



# Yukon Legislative Assembly

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34th Legislature

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## HANSARD

Wednesday, March 7, 2018 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2018 Spring Sitting

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

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

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

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

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

### LEGISLATIVE STAFF

|                         |                 |
|-------------------------|-----------------|
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| Deputy Clerk            | Linda Kolody    |
| Clerk of Committees     | Allison Lloyd   |
| Sergeant-at-Arms        | Karina Watson   |
| Deputy Sergeant-at-Arms | Harris Cox      |
| Hansard Administrator   | Deana Lemke     |

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, March 7, 2018 — 1:00 p.m.**

**Speaker:** I will now call the House to order.  
We will proceed at this time with prayers.

*Prayers*

## DAILY ROUTINE

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

Tributes.

## TRIBUTES

### In recognition of Pacific Northwest Group peewee hockey team

**Mr. Gallina:** I rise today to pay tribute to the Pacific Northwest Group peewee hockey team, coaches Mike Nemeth, Pat Tobler and Kirk Price, and the many volunteers and parents who supported this team as they strive toward the Chevrolet Good Deeds Cup.

I see a number of visitors in the gallery here today and I will take time after tributes during Introduction of Visitors to introduce these folks to members.

The Good Deeds Cup is a national contest in which peewee hockey teams compete from across the country for the best season both on and off the ice. To enter the contest, teams performed various good deeds around their communities, documented these good deeds on film, and then shared those videos online. In Whitehorse, the PNW Group peewee team volunteered for Habitat for Humanity, the Whitehorse Food Bank, and Share the Spirit, they sang at a local nursing home, they shovelled driveways, walked dogs, and played a hockey game in honour of Movember.

These hockey players were documented by local videographers Stephen Anderson-Lindsay and Aaron Alton and featured Gurdeep Pandher, who combined hockey and Bhangra dancing in a short video. This video has been seen over 150,000 times.

This Yukon-made video was submitted to Chevrolet Canada and Hockey Canada for consideration in the contest. The PNW Group peewee hockey team worked very hard serving the community in their quest to reach the cup. As a result of their hard work, the team became semi-finalists and were awarded a cash prize of \$2,000, which was matched by the PNW Group and donated to the Whitehorse Food Bank for a total of \$4,000.

This support toward the Whitehorse Food Bank is substantial as the food bank is a community-based organization that provides emergency food to people in need, distributing food hampers to 1,300 people each month. The volunteer coaching staff of this team, parents and supporters, give tirelessly to these children, helping to raise Yukon athletes and our future community leaders.

In the gallery today, I see coaches Mike Nemeth, Pat Tobler and Kirk Price. Thank you, gentlemen, for your

continued contribution to Yukon's children and to our community.

Mr. Speaker, I would also like to highlight the importance of the support from local community sponsors and, in this case, the PNW Group, which sponsors this peewee hockey team. The PNW Group is a locally owned and operated Yukon business with a history of over 50 years in the territory. It is this support from Yukon businesses that provides ongoing opportunities to community organizations and our youth in sport, arts and cultural activities. It is this continued commitment from the business community that sets the Yukon apart and provides healthy environments for Yukon children to thrive.

In closing, Mr. Speaker, as I was preparing this tribute, it was evident to me that this competition required the type of cooperation, volunteer spirit and drive that Yukoners are known for. I am honoured to stand here today to congratulate all of those involved for a job well done.

*Applause*

**Ms. Van Bibber:** I am pleased to rise today on behalf of the Yukon Party Official Opposition to congratulate our very own Whitehorse PNW Group peewee house league team. The congratulations are for making it to the semi-finals of the Chevrolet and Hockey Canada's Good Deeds Cup. Out of 134 teams, they made it to the top 10.

This is the second season for the program, and teams are encouraged to perform one good deed in their community that would have a huge impact. Our players went above and beyond in their service to our community. They did not just do one deed — and I am going to repeat here, but it bears repeating: They volunteered for Habitat for Humanity, the Whitehorse Food Bank, Share the Spirit, shovelled driveways and walked dogs in the community, sang for seniors and played a special game during the Movember campaign.

For their dedication to our community and making it to the semi-finals, our players were awarded \$2,000, to be donated to the Whitehorse Food Bank. We are so proud of this peewee group. Not only did their hard work and volunteering benefit our community but the recognition of that effort also translated to a financial donation for those in need.

This is a true teaching exercise for these young people to not only learn about volunteering, but to learn about the greater community in which we all reside. You showed our community a true sense of spirit and set the bar pretty high for other groups, so thank you for all you do. I am sure your goals will be even bigger for this season's competition. Hats off to you for the good work — coach Mike Nemeth and all of the team. Thank you very much.

*Applause*

**Ms. White:** Thank you, Mr. Speaker. I am pleased to add the voices of the Yukon NDP in congratulations to the PNW group peewee hockey team and the Chevrolet Good Deeds Cup. We've heard a bunch already, so I thought I would go straight to the source. Mike Nemeth has been involved with minor hockey for seven seasons where he

initially started out by helping other coaches, and he and Pat have been coaching together for the past three seasons.

