



Yukon Legislative Assembly

Number 59

2nd Session

34th Legislature

HANSARD

Thursday, November 23, 2017 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2017 Fall Sitting

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

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
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

GOVERNMENT PRIVATE MEMBERS

Yukon Liberal Party

Ted Adel	Copperbelt North
Paolo Gallina	Porter Creek Centre
Don Hutton	Mayo-Tatchun

OFFICIAL OPPOSITION

Yukon Party

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

THIRD PARTY

New Democratic Party

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

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**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, November 23, 2017 — 1:00 p.m.**

Speaker: Je vais maintenant appeler l'Assemblée à l'ordre.

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 remembrance of Dianna Raketti

Ms. McLeod: It gives me great pleasure today on behalf of all members of the Legislature to recognize and tribute Dianna Raketti.

Dianna was born in Smeaton, Saskatchewan on July 29, 1945. She grew up on a small family farm with her parents and three brothers and three sisters. She developed a strong work ethic and an appreciation for hard work at an early age. Given the time, you know that fun was self-taught and self-made, and that in itself is a great character-builder.

In 1965, Dianna was approached by her dear friend Faye White with an offer she just couldn't refuse — a position as a waitress at the Belvedere Hotel in a small town in Watson Lake. At the time, Tippy Mah operated the Belvedere Hotel, and that is another story. Dianna was intrigued at this opportunity. She accepted and arrived by Greyhound bus in May of that year. This was only to be a summer job, but her plans changed after meeting her future husband, Ivan Raketti. Now, Dianna said that she wasn't immediately impressed with Ivan's carefree ways, but she married him anyway in January 1966 — which, if you do the math, was a pretty whirlwind kind of romance. They married at the Watson Lake community hall, a facility that was built by Ivan.

Dianna continued to work with Ivan in many ways throughout their long marriage, with his construction business. Dianna served as a returning officer for Elections Yukon for 19 years, and that included six territorial general elections. She had a lot of stories to tell about that. She also worked for the Department of Tourism at the Watson Lake Visitor Information Centre for over 25 years. She enjoyed meeting visitors from across the globe and forged many friendships long after the vacation was over. Dianna had the unique ability to connect with people and to make them feel at home in minutes.

Dianna was a fierce champion of Watson Lake and came to its defence whenever necessary. She loved her community and was an active member of the Watson Lake Chamber of Commerce, a volunteer for Communities in Bloom, Yukon College campus advisory committee and served two terms as a municipal councillor. She was awarded the Hanseatic Award

in recognition of her outstanding contribution to the advancement of Yukon municipal government in 2008.

She served as a long-standing member of the Yukon Water Board, Yukon Heritage Resources Board and the Yukon Foundation. She commonly dedicated her evenings and weekends preparing for meetings and public hearings, and went on tours of various hardrock and placer mining properties. She was always prepared because she knew how important her work was. She had a great knowledge of Yukon's history, which came through in many conversations and likely was helpful to her in all of her work.

Dianna enjoyed the company of others and took pride in sharing her home, her cooking, her garden and her hospitality with her family and friends. Sometimes known as the "Martha Stewart of the North" — she kind of looked like her too — she was passionate about looking after her family and home. Many will remember her for her holiday meals and get-togethers. I know I sure will.

Dianna was devoted to her two children, Elaine and Cory, and especially her grandson Will. She was so proud of all his accomplishments and loved going to all the hockey and soccer games. Dianna had a softer side. When it came time to volunteer, donate or just help someone out, Dianna could be counted on. The thing that I admired most about her was her frankness — her ability to have an opinion and stand by it.

Dianna, Ivan, Elaine and Cory have long recognized the importance of all facets of the construction industry and believe that it deserves a place of prominence in our minds. Elaine and Cory will be establishing a scholarship on behalf of the Raketti family in support of students wishing to pursue a career in the trades. This scholarship will be managed by the Yukon Foundation, and we thank them.

In 2016, Elaine and Cory lost a mom and Will lost a grandma. Watson Lake lost a champion. All of us lost a great Yukoner.

So I would like to ask the members to help me welcome to the Assembly today some friends and family of Dianna's. First of all, Elaine Taylor, her daughter and a former member of this House; Will Taylor, her grandson and a great young man; and Cory Raketti, her son.

I have quite a list of friends. Welcome to the former Premier of Yukon, Dennis Fentie; Lorraine Nixon; former member of this House, Archie Lang and Karen Lang; Karla DesRosiers; Sophie Partridge; Gordon Steele; Marie Cox; Patrick Rouble, who is also a former member of this House; Dorothy Gibbon and Ed Lishman; Morgan Smith; Frank Wilps; Roger Ellis; Loretta Devries; Bill and Lou Forsythe; Brian Sweeney; Susan McGrath; Danny MacDonald; Ron Johnson; Rory Wadham; Chris Young; Geri and Craig Tuton; Linda Hillier; Dean Hassard; Roger Lockwood; Ted Laking; Madison Pearson; Robin Balmforth; Elaine Schiman; Mark Beese; Pierre Germain; Deb Greenlaw; and Robin Anderson. Thank you all and I'm sorry if I missed some of you.

Applause

In recognition of Northwestel Festival of Trees

Mr. Gallina: I would like to thank the Member for Watson Lake. I know tributes like that can be difficult.

On behalf of the Yukon Liberal government and the Third Party NDP caucus, I rise today to ask the members of this House to join me in recognizing the annual Northwestel Festival of Trees, now in its 15th year. The festival launches this evening at the Goldcorp BAH Humbug right here in the lobby of the main administration building. This Saturday, the festival will host the Skookum Asphalt Santa Breakfast, where I plan to bring my family and meet with Santa and his wife. The Save-On-Foods Seniors Soirée is again sold out and will be held on Friday, December 1, and Yukon's most prestigious grand ball, the Alkan Air Grand Ball, will be held on Saturday, December 2.

The festival will also host beautifully decorated trees that will be on display for public viewing here in the lobby of the main administration building from November 23 to the 28. Each year, these decorated trees capture the spirit of the festival, which is considered to be the unofficial start of the holiday season.

When the trees are auctioned off to raise money for the Yukon Hospital Foundation, we witness the true generosity of Yukoners. Since 2006, the Northwestel Festival of Trees has raised over \$4 million. This money is used to purchase important medical equipment to improve access and quality of care in our hospitals. Past contributions have allowed the Yukon Hospital Foundation to purchase a digital X-ray machine, heart stress testing equipment, a CT scanner, orthopaedic drills, Neopuffs, ultrasounds and the first MRI scanner north of 60.

This highly anticipated event would not be possible without the dedication and commitment of local sponsors and countless volunteers. We are lucky to have such giving and generous sponsors and creative volunteers to decorate the trees and wreaths that will adorn our lobby. On behalf of Yukoners, I thank you all.

I would like to take a moment to specifically recognize Rebecca Fenton, who is a dedicated Yukon Hospital Foundation staff member. She ensures the trees are decorated in time for visitors' enjoyment, working tirelessly to check and double-check that lights and displays are working with attention to detail that embodies the warm and welcoming atmosphere for visitors throughout the festival. Rebecca, thank you for the countless hours you provide to this festival; we are truly grateful for your contribution.

Mr. Speaker, I would also like to recognize the Yukon Hospital Foundation president, Karen Forward, and their volunteer board of directors for the outstanding job they do each year to organize this event. It's wonderful to see how they bring the community together to support such worthwhile causes.

I also see a number of visitors in the gallery here today and I'll take some time during the introduction of visitors to recognize them.

In closing, I encourage Yukoners to participate in the 2017 Northwestel Festival of Trees, as it supports the quality

of life and care we enjoy here in the Yukon. Come out to the main administration building and see these beautiful trees or attend one of these events and experience the true charm of this giving season. Thank you, Mr. Speaker.

Applause

Ms. Van Bibber: I am pleased to rise on behalf of the Official Opposition to pay tribute to the Northwestel Festival of Trees and the Yukon Hospital Foundation. For the past 15 years, the Festival of Trees has been a part of Yukon's festivities around the holidays and what a feast for the eyes it can be. The Yukon Hospital Foundation is tasked with raising money to ensure the hospital and health care system has funds to support major machines or equipment necessary to keep us all well. This goes beyond what governments can fund.

This year from November 23 — today — to December 2, Yukoners will again be subjected to visual wonders as participating businesses decorate trees with style and glamour. These trees are displayed for a week in the main government administration building until being transferred to the Coast High Country Inn convention centre for the Seniors Soirée on December 1 and the Grand Ball on December 2.

Sold out — what organizer doesn't want to hear those words? There's more. Today at 5:30 p.m. in the foyer, there's a BAH Humbug cocktail party sponsored by Goldcorp. This Saturday, come out and bring the family for pancakes, photos with Santa and Mrs. Claus. On Tuesday, there is Air North and their famous cookies — and, of course, Santa will be there again for photos. Our newest and already great community supporter Save-On-Foods is sponsoring the Seniors Soirée and then the finale — the Alkan Air Grand Ball. Those fabulous trees will be live-auctioned, along with a silent auction, and all the proceeds go to our health care.

I understand the latest campaign is to develop a simulation centre, which will be a dedicated space with interactive dolls that simulate symptoms and reactions. The centre will provide training space with software and IT infrastructure for different medical scenarios and will help doctors keep updated locally instead of having to travel Outside.

I have the honour of working with the Yukon Hospital Foundation as we raise funds for Yukoners cancer care fund. The Yukoners cancer care fund is outside the mandate of the Yukon Hospital Foundation; however, they help whenever and wherever they can to assist and support Yukoners who have cancer in their homes.

Thank you so much for all you do for us. Kudos to the tree suppliers, the businesses and all the volunteers and folks who make this possible. However we participate, we can make a difference. It is a wonderful start to the holidays and the generous nature and spirit of Yukoners is always dazzling, just like the trees.

Happy holidays.

Applause

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Mr. Gallina: Mr. Speaker, I wanted to take a moment to recognize members of the community who have been supporting the Northwestel Festival of Trees. From the Yukon Hospital Foundation, chair and Porter Creek Centre constituent, Philip Fitzgerald; vice-chair, Chris Milner; director and Porter Creek Centre constituent, Buddy Crill; director, Wendy Tayler; and director, Andrew Anderson; I would like to recognize the president, Karen Forward; festival event coordinator, Rebecca Fenton; former board member, Dr. Ken Quong; and volunteer, R.J. Hill. From Northwestel, we have president and CEO, Paul Flaherty and Director of Government Relations Krista Prochazka and from Save-on-Foods, we have Store Manager Alan Kaarsemaker.

Welcome.

Applause

Hon. Ms. McPhee: I'm asking my colleagues to help me welcome today the grade 4/5 class from Whitehorse Elementary School. Je suis ravie de vous accueillir.

They are, from Madame Jenna's class of grade 4/5: Andrezj, Connor, Gabriel, Juliet, Oliver, Jaiden, Skylan, Nimrita, Ryan, Ella, Meara, Alexander, Cambria, Leah, Tyler, Kieran, Adrena, Sari, Petra, Janelle, Mariella, Emanuel and Roman. Thank you very much for coming.

Applause

Ms. Hanson: It's great to see such a packed gallery today. I would like to ask members to join me in welcoming some members of Fair Vote Yukon, who I believe are here to express their thanks by their presence to members yesterday who unanimously passed a motion to create an electoral reform commission to look at our system of voting and other related matters. Sue Greetham, Dave Brekke, Sally Wright, J.P. Pinard, and Don and Margeurite Roberts are here — no strangers to this House, but we're welcoming them again.

Hon. Mr. Streicker: I wonder if we could also welcome Rob and Mary Ann Lewis, who are Tagishites — and Ed — I'm sorry, I don't know Ed Lishman's wife — but they are Carcrossites.

Mr. Adel: We'll keep the party going just for a second. It's always nice to welcome constituents: Geri and Craig Tuton from Copperbelt North.

Speaker: Are there any further introductions of visitors?

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Streicker: I have for tabling a legislative return in response to questions from the Member for Copperbelt South in Committee of the Whole debate from November 14, 2017.

Hon. Ms. McPhee: Mr. Speaker, I have for tabling a response to a question asked by the Member for Copperbelt South on November 21, 2017.

Speaker: Are there any further returns or documents for tabling?

Are there any reports of committees?

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 Canada to ensure that the federal Arctic policy framework:

(1) is developed with input from Yukoners;

(2) makes the development of thriving, prosperous and diversified economies of northern communities a priority;

(3) provides northerners with the tools and authorities to manage their own affairs and to make decisions on the future of the north;

(4) increases local opportunities for people living in rural and remote communities;

(5) supports the sustainability of the north and northern communities; and

(6) is inclusive of the priorities of Yukon First Nations and the Government of Yukon.

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

THAT this House urges the Minister of Justice to explain why she told this House that the government is not spending any money on renovations for the offices of a third Supreme Court Judge when at the very moment she stated that, the tender management system had a posting, entitled "New Supreme Court Judge's Office, Andrew A. Philipsen Law Centre", with a project cost estimate of up to \$250,000, and estimated start date of December 19, 2017.

I also give notice of the following motion:

THAT this House urges the Premier to fulfill his obligation to ensure members of his Cabinet take appropriate steps to avoid the potential of a real or perceived conflict of interest by requiring the Minister of Justice to immediately seek the advice from the Conflict of Interest Commissioner on three questions:

(1) should she have recused herself from decisions on the *Legal Profession Act*;

(2) should another minister move the motion for third reading on Bill No. 14, *Legal Profession Act, 2017*; and

(3) prior to involving themselves in decisions related to rules governing a profession of which they are a member, should ministers seek advice from the Conflict of Interest Commissioner?

