the members don't seem to have gotten the fact that their creation of the Financial Advisory Panel and the options that the panel is considering, based on the terms of reference set by the Premier — the options that they have been directed to consider and consult with Yukoners on — and I remind members that the Premier said in the spring that the government knew what the options were. Those options, such as tax increases, are of great concern to Yukon businesses and Yukon citizens.

I think the Premier, if he went and talked to placer miners and store owners in his own riding, he would find that, while placer miners appreciate that he took the idea of raising placer royalties off the table — although I may point out that the Member for Copperbelt North implied through his comments this afternoon that maybe they would put it back on the table. I'm assuming we can take the Premier at his word in telling his constituents that, no, the government is not going to raise placer royalties.

The imposition of a Liberal carbon tax is of significant concern to Yukon businesses and citizens. They want to know how much their costs are going to go up — how much more it will cost them to drive from Watson Lake to Whitehorse, or Teslin to Whitehorse, or Haines Junction to Whitehorse, or

from Dawson to Whitehorse, and how much more their cost of groceries will increase, how much more when they buy a gallon of milk, oranges, or any of the many other staples — everything from diapers to toilet paper, oatmeal and everything in between. They want to know how much more those items will cost.

I'm sure that if the Member for Vuntut Gwitchin were to ask her constituents in Old Crow about whether they would be concerned about a carbon tax that could further increase the cost of food in that riding, they would be concerned about it and some would question the benefit of imposing a tax that, perhaps, would have to be then further compensated through increased subsidies via the Nutrition North Canada program.

Mr. Speaker, we were trying to provide the government, by bringing forward this motion, with an option to clear the air and to quell the concerns of Yukoners who are concerned about the possible imposition of a territorial sales tax. We were trying to provide the opportunity for the government to come clean and say yes or no. Unfortunately, we have seen a proposed amendment which, while we understand and acknowledge that, while it is procedurally in order to make that amendment, it does completely change the intent of the motion and gut it.

The Member for Copperbelt North has moved — and I want all Yukoners listening, especially the member's constituents, to be aware that he proposed deleting the words "not implement a territorial sales tax" and replacing them with the words "fully consider the options provided by the Financial Advisory Panel on the views of Yukoners in developing appropriate ways to strengthen the territory's financial position".

Mr. Speaker, of course we can't support that amendment and are disappointed that the government has passed up on the opportunity to come clean with Yukoners about whether there's going to be a territorial sales tax. It leaves us — and I would think it would leave most Yukoners — with the impression that the government does indeed plan to move forward with a sales tax; otherwise, why would they not do the same thing as the Premier did with the idea of raising placer royalties and cut that idea off, catch that genie as it was escaping from the bottle, and make it clear that, in fact, government does not plan to do so?

We're left with the strong impression that, indeed, a sales tax is something that the government has either decided to implement or is very seriously considering proceeding with. That is disappointing to Yukoners who are already concerned about taxes.

I also have to correct the Member for Copperbelt North, who claimed that the previous Yukon Party government raised taxes when in fact the government cut taxes. I believe the cuts to income taxes, including increases to tax credits for families, were done — if memory serves — I believe it was 15 times, or it might have been 16, in the course of 14 years. In addition to those tax cuts reducing the tax burden on Yukon citizens, the increase as well to the small-business corporate threshold also reduced the amount that Yukon businesses are paying.

The member may wish to do a little more research before repeating the type of statements that he made this afternoon. I would start with saying that for all members who are debating the finances of the territory, one of the most important things to understand is the difference between black and red. If you can't tell the difference between net financial assets and net debt, then maybe you should talk to somebody who can explain it to you.

I would point out as well that currently, as of the last update we received from the government — although I didn't get an answer to my question yesterday when I asked the Premier to confirm that this is still the case — as of this spring, the Yukon had a debt limit of \$400 million and had used a total of \$201.5 million of that debt capacity, with \$198.5 million remaining in available space to borrow.

The Member for Copperbelt North spent a fair bit of time talking about indexing the borrowing limit to GDP growth. Again, we are very concerned at the mixed messages coming out of this government with the Premier having told me in the spring that they did not plan to take on more debt. I don't have that right in front of me but, if memory serves, I think it was on May 11 that he said that in Hansard. I know I made reference to that number yesterday, so for the convenience of Hansard, you can simply refer to the remarks I made yesterday in the House on that.

I would note that, on the one hand, the Premier says that they don't intend to take on more debt, but then, as part of the speech written for the Member for Copperbelt North, there are several paragraphs talking about indexing — presumably growth of the borrowing limit — to GDP growth. As members know, or should know — those who have read and understood the budget understand that, of the total \$201.5 million in borrowing as shown according to the most recent Public Accounts, the majority of that, which, if memory serves — but again I am quoting from memory. I don't have that number directly in front of me, but I believe the number is roughly \$143 million of that total \$201.5 million that is related to hydro assets. I would note that having long-term debt related to hydro assets is something that is quite common across the country. It is also something that we believe should be minimized and, when government can avoid entering into debt for that purpose, investments such as the one that I have made members aware of where government loaned money through Yukon Development Corporation to Yukon Energy Corporation for the construction of the LNG facility that Yukon Energy Corporation brought forward — I would note that, through reducing the cash position of the government by approximately \$20 million to provide them with that long-term loan, it has provided the ability for not only that facility to be opened up without being included in the rate base and increasing electricity rates for Yukon citizens, but it allows, as well, the government to receive interest from the corporation over the lifetime of that loan.

I would also note that the reductions in the cash position of the government over the past five years include as well the \$27 million that was used to pay off a loan of the Hospital Corporation. Again, as members will note and for any who are

wishing to refer to it, the transcripts of the Public Accounts Committee, dated June 19, 2013, note that the decision to pay off the \$27 million was a business case that was put before Management Board. I should note for the reference of Hansard that this is page 2-18, resuming with a quote from the official at that time: "We looked at different scenarios of paying it down and that was in fact due to the stronger financial position of the Yukon government." Moving on to another excerpt from what that official from Health and Social Services said in testimony on that date: "The \$27 million is going to allow us to reduce our overall interest costs of the life of the loan by about \$12 million, and it equates to about just over one million dollars a year at the current amortization..."

Again, Mr. Speaker, it is unfortunate here today. We provided the government an opportunity to quell the concerns of Yukoners and they have chosen instead to dismiss them. We have made them aware of the fact that Yukoners are genuinely concerned about rumours and the floating of ideas of increased taxes at the federal level and an increased carbon tax, potentially a new sales tax, the idea of layoffs and so on. We have provided government an opportunity to clear the air by choosing to move an amendment that deletes the words "not implement a territorial sales tax". It is clear that they have either decided to implement one or are seriously considering the idea of implementing the so-called "Silver sales tax".

Hon. Mr. Silver: I was going to wait and speak to the motion as amended, but it always behooves me to correct the broken record that is the Member for Lake Laberge.

Mr. Speaker, what we're hearing from the member opposite is this narrative of: If I say it enough times it must be true. I don't think anybody is necessarily being convinced by those words.

We heard during the election that diapers were going to be so expensive that our heads were going to fall off, by the members opposite, over a revenue neutral carbon-pricing mechanism from the federal government. When we went door-to-door, what we heard from Yukoners was an understanding that this was revenue neutral and an understanding of it being the most cost-effective method of dealing with man-made climate change and the fact that the Yukon Party had absolutely no plan.

We're hearing it here again that if we amend the motion or if we don't agree wholeheartedly with the motion, it means clearly that this one particular half-option of the Financial Advisory Panel clearly is going to come to fruition. I will add as well my agreement with the Leader of the Third Party. I do wish we could have a conversation in this Legislative Assembly about the pros and cons of consumption tax versus income tax, because if the member opposite actually read the Yukon Financial Advisory Panel's document, he would know that the conversation isn't solely about implementing an HST or a consumption tax. It's about whether or not you would put the emphasis away from income tax and put it on to a consumption tax.

So to merely come out and say that we're only going to talk about the one side — the HST side or the consumption side of this option, one of many options that were presented — it strikes me as a bit disingenuous because again, we are not having a fulsome conversation about — you know, if you have a consumption tax, it's not just Yukoners who are paying it; therefore, in some people's opinion, that would mean less income tax. I believe it was written right into the Yukon Financial Advisory Panel's executive summary, so the member opposite didn't even have to read the whole document and could have just seen the executive summary where it says that, in their opinion, that would be a decrease in income tax. So, as opposed to Yukoners paying 100 percent of the tax, the consumption tax would be that Yukoners would pay less and I think they used a 25-percent ratio there.