It may have been Mike who made the initial suggestion to go for the Good Deeds Cup, but it was with the help and the passion of his team and their hockey community and the community at large that got them into the top 10. He wrote this beautiful thank you letter when he learned that they didn't quite make the top three, so I'm just going to read this letter:

"Hello everyone,

"PNW Group Peewee Hockey Team did not make the final round for the Good Deeds Cup. A lot of hard work went into our run but we also had a lot of help.

"Thanks to Pat Hougen, Robert Mooney and the Canadian Rangers for having us help at the Habitat for Humanity site. Thanks to Tristan and the Food Bank Society of Whitehorse for finding things for a whole hockey team to do and then putting us to work. Thanks to Jill Murdoch and the Residents of Copper Ridge Place for putting up with my singing. We wouldn't be here without the expertise and the many, many hours contributed to this project by photographer Stephen Anderson-Lindsay. Thanks to Gurdeep Singh Pandher for reaching out, making Bhangra stars out of the team and bringing our community closer together. Thanks to all the team parents who brought their kids to these additional events and who helped with the Good Deeds. Also, thanks for being so open minded and enthusiastic about this contest!

"Thank you to the most amazing sponsor of minor hockey: PNW Group. You have been 100% behind us the whole way! Ensuring the kids were dressed right for Ottawa, donating commercial space on the radio and doubling our donation to the Food Bank. The kids and I are very proud to wear your logo on our chests!

"I personally would like to thank Pat Tobler, one of the best hockey coaches Whitehorse has. Our team undoubtedly would not have been as competitive on the ice this year without Pat. He is also the reason why Whitehorse has a girls only ice time. If it weren't for him, my daughter might not be playing hockey. Pat is a coach that I strive to be more like.

"Lastly, thank you Yukon and beyond for your enthusiasm and support for PNW and the Good Deeds Cup. What an amazing contest! Myself and the kids learned so much. It has also connected me to so many more people in our amazing community. We'll be back next year with an even better video!

"To this date, PNW Peewee team has performed 115 individual Good Deeds in our community. This is anything from walking a neighbour's dog to joining us at the Food Bank or dancing Bhangra. These kids have worked hard. I am very proud of them as I'm sure you are as well!

"Keep doing good!"

Mr. Speaker, if there's anything to learn in this, it's that we should keep doing good deeds every day, all year around. Congratulations on your accomplishments.

*Applause*

**Speaker:** Introduction of visitors.

## INTRODUCTION OF VISITORS

**Mr. Gallina:** I would first like to welcome His Worship Mayor Dan Curtis, and Linda Rapp from the city. From the PNW Group hockey team, Carter Price, Brooke Tobler, Bryn Studney-Amos, Beau Yurchak-Lovelace, Benjamin Crill, Rex Nattress, Rogan Parry, James Nemeth, William Oestreich, William Kerr, Cassandra Cebuliak, Kaleb Parry, Keelan Robins, Zoralena Martin and Kieran Mooney, and the parents who have joined today. I would also like to recognize: Mike Nemeth, Kirk Price and Pat Tobler, coaches; with the PNW group, Sheldon King; Tristan Newsome and Mike Thomas from the Whitehorse Food Bank are here today; and Gurdeep Pandher, with the Bhangra dance and video that he helped to create — welcome.

*Applause*

**Ms. White:** I would like to ask my colleagues to join me in welcoming and congratulating Yukoners Concerned. They have just released a brochure today that talks about renewable energy in the Yukon, so JP Pinard, Sally Wright, Don Roberts, Marguerite Roberts — thank you so much for being here.

On a side note, many of those people sat through my entire first five years in the Legislative Assembly. Thank you so much for joining us today.

*Applause*

**Hon. Mr. Mostyn:** I would like to recognize three constituents this afternoon. They have already been introduced — some of them have — but I'll add my voice to that recognition: Kaleb and Rogan Parry and Nikki Parry are here today from my riding. I would like you to welcome them and I would also like to welcome my former colleague — a talented photographer and the publisher of the *Yukon News*, Mike Thomas, whom I have known for damn near 30 years.

*Applause*

**Hon. Ms. Dendys:** I rise today in the House to recognize Gina Nagano. I recognize her today specifically as the most committed auntie in the Yukon, maybe. She is here supporting her wonderful and amazing nephew, William, and she is such a supporter of all of her nieces and nephews, and I really want to recognize that today. Thank you so much for coming, Gina.

*Applause*

**Ms. Hanson:** I also would like to welcome to the House today Francis Van Kessel, a member of the Teslin Tlingit Council — I think executive, whatever, one of the clans, and I can never say which one it is — and an active member of the community involved in the Yukon Association for Community Living. We have made reference in various tributes to Tristan Newsome from the Whitehorse Food Bank and we should also welcome him here.

*Applause*

**Hon. Mr. Pillai:** I would also like the Assembly today to give a warm welcome to some of my constituents whom I have the honour to represent here: first, Mr. Mike Thomas, who was recognized earlier; Mr. Kirk Price, who is a coach with the team as well as Jordie and Trudy Amos. So please — a warm welcome for them today.