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

THAT this House urges the Government of Yukon to implement the options set out in the *Yukon Financial Advisory Panel Final Report* to use the carbon tax revenue to fund additional grants to improve the energy efficiency of households, businesses, and local and aboriginal governments.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to implement the options set out in the *Yukon Financial Advisory Panel Final Report* to undertake a comprehensive review of resource-sector policies, with an emphasis on:

- (1) ensuring fair and efficient royalty rates;
- (2) fee structures;
- (3) permit and licensing costs;
- (4) tax exemptions; and
- (5) minimum work requirements.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to implement the options set out in the *Yukon Financial Advisory Panel Final Report* to consider introducing a Yukon-wide hotel tax, in consultation with municipalities, the Association of Yukon Communities and the tourism industry.

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

THAT this House urges the federal government to take the lead and implement an early child education and care program for Canada led by the federal government and developed collaboratively with provinces and territories and indigenous communities, which includes:

- (1) a well-developed policy framework based on the principles of universality;
- (2) high quality and comprehensiveness; and
- (3) is guided by targets and timelines and supported by long-term, sustained funding.

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

MINISTERIAL STATEMENT

Oil and gas request-for-postings process discontinuation

Hon. Mr. Pillai: Mr. Speaker, I rise today to announce that, as Minister of Energy, Mines and Resources, I have decided to discontinue the fall 2016 oil and gas request-for-postings process. The Government of Yukon received 15 posting requests for oil and gas rights in two oil and gas sedimentary basins during its fall 2016 request for posting. The Kandik sedimentary basin received 13 postings and the Eagle Plain sedimentary basin received two postings as a result of the request-for-postings process. Both basins are located in north Yukon.

When industry posts locations of interest through our request-for-postings process, we proceed to conduct First

Nation consultation and public review of these locations. As per the oil and gas disposition process, Yukon government consulted with affected First Nations and government departments on the posting requests received. Three northern Yukon First Nations — Vuntut Gwitchin First Nation, Tr'ondëk Hwëch'in First Nation and the First Nation of Na Cho Nyäk Dun — indicated that they did not support proceeding to a call for bids on the requested postings at this time.

The northern First Nations also expressed an interest in working more closely with the Yukon government on responsible oil and gas exploration and development in north Yukon. I am announcing today that this process is now officially discontinued, and there will be no further public review of the submitted locations related to the fall 2016 request for postings.

Discontinuing the fall 2016 request for postings allows time for the Yukon and northern First Nation governments to have a broader conversation on oil and gas exploration and development in north Yukon. This collaborative work will allow us to offer more clarity and certainty for companies interested in north Yukon's oil and gas resource potential.

Mr. Kent: Obviously, the Official Opposition is disappointed that the 2016 request for postings has been cancelled. This was an opportunity to open new oil and gas development potential that would align with promises that the Liberals made in their platform — and I'm going to quote from their platform at this time: "supporting oil and gas development... on Eagle Plains, in collaboration with the Vuntut Gwitchin First Nation and in keeping with the provisions of... the North Yukon Land Use Plan..."

We would have perhaps understood removing the portions that were in the Dawson planning region but are concerned with this decision on the postings that did conform to the north Yukon plan.

Mr. Speaker, this is worrisome because it could potentially spell the end of this industry here in the Yukon — one that has a long history of exploration and production with significant revenues flowing not only to the Yukon government, but First Nation governments as well. I believe royalties from the Kotaneelee wells in southeast Yukon were close to \$45 million in total, with approximately \$10.5 million of that going to First Nation governments.

Mr. Speaker, when the minister rises to close his remarks on this ministerial statement, I'm hoping that he can answer a few questions from us during that response.

Officials told us in the spring during budget briefings that the First Nation consultations were supposed to wrap up in late June and we're curious if that timeline was indeed met. We're also curious what consultations took place with industry, including the interested party and the Yukon Oil and Gas Advisory Committee, on this decision.

We're curious as to what long-term effects the minister anticipates this decision will have on future calls and, given that this is realistically the only area that can be included in

calls in the territory at this time, when does the minister anticipate that next call to be?

Can the minister tell us what the Yukon government's position is on the offshore oil and gas industry and what efforts the government has put in to respond to Canada's unilateral decision, without consultations with northerners, to place a five-year moratorium on this area? We, of course, know how our neighbours in the Northwest Territories feel, but Yukon has been relatively quiet on this front.

One thing that we will look forward to receiving in the spring from the minister is an updated work plan for the oil and gas branch in his Department of Energy, Mines and Resources. We know they do great work on a number of fronts, but, of course, this was an essential service they provided, so we would be interested in what the government plans are for that branch.

As I have said, this is too bad on a number of fronts, as we potentially say goodbye to our reputation as a stable jurisdiction for oil and gas companies to consider investing in. Too bad, really, as we have great potential here in the Yukon for this industry and you need only look at our neighbours in British Columbia, Alaska and the Northwest Territories to see the enormous benefit they have received in taxes, royalties and, above all else, jobs for their citizens.

Ms. Hanson: The Yukon New Democratic Party is pleased with this interim step by the Yukon government to begin to address the policy tools it holds to tackle climate change in the north. Yukon, along with all governments, must demonstrate by its actions that it is prepared to make the systemic changes necessary to move away from fossil fuel exploration and extraction.

The notion of a viable oil and gas industry in Yukon is an illusion. The "pause" button that the government has pushed on the oil and gas posting process is an opportune time for this government to do a reality-based assessment with respect to Yukon's continued involvement in an industry that cannot, does not, survive without significant subsidies.

We urge the government to begin now to do the in-depth analysis suggested by the Yukon Financial Advisory Panel to consider what benefits accrue to Yukon by the continued investment of over \$3.5 million every year in a resource sector that is incompatible with Yukon's commitment to address climate change.

Hon. Mr. Pillai: I would like to thank the Member for Copperbelt South and the Leader of the Third Party for their responses to the statement. There is a series of questions — I think there are seven questions that were identified by the House Leader of the Official Opposition — and I will do my best to run through and answer each one of those questions. I think in the preamble, there were a couple of other points made.

Certainly I think the initial part of the preamble from the Member for Copperbelt South spoke to promises during the election and really talked about melting it down, looking at an industry, trying to ensure there is an industry outside the

Whitehorse Trough, but ensuring there is collaboration between — specifically, I think the Vuntut Gwitchin was named.

I would say that in our discussions this summer — not just with one First Nation, but with the northern First Nations, as they would call themselves — and reaching out also into the Northwest Territories and the Gwich'in Tribal Council — it was collaboration. It was a conversation about how to move forward. Certainly, we heard it loud and clear from VGFN that they wouldn't support this. So that would be the first piece; the second would be revenues.

Certainly, as you look back at the distribution of revenues from the Kotaneelee — in a different time, there was a certain distribution and I appreciate that. I wish that it wasn't all distributed because I have some wells to clean up and I don't have enough money to do it right now and I have to use taxpayers' money to do it. So certainly, some of that early distribution — I wish we had proper calculations then on security and understand that this is a bit of a liability now for Yukoners. But we will work with our industry partners to continue that work.

As for the seven questions that were posed, first of all, we didn't complete consultations in June. It was actually closer to July. The Minister of Environment and I met in Dawson City in the offices of the Tr'ondëk Hwëch'in and, kindly, members from Na Cho Nyäk Dun as well as VGFN travelled to meet with us. Then there were subsequent conversations directly with the Gwich'in Tribal Council as it pertains to their asserted right in the territories.

The company — I must say, for the record, that I didn't have an opportunity to consult with the industry, which is one company in the industry right now because they had started a legal process and, at that point, I wasn't in a position to. Of course, that has to do with the fact that we stated that we would not support fracking and then, in turn, of course, there was a very large lawsuit that was filed and I wasn't in a position to consult while I was being potentially sued.

On the long-term effects — you know, what are the long-term effects? Well, I think if you look at where things are right now and long before my colleagues and I arrived here, there was certain instability. We were seeing, I believe, maybe a potential lack of consultation. I know that work wasn't getting done. I think that is the reason that the member opposite returned some of the funds that were held in lieu of work. So I think, for that reason, there was some instability.

Offshore, our team is actually moving or flying up to continue conversations with the federal government. I apologize that I don't have the exact date. I have signed off on the travel. Two members will be at the table, finding out what the federal government's long-term plan is. An updated work plan — certainly we can discuss that in the spring and I can provide that to the House as we look at the future of oil and gas.

Thank you, Mr. Speaker.

Speaker: This then brings us to Question Period.

QUESTION PERIOD**Question re: Carbon tax**

Mr. Hassard: Thirty-nine days — that is how many days until 2018, when the carbon tax scheme that the Premier signed on to will come into effect here in the Yukon. After more than a year of this Liberal government, we still have very little in terms of details on how this is going to work.

We know that the carbon tax is going to increase the cost of goods, including O&M costs for municipalities; however, we have been told that the government indicated to the Association of Yukon Communities that municipalities will not be receiving a rebate for their increased costs. This means that this carbon tax scheme will simply increase the costs for municipal governments and they will be forced to find new sources of money to pay these costs.

Will the government change course and exempt municipalities from the carbon tax?

Hon. Mr. Silver: It is a good opportunity to, I guess, correct the record. I don't know where the member opposite is necessarily getting all of his information. I am sure I will find out in the second supplementary and the first supplementary.

Conversations with municipalities are ongoing. We are looking at numbers right now of how much a federally sponsored carbon-pricing mechanism will affect First Nation governments and also municipalities. Those conversations are ongoing. They are ongoing because of the good work done with the Association of Yukon Communities and the good work done by my Minister of Community Services to make sure that we come to an agreement that is equitable to all — more to come on that, Mr. Speaker.

Again, the member opposite would make it sound like, as with the diaper issue, the sky is going to fall as of January 1. Unless the member opposite knows more than I do, I firmly believe that it is not when the carbon-pricing mechanism is going to come into place. We are continuing to work with Ottawa on a carbon-pricing mechanism as per the annex that was set out — the pan-Canadian framework.

We have said on this side of the House that we believe that the carbon-pricing mechanism is the best way to deal with man-made climate change, and we are proud to be offering solutions to Ottawa's carbon-pricing mechanism.

Mr. Hassard: I think it is important to point out that the diaper issue, as the Premier mentioned, was actually something that was brought forward by the Minister of Community Services.

When municipalities are forced to pay more as a result of the carbon tax scheme that this Premier signed on to — as he continues to speak off-mic — they will be forced to look for new sources of money to prevent a shortfall.

This could result in municipalities having to increase municipal taxes to pay for this carbon tax. Not only would Yukoners have to pay more as a result of the carbon tax, they would then have to pay more as a result of increased municipal taxes, thanks to this government.

What will this government do to ensure that municipalities are not forced to raise taxes as a result of this Premier's carbon tax scheme?

Hon. Mr. Silver: If the member opposite would listen to the answers, he would have heard that we are working with the municipalities. I don't know if the member opposite thinks that some plan has already been baked. If he can maybe enlighten us as to what he thinks is going to happen between the municipalities and the territorial government on a federal carbon-pricing mechanism, I would love to hear what his plans are.

Again, on this side of the House, we are working with the municipalities and we are analyzing the data. We are taking a look at how much this will affect the municipalities and the First Nation governments as well. We will be continuing those conversations as we wait for more details from Ottawa.

Of course, to answer the questions from the opposition, we have spoken to the federal ministers responsible for this federal pricing. It is their understanding that this would not be something that is going to be implemented as the new year ticks on. It is probably going to be — from the indications that we're hearing from Ottawa — not until at least after summer before any of this stuff happens. Again, nothing is confirmed and we are being patient. We have put forth Yukoners' concerns to Ottawa. We have committed on this side of the House to make sure that 100 percent of the money that is collected from a federal carbon-pricing mechanism goes back to Yukoners and Yukon businesses, no matter how much the opposition wants to make it seem like it is our tax.

Mr. Hassard: The Premier seems to forget that he is the one who signed on to this carbon tax scheme and he is the one who needs to provide details to Yukoners on how it is going to be rolled out. It has been almost 400 days that this government has been in power. Have they done an analysis on all of the impacts of the carbon tax on this territory's municipalities? Will the government consider increasing the comprehensive municipal grant to compensate for the impact of this carbon tax that he signed on to?

Hon. Mr. Silver: To be quite frank, everybody signed on to this, including the Yukon Party. They signed the original documents on this with all of the rest of the premiers in Canada. In that manner as well, every single section in Canada is going to be paying this federal carbon-pricing mechanism, either through their own initiatives or through a federal backstop.

For the members opposite to somehow try to make it seem like it's our tax — I think they're missing the whole point of this. I think this is an antiquated way of thinking as far as whether or not we should be doing this. What I'm hearing from the opposition over and over again is that they don't believe that we should do our fair share. I think we should. We have heard them say that Manitoba is not going to be doing their fair share, but that is not true at all. That, again, is misrepresented by the members opposite.

So again, we are proud of signing on with the rest of Canada to a carbon-pricing mechanism and hopefully turning a page so that we can move forward on new advances in technology in energy and new advances in research. We want to be a hub up here for technologies in northern climates. We think that this is a good thing. We also think that a good thing

is giving back 100 percent of the money collected from a federal government carbon-pricing mechanism to Yukon businesses and Yukon individuals.

I don't think the members opposite have — well, I guess they are complaining about us giving the money back. I'm not really sure. But the bottom line is, Mr. Speaker, we are working with the municipalities, we are working with First Nation governments, and there is more to come on that.

Question re: *Legal Profession Act* review

Mr. Cathers: We are going to return to an issue we have asked questions about for two days in the hope that we can finally get a reasonable answer. On Tuesday we were surprised to learn that the Minister of Justice did not seek advice from the Conflict of Interest Commissioner prior to involving herself in decisions on the *Legal Profession Act, 2017*. The former Premier — a pharmacist — sought advice from the commissioner when rules affecting that profession were under development and was advised not to be involved in any decisions. In a situation that seems similar, the minister told us she did not seek the advice of the conflicts commissioner prior to her involvement in changes to the rules governing lawyers.

One of the reasons we have a conflicts commissioner is so that it is not just left up to ministers to decide how they want to interpret the law. Will the Minister of Justice agree to seek the advice of the conflicts commissioner as I asked her to yesterday?