Whether or not that's true would be something that would be great to debate in the Legislative Assembly. Wouldn't it be great if the Yukon Party came prepared today, as opposed to just the conversation of one-half, part measure of one of those options? Wouldn't it be great for them to come forward and express the concerns of the business community, as opposed to just saying, oh the poor businesses, they are so downtrodden because of all these taxes that haven't happened. Wouldn't it be great if they came here and said, you know, there are some great concerns from Yukon businesses that say, look because we do live so far north and we're competing with an online market, we kind of already have a little bit of a consumption tax — we already have an extra tax that we have to consider — and that is the transportation of goods. Wouldn't it be great if we could actually have that debate in the Legislative Assembly here today and actually talk about the things that we're hearing from small businesses?

But I didn't hear that from the members opposite. What I did hear was a lot of criticism and attack of a particular member of this government, when clearly it wasn't about the motion itself or the amendment.

So again, to use the words of the member opposite — for those listening — don't hedge your bets, Yukoners. What we are going to do here — and this is the amendment — this speaks to the amendment. We're going to listen to Yukoners. The Yukon Financial Advisory Panel had a plan and that plan was to get out there and to show all of the options.

The member opposite keeps saying that I, somehow, through my terms of reference, put the blinders on this Yukon Financial Advisory Panel, which is completely wrong. When I said we knew the options, I mean the global "we." For the member opposite to say that he doesn't know all the options out there to get a government in the north back on to a financial track, I find that very hard to believe. We all know what a government does; we all know the part of the economy that the government has control over. It's not that complicated, and if he wants to, he can come upstairs and we can give him a little lesson on it.

It comes down to the fact that there are only so many options. I believe that the Yukon Financial Advisory Panel, an independent panel with Yukoners on it — and the members opposite would have you believe that this is a completely out-

of-Yukon experience by their comments in the Legislative Assembly, which are again wrong — this Yukon Financial Advisory Panel did a great job of showing all of the options. What did the Yukon Party do? They went down into the cellar behind the axe and they took out of that one-half of one of those options. They started talking about the consumption part of a concept of income versus consumption.

Now they're saying that if we amend, or if we don't completely agree with their clearly political motion, they'll get out on their Twittersphere and tell Yukoners, "See, clearly the Yukon Liberal Party has already made up their mind", when it's quite the contrary, Mr. Speaker.

We will be listening to all the municipalities that the Financial Advisory Panel went out and spoke to: Haines Junction, Mayo, Dawson, Watson Lake, Faro, Carmacks, Teslin and Whitehorse. What the members opposite — they have that "father knows best" mentality, where they want us to make a decision now, here, without listening to those communities, I guess.

First Nation communities: Champagne and Aishihik First Nations, Kluane First Nation, White River First Nation, Selkirk First Nation, First Nation of Na Cho Nyäk Dun, the good people of the Tr'ondëk Hwëch'in First Nation in Dawson City, Yukon, the Vuntut Gwitchin First Nation, the Ta'an Kwäch'än Council, the Teslin Tlingit Council, the Carcross/Tagish First Nation — I guess what the member opposite is saying is we need to make a decision now to tell everybody, without listening to their input.

It's pretty rich that they spent three weeks grilling the Minister of Highways and Public Works about a lack of consultation — yet "father knows best" on this and "don't listen to Yukoners; listen to the Yukon Party" — which had the worst GDP in Canada for a couple of years in a row, which spent more money than they earned on a trend of 10 years. With all due respect, the member opposite will have to appreciate that we're going to wait and hear back from Yukoners before we make a decision.

Now, the member opposite also, in trying to be clever, started talking about, "well, you have already made a commitment. You have already said, as far as the placer royalties." What we're doing over here is clearing the record — clearing the broken record — from the Yukon Party when it comes to that statement because, again, what we're saying and what we said this fall in the Legislative Assembly and with the media is that during the election campaign, we already made a commitment. We made a platform commitment and we're reiterating that platform commitment. It was in writing, so we wanted to make sure that Yukoners knew that we were on the record during the election campaign in every debate, in every community, when this question came up. We were very clear about what the Yukon Liberal Party stance was on the placer royalty rate.

We were also very clear to make a point that First Nation governments in the Yukon do not share our opinion on this, and this is going to be an issue moving forward. It is an issue, because the Yukon Party for years had avoided this conversation.

Again, just to clear up, we as a party have not made any comments on HST. We have never campaigned on it, so we have never made a statement for or against, but yet the Yukon Party will get out there and they will with their broken record continue to perpetuate some kind of future where diapers are so expensive that no one can live in the Yukon. It's a boogeyman, Mr. Speaker. It hasn't happened, but what will happen is that we will listen to the key stakeholders — the Council of Yukon First Nations, the Klondike Placer Miners' Association, the Klondike Development Organization, Dawson City Chamber of Commerce, Watson Lake Chamber of Commerce, the Association of Yukon Communities, Association franco-yukonnaise, Yukon and Whitehorse chambers of commerce — that was a joint members event. Imagine coordinating efforts between the chambers of commerce for us to say, "Don't worry, we don't want to listen. We are just going to listen to the Yukon Party because they know best about consultation, clearly, and they know best about what we should be doing here, even though the financial situation we are in right now might say to the contrary." There was Yukon engagement in Whitehorse high schools. We had meetings with the health sector NGOs, the executive directors of focus groups, Yukon economists' focus groups. We had NGO executive director focus groups, the Yukon Hospital Corporation, Yukon Housing Corporation action plan implementation committee, Yukon First Nations Chamber of Commerce and Yukon First Nation development corporations, Yukon College and the Yukon Employees' Union.

The panel's reach was very far and unfortunately there were some meetings that were scheduled but had to be cancelled for various reasons. Nevertheless, this was a large-scale extended period of public engagement with Yukoners. Our amendment speaks to the fact that we need to — we spent the money to make sure that this process goes through to the end, and that is what we are going to do.

Trevor Tombe, the assistant professor of economics at the University of Calgary, one of the panel members, was quoted on the radio discussing the panel's public engagement. This is important to counter some of the broken-record statements that we keep on hearing over and over again from the Yukon Party, even though those statements are clearly wrong. He said — and I quote: "... a lot of the meetings we've had with local municipal governments and First Nation governments have emphasized that there's really good opportunities for partnerships with development corporations, on infrastructure projects and things of that nature that are pretty exciting. So I've been involved in other types of consultation work with government but it tends to be where the report is written and then provided to government and it goes into the black hole and they do what they do with it so this is quite unique in that the panel is set up and is fully independent of government. It operates in public so anyone can go onto Yukonplans.ca and download all the draft reports that we have put together. Travel around and meet with individual Yukoners and stakeholders and governments and the final report will be public and it will be fully transparent from start to finish and

so I think it's unique in that way and I think it's a very valuable way to design a consultation like this where all the pros and cons are clear and Yukoners have a chance to ensure that their voice is heard..."

So again, Mr. Speaker, for us to listen to the Yukon Party now and cut that whole thing short because they believe, because father knows best when it comes to one-half of one of the options — Mr. Speaker, with all due respect, I don't think we're going to do that.

Therefore, our amendment, I believe, makes sense because it comes back to the initial intent of this process and it comes back to Yukoners being heard. The Member for Lake Laberge has criticized this panel in this House multiple times. He recently suggested that the panel was not given the access to all the materials it required, and again to quote Trevor Tombe: "We've been given access to absolutely everything that we needed, I honestly couldn't think of what else we could want to do the work we are still doing."

I understand — I really do. I understand the concerns of the Yukon Party. They are concerned. The Official Opposition House Leader stated it — people are concerned. They are working hard and they want to make sure that they make ends meet and that their children have a better future than we do. That's all that we can ever hope for — that our kids have a better experience in the Yukon than we did. I agree with that. I completely agree with that.

I will say to Yukoners now that this government will listen to them and this government will take a look at all of the options that are in the Financial Advisory Panel's report. We will listen to Yukoners and we will report back, and the decisions that we make will make the Yukon stronger and will make the decision-making process more open and more accountable. The financial decisions that we make as a government are going to be the right ones for Yukoners. We are engaging with businesses, we are engaging with communities and we are engaging with other Yukon governments, and the decisions we make will make sure that the financial future of the Yukon is bright.

With that being said, we look forward to fully considering the advice of the panel and the views of Yukoners, and this activity to address the territory's current financial position that we are in — whether or not the broken record wants to believe that or not. We will continue to work with Yukoners to hopefully make lives better through strong financial management.

Ms. McLeod: I'm not even quite sure where to begin on this but, for me, this is a simple matter of — we ought to be talking about the options that are being put forward to Yukoners by the Financial Advisory Panel.

I don't know if any of the members across the way have ever attended one of their sessions but I certainly did. The panel acknowledges that this Liberal government is still planning to be \$200 million in debt in a short number of years. The panel further recognizes that a sales tax will not be applied to a debt. The sales tax is meant to be redistributed to other Yukoners.

If the final report comes out saying that Yukoners are in favour of this sales tax, then I'm afraid I'm going to have to cry foul on that, because I have not yet met one Yukoner who says they are in favour of a sales tax or a harmonized sales tax, or anything of that nature — be it business, be it First Nation, be it the average citizen.

We had an opportunity to take that off the table and have a real discussion then. The panel, in their recommendations, was either — every other slide was “and a sales tax”, “and a sales tax”. It was repeated so many times. The Member for Copperbelt North, in a very short period of time, mentioned sales tax. It's one of those things. You keep saying it over and over and over again. The member actually referenced using that.

Yukoners are concerned that they're going to be taxed yet again for no real benefit. Here was a very interesting comment put forward at this discussion with the advisory panel: a sales tax — did you know that, if we had a sales tax, 25 percent of that would be paid for by tourists? “Wow,” I said, “I'm not nearly as excited about that as I am about the 75 percent that's going to be paid for by Yukoners.”

I think that Yukoners need to pay attention to that.

Some Hon. Member: (Inaudible)

Ms. McLeod: Yes, again. I'm hearing it over and over again. The Liberals really seem to be leaning toward this new sales tax — a consumer sales tax — which is effectively a tax on the middle class. I'm sorry — I've been part of the middle class for some time, and they're the ones who are always getting thumped.

I obviously disagree with this amendment. It's not what the motion was intended for. I understand that the government will override and try to paint the Yukon Party as Chicken Little saying that the sky is falling, but you know what? If we don't pay attention, that darn sky will fall.

Yukoners really need to pay attention to everything that's going on, because it's being painted as something that is good for them, without any details. The government has not said who is going to be exempt from any tax. They have not said who is going to pay the tax. We don't know if First Nation governments, municipal governments or even the territorial government will be exempt from a consumer tax. The biggest consumers will be exempt from a consumer tax, I'm guessing. In all fairness, the government hasn't said — it's one of those secret things, I guess — but if there is going to be a sales tax, I hope that the government is up-front with that.

Some Hon. Member: (Inaudible)

Ms. McLeod: Yes, the Silver sales tax — I wasn't quite clear on that.

I'm against this amendment. I obviously can't fathom in any way imposing another tax on Yukoners with the one that we're already going to be hit with later in the year.

Deputy Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Deputy Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Ms. Van Bibber: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Mr. Istchenko: Disagree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 12 yeas, six nays.

Speaker: The yeas have it. I declare the amendment carried.

Amendment to Motion No. 139 agreed to

Speaker: Is there any further debate on the main motion as amended?

Hon. Mr. Streicker: I'll just try to add a few comments to the debate and discussion on the amendment. By the way, for the Member for Watson Lake, I did attend one of the meetings. In fact, members of one of my communities in the beautiful Mount Lorne-Southern Lakes asked whether there would be meetings in Marsh Lake. I approached the Financial Advisory Panel to discuss with them that there was this request. They made the effort to come out. They had one, I believe, in Carcross. I had even offered to babysit for the people so they could come into Whitehorse to attend, and they said, “Let's try to get it in Marsh Lake so everybody could attend.” The Financial Advisory Panel did that. In attending it, I did my best to be in the background because I wanted to listen to the community and hear their concerns.

The process is still underway. The process that we tried to establish is not to ram anything through or to use a majority. It was to try to engage Yukoners because we identified a problem. The problem, quite simply, was that the trajectory of spending was eclipsing the trajectory of income.

The rationale is that when your spending is ahead — 2.5 percent year over year versus 1.7 percent in an increase in revenues — it doesn't take the son of two math teachers to figure out that this is not a sustainable trajectory.

All of us as Yukoners, I believe, want the government to spend within its means, so how to course correct? There are many ways to get there. What we thought would be a good way to do this is to not hide the fact that this situation had

arisen, to put it out there and, in fact, to ask the Financial Advisory Panel to make their assessment and decide whether they believe that is the case — whether we were on a poor trajectory — and that is in fact what they found out.

We did provide them access to whatever information they sought, and they praised us publicly — unprompted by the way. I remember listening to that radio interview and I thought, “Wow, that is a good endorsement. That’s a ringing endorsement.”

The Member for Watson Lake talked about secrets, and this is exactly what it is not. The whole point of the Financial Advisory Panel is that they put this stuff out there in public view — not recommendations, I might add, but options. Very specifically, they are not making recommendations to us; they are making a list of possible ways that this imbalance of spending versus income might be redressed.

It’s important to get it right. The process, as I understand it, is to let them go off and do their work, which includes engaging with Yukoners, talking to Yukoners, finding out Yukoners’ opinions about these things and sharing that back — not just with us on the government side, but rather with the Yukon, including everyone here in this Legislature.

The Member for Watson Lake said that she didn’t know anyone who liked a sales tax. I’m trying to think who I know who likes taxes at all. I am just trying to think that through, and while I don’t think many people like taxes, everyone likes great education; everyone likes our highways to be in good repair and have the right-of-way cleared so we can see well; everybody likes our libraries; everybody likes our opportunities to play on our sports fields.

Transfer payments, which as a Yukoner and as a legislator — and I heard the Member for Copperbelt South use that term, and I think that’s an excellent term, to refer to us as “legislators”. I think we should acknowledge that a great deal of the revenue that we get here in the territory and in the territories comes through transfer payments to allow for the levels of service that are provided to the citizens of this territory to be realized at a tax rate that is comparable to the Outside. We are lucky in that way.

It’s not about just trying to go out there and tax; it’s about trying to ensure that the spend that we have is within our means. It’s about living within our means. I think it is about strong fiscal management and about the ways in which any of us, I hope, would conduct ourselves in how we plan for our families and how we work to make sure that we are healthy, safe and well, and not going into debt. That is the challenge.

I look forward to the day when we have some more fulsome debate on the options that are presented here. At this point in the process, the notion is that we should wait until the options are presented to us. Right now, they are in draft because we’re still listening to Yukoners. What I loved about this Legislature in the past few days is us all agreeing how much we need to consult with Yukoners, how important it is that we engage with Yukoners. That I heard on all sides of this House, and I appreciate it.

What we are talking about here is letting a process unfold, and then I’ll be happy to come in here. Maybe it will be an ask

that is too far, but I would ask the members of the Official Opposition not to go out into the public and say that we intend to bring in a sales tax, because we do not. That is not our intention. Our intention is to listen to the engagement process and then to come back.

Some Hon. Member: (Inaudible)

Hon. Mr. Streicker: No, no — to all those members who are now debating me in the Legislature, our intention is to listen to Yukoners and then to have that discussion here.

Thank you very much, Mr. Speaker. Thank you for the opportunity to speak to the amended motion.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Mr. Cathers: It’s interesting that, again, we see the Liberal government, as it approaches their first year in office — they seem to run hot and cold on certain issues.

On the one hand, this is a party that ran the election with its central theme — indeed its very slogan — “Be Heard”. Yet, we know that doesn’t always apply.

We have heard on the *Public Airports Act* that there is a long list of stakeholders who came out and took issue with statements that the Minister of Highways and Public Works had made. They directly contradicted his claims that consultation with them had occurred. The minister took, to the best of my knowledge, what is the unprecedented step of being actually forced as a minister to withdraw a press release because stakeholders had said that the claims he made in that press release were not factually correct. The government has been embarrassed on that file, as they should be, though they haven’t acted as humble as they ought to in the wake of that.

We have seen as well that on one piece of legislation in the spring, the government deliberately timed consultation during March break and had only 11 days of consultation and refused our requests to extend that consultation. In the summer, we saw a 30-day consultation on the *Pounds Act* and again, in this particular case, while voting for their amendment to the motion, numerous members of the government argued that this was because they supported public consultation and they claimed we didn’t. The government’s position has not been as consistent in supporting public consultation as they claim and on multiple occasions, they refused our request for more consultation on legislation.

We’re not going to be supporting this motion as amended for the simple fact that while respecting that it’s procedurally in order to make the changes that were made, we believe that it completely changes the spirit and intent of the motion, which was to have the government go on record and come clean with Yukoners and be clear about whether they plan to implement a sales tax or not.

This afternoon, and really I would encourage Yukoners who are listening to read Hansard from this afternoon and note that the positions taken by members of the Liberal Party caucus covered a wide range, from the Minister of Community Services saying the government doesn’t plan to

implement a sales tax — which again, for us, calls into question: If you don't plan to implement a sales tax, why not support our motion urging the Government of Yukon not to implement a territorial sales tax?