Hon. Ms. McPhee: Mr. Speaker, I am not in a conflict with respect to the *Legal Profession Act, 2017*. I am curious as to how the information in the preamble to this question could be brought before this House because any conversations between the conflicts commissioner and any former member of this House would in fact be confidential.

This *Legal Profession Act, 2017* is a bill that has been debated here extensively in this Legislative Assembly — all 188 clauses of it, plus the title — and not one question was raised about any of those sections and how it might cause me to be in a conflict.

I repeat, Mr. Speaker: I am not in a conflict. There is no conflict between my public duties and my private interests. I would respectfully request that if the member opposite believes otherwise, that he take his insinuations and his innuendoes about my behaviour outside of this House and complain to the conflicts commissioner.

Mr. Cathers: That answer is not going to cut it. We are not in a position to determine whether the minister followed the standards set out in the law, but neither is the Minister of Justice. One of the main reasons we have a conflicts commissioner is so that it is not just left up to ministers to decide how they want to interpret the law.

Although the minister did not check with the commissioner first, like she should have, it is not too late for the minister to immediately seek his advice on three questions: First, should she have recused herself from decisions on the *Legal Profession Act, 2017*? Second, should another minister move the motion for third reading on the

Legal Profession Act, 2017, and finally — prior to involving themselves in decisions relating to rules governing a profession of which they are a member — should ministers seek advice from the conflicts commissioner?

The minister has a chance to do the right thing. Will she do that now?

Hon. Mr. Silver: Mr. Speaker, I have been hearing the same question being asked by the member opposite for three days now. The member asked the question, the question was answered — enough said.

There is no conflict between my minister's public duties and her private interests. I would caution the member opposite about drawing conclusions about things that are not similar. I'm not going to speculate as to why the member opposite is repeating himself. I'm not going to speculate as to why the member opposite is using his privilege as a Member of this House in this way. He is all bark and he is no bite.

If the member opposite wants to make a complaint to the conflicts commissioner, do so.

Mr. Cathers: We are not drawing conclusions. The Premier has an obligation to set the standards for the code of conduct of his Cabinet, and, in a situation that seems similar, we simply ask the minister to seek the advice of the conflicts commissioner. Will the Premier tell the minister to immediately seek the advice of the commissioner on three simple questions: Should she have recused herself from decisions on the act; should another minister move the motion for third reading on the *Legal Profession Act, 2017*; and in future, prior to involving themselves in decisions related to roles effecting the profession of which they are members, should ministers seek the advice of the conflicts commissioner before involving themselves in those decisions?

Very simple question, Mr. Speaker — the Premier has an obligation to do the right thing. Will he do it now?

Hon. Mr. Silver: Mr. Speaker, I'm very proud of the work we do in this House. We are an open and transparent government. He has been told that, if the member opposite has a specific complaint, he knows exactly where the member opposite can go — the conflicts commissioner. Their door is open, but again, what we hear is the member opposite only bringing it up here in the Legislative Assembly, and not even in debate for Committee of the Whole. Every single one of the 100-plus clauses — not one particular question from the member opposite on this particular issue. He's all bark and he's no bite, Mr. Speaker, and I'm extremely proud of my Attorney General and the rest of the Cabinet and MLAs on this side of the House.

Question re: Whitehorse Correctional Centre phone system revenue

Ms. Hanson: Change of pace here — the crime prevention and victim services trust fund annual report was tabled earlier this week. It notes revenue of over \$17,000 from the inmate phone system. In doing a bit more research of past years, it seems that this item was added to the revenues of this trust in the 2014-15 fiscal year. In the last three years, the revenue adds up to close to \$75,000. There is no indication in

the annual report as to how this source of revenue came about, or why.

Can the minister tell this House who made the decision to direct these funds to the crime prevention and victim services trust fund and when it was made?

Hon. Ms. McPhee: My instinct is to indicate that it is by the commission — the trust fund board — but I will not speculate in answering that question for you, and I will obtain the answer for you because I don't have those details.

Ms. Hanson: I thank the minister for her response.

We ask these questions sometimes because citizens raise them out of curiosity, at times, and because it is well known that contact with friends and family is an important part of rehabilitation. The notion of being charged is not new, but it was curious to people that phone calls by inmates have generated nearly \$75,000 over three years. That is over \$2,000 per month.

What is also unclear is whether this represents the full revenue from the phone system, or if it is only part of the revenue or the profit from the Whitehorse Correctional Centre's phone system.

Can the minister tell us if the jail's phone system is contracted out to a private company, and, if so, what is the total cost?

Hon. Ms. McPhee: Again, I very much appreciate the question. I think they are valid concerns. I appreciate the member opposite bringing them on behalf of her party, but certainly more importantly on behalf of constituents. It is information that I will obtain because I do not have it here today. I think those are excellent questions that should be clarified.

Question re: Minimum wage

Ms. White: Yesterday, the Ontario Liberal government passed a labour reform bill that will see all workers getting two paid sick days and — you may have guessed it, Mr. Speaker — a \$15 minimum wage in just over a year.

Ontario's current minimum wage is \$11.60 per hour, not much higher than Yukon's at \$11.32. So clearly, with political will, a \$15 minimum wage is within reach for Yukon as well.

But political will is sometimes tricky and it's not evenly distributed. The Minister for Community Services has shown no interest in reviewing the minimum wage, even if he pretty much acknowledged last week that Yukoners earning the minimum wage are more than likely living in poverty.

Mr. Speaker, with Ontario joining Alberta and British Columbia on the path to a \$15 minimum wage, will the minister finally direct a review of Yukon's minimum wage?

Hon. Mr. Streicker: For the record, I will just try to say that I am interested in doing analyses. I think from the very first question that was posed here in this Legislature and on my own work around it, we have been doing analyses; in fact, I provided a legislative return. I spoke with the statistics branch and we did some analysis. I've met, for example, with the Yukon Anti-Poverty Coalition to talk about their living wage calculations. We're definitely interested in analyses.

One of the things that the analysis showed us was that, although our minimum wage is lower than the minimum wage of the Northwest Territories and Nunavut, it appears that when we compare that minimum wage against a market-basket measure — sort of the cost of living for a modest family — we compare better than our minimum wage shows. So that is analysis that is important to do. There's a process in place here. We have an Employment Standards Board. Their process typically is that, when we drop from the top half to the lower half, it will instigate a formal review. In the meantime, I will continue to do work as requested here in this House and by Yukoners.

Ms. White: Mr. Speaker, that answer is disappointing, to say the least, but sadly, it's not unexpected. People working a full-time job should not be living in poverty; it's just that simple. The fact that minimum-wage workers in the Northwest Territories also live in poverty is not an excuse for the minister's continued inaction.

We're clearly not getting anywhere with the minister, so let me ask the Premier a question. Over the last few months, the Yukon government has commissioned a review of the salaries and benefits for MLAs and ministers. Why does the Premier believe that MLAs' and ministers' pay should be reviewed but not that of minimum wage?

Hon. Mr. Silver: The answer to that is quite obvious. These are legislatively mandated reviews that we undertake as a government.

Ms. White: I think you'll find that there is no mandated review within legislation.

Mr. Speaker, it's just not possible to make ends meet in the Yukon at \$11.32 per hour. Our minimum wage is a poverty wage, and this government is refusing to do anything about it. It's no secret that the Yukon NDP supports a \$15 minimum wage, because we need to start closing the gap between our minimum wage and a living wage. But we're not even asking the government to do that. We're just asking the minister to request a review of the minimum wage by the Employment Standards Board. That's it — just a review, just like the review this government has commissioned for the salary of its own MLAs and ministers. J.S. Woodworth once wrote — and I quote: "What we desire for ourselves, we wish for all." Mr. Speaker, this government has an opportunity to live by those words.

Will the Premier agree that it would only be fair for minimum-wage workers to get a pay review when MLAs and ministers are getting one themselves?

Hon. Mr. Streicker: Mr. Speaker, I have stood in this House and I stand again now. I don't believe it is inaction; I actually have been doing analyses on the wage. The member opposite has stood and asked that we try to assess what is a real cost of living here — a market-basket measure for a modest family. I requested that work be done for the three northern territories.

I provided the information that was available. It has been requested again that we go off and do it for the provinces. I am happy to do that work. That's not inaction; that is a response to requests that have come from here.

The other thing I would like to say is that there is one province and one territory in the country where there is a cost-of-living increase automatically put into the minimum wage, and that is the Yukon and, I believe, it is Saskatchewan. I think that's a great thing. What we have here is that the minimum wage in Ontario and British Columbia will be going up, in 2019 and 2021 respectively, to \$15 an hour. In the meantime, ours will go up because we have inflation.

Mr. Speaker, I'm happy to do the work. I'm happy for it to go to the Employment Standards Board if we do drop into the lower half. Right now we are above average.

Question re: Housing First project

Mr. Istchenko: Yesterday, the minister responsible for housing announced a \$2.7-million Housing First project next to the Wood Street School. It is also reported that this will be a 15-unit facility. \$2.7 million seems like a low estimate for a facility this size. Can the government confirm whether this will be a brand new facility, or are they going to renovate an existing building?

Hon. Ms. McPhee: I appreciate the question. As the members opposite can see, I am tasked with answering these questions today and I'm pleased to return with a specific answer to this question. I just don't have it at my fingertips at the moment. I'm happy to do that.

Mr. Istchenko: I was just hoping that all of the Liberal caucus across the way would have had this discussion and knew about this facility.

With regard to this project, can the minister confirm whether or not any rezoning needs to be done with the City of Whitehorse to facilitate this project?

Hon. Mr. Streicker: I will try to provide some information but, as the Minister of Justice or Minister of Education has responded, we will endeavour to get fuller responses for the members opposite.

The location is at the corner of Fifth Avenue and Wood Street. I happen to live across from that place when I'm staying here in town. It was a previous shelter, so I don't believe it would require rezoning. It was deconstructed, I believe, late last fall. I have the old Santa Claus that sat above it, which they were going to throw it away. They offered it to my wife and me to have at our place.

To confirm, we will check with the City of Whitehorse to ensure that there isn't any need for rezoning. We will confirm about the price and what is involved in that price.

Mr. Istchenko: That is interesting. My third question, I guess, can be around confirming whether consultations have taken place with the local businesses or the city — speaking of rezoning — and the school council responsible for the Wood Street School in deciding on this location for the Housing First project.

My question would be: Was there any consultation when the government across the way decided to pick this location for the Housing First project?

Hon. Mr. Streicker: It is just by strange happenstance that I can answer this somewhat. Again, I will provide a fuller answer in time for the members opposite.

My mother-in-law and I received a letter from the Yukon Housing Corporation about this, so there was some outreach to the neighbours in the area.

Again, I want to confirm that this was a shelter and short-term housing. It was a group home for a time and then it was a shelter. The use that is anticipated here is not incompatible with the use that has been there. I can say that, as a neighbour of this site, we haven't expressed any concerns at this point.

Question re: Community infrastructure development

Ms. Van Bibber: I don't want the Minister of Tourism and Culture to feel left out so I'm going to ask her a few questions about several communities.

Mr. Speaker, we have heard from the Tourism sector that this year the Minister of Tourism and Culture and the Minister of Highways and Public Works had promised that the Dome Road in Dawson City would be plowed to the top. I assume this is to enhance winter tourism. As of this morning, reports are that it remains unplowed and even four-by-four vehicles are having trouble accessing it.

Can the Minister of Tourism and Culture confirm whether or not the government made this promise and if they will live up that promise?

Hon. Ms. Dendys: Thank you for the question. Yes, I was feeling a little bit left out.

We had many meetings with several communities throughout Yukon and we have spent a lot of time in Dawson. The Minister of Highways and Public Works and I met with the Klondike Visitors Association together and we had a very in-depth discussion about access to the Dome Road. I will have to ask the Minister of Highways and Public Works to give a specific answer around the plowing of that. We have put in some additional infrastructure. We have made some commitments.

Of course it's about developing winter tourism. We had a long debate last week around a motion to enhance winter tourism in the Yukon and we are very committed to it. We have undertaken a winter tourism summit that is happening on December 8 that will really focus on all communities in the Yukon in all sectors of tourism. We are embarking on a tourism development strategy for Yukon. Tourism is a high priority for this government and we certainly do see it as a way of diversifying our economy and building an industry that has been very important to the Yukon for decades.

I will allow the Minister of Highways and Public Works to potentially —

Speaker: Order, please.

Ms. Van Bibber: Regarding the replacement of the Watson Lake Visitor Information Centre, the government announced a process on November 8 to review options for replacement, repairs and upgrades. Can the Minister of Tourism and Culture provide more details on this process — like when it will be completed and who will be consulted?

Hon. Ms. Dendys: Certainly. Thank you very much for the question around the Watson Lake Visitor Information Centre.

As I was away from the House recently, and the motion was called in my absence — my colleagues worked very hard. We worked from Calgary to provide a very comprehensive response to this, which is that we are moving forward on a comprehensive community plan, working with all levels of government to, in fact, work with the community around more of a social development response to this. We see it as more than just a visitor centre. We see it as an opportunity to really work with the community and build partnerships. I do see the Member for Watson Lake reacting to this answer; however, I have a lot of strong ties to the Watson Lake community and I am very, very committed — as we all are — to not leaving any community behind. This is, in fact, one of our gateways into the Yukon and we really want to work with that community to find the right answers for them.

Ms. Van Bibber: Now to something completely different. The riverbank at Fort Selkirk is eroding and deteriorating and each year it yields a little more to the Yukon River. Obviously the site is historic and an important part of our history in Yukon and especially to the Selkirk First Nation. If something isn't done in the next few years, this site will be severely at risk.

I'm wondering if the minister could tell us what work is being done to stop the erosion along the riverbank at Fort Selkirk.

Hon. Ms. Dendys: Thank you for the question. There are a number of historic sites throughout Yukon that are experiencing changes in climate and changes in river patterns. We have certainly seen it in other places. I was in Herschel Island recently where we watched huge metres of the banks just slough away. We know that this is an area for sure that we need to be mitigating. I was just at the federal-provincial-territorial ministers meeting this summer. We talked about how to mitigate these risks to historic sites. We have a very dedicated team of people working diligently on finding ways to mitigate.

I will get specific answers for your question and get back to you in a legislative return.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 197

Clerk: Motion No. 197, standing in the name of the Hon. Ms. McPhee.

Speaker: It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2) of the *Human Rights Act*, does appoint Marius Curteanu and Roxane Larouche to the Yukon Human Rights Panel of Adjudicators for a term of three years, effective immediately; and

THAT Michael Riseborough be reappointed to the Yukon Human Rights Panel of Adjudicators for a term of three years.

Hon. Ms. McPhee: The Yukon Human Rights Panel of Adjudicators has six members. The terms of three of those members are set to expire in December 2017. Accordingly, those positions were advertised and the all-party Standing Committee on Appointments to Major Government Boards and Committees reviewed the applications that were received. The committee put forward their recommendations for appointments to the panel in a report, tabled in the House on October 30, 2017.

Each of the recommended applicants brings a variety of skills and experience to the panel, and I look forward to them being appointed and bringing their expertise to that work. Mr. Riseborough has extensive management experience in the public, private and community service sectors. He is currently a member of the panel and has been a member at various times since 2007.

Ms. Larouche has experience in human resource management in the private, public and non-profit sectors. She is currently a member of the Human Resources Management Association and co-chair on a national recruitment and retention committee that is part of the Yukon's labour market framework.

Mr. Curteanu holds a master's degree in international economic development and has over 20 years of experience in immigration, human rights and multiculturalism, education and diversity training. He was also a volunteer as a Yukon Human Rights Commissioner and a member of the BC Employment and Assistance Appeal Tribunal.

I would like to thank the outgoing panel members for their service, Mr. Speaker, and all those who put their names forward to serve on this panel. Thank you also to the Standing Committee on Appointments to Major Government Boards and Committees for making these recommendations.

Mr. Kent: The Official Opposition will, of course, be supporting this motion brought forward. We thank the minister for bringing it forward. Again, the three individuals who have been named here today — the minister did a great job of outlining their experience. I know all three individuals personally and I know that they will do a great job on this panel as well.

I would like to again thank the all-party Standing Committee on Appointments to Major Government Boards and Committees, including, of course, the Yukon Party Official Opposition members of that committee, the Member for Watson Lake and the Member for Porter Creek North. I would like to thank all the members of that committee for their work in bringing these three names forward.

Ms. White: We thank the outgoing members for their service to the community and we wish the three who have been appointed well. Of course, we will be supporting this motion.

Motion No. 197 agreed to

GOVERNMENT BILLS**Bill No. 10: *Act to Amend the Income Tax Act (2017)*
— Third Reading**

Clerk: Third reading, Bill No. 10, standing in the name of the Hon. Mr. Silver.

Hon. Mr. Silver: I move that Bill No. 10, entitled *Act to Amend the Income Tax Act (2017)*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Premier that Bill No. 10, entitled *Act to Amend the Income Tax Act (2017)*, be now read a third time and do pass.

Hon. Mr. Silver: It is my pleasure to introduce Bill No. 10, *Act to Amend the Income Tax Act (2017)* for third reading. I will be very brief. I am very pleased with the reception that the bill has received in the House so far. The bill is short, relatively simple and straightforward.

Our intent with Bill No. 10 is twofold: first, in response to the most recent federal budgets, we must change references to the federal *Income Tax Act* concerning Yukon caregiver credit; and second, several minor sections of our act need consequential amendments to either facilitate the administration of the act, or to correct errors or commissions. Bill No. 10, as discussed recently in Committee, accomplishes these two very tasks.

Finally, before I close, I do want to thank the officials from both my Department of Finance and the Department of Justice for all of their work required to bring these changes to the *Income Tax Act* to the Legislative Assembly.

Mr. Cathers: Again, as these changes are largely reflecting changes in federal law, we will be supporting this legislation. We would note that some of the changes that the federal government made to tax credits, as has been talked about in the media recently, have had a negative impact on Canadians, including people who are unable to claim tax credits for things such as children with diabetes, but we recognize that the territorial government is not directly responsible for those federal Liberal tax changes that have hurt some of the more vulnerable members of Canadian society, so we will be supporting this legislation.

Ms. Hanson: I am rising just to speak briefly to this. The *Income Tax Act* amendments — as the minister outlined, this is in large part an administrative bill, and we have indicated at first and second reading that we will support it and we will continue with that support.

Motion for third reading of Bill No. 10 agreed to

Speaker: I declare that Bill No. 10 has passed this House.

Bill No. 13: *Missing Persons Act* — Third Reading

Clerk: Third reading, Bill No. 13, standing in the name of the Hon. Ms. McPhee.

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

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

Hon. Ms. McPhee: We've heard a great deal during the debate on this bill in the House, and I want to take a few moments to thank all of the members who participated in that debate and had questions with respect to this bill moving forward. I also want to take a few moments just to review briefly before we finally vote on it.

Missing persons legislation was initiated by our government as a direct response to the report of the Truth and Reconciliation Commission calls to action. It is also influenced by the concepts of the National Inquiry into Missing and Murdered Indigenous Women and Girls, and that was an important factor in considering this legislation, Mr. Speaker. In fact, community hearings of the national inquiry have taken place in several communities this summer and fall, including Winnipeg, which has had missing persons legislation in place since 2013. Several other jurisdictions do as well.

In Yukon, it is the RCMP that investigates missing persons, and that is why the only enforcement agency mentioned in the legislation is in fact the RCMP. As members will recall, the bill is designed to give the RCMP an extra tool to investigate missing person cases.

The RCMP may use this legislation for cases where it makes the most sense and where they need an efficient way to pursue leads based on information that the new legislation will allow them to gather. As a reminder, the act allows for two tracks for information. Primarily, a court-ordered process is described in the legislation, complete with the considerations that a judge must take into account prior to issuing an order.

There are occasions in which the RCMP may make an emergency order, but it will be required to be reported by them and accounted for publicly.

Mr. Speaker, as we have mentioned during debate, there are protections placed in this legislation for the public to ensure that the RCMP use the information for consistent purposes, but there is also a balance should the RCMP investigation that was begun with respect to a missing person turn into a criminal investigation. In such cases, information gathered pursuant to the *Missing Persons Act* could be used in relation to a criminal investigation if it related to the same missing person.

There were a number of concerns expressed by members opposite in behalf of their constituents. I recall answering many questions and having a truly fruitful debate with the Leader of the Third Party with respect to issues that were raised by the Information and Privacy Commissioner. I understand that we have properly and comprehensively answered all of those questions for the members opposite on behalf of their constituents and on behalf of all Yukoners. As such, I thank the members opposite for their support of this legislation.

Finally, I want to thank my colleagues in the government, the members of the Official Opposition and the Leader of the

Third Party for their support of this bill and what it aims to achieve.

You will recall, Mr. Speaker, that this was a situation in which an amendment was brought forward by the Leader of the Third Party, and accepted and passed here in the House to, in my view, improve the bill that came forward.

It is our goal to provide the RCMP with the tools and means to locate missing loved ones as quickly as possible, with balancing the privacy rights of individuals. This is a serious responsibility that we carry as legislators, and I truly appreciate the support that my colleagues have shown and will show today for this important new piece of legislation.

Mr. Cathers: I won't be long at third reading, as we have discussed this legislation at length in the House. As I noted earlier in my remarks on this bill, this is legislation that came at the tail end of the last of our mandate under the previous government, as a suggestion, from the RCMP, of a way that would help them respond better to missing person situations, including helping to respond to some of the issues identified through the missing and murdered indigenous women and girls work that has gone on across the country.

With that, I will conclude my remarks. We will be supporting this legislation at third reading.

Ms. Hanson: I too rise to speak at third reading of Bill No. 13, entitled *Missing Persons Act*.

The minister will recall that, at the outset of debate on this bill, I did raise some questions about consultation and about the necessity of yet another piece of legislation when, from the analysis of the experience of other jurisdictions, this may be legislation that responds more to perception than reality.

I do acknowledge — and I thank the minister for amending this bill to provide for a review five years from the date of enactment of the *Missing Persons Act*.

We finalized review of this bill on October 12. I want and need to put on record some information received by my office November 2 from Kaushee's Place. As you are aware, Mr. Speaker, Kaushee's Place is a women's shelter established almost 40 years ago to assist women fleeing from violence.

If I may, I will read into the record their concerns with respect to Bill No. 13, entitled *Missing Persons Act*.

"We received a letter regarding Bill No. 13 Missing Persons Act in July of 2017 from the Department of Justice." I will note also that there is an organization — an amalgam of about 11 women's organizations that responded to this. "We contacted ... with Yukon Government and were told that privacy safeguards would be put in place for women fleeing violence and so RCMP members who are spouses of missing persons would not have access to the case. A survey was sent out which we completed.

"In October 2017, we followed up with..." the contact person that we had been given with the Department of Justice and we were told that person "... was no longer working on the bill and instead we received a response from..." another

Justice person who said "... the bill was now ready for 3rd reading.

"Our concerns about this bill include the following: The women's shelter in Yukon have not been consulted about this bill like in other jurisdictions. There is nothing in the bill that acknowledges that most often the partner of a woman fleeing violence is the one who makes a missing person report to RCMP. There is nothing in the bill to protect women fleeing violence who are the spouses of RCMP members. No legal action or proceeding can be made against RCMP under this act. What if it is misused? What if it is used by an RCMP member to locate their spouse who has fled a violent relationship? We know of several cases of women being assaulted by their RCMP partner. There is nothing in this bill that specifies the time frame of records that third parties would need to provide RCMP. There is not a section specific to domestic violence and privacy safeguards for victims of domestic violence in this bill like in the missing persons bill in Alberta. This bill may increase risk for women fleeing violence as many abusers file missing persons reports, and women who have fled a violent relationship are at heightened risk once they leave the relationship. Hearings regarding this bill are limited to RCMP and judges and do not include organizations who support women who are fleeing violence to ensure safety for women who have left a violent relationship. Providing records of women's stay at women's shelters could put women, their children and transition home staff at risk.

"It is all concerning and being pushed through."

Mr. Speaker, I put this on the record because it is important.

So I had, at the outset, suggested that, based on the feedback from the Information and Privacy Commissioner that the government consider pressing "pause". I'm not suggesting at this stage — I am saying this for the record because it is important and because the voices of these women's groups who do work with women and children could be missing, by this definition. It needs to be known and it needs to be on the record, because it was not a part of this discussion leading up to this bill getting to this stage.

We are past that now, but I want to reiterate my October 12 comments that, at a minimum, the inclusion of a review at five years gives an opportunity to, over the next five years, determine whether or not the concerns that people have raised about the excessive reach and, I would suggest, the very real concerns with potential and serious negative consequences, such as outlined by Kaushee's Place — concerns of abusing legislation, expanding and extending the reach of the RCMP — that those concerns and that overview are absolutely warranted.

As this legislation is implemented, the minister carries a duty to ensure that the concerns raised by people who live and work with people fleeing violence are not caught into a web, however well-intentioned, as a direct result of this act.

Speaker: Is there any further debate at third reading?

If the member now speaks, she will close debate. Does any other member wish to be heard at this time?

Hon. Ms. McPhee: I will just take a couple of moments to respond to the comments by the Leader of the Third Party. I am very interested, always, in comments like those she has read into the record here today. I take issue with the idea that none of these things were discussed. They weren't discussed here in the debate in the Legislative Assembly, but they certainly were discussed in the development of the bill. The bill, of course, is for a specific purpose and a specific purpose only.

I note the comments made and read into the record, because they are all important issues — please, don't anyone misunderstand that violence against women and fleeing violence and domestic violent relationships as not a key priority for me in this work, because it is. But that is not necessarily what this act is about. I don't discount any of it, other than to say that the letter that has been referred to by the member opposite — she says it came to her on November 2 — a similar letter arrived in our office yesterday. I would have loved to have known about the letter on November 2 so that we could have addressed some of these issues with the community. I will certainly undertake to do that now and address any of the concerns they may have. I am pleased to meet with them personally to describe the details of this legislation, if necessary. We will determine what their wishes are with respect to that.

I want to be clear that those concerns were not brought to our attention in the format of a letter that has been described here, but conversations did take place and issues were considered. Mr. Speaker, you will recall that one of the provisions of this particular legislation is that when a missing person is located, the first question the RCMP must ask that person is if they wish to be located — if they wish their whereabouts to be known. That is a requirement of the legislation and presumably will protect individuals — women, men, all people — who might be fleeing or choosing to not be carrying on their regular lives and work, and disappear for whatever reason they choose, presuming that they are safe.

As a result, those are my comments in response to the debate here today. Again, I'm pleased that we will be supporting this legislation.

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.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Mr. Istchenko: Agree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 16 yea, nil nay.

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

Speaker: I declare that Bill No. 13 has passed this House.

Bill No. 9: Act to Amend the Pounds Act (2017) — Third Reading

Clerk: Third reading, Bill No. 9, standing in the name of the Hon. Mr. Pillai.

Hon. Mr. Pillai: Mr. Speaker, I move that Bill No. 9, entitled *Act to Amend the Pounds Act (2017)*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 9, entitled *Act to Amend the Pounds Act (2017)*, be now read a third time and do pass.

Hon. Mr. Pillai: Mr. Speaker, the *Pounds Act* provides a legislative framework to address the issue of stray livestock in Yukon. The *Pounds Act* sets out what responsibilities livestock owners have, what offences livestock owners can face if their animals stray and what processes must be followed when an animal is impounded. The amendments to the *Pounds Act* focus on updating, simplifying and streamlining it with other legislation. In addition, we are ensuring that the people responsible for enforcing the act and issuing tickets are public servants, not contracted workers, which will reduce the risk and liability to the Government of Yukon.

We are expanding the act so it applies across the territory, which will help us manage the issue of stray livestock and address a gap in service, and we're expanding the definition of animal to be the same as the *Highways Act* so there won't be a gap in service or responsibility.