Then on the other hand, we heard both the Premier and the Member for Copperbelt North extolling the potential virtues of a sales tax, which certainly would leave not only ourselves but many Yukoners with the impression that they certainly seem to see a lot of merit in the idea of implementing a sales tax. They're certainly bringing forward arguments in defense of a sales tax and that does leave someone wondering why a government wouldn't rule out a sales tax when they have already started commenting on options considered by their panel of ruling out the idea of increasing placer royalties. Why rule out one and not others unless there is a reason for saying: "No, we're not going to consider this tool, but the others are still on the table"?

It does leave us very genuinely with the impression, contrary to what members of the Liberal caucus have asserted in their statements — we are very genuinely left with a sense that it does sound like the Liberal government has either decided to implement a sales tax or is very seriously considering the idea of doing so.

Again, in wrapping up my comments, Mr. Speaker, I would note that the motion brought forward was very simple. It was urging the government to take a position on sales tax. The specific wording, prior to being amended, said that this House urges the Government of Yukon to not implement a territorial sales tax.

While we do encourage government to consider any of the public input received during the Financial Advisory Panel's consultation, simply because we encourage government to listen to Yukoners any time they bring forward their views to government, I certainly can't support the motion as amended because it completely changes the intent of the motion.

I will also, in wrapping up my comments, note that, as we stated before, I believe that government has completely undermined the integrity of consultation processes by removing the requirement for people to put on their names when filling out the consultation form. The Member for Copperbelt North, in his remarks, indicated that the removal of the names wasn't a problem because the statistics branch could tell if similar responses were coming from the same IP address and weed out duplicate responses. That is of great concern to us. Even if whoever is deciding which responses are, or are not, legitimate — or are not duplicate — has the best of intentions, it's completely possible that in a household with one computer and say five members of the family, that there could be three members of that five-person family using the same computer to comment on a government survey, all having similar thoughts on the matter, or even not knowing what to say exactly, but agreeing with the way one of their family members had phrased it and deciding they wanted to say exactly the same thing.

In previous consultation processes — and I'll point to a good example of that, which is the all-party committee on off-

road vehicles. During that consultation process, I was a member of that committee, as were members of other caucuses, and people were required to fill out their names. Their names were not released publicly. Their comments that they submitted were considered by members of the committee. In some cases, for people who actually knew these individuals, it helped members of the committee get a better sense of why someone was making these comments if they came from a constituent they knew or a certain business owner, or person who they knew their interests would be affected by potential changes in rules around off-road vehicles. It actually added to the ability of the committee to do their job.

Under ATIPP legislation, it has certainly been my understanding that people's names submitted during public consultation have for many years been able to be kept private and not released publicly. If the government has a different interpretation of ATIPP now, a change to that to protect people's privacy would be the more appropriate way of dealing with it. Simply removing the requirement for somebody to put their name down during consultation — such as that done by the Financial Advisory Panel, as mentioned — allows for someone to deliberately spam the process by submitting comments multiple times. It also potentially weeds out legitimate individual submissions from people in the same household, who use the same computer and happen to have similar views or choose to copy the submissions of a family member they substantially agree with.

I would hope that most people would agree that there is nothing wrong with someone who wishes to express their view and thinks that their wife, husband or their daughter or mother expressed it more articulately than they could, or simply copy from that and choose to submit it as their own.

We know in other consultations, without getting into specific names on them, there have also been times when there were clearly some duplicate comments, such as — and I'm using real examples of submissions — someone filling out Mickey Mouse, and someone else who put their name down as Matt Damon, which potentially could have been the actor in question, but seemed to more probably be someone putting down a response.

So when officials were considering that, those responses were not disclosed from the consultation and the "what we heard", but for everyone looking at that feedback, those responses were treated as probably not being individual, unique responses.

As I have before, I would again encourage government to rescind their bad decision to remove the requirement for people to put their names down on public consultation. I think I've laid out the argument of why the choice to do it that way undermines the accuracy of the numbers from the number of people they claim commented on the Financial Advisory Panel and the number of people they claim commented on cannabis legislation. It is my belief that, in both cases, there are probably duplicate comments by people who realize you could fill it out more than once and thought that if they filled

it out 10 times, maybe their voice would be given more weight than if they filled it out just once.

I will conclude my remarks. I look forward to getting on to the next motion on the agenda this afternoon and hopefully seeing that motion pass with the support of the Assembly. I will conclude my remarks and express my disappointment with the Liberal government's choice not to come clean with Yukoners on whether or not they will be forced to pay a territorial sales tax.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Ms. Van Bibber: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Mr. Istchenko: Disagree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 12 yeas, six nays.

Speaker: The yeas have it. I declare the motion carried.
Motion No. 139, as amended, agreed to

Motion No. 170

Clerk: Motion No. 170, standing in the name of Ms. Hanson.

Speaker: It is moved by the Leader of the Third Party:

THAT this House urges the Government of Yukon to extend the consultation period for the review of the *Societies Act* and regulations past the November 14, 2017 deadline, in order to allow societies without staff support or monthly meetings to participate in a meaningful way.

Ms. Hanson: I think that the subject matter of this motion is pretty straightforward. It doesn't call for any partisan positions. It does not have any media opportunities for "he said, she said" and accusations across the floor. It is simply calling upon the government to acknowledge that, as well intentioned as the idea of consulting about modernizing

the regulatory structures that societies in the Yukon operate under is a subject matter that any of the people — and many of the people in this room are members of societies currently or past. There are over 700 societies throughout this territory. We are simply saying that it is reasonable to offer and to recognize that not all societies are the same. Many societies in the territory operate without staff — are volunteers — and not all societies meet every week or every month. So if they got caught in the mid-cycle in terms of when this posting was put out, they may or may not have an opportunity to do internal discussions about what they may want to say as part of an opportunity to modernize the regulatory structure for societies.

We think it's important that government do ask societies and organizations that fall under the *Societies Act* and the regulations to offer opportunities to engage in that review, but it's just simply unreasonable to say — and there are two different dates on the website. It says October 10 to November 10, or something, and then the actual consultation says October 13 to 14, so there is actually confusion implicit in what has been put out by government. That's just a minor point.

There have been some sampling kinds of discussions with a cross-section of societies to talk about the types of challenges that are associated, and those are well laid out on the website, but the fact remains that these are very timelines. We need to look — it's a matter of simple respect for the people who volunteer in societies across our territory to say that we do seriously want to hear your views. To echo the words of the government, we do want to hear them, and that means we're going to listen, which means that will give the opportunity of a proper amount of time.

Providing less than a month or six weeks for organizations to provide feedback is clearly impossible for some boards or committees that meet. If they meet monthly, as I said earlier, they won't be able to do that. The reality is that, when you're operating as a volunteer board and you don't have staff — somebody saying that you're going to have a meeting on a Friday afternoon or a Saturday — you may or may not have the ability to participate.

We've heard from organizations that they're scrambling to try to find attendees to attend these open houses, trying to scramble to get the meetings organized to talk about changes. When you have been on a board, you recognize that there are issues with the current *Societies Act* and some of the rules and procedures. It does need to be modernized, but let's do it properly. Let's give due respect to all those many Yukoners who volunteer their time and energy to do all the different initiatives throughout this territory that make this territory hum. Volunteers are who make the territory work.

Mr. Speaker, I think that's pretty straightforward. We're simply asking for the government to acknowledge that the activities performed by the many societies that go from A to Z throughout the territory are important, and they do deserve the respect of all members of the Legislative Assembly in terms of giving them an opportunity to think about this, put their voices forward and, as the act and regulations are modernized, they'll feel that their voices were heard.

Hon. Mr. Streicker: I would like to begin by thanking the member opposite, the Leader of the Third Party, for her motion. I take her point that not all societies are the same; they're not all organized in the same way, although I will acknowledge that every society I know of has volunteers. Her point that volunteers are so important to our communities, to our territory, and that they deserve our respect — those are good words and I thank her for them.

I would also like to acknowledge that here in the Legislature over the past weeks, we have heard all parties speak about the importance of listening to Yukoners, engaging with them and consulting. I hope today to echo that. I think that it is important that Yukoners are heard and listened to. I think the *Societies Act* is an important act, and I'm going to try to speak today about the engagement process that is underway.

By the way, the member opposite noted some confusion on our webpage. I just sent a text off to the department to have a check of that. If there is any confusion, I hope we will alleviate it right away, although I didn't note it when I was looking at the website.

Let me just talk for a moment about the importance of engagement. First of all, Yukoners are engaged and passionate people. They get involved and they volunteer their time, and this engagement process impacts many Yukoners. On the *Societies Act*, we want Yukoners to be part of the conversation. It's important.

I will describe the ways in which they can be engaged, and I will support the motion and will look to try to provide more opportunities. I thank the member opposite for raising this suggestion.