There was only one concern raised by the members opposite, which was timing and length of consultation. I acknowledge that the summer is a very busy time for our stakeholders. We did receive a good number of responses from our consultation processes, and we felt comfortable moving forward with the amendments.

There were a couple of questions raised, including criteria for buyers of animals sold at auction and feral horse management. We want to ensure that people who purchase animals at an auction have the means to properly care for them. Criteria for buyers of animals sold at auction will be included in the operational guidelines and will be developed

in coordination with the Department of Environment. The Department of Environment is responsible, of course, for the managing of feral horses in Yukon.

In closing, I would like to thank the members of the Legislative Assembly for their participation in the modernizing of this statute. I'm confident that this new legislation will contribute to animal welfare and public safety in Yukon for years to come.

Mr. Cathers: We will be supporting this legislation. I appreciate the minister acknowledging the concern that we had, which was that the consultation on this legislation occurred at a time of year that is not an easy time to get the attention of farmers, who are probably the most directly affected by this legislation potentially. Again, for the record, noting that we had requested an extension of the consultation, I know that it may not have been an option available to the minister to extend that consultation because of decisions around the table. I do note as well that in discussions with the agriculture sector, both individual farmers and groups, that there have not been any specific concerns identified in this area. The legislation appears to be a good policy. I would just put the caveat on our support that any time consultations are rushed, there is the risk that even industry associations may not realize something that may affect one of their members, so just putting that on the record. I do, though, give the minister and the department credit for listening to specific concerns that have come forward from Yukoners by agreeing to put in place operational guidelines related to the sale of animals at auction.

I would also note that the only feedback I heard about from stakeholder groups and farmers involving officials was credit to the officials for their helpful explanations in walking them through the legislation. Again, with the exception of the concern about the speed of the consultation, it does appear to be filling a gap and modernizing this legislation, so we will be supporting it at this time.

Ms. White: Thank you, Mr. Speaker, and I thank the minister for making his officials available, and again thank them for what was easily the most thorough briefing I've ever had before on legislation — from having copies of the survey, the “what we heard” document, including printed copies of both the original act and then the amendment and how it affected it — it was fantastic. It was the first time I didn't have to leave trying to figure out what we were changing.

So again, thanks to the officials. Thanks to the Member for Lake Laberge for bringing forward his concerns about the animal health ones. They went through options.

On a different note, Mr. Speaker, after driving home from Haines Junction after dark, I look forward to the ability of horses along that road to be cared for and removed from places next to the highway. I thank the minister for bringing this forward and we will be supporting the act.

Motion for third reading of Bill No. 9 agreed to

Speaker: I declare that Bill No. 9 has passed this House.

Bill No. 14: *Legal Profession Act, 2017* — Third Reading

Clerk: Third reading, Bill No. 14, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: Mr. Speaker, I move that Bill No. 14, entitled *Legal Profession Act, 2017*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Justice that Bill No. 14, entitled *Legal Profession Act, 2017* be now read a third time and do pass.

Hon. Ms. McPhee: We have covered significant ground during the debate of this bill in the House and I want to take a few moments to discuss the bill before the final vote.

As we all know, the Law Society of Yukon has been asking for this updated legislation for many years. I would like to thank the society once again for their role in bringing this bill before the Legislature. Your representatives have given many hours to this project over the years — and more recently, over the course of the summer and the fall of this year — working with Department of Justice staff to draft the legislation that will usher the legal profession in Yukon into a modern era of self-regulation, ensuring that the public interest is safeguarded at all times.

Indeed, this legislation brings Yukon more in line with other Canadian jurisdictions in the way that the provision of legal services are regulated and provides the profession with flexibility to adapt to changes in the common law, best practices and processes, as technology and the profession inevitably evolve.

This act allows for the creation of new categories of law society members as alternative service providers, as they continue to become more commonplace in the provision of legal services and for the scope of those services to be articulated through a regulation and the rules of the society. We have also fully updated the complaints and discipline streams, while providing for those dealing with the issues of incapacity to be dealt with outside of the disciplinary process in a separate stream.

The act provides significantly updated provisions designed to deter unauthorized practice of law in the Yukon by way of increased fines and also, allows the society to seek interim orders to stop unauthorized practice without a charge being laid. This will allow the society to end unauthorized practice while an investigation can be carried out and disciplinary measures can be applied, if appropriate.

With respect to some of the questions from the members opposite during Committee of the Whole, I would like to take just a moment to touch on how this legislation will serve to ensure that the public interest is served by the Law Society of Yukon and its executive. In doing so, I would like to reiterate that this bill regulates the legal profession in the public interest. That is its purpose. There are no provisions that can be construed as serving the interest of the members of the

society. The entire bill — covering the licensing, governance, regulation, fee structures, discipline and sanctions — is meant to stand up to public scrutiny and ensure the accountability of the law society, its executive and its members alike.

In reference to the questions that we heard regarding section 19 as an enabling provision for future regulation of paralegals under the *Legal Profession Act, 2017*, I believe that this is a critical addition to the legislation in that it will allow government to be responsive should other legal professions, such as paralegals, seek their own category of membership under the act and the rules of the society. Again, it is about future evolution.

Besides the overall protection of the public interest — made clear through the bill's objects clause in section 3 and throughout the overall structure of the statute — the functions of the public members appointed to the executive and the various committees established under the act are quite important to upholding the public interest. They will provide balance and an independent point of view to the decisions made by those bodies.

As Minister of Justice, it is my job to ensure that these appointed public members are of the highest quality. They will have a key interest in the legal profession and justice issues and will be outstanding members of our Yukon communities. We will also seek broad representation by gender, geography and skills. These are all traits found in those public members whom I have worked with previously and generally for those who come forward to serve the society in the capacity of public member appointees.

At this time, I would like to thank the members opposite for their comments and questions during second reading and Committee of the Whole, and express my gratitude for their support of this important legislation. I would also like to thank the officials of the Department of Justice for their time and efforts, throughout the last several months in particular, working with the Law Society of Yukon and other legal stakeholders on the drafting and provisions of this legislation.

As I have previously noted, this bill has been of particular interest to me, having formerly been the president of the Law Society of Yukon and a member — like yourself, Mr. Speaker — for now more than 25 years. I am very pleased that the legislation will bring the legal profession in the Yukon and the Law Society of Yukon forward with a modern and flexible governing statute to regulate the profession in the public interest.

Mr. Cathers: In rising to speak to this legislation, I do want to, first of all, acknowledge the work of the law society and other members of the Yukon's legal community for their work on this legislation. I do just also want to note that we appreciate their work. We appreciate the need to update this legislation. The questions that we have been asking the Minister of Justice — to no avail — do not detract from our appreciation of the work put in by other members of the Yukon legal community.

I'm not going to spend a lot of time recapping that but I do think it's important to note, first of all, for the record that

in this case, when I first asked the minister whether or not she sought the advice of the Conflict of Interest Commissioner prior to involving herself in decisions on this legislation —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Mayo-Tatchun, on a point of order.

Mr. Hutton: Thank you, Mr. Speaker — Standing Order 19(c), needless repetition. That question has been asked and answered four times here this afternoon. I submit that's enough for all members of this House.

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

Mr. Cathers: On the point of order, Mr. Speaker, to start censoring that type of question or any question would be a grave departure from past practices of this Assembly. I know the member is relatively new, but I do not believe there is a point of order in this case. I was simply speaking to the legislation and bringing forward the concerns of the Official Opposition.

Speaker's ruling

Speaker: Member for Lake Laberge, I understand your point, but you have, in my recollection over the last two or three days, asked the same questions. Standing Order 19(c) speaks to repetition, but obviously it is modified by needless repetition. I understand that it's difficult for the Chair or the Speaker to interpret what needless repetition is in the context of what the member's overall message is so, at this time, I will allow you some latitude to continue.

Mr. Cathers: Thank you, Mr. Speaker. I am just going to briefly note this. I'm not going to spend a lot of time on this point. I just want to note that when we first asked the minister questions about whether she had sought advice from the Conflict of Interest Commissioner, the planned supplementary question was asking the minister to share a copy of that advice, which, of course, every member can choose to do if they wish to do so. We were actually quite surprised to find out that the advice had not been sought.

I do want to clarify, as well, that the only statement or accusation we are making is that the minister showed an error in judgment in not seeking that advice. I'm not going to spend a lot of time reiterating my previous points. Clearly the minister has specifically chosen not to do as we asked, and seek the advice of the conflicts commissioner on the three questions we think she should. First, should she have recused herself from decisions on the act? Second, should another minister move the motion for third reading, which she has now moved? Finally, prior to involving themselves in decisions related to rules governing a profession of which they are a member, the minister should seek advice from the conflicts commission.

Again, I want to clarify that for the record. For the Hon. Premier and others, I'm quite happy to repeat this outside of the Legislative Assembly. We have asked a

reasonable question that Yukoners deserve an answer to. Again —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Silver: Mr. Speaker, with all due respect, I do believe you were going to give some latitude. The member opposite is clearly not listening to the recommendations of the Speaker of the House, and I'm asking the member opposite to get on with it.

Speaker: Just for greater clarity and for the record, what concern is the Hon. Premier raising — which Standing Order?

Hon. Mr. Silver: Sorry, Mr. Speaker — I thought that was obvious. It is Standing Order 19(c).

Speaker: Are there any further submissions on that point of order?

Mr. Cathers: Mr. Speaker, I don't believe there's a point of order. I think I'm well within the latitude that is common in this Legislative Assembly.

Speaker's ruling

Speaker: I believe one of the final comments that the Member for Lake Laberge made was that he was moving on to a different topic but I may be mistaken in my memory. But if you are, that would be appropriate.

Mr. Cathers: Thank you, Mr. Speaker. Actually, I was done with that point. I do think it's important to note for the record the reason we had this concern and also to make it clear that we were simply asking questions, not making accusations — other than of an error in judgment.

In moving on to the legislation itself, I would note that we do look forward to the legislation passing the House, but we did feel it was important to bring forward these concerns at this point in time. With that, I will conclude my remarks.

Ms. Hanson: I'm happy to rise to speak in support of Bill No. 14, the *Legal Profession Act, 2017*. I appreciate the minister providing an overview again — a summary of the key elements of this very lengthy piece of legislation.

As we've noted in the long discussion that we've had on this legislation, it's something that has been anticipated in terms of modernizing the framework for the operation of the legal profession in the Yukon. I am satisfied with the very detailed conversations that we've had throughout the debate that addressed the concerns that we have raised, particularly with respect to the protection of the public's interests in light of the movement from government oversight to self-regulation by the legal profession.

I think that the examination of this legislation has served, if nothing else, as a very good tutorial for the rest of us who knew nothing at all about the legal profession. I thank the minister for that.

Speaker: Is there any further debate on third reading of the *Legal Profession Act, 2017*?

If the member now speaks, she will close debate. Does any other member wish to be heard?

Hon. Ms. McPhee: I appreciate the comments from the Leader of the Third Party. My only comment in response is to note that the submission here today from the Member for Lake Laberge had absolutely nothing to do with the bill. From that point of view, I don't really know what their comments are.

Nonetheless, we will see how they vote. I appreciate the opportunity for this bill to come through and for the details of it to be discussed, as they have been in this House.

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. Ms. Dendys: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Mr. Istchenko: Agree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 15 yea, nil nay.

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

Motion for third reading of Bill No. 14 agreed to

Speaker: I declare that Bill No. 14 has passed this House.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter before the Committee is continuing debate on the proposed amendment to clause 21 in Bill No. 6, entitled *Public Airports Act*. Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Bill No. 6 — Public Airports Act — continued

Chair: I will now call Committee of the Whole to order. The matter before the Committee is continuing debate on the proposed amendment to clause 21 in Bill No. 6, entitled *Public Airports Act*.

Hon. Mr. Mostyn: Mr. Chair, thank you and I thank the members for this opportunity to continue our forensic debate on Bill No. 6, entitled *Public Airports Act*. I have with me this afternoon Allan Nixon, the ADM for Highways and Public Works, Transportation and Bhreagh Dabbs, our counsel.

I think where we last left off, we were discussing clause 21(k). The proposal before us this afternoon is to amend the wording and so we put in “parking lot lease rates” — I think is the wording suggestion. We on this side of the House — this government is not in support of the members’ opposite suggestion for a very good reason and I would like to delve into that for a second.

I am not going to belabour this debate much longer, but I do want to say that, were we to follow the suggestion — the amendment — we would actually be hurting industry and the Yukon people because we would be severing the advisory committee’s ability to actually have any input on rates, so that we’re still stranded in the *Financial Administration Act* pertaining to the airport. They would be able to have a say on parking and lease rates, but all the other fees that pertain to landing at the airport and operating would be cloistered — stranded — in the *Financial Administration Act* and beyond the purview of the committee.

That would not be transparent and not even very handy for people when they’re looking for stuff around the airports to have to go to different acts and fiddle around the library fees and all those other fees in the *Financial Administration Act* to actually find out how much it costs to use our airport. It just doesn’t seem like a good use of it. It is not convenient or handy or transparent and so we on this side of the House will not support the amendment, and I think that’s where we will leave it for today and move forward on the debate.

Chair: Are you prepared for the question on the amendment?

Some Hon. Members: Count.

Count

Chair: A count has been called.

Bells

Chair: Would all those in favour of the amendment to clause 21 please rise?

Members rise

Chair: Would all those opposed please rise?

Members rise

Chair: The results are five yea, 10 nay.

Amendment to Clause 21 negatived

Chair: Is there any further debate on clause 21?

Mr. Cathers: I just would note for the record that we are disappointed to see that we gave the minister an opportunity to limit the scope of fees to the fees that he said were the only ones that were going to be dealt with under this legislation and, unfortunately, the government has not supported it.

I will just lay the question out there — we understand that the Financial Advisory Panel report has identified the possibility to raise fees across a great number of areas, including, we suspect, airports and to generate up to — I believe it was \$60 million in revenue for the government per year as a result of fee increases.

I would just ask the minister which fees in this area does the government plan to raise once this act is brought into effect?

Hon. Mr. Mostyn: I’m very disappointed that the member opposite continues the fearmongering, innuendo and hypothetical situations.

Some Hon. Member: (Inaudible)

Point of order

Chair: Mr. Cathers, on a point of order.

Mr. Cathers: I believe the term “fearmongering” has been ruled out of order in this Assembly on many occasions and I would ask you to call the minister to order and have him retract that statement.

Chair’s ruling

Chair: On the point of order, Minister Mostyn, perhaps you could find a more suitable word. I know you have a much better vocabulary.

Hon. Mr. Mostyn: Thank you, Mr. Chair. I’ll retract the “fearmongering”, Mr. Chair, in the spirit of cordiality in these waning days of this session. I would do that gladly; however, I mean, we have seen so much innuendo and stuff happening on the floor of the House these days that it is kind of disappointing and I’ll just leave it at that.

As far as the fees go, Mr. Chair, as I said just a few moments ago, we now have a structure within this piece of legislation that allows any changes, were any to be proposed by future governments, to actually come before an advisory committee — a mandatory advisory committee — one that we’ve created through amendment. So now were we to actually seek — not “we” but some future government —

some sort of fee increase, it would actually come before the advisory committee for comment. I understand why — this is new business. This is a new way of doing things. In the past, all of these fee increases were done behind closed doors, sequestered in a Cabinet room or somewhere, Mr. Chair. But we want to be open and more transparent, and provide the community the ability to know ahead of time what is being proposed and be able to comment on the changes. I think that is a very positive step for our community, for the territory's airports and for society as a whole.

So that is my response, Mr. Chair.

Chair: Is there any further debate on clause 21?

Clause 21 agreed to

On Clause 22

Clause 22 agreed to

On Clause 23

Clause 23 agreed to

Mr. Cathers: I would like to, at this time, move an amendment, based on the amendment that the Minister of Justice brought into the *Missing Persons Act*, which includes a review clause.

Amendment proposed

Mr. Cathers: I move:

THAT Bill No. 6, entitled *Public Airports Act*, be amended by inserting the following clause immediately after clause 23 on page 9 and by renumbering the latter clauses and any cross-references to them accordingly:

“Review of act:

“(1) At least once every five years, the minister must cause there to be a review of this act and must submit a report respecting the review to the Legislative Assembly within one year after the commencement of the review; and

“(2) for the purposes of subsection (1), the first five-year period begins on the day after this section comes into force.”

I do have copies for distribution.

Chair: The amendment has been reviewed and is in order.

It has been moved by the Member for Lake Laberge:

THAT Bill No. 6, entitled *Public Airports Act*, be amended by inserting the following clause immediately after clause 23 on page 9 and by renumbering the latter clauses and any cross-references to them accordingly:

“Review of act:

“(1) At least once every five years, the minister must cause there to be a review of this act and must submit a report respecting the review to the Legislative Assembly within one year after the commencement of the review; and

“(2) for the purposes of subsection (1), the first five-year period begins on the day after this section comes into force.”

Is there any debate on the amendment?

Mr. Cathers: In the interest of time in the House, I'm going to be very brief in speaking to the amendment — just noting that the wording is borrowed directly from an amendment that the Minister of Justice brought in to amend the *Missing Persons Act* and insert a five-year review. We're

making the same suggestion for the *Public Airports Act* that the NDP made with regard to that piece of legislation. Since the wording is borrowed, with the exception of the references to numbers in the section of the act from the *Missing Persons Act*, it should also allow the government to not be delayed in the passage of this bill because the French text of the legislation can be pulled from the other bill upon which this is based. Again, this would simply insert a five-year review. If the government chooses to support this, it would be seen by the aviation community, which is concerned about this bill, as a good-faith gesture to ensure that the legislation will come back for review within five years after the act is proclaimed into force.

Hon. Mr. Mostyn: I thank the member opposite for his continued interest in this piece of legislation.

We have spoken to industry and have had feedback on what changes they wanted to see about this legislation. This was not one of them, Mr. Chair. As a matter of fact, the legislation would be continuously monitored by the mandatory advisory panel that we put in place.

That advisory committee will provide advice on how well the act is working and will suggest any changes that are needed. It will oversee the regulations as they come forward. That is one of the reasons why the advisory committee is in place — continuous input — and, as a result, such a review clause as the member is suggesting is really unnecessary in this case.

This government will not be supporting the member's amendment.

Mr. Cathers: In the interest of time, I am going to be very brief, but I just do feel that it is important to note that a number of the members of the aviation industry actually asked the minister to pause the bill and to take it back out for public consultation. There are many more concerns identified than the simple amendment — the only amendment that the government agreed to support.

It is clear that the government is not going to support this and it is unfortunate, but we have seen this government talk the talk on collaboration, but it doesn't put their money where their mouth is and that is unfortunate.

Ms. White: Understanding, of course, that I do not have a background in law, my hope is that, if this makes sense to the drafters in the room from a standpoint of a review — I don't know that building safety is a bad thing.

With the *Missing Persons Act*, the reason we asked that it go in is that it was something that required a review. The Workers' Compensation Health and Safety Board has a five-year review. There are lots of other pieces of legislation that the Yukon government has that have the review in for the process. For example, if it turns out that something isn't working so well, it can be adjusted and strengthened. If it is working fine, then the review says that everything is going well and to stay the course.

If the minister can elaborate a bit more as to why he feels that the appointed board or the advisory panel or — I have forgotten the language because it has been awhile since we talked about this — but if he can address why he believes that

they can cover that without there being a requirement for a legislative review, then I would appreciate that.

Hon. Mr. Mostyn: I thank the member opposite for the question on this issue.

Mandated reviews, such as the one that the member opposite has flagged — and these other pieces of legislation — I note that there are many pieces of legislation without such mandated reviews, and the reality is that such reviews are very expensive. They are time-consuming and we want this piece of legislation to be nimble. There is no preclusion for changes in the future.

As a matter of fact, we are going to have an advisory committee in place that will actually be providing regular input into the state of the act, the state of the regulations and the state of the airline industry.

My officials, this government and I feel very comfortable that there are checks and balances — far more checks and balances than the aviation industry — that the community and our airport users have ever had in place through this piece of legislation. With the mandatory advisory committee in place, then that will certainly provide the feedback, the input, the conduit for communication with the government that will provide that safeguard.

Chair: Is there further debate on the amendment?

Are you prepared for the question?

Some Hon. Members: Count.

Count

Chair: A count has been called.

Bells

Chair: Would all those in favour of the amendment to Bill No. 6 please rise?

Members rise

Chair: Would all those opposed please rise?

Members rise

Chair: The results are six yea and eight nay.

Amendment to Bill No. 6 negatived

On Clause 24

Chair: Is there any debate on clause 24?

Clause 24 agreed to

On Title

Title agreed to

Hon. Ms. McPhee: Mr. Chair, I move that you report Bill No. 6, entitled *Public Airports Act*, with amendment.

Chair: It has been moved by Ms. McPhee that the Chair report Bill No. 6, entitled *Public Airports Act*, with amendment.

Motion agreed to

Chair: The matter now before the Committee is Vote 3, Department of Education, in Bill No. 203, entitled *Second Appropriation Act 2017-18*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 203: Second Appropriation Act 2017-18 — continued

Chair: The matter before the Committee is Vote 3, Department of Education, in Bill No. 203, entitled *Second Appropriation Act 2017-18*.

Department of Education

Hon. Ms. McPhee: I would like to take the opportunity to welcome here with me today the Deputy Minister of Education, Rob Wood, and the ADM in charge of operations, Cyndy Dekuysscher. Thank you very much to both of them for joining me in the House today.

I rise here today to speak about the Department of Education's first supplementary budget for 2017-18. Through the Department of Education, the Government of Yukon develops, provides and supports programs and initiatives that help Yukoners. We help Yukoners to learn essential skills to become happy, healthy and thriving citizens; we help Yukoners to access post-secondary education and training, and we help Yukoners to find employment, or sometimes get back to work.

In this supplementary budget request, the Department of Education is requesting a net decrease of \$8,928,000 in funding. This includes a \$725,000 increase for operation and maintenance expenditures and a \$9,653,000 decrease for capital expenditures. The overall decrease in expenditures requested for 2017-18 reflects deferred funding for capital projects that have been deferred into next fiscal year.

With respect to the operation and maintenance budget, the department is requesting an additional \$725,000 for operation and maintenance expenditures, with increases for Public Schools and an overall decrease for Advanced Education and Yukon College. With respect to Public Schools, an additional \$1,894,000 is requested for operation and maintenance of the Public Schools division.

With respect to the Commission scolaire francophone du Yukon, of this \$1,894,000, an increase of \$1,787,000 is requested to support our work with the Commission scolaire francophone du Yukon, or what is also known as the CSFY, to support Yukon's francophone students. This funding, Mr. Chair, will include an increase to the funding formula, which is driven by enrolment, that supports the CSFY operations, as well as supporting custodian roles at the school as CSFY takes on responsibility for those positions; 100 percent of that funding is recoverable from CSFY, as per a formula agreement.

There is an increase of \$67,000 requested to address a change in accounting practices for public school programs. The Auditor General of Canada recommended that funding

streams for some school programs should not be funded through transfer payment agreements. These programs include the home tutor program, innovation funds, Yukon First Nation cultural inclusion, community-based orientation and elder in the schools programs. This increase results from funding that schools have returned to the department from their trust accounts.

Going forward, funding for school-based initiatives in these areas will be approved and controlled by the school superintendents. It's a new way of doing things. I think I should be clear that those programs are not ending.

A transfer of \$40,000 from the Advanced Education division to the Public Schools division is requested to fund a temporary position that will support and train administrative staff in our schools — supporting the administrative staff in schools across the territory.

As we all know, the administrative staff in our schools are often the first point of contact for members of the school community, as well as an important organizational support for the staff at the school — the teachers, the administration and students.

This transfer will ensure that these front-line staff have the necessary training and support that they need to do their jobs well and consistently in order to support students and the schools.

Mr. Chair, a total decrease of \$42,000 is requested under the Advanced Education division; \$40,000 of it reflects the temporary transfer of funding to support a temporary position to provide the assistance and training to school administrative staff — the one I just mentioned — and the remaining decrease of \$2,000 represents a change in the cash flow requirements for the Canada-Yukon job fund.

With respect to Yukon College, a decrease of \$1,127,000 is requested for the Yukon College. With recent changes to the federal regulations, the letter of credit can be increased for Yukon College with respect to pensions. This change allowed the college to meet their pension funding obligations with no additional strain on government resources.

With respect to the capital budget, the department is requesting a \$9,653,000 decrease in capital funding for 2017-18. Work on the demolition of the old F.H. Collins Secondary School building was delayed because of a higher-than-estimated amount of hazardous waste found in the old building and on the site. Remediation of the soil was also required after the old building was removed, Mr. Chair.

The Site Assessment and Remediation unit and Property Management division are working to ensure that the site is ready for development, and this work is underway — as we've heard recently in answers to questions here in this House. I can confirm that it has been completed but there is testing to be done. We are now planning to move forward with completing additional work around F.H. Collins Secondary School, but that will start in the 2018-19 fiscal year because of this delay with respect to the property.

These projects — I'm very pleased to say, Mr. Chair, on behalf of F.H. Collins and the Department of Education — include a basketball court, an outdoor learning space, a new

weight room, and 20 to 30 new parking stalls at the north end of the school. These new recreational facilities and other site features will be ready for the 2018-19 school year. As these projects have been deferred, a reduction of \$2,998,000 is requested for the F.H. Collins replacement project and site development projects on that property. These are long overdue, Mr. Chair. I'm very pleased that we'll be making progress to complete these services for F.H. Collins and the surrounding community.

\$595,000 is requested for the renovation work at the technical education wing at F.H. Collins Secondary School. During the course of the renovation work, hazardous building material was discovered and affected the timeline for the tender and for design and renovation of that work. I'm happy to say that this project has now been completed. Again, the technical wing and the building of F.H. Collins and the surrounding services and facilities have been a long time coming and we're happy to move forward on those items for the school community.

Mr. Chair, as you know, we have been working with the CSFY on the design for a new francophone high school. The plan is for the new high school to be built on the site of the old F.H. Collins Secondary School building. The remediation work from this fall, 2017, is completed and the next step is testing to confirm that it was successful and that it is safe to proceed with this site. Once we have confirmation, we will update the timeline generally and the construction timeline is part of it for this project.

At this point, we can project that construction will not start during the 2017-18 year, so the funding needs to be deferred. We are committed to providing a secondary school for Yukon's francophone students and look forward to beginning construction. Further details on this project are still under confidential negotiation — a joint settlement committee with CSFY and conversations between the departments and our one-government approach. We look forward to sharing more information as it becomes available.

These requested changes to the department's 2017-18 budget reflect our ongoing work to deliver high-quality education programs and services to Yukon learners of all ages and to work within our existing funding as much as possible to deliver value for money. Many of our priority projects will continue into the next fiscal year and we look forward to continuing discussions on their progress and how the Government of Yukon is supporting Yukon learners to develop skills, access post-secondary training and become lifelong learners.

Ms. Van Bibber: I would like to thank the DM and the ADM for attending today to help the Minister of Education and for appearing in the Legislature.

On January 23, 2017, the Yukon government announced its school curriculum changes and they were set to take place in September 2017. We have been assured that the rollout is happening as was planned. We have heard numerous complaints from parents and school councils about the lack of consultation and the content of the new curriculum because there has been a lot of confusion about the lack of letter

grades. This is a government that campaigned on the promise that Yukoners would be heard.

Can the minister tell us any feedback they have received to date from either parents or school councils or education staff on the new curriculum?

Hon. Ms. McPhee: Thank you for the question.

I am going to, I think, start with a small personal experience. I have been going to as many school council meetings as I can get to and I was at Whitehorse Elementary last week. Of course school council is made up primarily of parents related to that school.