First of all, we are engaging with Yukoners across the territory about a number of issues that matter to them. In 2017 alone, we have engaged Yukoners on: cannabis legislation, Yukon's financial future, which we have just been discussing here, carbon-pricing rebates, school calendar dates, education curriculum redesign, education assessment guideline changes, legislative changes to protect Yukoners from discrimination, government communications, regulations for rural pharmacists, grizzly bear conservation, societies legislation, the Lansing heritage management plan, FASD strategic plan, regulations for lotteries and games of chance, Yukon parks regulations, the *Dental Profession Act*, which came earlier to this House, presumptive PTSD legislation, proposed *Missing Persons Act*, amendments to the *Legal Profession Act*, designated materials regulations, new *Public Airports Act*, aging in place, tourism and development strategy.

I give this list to note that we support the notion of engagement. It is important, and I thank all members of this Legislature for their support of this Legislature and this government in consulting, engaging and speaking with Yukoners.

Just for a second, we have just had a motion on the floor talking about engagement around the fiscal future and ensuring that we have strong fiscal management here in the territory. It's incredibly important to Yukoners, and I

understand that there are different opinions about how we achieve that, but I don't think anyone here would disagree that we need strong fiscal management and that is our intention.

When it comes to engagement, we just had over the summer, no less — a time when we know Yukoners are busy — but we put out a survey — and we've heard some criticism about surveys. I think we should try to consider those suggestions that were put forward and see how we're doing. By the way, just a shout-out to the Bureau of Statistics, who by the way, are the folks who went across to the Department of Finance. When we hear from members opposite that this is growing the Department of Finance — no — it was just moving the Bureau of Statistics over there. They were just relocated. It is a great place to have them because they know about statistics. We have some really great staff here. I have worked with them directly and I just want to give a shout-out to those folks. I will turn to them and take the suggestions that came here, or we will — the Minister of Finance I'm sure will take the suggestions here and we just want to make sure that the way in which we carry out statistical surveys is done in a way that it's statistically relevant and that we can be confident in the results — and that we have an opportunity to engage with Yukoners.

The survey I was referencing, Mr. Deputy Speaker — the cannabis survey — 3,100 unique respondents. I mean, we've never had anything like that and that tells you how important that issue is to Yukoners. It doesn't mean that other issues aren't important, but it does mean that when there is an issue that Yukoners want to speak up about, that they are willing to put their voice forward and I appreciate it. Just for every Yukoner who stands up and provides information to us or to members opposite — thank you. We appreciate that you are taking the time to share your views.

Societies are just one of many issues about which we are engaging with Yukoners and we've reached out to ask about all of these things — from cannabis legislation, to our financial future, to redesigning education, to aging in place. It's important that our decisions reflect the views of Yukoners because we are, after all, a representative democracy. It is our jobs to represent the citizens of this territory and you can only do that by engaging with them and hearing what their views are.

Before I go into the details of the engagement process thus far and what we plan, I would like to point out that, as Minister of Community Services, one of my goals includes the task of identifying and working to remove regulatory and service impediments and, in this case, to empower our societies to the best of their abilities for the betterment of the whole of Yukon. That is what the team at the Department of Community Services has been doing and are doing and will continue to do. Hopefully the process will only improve with this motion that has been put forward in front of us today. I think one of our focuses needs to be on reducing bureaucracy and paperwork for societies so that they can focus on the work that they want to do. Let's get them empowered and engaged.

For a moment, I would like to talk about the importance of societies to us, as a territory. The Leader of the Third Party referenced this herself.

A society, in the context of the *Societies Act*, is a not-for-profit entity that is created by folks who share a common — and now you can fill it in, Mr. Deputy Speaker — recreational, cultural, scientific, community or social interest. The *Societies Act* covers over 700 societies, as the Leader of the Third Party mentioned. The last number I heard was 760 societies. They contribute in uncountable ways to the lives of Yukoners every day here.

For this reason, this government considers it to be an important piece of legislation for all Yukoners because it regulates the governing structure of well-known and incredible diverse societies, such as the Yukon Quest Society, the Yukon Humane Society and the Yukon Conservation Society. From Special Olympics, to skateboarders and many more, the *Societies Act* is a cornerstone on which our communities are built.

Mr. Speaker, just for a second, I would like to relay an experience I had regarding the Skate for Life Alliance Society. Two and a half years ago, when there was consideration of building the French language high school where the skateboard park currently resides, I was at that point a councillor with the City of Whitehorse. We had the opportunity to have the Minister of Education come and speak to us.

I would like to acknowledge the Member for Takhini-Kopper King. She has a great rapport with the Skate for Life Alliance, and she also came and spoke with us and gave us a sense of what was happening and gave us a little bit of a heads-up. It was a strange situation for us, because the minister came and acted as a delegate to us on the municipal council for the City of Whitehorse.

I will go back and try to review exactly what was said, but my recollection of that day was that the minister, in his remarks to us as a council, suggested that we should just move the skateboard park. We posed the question back to him: Did he believe that we should consult with the community before we made such a move? His response was no, this time, you should just take those decisions. That was very surprising for me.

I think today is a hallmark day, because today I am hearing from all sides of this Legislature how important engagement with the public is.

In my own community of Marsh Lake, we have the Marsh Lake Community Society, which has been putting on one of the best little ski loppets north of 60 for the past 23 years. There is the Marsh Lake Emergency Services Society.

This is a society that has come together — a group of people — to support our local volunteer firefighters and EMS. There is the Marsh Lake Solid Waste Management Society, a group dedicated to waste and, more importantly, waste diversion. I have volunteered several times to rebuild our free store out there. We have the South M'Clintock Citizens Association who staunchly represent the concerns of their neighbourhood, and I have met with them several times.

Societies in the territory contribute greatly to our quality of life and our sense of community. Societies are an important part of the fabric of our Yukon communities. I want to relate just one story. In 2007, when I happened to be managing the Marsh Lake Community Centre, during that fall we had flooding of the Southern Lakes. The flooding hit low-lying areas of many of the communities in Southern Lakes — Tagish, Carcross, as well as areas of Army Beach and South M'Clintock. The societies that existed within our community rallied. They rallied in many ways. The folks in South M'Clintock — the residents association there — bore the brunt of much of that flooding and they were dealing with a lot of issues.

Wildland Fire Management had a low fire year that year and Community Services diverted a lot of its staff. I will also say that a lot of Yukoners came out to try to help and support, but in particular, it was our volunteer firefighters and our volunteer EMS who were leading the charge. The Marsh Lake Community Society asked, "What can we do to help?" There were a lot of kids from our community who were trying to volunteer, and we were nervous about the heavy equipment that was moving around — loaders pushing around sand — so what we did was we got a load of sand dumped at the community centre. We put a little culvert through the middle of it so that kids could play, and we got all of the kids to start sandbagging there, away from the heavy equipment. All of the kids of the community came out and starting filling sandbags.

Finally, after we did our best to protect the homes within our community — well, I often call it the "dump" because that is what everybody calls it — the Marsh Lake solid-waste transfer station took the job of getting all of the heavy pieces of material — the concrete pieces that were used for trying to create breakwaters. We took them and dealt with them through our landfill.

All of our community's societies came together in that one moment and it was when we were under stress. It showed to me the importance of this notion of belonging to a group that is willing to stand up and fight for your community — literally in this case. For that reason alone — and I am sure that each of us could stand up and relay stories about the importance of our societies in our communities and how important and integral they are to the Yukon.

Let me talk about some of the concerns that we have been discussing with societies.

The *Societies Act* was the right instrument when it originally came into force more than 30 years ago. The environment in which government and societies operate, however, has changed and it is time for an update. We want to help societies function, given the reality of the times and to enable them to do the good work that they do.

After hearing from Yukoners over the past few years about the challenges that the act in its current state is providing, the Yukon government believes it is time to start working with Yukoners to see if we can bring the *Societies Act* into the 21st century.

Over the years, Community Services staff have heard a lot about the concerns with the existing, older piece of

legislation from those who work through societies to make our communities better places in which to live and work. The concerns, whether related to the complexity of forms or the length of time it takes to review and process documents, represent an unnecessary burden for Yukon societies, the volunteers and the Yukon government — us as well — costing valuable resources for all involved.

These concerns are not unique to our territory. Upon realizing that their *Societies Act* was out of date, British Columbia successfully passed new legislation to regulate societies one year ago, in November 2016. After observing the success of other jurisdictions having updated legislation, we began exploring possible updates for our own *Societies Act* to make it easier for Yukon societies to operate with what we hope will be less friction and, for example, to find ways to reduce document processing for those societies. For these reasons, the *Societies Act* is currently being reviewed, and meaningful public engagement for this process has begun.

There are three phases that we have in place for the engagement. The first phase is completed, the second phase is underway, and we have a third phase yet. Let me just describe those phases for us here in the Legislature.