The administration is there for the purposes of attending the school council meeting. I also then had the opportunity this week to attend three grade 4 and 5 classes at Whitehorse Elementary. I relay this story because it was at that school council meeting that I heard some extensive information about work the school council is doing with parents — separately with a group of engaging parents, a group of engaging teachers, and then dealing with students — with respect to focus on their school, how it's going and the new curriculum.

As a matter of fact, I also happen to know that the principal at Whitehorse Elementary has taken on a leadership role and has been looked to by other schools in the territory, primarily in Whitehorse — other elementary schools — for how they are implementing the new curriculum at that school and how the students and the teachers are adjusting to that. It's all extremely positive feedback.

I want to hear from constituents, if you have them, about concerns they might have, but just with respect to that anecdote, it was an extremely positive experience. I can indicate that change is difficult — it always is. The focus of the new curriculum — among other things, one of the focuses is to make our life and history and culture and heritage of the Yukon front and centre into the classrooms. That includes, if not focuses on, First Nation ways of knowing and doing.

I find this to be an extremely positive move, an extremely progressive move for our schools, and we have not heard the same kinds of criticism that you have, but I encourage you to send people to us, if that's the case. I have conferred with the officials; we're not getting that same kind of feedback. Of course some parents are concerned. As a matter of fact, one of the questions at the school council was about that and about how both the school council members, the administration of that school and the parents are getting together to have conversations about how that works.

I should also note, in answer to this question, that the results of the public engagement survey are on the website with respect to the feedback that was given with respect to the new curriculum. I have to say that the vast majority of that work was done before I was here, because the new curriculum has been developed over the last number of years. It came to my desk in the fall or December of 2016, after being sworn in, but it was well on its way to being finalized and implemented.

I should also indicate that parents, in respect to your specific question, can receive letter grades if they want to. We have developed equivalency guidelines that meet and correlate with the old letter grade system and the new assessment

system so that, as we change, there isn't a sort of line in the sand or a fence to jump over, where it used to be one way and it's now the new way. We completely appreciate that there will be a period of adjustment and that maybe, in the not-too-distant future, there will be progress into the new areas of assessment, but parents are old school. Even young parents are a bit old school when it comes to school marks. We certainly are trying to accommodate them in that way.

Ms. Van Bibber: Thank you, that is good to know. We were just wondering then — it always goes back. I know when we were getting briefed by the staff of the Department of Education, it is the communication factor. So are parents aware that they can still get — especially for those old-school parents, as you say — sort of like, I know what an A is and I know what a B is? So if that is available and reports or outcomes and progress can be relayed to the parents, it would be interesting to know. A lot of people don't always check a website. So is this available to parents?

Hon. Ms. McPhee: Let me answer the question this way — parents have been advised that is the case, but I take the point that maybe there is a possibility of some parents not knowing that. I know that, on an individual basis, if they raise concerns, they are certainly receiving that information. It might be a good time for us to remind school councils and school administration — maybe in a Christmas newsletter — now that the elementary schools have been doing this since September, a good four months by the beginning of the Christmas break, to check in to make sure that is the case.

The experience that we are having at the department is a positive one, for the most part. But I am mindful of the fact that we want to make sure that people know that, during this transition, they can have those kinds of opportunities. But for the most part, parents are pleased. The first set of assessments or report cards are just sort of coming out. The schools have been in around two months now or almost three, I guess. Parents are finding — I won't speak for them — that they're getting far more detailed assessments under the new process than just a B or a C or an A, because while we think we know what those mean, the details that are required for the teachers to give to parents with respect to whether or not their children and the students are meeting the expectations — the first step of that is, you know, what are the expectations? My example back to Whitehorse Elementary is that there has been a lot of work done with students of all grades over the last month or two for them to help formulate what those are. The students are actually helping with that — so to determine how they're interested, how they want to learn and how they are going to achieve the goals that are in the curriculum. So while not putting too much pressure on them, it is a collaborative approach with the teacher. The parents have been very receptive to that, in my experience recently at Whitehorse Elementary, which is my most recent experience.

The detail that is required for teachers to provide to parents is going to be far more extensive than it has been in the past. I should also add that the schools are distributing a chart that shows the equivalency between the grades and the descriptions. I know some may have already done that. I saw a

draft of it a few days ago — or they will be distributing it in the very near future. It helps with the equivalency, but again the option is there for them to have letter grades if they choose.

Ms. Van Bibber: Yes, those are good ideas — a newsletter, as you said, and perhaps report cards. There could be a little envelope of information there.

Does the Yukon government's redesigned curriculum feature a technology education plan to provide students with building blocks of computer literacy, including coding, to prepare them for careers perhaps in the field of information and communication technology?

Hon. Ms. McPhee: Thank you for the question. Yes, the new curriculum or the redesigned curriculum does have a large technology component in it for the purpose of expanding the skill set of students in the very modern world. You may recall from the budget last year that a big component was the leasing of iPads to support the new curriculum and the learning that will happen in schools. I am advised as well that there is a coding component to that as early as grade 5 or 6, so that students — well, I don't pretend to know much about coding — in grade 5 and 6 will be able to out-code us all very soon.

Yes, absolutely. There is also the introduction of whiteboards and those kinds of learning tools in many of the elementary schools. As schools evolve, if I could say it that way, with their technological requirements and the ways in which they can have hands-on learning with kids so that they do acquire these skills, they are being supported in that way.

Ms. Van Bibber: I was reading the Yukon Foundation Skills Assessment and the FSA results from 2016 show results at a grade 4 level and then again at a grade 7 level for numeracy, reading and writing. It appears that between grade 4 and grade 7, the percentage goes down in all three areas.

Can the system track why this is happening and if there are areas to improve upon to make sure the kids are learning their three Rs and this tremendous range between three grades doesn't keep happening?

Hon. Ms. McPhee: I appreciate the question very much. This is absolutely a key concern for the department. I would venture to say that these numbers have been relatively consistent over the last number of years. I would also venture to say that the department and I are working on how we can target exactly that problem. I think, like all issues, Mr. Chair, there is more than one solution to any one problem, and we will need to be able to deal with it from a variety of perspectives.

One, I think, is the new, redesigned curriculum. It is designed to allow us to identify what is happening between those grades and try to address it in a way where students become the centre of the learning and where their skills can be enhanced, as well as meet the objectives of the learning through that period of time.

I would say that one of the others is a focus on reading interventions during that period of time. Literacy skills are a key component to student success, of course, and this

government is committed to improving that, and the department is working on these issues, Mr. Chair.

Addressing the literacy needs, of course, is a complex task as it is and will be for dealing with the facts that the member opposite had in the preamble to her question. None of these solutions will be overnight, but it certainly is a piece of the puzzle moving forward. We hope the new curriculum will help put the focus there; we hope that an emphasis on literacy and numeracy skills in the redesigned curriculum will help that as well.

We also have some work to do with respect to early education and early learning. There are studies to suggest that a key component and a key element of how a young person carries on through their education and learns — in whatever arena, in whatever format — is formed very early in their life, between the ages of being born and three or three-and-a-half years old. It is an important focus that we assist and that we expand, if necessary, and that we take a look at what those early learning outcomes are — and intervention at that age with families and expanding a school community. There are some programs where children come for one half of a morning a week, they get used to school and they get used to the older kids, and they're toddlers. Among other things, the early learning component is critical.

One of the other issues — or, hopefully, items that we can focus on — is attendance. If children aren't in the school, they can't be part of the class and they can't be part of the school community. Sometimes there is an adverse effect on them as part of the larger community, frankly. They can't learn and they can't achieve what they all want to achieve, which is great numeracy and literacy skills.

As a result, it has been one of the elements of education that I have been focused on and that I have asked the department to focus on, so that, as a web of responses — none of these things, one at a time, is going to work to completely change those numbers from grade 4 to grade 7, but some of them will work in some place, and some of them will work in others, and we hope that the myriad of options and focus on having our learners reach their full potential will be the outcome.

Ms. Van Bibber: One of my questions was about attendance and how it is tracked to make sure that those children do appear — every child in school every day. I know it's a difficult issue, for sure.

This assessment goes on to separate First Nation and non-First Nation students, and the numbers are even more startling. Again, from grade 4 to grade 7, the drop is even more significant. I can see the reason for a huge dropout rate among our First Nation students — because they're just not learning.

Is there a plan in place to assist those students who are obviously falling behind, somewhere in that three-year level, and to ensure that they improve their academic results? I do know we have a huge system of supports in our schools, but I was just startled to see the figures.

Hon. Ms. McPhee: I just wanted to confirm a number, and we're looking for it — if that will be of some assistance.

In response to the question that has been asked — and I appreciate it — we have education agreements with a number of First Nations here in the territory because they too are concerned. It's a topic at the Yukon Forum; it's a topic that always comes to the table when I or my colleagues meet with First Nation governments. The Government of Yukon has signed education agreements with six — I have the number now — First Nations in the Yukon, including Tr'ondëk Hwëch'in, Vuntut Gwitchin, Selkirk First Nation, Kluane First Nation, the First Nation of Na Cho Nyäk Dun, and Carcross/Tagish First Nation. That's just one piece of the puzzle.

I think I have already said quite a bit about the new, redesigned curriculum. Hopefully new ways of learning will address the fact that not only some First Nation students, but some other students in our schools — we're just not meeting them where they are. We're not conveying the information to students in the way in which the modern-day student is learning. I know that the new redesigned curriculum is to address that.

There are also a number of pilots of specialized support for K to 3 in seven schools in the Yukon Territory. The pilot of that specialized support is designed to ensure that students are ready to learn by grade 3. So if we can get the early learning in this pilot for specialized support to make sure that from kindergarten to grade 3 we are giving the children a foundation, then we will see better outcomes in grades 4, 5, 6 and 7. I think we're really trying to focus on programs that will, as early as possible, change the way that students learn and meet them where they are so that we can, in fact, have a serious impact.

Just to add to that, I have a note here that the early intervention pilot project offers targeted literacy and school readiness support to primary students over a three-year period from kindergarten to grade 2 in seven classrooms. They are in Takhini Elementary, Jack Hulland Elementary, Elijah Smith Elementary and Tantalus School.

If we are seeing the results here that we expect, we will continue to expand that because we know how important it is. It is like the foundation of any building. If it is solid, what comes after that comes easier and becomes, in this analogy, a strong education and a strong ability to learn over years — lifelong learners — which is what the goal is.

Ms. Van Bibber: The implementation of the First Nation ways of knowing and learning can be startling to new educators and new teachers from outside the territory, creating a very different environment and we also know there is an issue of trust with many First Nation families and parents due to many factors around schools. The schools, I know, are trying to be active in ensuring that their areas are more welcoming and comfortable for families.

Is there a noticeable increase in parents interacting with the educators and helping their children through the school system? Maybe this is a factor in the drop in — what programs can we encourage parents to interact in with the school that maybe are new and innovative?

Hon. Ms. McPhee: It is a very important question that is asked and I don't at all mean to sort of not answer it directly, but there is a bit of an explanation.

What we're finding is that, back almost to the first question asked of me, the more information and the broader scope of information, the more detailed information that's going from schools to parents about students and their learning and their path through school — we found that it's bringing more parents into the schools. The one thing we do know is that parents' involvement with a student's education, whether it be in kindergarten or grade 12 or beyond, is a primary indicator of success for students. Regardless of their background, regardless of socio-economic status, regardless of any of the other details, parents who are involved with their children through the school system and involved — it doesn't have to be every basketball game — in other ways throughout their education is a primary indicator of success.

Collaboration between parents and teachers in schools is absolutely critical.

There have been mentioned trust issues with the schools. The schools I have visited — and that's almost all of them — have truly taken a focus with respect to understanding the issue of welcoming families — all families — and particularly First Nation families because of the history. Again, just from my own observations, I can say that the community schools seem particularly well suited for taking on the new redesigned curriculum, because they're often doing projects, doing activities, having programming that involves being out on the land and involves being out in their communities, because, quite frankly, they have been a few steps ahead of the new curriculum. It is an excellent way for families to be involved and, in a small community, the school is often the centre of many activities in the territory.

In addition to that, the training for school staff — all school staff have been required to take the Yukon First Nations 101 training through Yukon College for the purpose of having an excellent background. They have more knowledge in their own arena. They can appreciate Yukon First Nation ways, not only ways of knowing and doing, but Yukon First Nation history and heritage, and presumably be a better participant in the school system in any of those communities, or in any communities where there are First Nation students.

We had the introduction of cultural inclusion standards this year in schools, which we expect will have a great effect — again, one piece of a very large puzzle. Literacy and numeracy are really foundational in the new curriculum, and we expect and hope that those changes will show improvements over the years. I think there's one exception to this, but we're fixing it.

There is guaranteed representation of First Nation governments or First Nations themselves on school councils throughout the territory.

The guaranteed representation of those individuals on those school councils I can tell you from experience is critical, because it always brings — any group of diverse people coming together always bring a perspective that adds to the

group and adds to the diversity of the school council and the decisions that they make about individual schools and student learning.

Ms. Van Bibber: During the radon testing in a variety of the schools, a number of buildings showed higher levels than normal and the need for remediation. This remediation was undertaken in an order of priority, but I understand a few of the schools are still going through tests.

Can the minister provide a schedule for this work as it is taking place and has there been any disruption to the schools' daily activities?

Hon. Ms. McPhee: I think the dates I've been given are — over the next two to three weeks, all schools will be visited and a new schedule for radon-testing equipment for the purposes of getting baseline with respect to those schools, and then an updated list of priority, if I can say it that way, for re-testing — going back to re-test or remediate some issues, if they are found — will begin as a result of that baseline. The plan is also for that to happen in the next — let's say in December of 2017, and then again in March of 2018, so that we can gather the data that will be necessary.

Sorry, just to clarify — the testing equipment has to be there for a while, so it will go out in December and be picked up in March so we'll have that data — is what I should have said.

There will be no disruption to schools, based on making sure that we can get that data.