The first phase involved directly interviewing a targeted cross-section of societies. We began this work over a month ago, and we asked those societies about challenges and issues they experience with the current legislation. At that time, we opened up — if any society wished to speak to us, we allowed for an engagement process at that point. They were also asked not only what the challenges were and what their concerns were, but also about how they wished to be engaged. That was part of the process itself. It was to say, “In what ways can we or should we engage with you?” so that we can ensure that our engagement process works for them. It was designed having had that engagement with the societies themselves. This pre-engagement phase wrapped up late in September.

One of the things that it indicated is a desire for the *Societies Act* to be modernized as soon as possible. The societies that I and we have heard from want to see some improvements to the rules for societies. The feedback we received from the pre-engagement is consistent with what we’ve been hearing during the course of our regular interactions with societies.

Most people are concerned and, at times, even frustrated with the red tape — red tape that takes time away from societies’ day-to-day work. Societies are committed and passionate about the work they do, and that’s where they want to focus their attention. That’s where we want them to focus their time and energy — to be champions for their sports, for their museums, for their astronomical pursuits, for their communities, for their society.

The pre-engagement process helped us shape our preliminary understanding of the major issues that societies are facing. This growing knowledge has informed our preparations for the open-house style consultation coming up this weekend, on Friday, October 27 and Saturday, October 28. I will provide some more information. I encourage all folks who are interested in our *Societies Act* to attend. It’s at

the Westmark. It’s on Friday, from 10:00 to 3:00, with a drop-in; there’s a focus group happening from 1:00 to 2:00; and on Saturday from 10:00 to 1:00, a drop-in, with a focus group happening from 11:00 to 12:00.

Again, that was based, at least in part, on feedback from societies themselves — what they would like to have happen. If you can’t attend, please write or e-mail to Community Services, Corporate Affairs, at gov.yk.ca, or of course you can write to me, as the minister.

The conversations at this open house relate to bylaws, financial reviews, annual reporting, reconciling chapters and branches of national and international organizations, processes for dissolving societies, extra-territorial societies, and the general concern about processes for resolving disputes. All of these were issues that were identified in the first phase. Modernizing regulatory structures that societies operate in will better meet their needs.

This is a vibrant consultation process. I like the fact that we are using it to listen to what the societies are asking us. We have designed it around them, but I appreciate that there’s an opportunity — if we can provide for more, then I will work to do that.

We’re holding conversations with societies and interested members of the public to understand their issues and to ask for their ideas for what changes they think would improve their situation. This is the second phase now that we’re part of. As the Leader of the Third Party noted, currently, that phase was set to run to November 14. Based on this motion here today, we will work to extend it.

We’re holding conversations with societies and interested members of the public to understand their issues and ask for their ideas for what changes they think would improve their situation. In addition to the in-person consultation process, members of Yukon societies and interested stakeholders can provide written submissions online. We’re also inviting those in rural communities to participate. We have a method set up for them.

There will also be a third phase of the engagement, and in that phase we intend to go back out to the societies again, once we have draft legislation, and we will provide yet another opportunity for societies to comment on the draft legislation before it is introduced here in the Legislature. Our goal is to have that draft legislation available in the coming spring.

We know that Yukoners care deeply about the non-profit sector and we are working with them to improve the regulatory framework governing societies as quickly as we can. We understand that not everyone will be happy with consultation deadlines; however, to improve the regulatory framework for societies, we are going to need to hold more than one conversation with Yukoners and it does take time. We want to ensure that we have created the framework that Yukon societies understand and that will meet their needs and those of the Yukon public.

We’re looking forward to talking with Yukoners about their ideas on the *Societies Act* through this exciting, multi-phased engagement process. We know that the voices of

Yukoners are critical to helping us develop legislation that works in the 21st century and I appreciate the motion put forward by the member, the Leader of the Third Party.

Mr. Istchenko: I do want to thank the Leader of the Third Party for bringing this motion forward. It is very important to communities. I don't have a whole lot to say here. I'm going to talk about some of my experiences with the many societies I have been part of and I want to talk a little bit about the consultation process.

You can consult sometimes, you can extend consultations, or you cannot consult at all and make decisions. We've seen a variety from the Liberal government on how they go about consulting. I made a point here earlier today when I was listening to comments from both sides on the earlier motion to look up the council minutes in Haines Junction on September 13, and that is when the Financial Advisory Panel was out there. Six people attended and two of them were council members. They catered it, so I don't know what it cost for catering, but then in the morning, somebody — I guess the panel — bought breakfast for council again in the morning.

I was talking to a constituent earlier today about doctors and how many people live in Haines Junction. They said there are probably 1,000 or something, so six out of 1,000 in Haines Junction commented on recommendations from the Financial Advisory Panel. I don't think that is really good consultation.

But then, on the grizzly bear management consultation — that is something that I started when I was the previous minister — it is going to be about a two-year process, because there is a lot of work that has to be done and a lot of key people you have to talk to. On the cannabis consultation, members — especially from the government — like to talk about how 3,000 people commented on the cannabis legislation. I bet you that if they put something out like we're looking for comments on free beer, you would get 3,000 also. It's the times, right; you're going to get that. People are going to get interested and they going to tell a friend to tell a friend.

When it comes to things like the Yukon's *Societies Act* and other things, most people just live their day — day to day. I can tell with my life in societies — with the Lions Club, we have a monthly meeting and we have a dinner meeting. We have a dinner meeting this Saturday, but we don't discuss business there, so for us to have some sort of input in a meeting in Whitehorse this weekend, and then and/or seven days — it's a little bit tough.

The local firearms association — the St. Elias Firearms Association — we run that rural non-profit group for every firearm owner in the Kluane area. The Customs officers in Beaver Creek, the person in Destruction Bay — their livelihood — and for hunters, they have a place to go. We do that without any contribution agreements — zero contribution agreements. Within Whitehorse here, some of the organizations are going to be showing up to have that discussion on this, and a lot of them — not to knock them — get contribution agreements from the government. Some of

the ones that were listed earlier do get contribution agreements.

The Minister of Justice and I were just sitting and talking about another committee that needs to get started under societies for the grads this year at F.H. Collins. There's a lot of work and time, and volunteers put effort into it, and it brings into the topic of conversation: Well, do we have an audit or do we bypass that? Do we need a licence to flip these hamburgers now? We're not sure what we can do. Is there more paperwork — something else we have to fill out? Is the building inspector going to come and tell us we're doing something wrong? It's difficult with societies.

I got on the phone not long ago and called up a couple of secretaries who are in charge of societies I am part of, and they said it doesn't give us much time. I'm sure glad the government is going to extend it — it sounds like they're going to and vote in favour of this motion — but they said, you know what? If you got all the societies together in Haines Junction, Community Services has a community advisor. If they were to come out and bring all the societies or a representative from the societies together — the ones who do the paperwork — and have that discussion, you sometimes learn more from other societies. It might not be a bad idea.

I know at the end of November, we're getting together all the trail users in Haines Junction. They're all getting together because the village is trying to map trails to find out who built this, where did this one come from, are there ones we want to highlight, are there ones we don't want to highlight? We're going to have that by getting together and doing meaningful consultation.

The thing to remember about societies is that sometimes if you don't get enough input from the societies themselves on this, you can find that, through no fault at all of the people within Community Services who regulate it, they input stuff that they think would make it easier for them, but not for the societies. Then all of a sudden, something is passed in this Legislature and people say: "Where did this come from?" Well, you didn't get their input. That's why it's so key to get input and to be heard.

That's pretty much all I have to say on this. I'm just glad to see that we're all going to support this motion. I know that the societies in my neck of the woods — and I would offer advice to the minister. Maybe it wouldn't be a bad idea — they're doing some conversations in Whitehorse, but in Watson Lake or in Dawson City or in Haines Junction, get out there. If you get the societies together, you'll get a common theme and you'll get a really good idea of what needs to be changed.

The last thing I wanted to say was I just wanted to talk about the fees. I know how important it is to keep the fees as low as possible for societies. It costs them enough as it is. They need to buy licences now to do a raffle, so that costs some money. If we can keep the fees as low as possible and get as much information from them, I think the *Societies Act* and regulations will get passed eventually in this House, because that's the direction we go — and it will turn out to be a good thing.

Ms. White: I'm happy today to rise in support of extending the consultation for the *Societies Act*.

Like everybody in this Chamber, I spend a lot of my time volunteering. I have sat on boards and committees, and I have done different things in the communities.

One of the reasons why we brought this forward is that there are definitely organizations that don't meet on a monthly basis and, understanding that the consultation was originally called in mid-October and it would end in mid-November, there are a lot of organizations that wouldn't actually even meet within that time frame.

I was having a conversation with my mom the other day because I walked into a kitchen and the *Societies Act* consultation was on her board. The reason for that is that my parents are both actively involved in the community, including being heavily involved with Sport Yukon. What makes that organization different is that it has paid staff, but there have been challenges there where they have worked hard to try to update things and try to go where they think the *Societies Act* will be going and there have been problems there. To know that my parents have the consultation posted in the kitchen is an indication that this was going to take a bit longer than a month.

What surprised me was the number of people who contacted us about — “We just saw this” or “We just got this in the mail” and it said it started on the 14th but they received it this week, and they're not going to be able to get anything and they're not going to be able to attend the meetings, and how does this play out for them?

When we brought this forward, the intention was that we were quite hopeful that an amendment would be moved and a date. Maybe we would have an idea of what that was going to be, and then there would be a press release tomorrow saying that it was going to be extended for 60 days or for 90 days, which is what I'm gunning for. I had a conversation with the Minister of Community Services saying that, in my opinion, 90 days for this consultation would be more appropriate. It would give people the opportunity to set a meeting to discuss the issues that were brought forward and then an opportunity to attend the public consultations, which would hopefully be then set farther forward.

When you think about volunteer organizations — of course, I have always talked about the seniors complex, but they have their own organization there and they fall under the *Societies Act* — and you think about the sheer amount of different boards and societies that people can belong to — to understand that you have one that has a very specific focus and then you have another one that is a different focus, although they both fall within the same regulations, they have very, very different outcomes.

I had really hoped that there would be an amendment today and that we were going to get an indication of a time. It doesn't look like that. I look forward to the government making an announcement, maybe in a press release, saying that they are going to be extending it. I look forward to people

who participate in civil society being engaged and having that extended so that more people can participate.

Mr. Hassard: I will be brief. It's interesting to hear members talk today about — why didn't you come and talk to us? We see this government, which has just gone through quite a boondoggle of a consultation process, and I certainly hope that the Minister of Community Services has heard the importance today of extending this consultation. Hopefully this 90 days that we hear is the number that he moves forward with. We in the Official Opposition would be happy to vote in favour of this motion brought forward by the Member for Whitehorse Centre.

In closing, I think the one thing that I would say is that I am very happy that this seems to have been a relatively easy process to get an extension on the consultation for societies. I just think it is very unfortunate that the Minister of Highways and Public Works wouldn't take some notes from the Minister of Community Services on being willing to extend consultation processes when they realize that, yes, in fact, there is a flaw in the process.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Ms. Hanson: It is a pretty straightforward motion. It is unfortunate that there isn't clarity in the long statements about the purpose and the history of the Member for Mount Lorne-Southern Lakes — some of his volunteer activities. That is great and good to know, because that is the point that I was making without having to go into detail about every single one of the members of the Legislative Assembly being, or having been, part of one or more of the more than 700 societies in this territory.

I just have to say this for the record. I find it kind of interesting because it is really clear from the way the debate was structured this afternoon and the prolonged and protracted kinds of discussion on issues or points made that were repetitive or somewhat pedantic at times — I guess my gut instinct is to say that it is clear that the government did not, nor did the Official Opposition, want to have a discussion about a really serious issue — about whether or not either the Official Opposition or the governing Liberal Party is supportive of coal mining in this territory. It is curious. I just put that out there, Mr. Speaker, because the way we saw the debates stretch out at the beginning — we know the time limits — so we are just —

Some Hon. Member: (Inaudible)

Ms. Hanson: I do believe —

Speaker: Order, please. I am asking for order on the government's side so that you can speak.

Ms. Hanson: I appreciate your intervention very much. The motion put forward was to request that the government extend the deadline for the consultation with respect to the *Societies Act* and regulations that has a rather truncated time frame. My colleague had an informal side conversation that

led us to believe that there was going to be coming forward an amendment from the government's side that would be indicating that there would be — 90 days was banded about, and whether that was 90 days from the beginning of when the government started this in October or if it was 90 days from now. Clearly it was a misunderstanding. We will learn from that in the future.

We are pleased to see that the government has agreed to some form of extension yet to be determined, and that is just lovely.

Motion No. 170 agreed to

Motion No. 169

Clerk: Motion No. 169, standing in the name of Ms. White.

Speaker: It is moved by the Member for Takhini-Kopper King:

THAT this House urges the Government of Yukon to live up to its commitment to address climate change by:

- (1) rejecting the Division and Corduroy mountain coal exploration project; and
- (2) taking the actions required to repeal any legislation and regulation that permit coal exploration and coal mining in Yukon.

Ms. White: On indication from the Premier, I am going to keep my comments very short in hopes that we get to a vote prior to 5:30 p.m.

The reason I bring this forward right now is that I have concerns about a YESAB decision that the government has to respond to by October 28, which involves coal. It is important to know that this project has had submissions from the four affected First Nations: the Champagne and Aishihik First Nations, Little Salmon Carmacks First Nation, the Ta'an Kwäch'än Council, as well as the Kwanlin Dün First Nation. I'll note here that none of them are in favour.

Many of the submissions to YESAB urged the board to consider the ultimate outcome of the project, which would be coal mining, and not only the exploration project. Unfortunately, YESAB is limited to the scope of the project at hand and could not consider the environmental impact of eventual coal mining in Yukon.

The government, on the other hand, has the ability to look at the big picture and consider whether or not a coal mine is something that is desirable for Yukon. Government has the ability to decide if they want to be responsible for allowing an operating coal mine within the territory's borders in this, the present day. Some colleagues may wonder what the big deal is with this project. After all, the scope is fairly limited and a spokesperson for the proponent has even said that the company doesn't intend to focus on the development of coal in Yukon.

Well, Mr. Speaker, let me turn this equation around. If exploration for mineral resources — coal, in this instance — is not meant to lead to the development of this resource, why, oh why, would we allow this project to go forward? Why would we allow trenching? Why would we allow access trails

to be built? Why would we allow drilling of 10,000-metre holes, like the project proposes?

If this project is not intended to lead to the development of a coal mine in Yukon, there is no reason to allow for our wilderness to be exploited in such a way. If this coal exploration project is meant to actually lead to the development of a coal mine in Yukon, then we have a whole different problem and that problem has a name and that name is climate change.

So Mr. Speaker, we signed on to the Paris accord as Canada. Alberta right now is in the process of divesting in their coal-powered plants. When I asked the government the question on October 18 of how they felt about developing a coal industry in the territory, the Minister of EMR seemed caught off-guard, unaware that this government would need to make that decision in the very near future about that very possibility, and that decision needs to be rendered by the 28th of this month. So here we are a few short days away.

The reason I bring this forward is that our legislation is outdated. As Canada is committed to phase out coal within just 12 years, Yukon's EMR website still describes coal as — and I quote: "... a local energy resource that has potential for supplying both local needs and export markets."

Mr. Speaker, it's time to catch up with the times and take coal mining off the table. There is little to no cost to this, as there is no coal production at this time in the Yukon, no operating coal mines and no ongoing coal explorations.

To wrap it up, I just want to go back to the decision that this government must make on a coal exploration project at Division and Corduroy mountain. If the exploration proposal is indeed meant to lead to the development of a coal mine in Yukon, the government has to be coherent with its climate change commitments and reject the project and any future prospects of developing a coal industry in Yukon.

If, on the other hand, this exploration project is not meant to lead to the development of coal, like some media outlets have reported, and if the application is solely meant for a company to meet some of their financial requirements, the question that we should be asking is: Is it worth allowing trenching, digging and building new trails in our wilderness? I certainly hope that the government's answer will be a clear no.

Ultimately, the fact that we are having this conversation today in 2017, is a testament to how outdated Yukon's legislation is when it comes to a resource from the past like coal. That's why I hope the government will join me in this vote.

Hon. Mr. Pillai: Absolutely succinct — dismissing many elements of the conversation, which I will endeavour to bring to light.

Mr. Speaker, I rise in the House today to speak to Motion No. 169, brought forward by the Member for Takhini-Kopper King, which reads:

THAT this House urges the Government of Yukon to live up to its commitment to address climate change by:

(1) rejecting the Division and Corduroy mountain coal exploration project; and

(2) taking the actions required to repeal any legislation and regulation that permit coal exploration and coal mining in Yukon.

When you address this motion in segments — the first of which is the process that projects, such as the Division and Corduroy mountain coal exploration projects, are subject to prior approval — it's important to understand that this is, first and foremost, an exploration project.

The Member for Takhini-Kopper King, who put the motion forward, did speak to the fact that there are a series of stakeholders that had fed into the YESAA process.