Ms. Van Bibber: This week, I've been asking questions on student support services. Thank you for the Legislative return yesterday.

The question that I had asked was whether there was a backlog or not. In the report it states how many current cases are students that Student Support Services are working with. What I was specifically requesting though is: How many students are currently waiting to be seen by the department, meaning a backlog. I would point to this section in the legislative return called "summary of process for referral to Student Support Services" — point 3 of that act states that the school-based team invites relevant Student Support Services staff to participate based on the nature of the concern or issue that has been identified.

Step four states that Student Support Services and the school-based team will collaborate on a recommendation for whether a referral is needed or not.

What I was wondering was: How many students, if any, are currently at steps three and four, as outlined in that legislative return?

Hon. Ms. McPhee: I do understand the question now. I don't have that number with me. It is a bit of a moving target, obviously, because, as you can see from the chart in the back, students might move from one of those areas to another. I think this is the same number.

The information that I have been given — and I will confirm this — is that the school-based teams, as has been said in the question, invite Student Support Services staff to participate. There is not an assessment done automatically — I think that is fair to say — because that may not be necessary

for a student. Clearly, in some or many cases, an assessment is required, but part of the decision about getting to the assessment is the concept of a school-based team and Student Support Services working together with the staff, with the teacher and with parents to determine what the best course of action is.

I would like to be able to say that there are X number of students in a queue waiting for an assessment — I think the question is that they have made the decision to have an assessment, but when is the assessment going to happen? They're on a list, but when will an assessment happen? I would like to say that I can provide that answer. I will endeavour to do so, but I don't know that it is ascertainable with any certainty, except for sort of today or tomorrow or next week, depending on the day.

I have now been told there are 104. That's territory-wide. I just want to make sure — and I'm answering your question. I think you're asking that a determination had been made that an assessment should happen, but the assessment hasn't happened yet. That is, I think, where we are.

Ms. Van Bibber: In the minister's legislative return, it states that, when a new referral comes to the Student Support Services and after those initial steps, as you had outlined, are completed, staff initiate a response within four weeks. Just for some clarity, does that mean that the staff will actually see a referred student within four weeks, or does it mean simply that the department has the file and they're going to figure out how to step the student through within that four weeks?

Hon. Ms. McPhee: I think, in fairness, it depends on the case and I am not trying to be obtuse about it. I think, in some cases, it will mean that someone comes out to see the student at the school, and in other cases it will mean that they cooperate and they have a meeting within that period of time, or at least by that — I am having difficulty properly answering that.

The other piece I want to make clear is that the number of 104 students is not necessarily a backlog. They are in the process and the assessments will go forward as they are available. I struggle with this as well, in that I am trying to provide the answers for the member opposite, but it is not — and I know that she is well aware of this — as simple as you pass the line for assessment, then you get in this line, then you wait for an assessment, and all the assessments happen either by the same team of people, by the same professional or by the same principal. It is a very fluid process because the 100-percent goal is to provide students with the services that they need.

Ms. Van Bibber: I have just one more question on Student Support Services. In the table, there is a number after each consultant type. Does that mean, for example, speech and language pathologist listed as "4"? Are there four people who do that? I just want to clarify that the specialist categories are that particular number. Are these positions for specialists currently staffed with permanent and full-time employees, and is it sufficient for 104?

Hon. Ms. McPhee: Yes, the numbers on that chart behind those professional designations are the number of

people who are employed in those positions. There are 21 people providing services — not in addition to those, but the number of people providing student support services as consultants in the department — the most recent number I have is 21. So those individuals are part of that number of 21. The information that I have today is that they are all currently staffed, although there are some individuals who might not work full-time or might work — I want to say on contract, but certainly not as a full-time FTE for every position. There is a variety, based on the needs.

Ms. Van Bibber: We had heard the original plan to build the new francophone school was for approximately 200 students, and now we understand that the number is going to be for 150 students. Can the minister give us an enrolment projection, and when the school is anticipated to be full?

Hon. Ms. McPhee: I appreciate having a chance to speak with the officials.

Mr. Chair, the current enrolment at École Émilie Tremblay, in their high school or secondary school division — the number we have is 58 students, but I must indicate that this number includes grade 7. I understand the enrolment in grade 7 to currently be 18 students. Projecting the enrolment, going forward, is a complicated issue. It is my understanding that the CSFY intends that the grade 7 students would attend at the new French first language high school — that's their intention — and so the number of those current students in that situation is 58.

I can tell you that the CSFY would also say that their enrolment at the secondary school level is being affected by lack of proper facilities for secondary school students. I can also indicate that — and maybe these are answers to future questions that I expect will come from my friend on the other side of this House — the budget for this project, as everyone has probably heard by now a few times, is \$20 million, not including the Canadian Heritage piece, and that it can appropriately accommodate a 150-student school. There is the likelihood that some students will return to, or decide to go to, the French first language secondary school who currently don't go to the secondary program at the current French school.

The CSFY would say — and I don't disagree — it is based on the facilities that are available. The system itself is projecting — when the school would be full is not something I am going to speculate on. It's just not a possibility.

What I can say is that enrolment in schools in the Yukon Territory is growing in all sectors. It is certainly growing with respect to the French first language school, and the anticipation would be that building a 150-student school is the appropriate number for all of the reasons I have said — budgetary responsibility, availability of classroom space. One of the reasons that the French first language secondary school — we have every hope to believe — will go next to F.H. Collins and next to Selkirk school, where there is French immersion in both communities, is that ultimately some space or programming can be cooperative.

Ms. Van Bibber: As we had said, we heard the original number was 200. Because of the amount set aside for the

building — it was a hard budget — is that why it's for 150 students now?

Hon. Ms. McPhee: Some of the early projections — and I'm trying not to speculate on this — might have been based on the cost of building F.H. Collins, and that was a number of years ago now. Obviously the costs increase as time goes by with respect to what a dollar can buy in the world of building capital projects. But that's not really the focus. The current enrolment — the projections that have been done, or tried to be done, by the department and others involved in this project indicate that the 150 students will be adequate for a very long time to come.

I can also indicate that the design is not complete, but you have heard that there is up to \$7.5 million from Canadian Heritage for community-type spaces. I think the individuals who work on this project are trying to build a modern school with modern amenities, and community-heritage-cultural component community spaces that will serve the entire community well.

There is a gymnasium planned that will allow two gymnasiums to be side by side — the one at F.H. Collins and the one at the new francophone secondary school. As a result, we hope — along with that and the other things I have mentioned earlier about the outdoor facilities that will be completed at F.H. Collins — for that area of our city to become a very well-used location for all kinds of cultural, heritage and sport activities.

Ms. Van Bibber: The minister tabled a legislative return today about the O&M costs of the new francophone school and the document says that the government estimates are \$895,000. I'm sure we will get a detailed breakdown as we go through into the spring session. Could we know whether there are going to be decreases in the number of teachers and resources at other schools due to students moving into the new school, such as École Émilie Tremblay? The O&M costs might go down there — or will they be shifted to the new school?

Hon. Ms. McPhee: Thank you very much for the question. Teachers and education assistants at schools, sometimes staff at schools, are all based on the allocation given to the schools, which is based on enrolment. It is not possible at this point for me to say that some students — a bunch of high school students in Porter Creek — all of a sudden want to go to the French first language high school. We have no way of knowing that.

Rest assured that those numbers for each individual school are based on enrolment. I expect that, once we move 58 students from École Émilie Tremblay to the new French first language high school, there is likely to be an adjustment in the O&M costs at the current French first language school up in Copper Ridge because there will be fewer students there. As far as losing teaching positions, losing EA positions or losing administrative staff positions, I wouldn't expect so. As I said earlier, the enrolment overall for the territory is growing in almost all sectors, and certainly in this sector, and those numbers are allocated to schools based on the enrolment.

Ms. Van Bibber: Watching the time, I would like to switch up the game.

Constituents have raised concerns this year regarding safety issues on the school bus. Overcrowding, in particular, has been mentioned. While it is understandable that perhaps the registration process was problematic and accounted for a lot of last-minute changes, I think the overcrowding is a problem and creates headaches for drivers, parents and, of course, the children — and difficulty keeping up on the route schedules.

Is the Minister of Education able to confirm whether steps are being taken to mitigate this concern, and if options are being looked at to address overcrowding on school buses?

Hon. Ms. McPhee: The department continually works to ensure that its students are safe. Obviously effective transportation to and from school every day is a critical part of the services that are provided to students. Whenever school busing concerns are raised, the department works directly with the busing company on a regular basis. In particular, the ADM we have here today works with the busing company on a regular basis and those families who are affected to ensure the concerns are properly addressed.

If there is overcrowding for a short period of time — because while we in this House may find it hard to believe that it changes so regularly, apparently it does. If it was just a day or two or a short period of time, efforts would be made to address that on an individual basis without changing a route or adding a bus, that sort of thing, but if it was a consistent situation, then it would need to be addressed properly because safety is a concern.

I happen to know that, at the beginning of this year — it has already been alluded to — because of the families getting around to registering their kids often quite late during the summer, this year in particular, there were a number of concerns raised. We responded — not me personally; the department responded. I know we got a couple of calls back from individuals — constituents, though not my constituents, but other Yukoners — who said, “I called and I spoke with the person in charge of this at the department and the adjustment was made very quickly,” and they appreciated the service.

It is a moving target. I can also indicate that it is a priority for us to make sure that children are properly bused and are safe on their bus. We will be making great efforts to remind parents to register their children in advance. We have already had some discussions about that. We have already had some ideas about having them register perhaps before children leave school in the spring or early summer here in the territory, so there isn't the sort of idea that I have to get to that in the summer, but reaching out to parents in March, April and even May, to determine who is going to be on the bus next year. If that changes, that's a lot easier than dealing with 1,400 people we thought were coming and probably do eventually show up, but weren't registered.

Lastly, I'll say that behavioural issues or concerns with respect to students on the buses, if they were to arise, are reported by the driver to the school principal. The feedback I'm getting — again, it's anecdotal — at school council and

meetings with administrators is that they're very pleased with the current bus company, the service that is being provided, and the way in which they respond.

I know some of my colleagues and I have been at school council meetings in their neighbourhoods and their constituents have brought concerns forward. I can think of one where a bus went on the wrong road early on and immediately we made a call, and that was clarified and an apology went to the school council. It was a mistake early on.

I say that only to illustrate that busing issues are critically important. We know how important they are to parents and students. It wasn't that long ago — it doesn't feel like that long ago — when my little one was going on a bus, and if I thought for a second that — he's not little anymore. He'll kill me for saying that — if he was going on a bus, I needed to know that he got on that bus at home, on the country road, that he was getting to that school safe and he was going to be brought home safely.

We completely understand and appreciate how important that is for parents and for students — but also parents and families. Yukoners rely on the safety of this process and the security of this process, because often they're at work, or children go to different locations after school, and that web of things that happens with school buses and students in this territory is enormous. Providing that service is something of a challenge, but it is a challenge that we meet every day. Any complaints about that should please come to the department, so that they can be addressed immediately.

Ms. Van Bibber: This was a big one. I too have been attending a few school council meetings and talking with parents and members of the staff. The other big safety concern is school drop-off areas, both at Jack Hulland — it is a huge concern on Fir Street — and at Elijah Smith in the roundabout, where people go in and then come back out on to the turnaround, creating a backlog danger. In fact, Elijah Smith said it is not a matter of if a child is going to get hit, it is when, due to uncontrolled crossings.

Teachers do the best they can. I know Jack Hulland has tried parental help to try to keep students safely crossing the street, but they have been accosted by other parents and that quickly becomes an issue, so it is not working.

I just wonder if the minister is interested in considering funding and helping the city with an interest in changing some of the access in and out of the school areas.

Hon. Ms. McPhee: Thank you very much for this question. It is a great opportunity to speak about some work that has been going on in this area. It's absolutely a concern for the department. It doesn't really feel like that long ago, but I was at Jack Hulland — I know that has been brought up. My colleagues who represent ridings in Porter Creek also have the same concerns.

I can't say too much about it, Mr. Chair, but conversations are happening with the City of Whitehorse, again with the idea of bringing a number of resolutions to this issue or to this problem. I know that, in some areas, we need to look at where students cross — whether or not that is where the crosswalk is, or whether it's where — by virtue of a group

of students and the convenience and where the houses are — that maybe they don't cross where the crosswalk is.

In addition to that, there is the option of some crossing guards. I know at Elijah Smith it has been, I think, a volunteer for a very long time who was a crossing guard there.

I know there's one in Riverdale who seems to be a student, but I think we should look at trying to help with that a bit better.

The conversations with the city involve crosswalk locations, lights, whether or not we can partner with them for the purpose of sharing costs, or those kinds of things, to address these issues. It's not just the schools you have named, although that's clearly an important piece; it is something I have asked the department to come back and tell me about the cost for putting flashing lights at all schools — elementary or otherwise — in the territory because, as the member opposite has partially indicated, it's dark a lot of the time the kids are going to and coming from school here in the territory.

I should also indicate that one of the pieces of the puzzle — and I keep going back to that analogy, but I think it's a good one — is that the RCMP are running a Think of Me student competition currently to promote driver safety. We think the more opportunities there are to address these issues at every level — student level, administration level, government level — the better.

Ms. Van Bibber: Seeing the time, Mr. Chair, I move that you report progress.

Chair: It has been moved by Ms. Van Bibber that the Chair report progress.

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chairs report

Mr. Hutton: Mr. Speaker, Committee of the Whole has considered Bill No. 6, entitled *Public Airports Act*, and directed me to report the bill with amendment.

Committee of the Whole has also considered Bill No. 203, entitled *Second Appropriation Act 2017-18*, and directed me to report progress.

Speaker: You have heard the report from the Chair of Committee of the Whole. Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.

The following legislative returns were tabled November 23, 2017:

34-2-95

Response to matter outstanding from discussion with Mr. Kent re: bid on capital project (Streicker)

34-2-96

Response to oral question from Mr. Kent re: francophone high school (McPhee)