Today, the important part of this conversation is to talk about the process and to talk about giving fair consideration to that process and how it plays out. I know that the NDP, on many occasions, have talked about the importance of the YESAA process, the importance of how that process inevitably — and I'm hearing the Leader of the Third Party, also just a table across the way and I'm okay with the interruption, saying it's your decision. I'll also take this opportunity to educate on that fact, because it's actually not my decision. If we're going to debate government processes, the Leader of the Third Party has spent much more time in this Assembly than I have, but I will take the opportunity to go through the process.

I will go right back to 2006 to the work that was done within the structure right in the DART structure, how we share information within the actual government and how decisions are made. Therefore, I know that both members of the Third Party are respectful of the structures and processes in systems and we can talk about the value piece of this. I'm looking forward to that discussion as well. But at this point, let's talk about what has been asked. I think what has been asked of us today is to stand up in the Legislative Assembly while we're undertaking a process and a decision document is being handled by a Government of Yukon department, and for us to come into the Legislative Assembly, make a bold statement based on a value proposition that has been tabled here today, previous to the government officials doing the work that they are set out to do. I guess what is being asked of me, I believe, is for me to inject myself into the decision process so that I can fulfill the motion that has been tabled by the Third Party, and that's not what we do.

I want to stress that this project is an exploration project and assessed on that basis, just as an exploration project undertaking quartz exploration would be. It's the same process right now. This process is one laid out by the *Yukon Environment and Socio-economic Assessment Act*. The Third Party is frustrated. It might seem that this is getting in the way, but this is the government process. I wish there was simply a wave of the wand for what I want, but that's not how things work in government.

A piece of federal legislation and a piece of legislation many of us here in the House are familiar with — this is an act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon. This act

lays out the groundwork for an independent assessment body to conduct neutral, independent assessments of proposed development projects with input from technical experts and the public.

Federal, territorial and First Nation governments responsible for projects, either as the regulator, land authority, funding agent or proponent have decision-making power for projects. This may seem at this point, as I speak to this, that I am diverting, but I think it is pretty important to understand that we have been asked today to shut this down. I mean we are being asked to make a decision here to shut this down. I think it is important to understand that and I would hope that we have an opportunity to talk about the process, which does not give me the opportunity to shut this down.

The government — and I want to thank the people who are working on this at Energy, Mines and Resources. It was touched upon that you seemed surprised and, quite honestly, Mr. Speaker, I was surprised. There are many projects — I think there are 99 projects underway right now. The good people of Energy, Mines and Resources are working on this document. There are many things that the department works on. I have no problem stating honestly that it was a surprise, but it also accentuates the fact that they are taking care of the work that they are responsible for and they don't need me to come in and inject myself on this particular project.

The governments responsible are known as "decision bodies". The Yukon government went through a process most recently in 2006 of designating decision bodies as per section 7 of YESAA. This section reads that: "The territorial minister may authorize a territorial agency or an employee of a territorial agency to carry out any of that minister's functions under this Act."

This process delegated responsibility to the specific departments and branches within the Yukon government that oversee the legislation pertaining to the project being assessed.

We can have a broader conversation with this motion about how Yukoners feel about coal and I absolutely agree — I absolutely agree for the record — about the challenges concerning coal as an energy fuel. That's why when you look at some of the work we're doing, you don't see coal as something that is being touted as a commodity that can be used to produce energy for our independent power policy. You don't see in any of our strategy work or platform work from the fall where we speak about coal.

I can get to some great agreement in many ways with the member opposite on elements of what the member is saying, but what we're asked today is something that is inappropriate and we're going to touch on that.

This process delegated responsibility to the specific departments and branches within the government that oversee the legislation pertaining to the project being assessed. At the same time, a notification, coordination and information-sharing model was created and a YESAA corporate implementation plan was put in place and that started. These were created to ensure that YESAA decisions are corporate decisions and that procedural fairness and adherence to the

statutory requirements are the foundations upon which decisions are made by public officials.

The key principles of the model are: To ensure that departments have the opportunity to provide input into the assessment. We talked about that. There were times in the Assembly where we have seen scenarios that I am proud of — the members opposite highlighted the fact that there was conflict between departments. I think my colleague from the Department of Environment stated one thing, and it seemed as though that would have been in contravention to things that were being said, and that's great. That is what this is supposed to do. It is about having multiple departments put fair information forward and state the facts. It provides opportunities for departments to participate in the decision-making phase and, where disagreements arise, have early contact, dialogue and resolution prior to the decision-making phase.

It is the expectation that delegated decision bodies make corporate decisions by considering other departments' mandates and reflect their input into the Government of Yukon's final decision document. This will be achieved through an internal, well-coordinated process involving all Yukon government departments. These are legislative responsibilities of the Yukon government — decision bodies under YESAA.

For this coal exploration project, the decision body is the Department of Energy, Mines and Resources, but, more specifically, it is the Mineral Resources branch. It is important to reiterate that decisions are to be made in a nature that gives full and fair consideration to the assessment and recommendations. Whether I think that people should be building coal plants across the globe or not, the role right now for the department is to give full and fair consideration. That is the framework we have. We don't get, once again, to wave the wand and do what we want.

The decisions require much careful consideration and a great deal of work — a tremendous amount of work that all departments are putting into this process. Decisions are made by the subject matter experts within the departments of the Government of Yukon and not by politicians.

The Yukon Environmental and Socio-economic Assessment Board has determined that this coal exploration project be allowed to proceed, subject to specific terms and conditions. I think it's important for the record — the Member for Takhini-Kopper King touched upon it. I think the statement was that four First Nations — I don't know if the number was said and I'll have to review — were against this project.

I have read each and every public document from First Nations, and there is a series of different elements. There's concern in all of them. The Yukon Conservation Society, and I believe the Little Salmon Carmacks First Nation, submitted their comments and talked about cumulative effects of a project where you would take into consideration exploration and if we should look at the larger picture.

Kwanlin Dün, Ta'an Kwäch'an Council and Champagne and Aishihik First Nations — their concerns dealt with the

style and type of consultation that the corporate entity did and concerns there. Almost all four First Nations had concerns that related to heritage values. So when you go through this, to be factual, the Yukon Conservation Society and one First Nation talked about coal mining and connecting that to exploration, but those were the two entities that did that. We have to be factual for the record here on what people's concerns were.

Part of this is that they are consulting with affected First Nations, which is part of our department's obligation, as they are legislated to do, and they will issue a decision document that either accepts, rejects or varies YESAB's recommendations in due process. The member opposite spoke to that timeline. I'm not going to speculate on the results of the decision, nor will I interfere. This is what I believe the Third Party is urging the government to do in the first part of the motion.

This debate concerning coal, I think, absolutely has a place in this Assembly. I believe there is a lot I can be educated on from both opposition parties on this topic. I'm willing to have that, but it is extremely uncomfortable for us in the Assembly to be having this debate right now, with the timing. It is really disrespecting the government process. I would hope that we do have multiple opportunities to have this discussion.

I would also like to recognize that, should a decision document allow a project to proceed, the proponent may then apply for the required authorizations on top of that. The terms of these authorizations are based on the decision document and other regulatory requirements. A decision document alone does not permit a project to be undertaken. The regulator has the discretion to authorize a project, or not, depending on regulatory review and in accordance with the terms and conditions of that decision document. The regulatory body requires more detailed information on the project and will undertake ongoing consultation with affected First Nations. I think it's also important to touch upon today that the Third Party, although we've heard over and over about consultation — again “Make a decision today. I'm going to be big sister here; I'm going to make the decision today and I'm not going to reach out to any First Nation.”

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Takhini-Kopper King, on a point of order.

Ms. White: Let me just find the right one — let's go with Standing Order 19(i), imputes abusive or insulting language in a context likely to create disorder.

Speaker: Sorry — I'm going to have more comments on this general concept, but generally speaking, over the last few weeks, I've heard points of order where sections have been referred to, but then there's no support for the proposition. There is no word support for the proposition.

Ms. White: The “big sister” comment, Mr. Speaker, is what I was referring to.

Speaker: That's fine; I get it; thank you. That was relatively obvious. I don't think it falls within insulting

language, unless the member is insinuating — I think “big brother” would be fine. If there’s a concern with “big sister” —

Ms. White: Mr. Speaker, had “big brother” been used against me as well — had it been the member who was previously using that, I would have called a point of order on that one as well. It’s the concept; it’s the George Orwell *1984* concept that I have an issue with, Mr. Speaker.

Speaker’s ruling

Speaker: I will take it under advisement. I agree that it is possible that is perhaps an overly strong characterization. It did not at first blush strike me as such.

In any event, Minister of Energy, Mines and Resources, please continue.

Hon. Mr. Pillai: On that note, I apologize if we —

Speaker: Sorry, I have just been advised by Mr. Clerk that it is a certain time. Thank you.

Order, please.

The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

Debate on Motion No. 169 accordingly adjourned

The House adjourned at 5:30 p.m.