*Applause*

**Hon. Ms. McPhee:** I will ask all of my colleagues to help me welcome Annette King, the Child and Youth Advocate, here in the gallery today.

*Applause*

**Mr. Kent:** Annette is joined by her husband Shayne — the King family, of course, are long-time owners of the PNW Group. I would also like to recognize a friend of mine, Mark Kelly, who plays a very important role in young William Kerr's life. Thank you for all that you do as well, Mark. Thanks very much.

*Applause*

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

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 16: *Technical Amendments Act, 2018* — Introduction and First Reading

**Hon. Ms. McPhee:** I move that Bill No. 16, entitled *Technical Amendments Act, 2018*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 16, entitled *Technical Amendments Act, 2018*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 16 agreed to*

**Speaker:** Are there any further bills for introduction? Notices of motions.

## NOTICES OF MOTIONS

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

THAT this House urges the Yukon Liberal government to live up to its campaign commitments by being open and transparent with the public about the details of the planned Liberal carbon tax scheme.

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

THAT this House urges the Premier to:

(1) explain his statement made during the March 6, 2018 Question Period asserting knowledge of the author of an access-to-information request, contrary to the *Access to*

*Information and Protection of Privacy Act* which protects the identity of individuals filing ATIPP requests;

(2) confirm whether or not his government respects privacy provisions of the *Access to Information and Protection of Privacy Act*; and

(3) apologize to the staff of the ATIPP office for implying that they have breached the privacy of individuals filing ATIPP requests.

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

THAT this House supports the recently completed agreement with the First Nation of Na Cho Nyäk Dun regarding the ATAC road.

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

## MINISTERIAL STATEMENT

### ATAC road

**Hon. Mr. Pillai:** Mr. Speaker, I am pleased to rise in the House today to speak to how our positive working relationship with First Nation governments is setting a strong course for the development of Yukon's economy and for the benefit of our communities throughout the territory.

As announced earlier this week, the Government of Yukon and the First Nation of Na Cho Nyäk Dun have reached an agreement and issued a joint Yukon Environmental and Socio-economic Assessment Board decision document that may lead to the construction of an all-season tote road by ATAC Resources to access their mineral exploration site north of Mayo.

When the tote road was proposed, the First Nation of Na Cho Nyäk Dun voiced concerns with this type of project moving forward without a land use plan in place to guide future development. We also heard concerns about opening up access to valued hunting, fishing and trapping areas and about the permanent legacy that such a road would leave in this important area. With this project proposed to occur on settlement and non-settlement land, we engaged in collaborative discussions with the First Nation of Na Cho Nyäk Dun to develop solutions to these concerns. We have listened to those concerns and acted on them.

The agreement came into effect when our two governments issued a joint YESAA decision document for the proposed project last Friday afternoon. It outlines how our governments will continue to work together in overseeing the project during the regulatory and implementation phases. Over a two-year period, this committee will create a land use plan for a portion of the Stewart River watershed and work is already underway to get this process started. This plan will aim to provide for responsible development in the planning area while protecting the lands, waters and wildlife.

ATAC Resources supports this agreement and understands the importance of strong relationships with First Nation governments. ATAC will also work with our

government and the First Nation of Na Cho Nyäk Dun to develop a road access management plan for the proposed road.

The agreement also ensures that the land will be fully reclaimed after the road has served its purpose. To ensure the land use planning process is efficient and completed in a timely way, we also agreed to provide the First Nation the necessary resources to participate in this process.

I am very pleased that our governments are able to work together to provide economic and social benefits to the First Nation and to the community of Mayo while minimizing the effects on the environment that the First Nation will rely on for generations to come.

I would like to thank my colleague, Minister Frost, for her assistance and guidance throughout this process, as well as Chief Mervyn and council members of the First Nation of Na Cho Nyäk Dun and to the staff of the Yukon government who have worked diligently throughout this process.

As I mentioned yesterday during Question Period, I am eager to hear and to have the opposition — both opposition parties — on the record with how they feel about this agreement and this new way forward.

**Mr. Kent:** I'm pleased to respond to this ministerial statement as the Yukon Party Official Opposition critic for Energy, Mines and Resources.

Let me start by saying that the Yukon Party, of course, remains committed to responsible economic and resource development opportunities in the Yukon. When the Yukon Environmental and Socio-economic Assessment Board, or YESAB, first put forward their recommendation that this project proceed last May, the minister and I had conversations about it in the House as I knew it would be a difficult file for him and his officials to navigate. The fact that it's taken almost a year to get to this agreement certainly proves that point.

Yesterday, during Question Period, I asked a series of questions about the agreement. Some were answered by the minister and unfortunately some were not. These are questions that are coming into our offices from interested third parties and it is our responsibility to ask them so that we can provide them with answers.

We look forward to getting more details from the minister on some of these issues, such as: When will the committee be established and what is the makeup of that committee? What portion of the Stewart River watershed is being considered for this plan? What other third party interests are potentially affected, such as outfitters, wilderness tourism operators, placer miners and quartz claim holders? Will there be a staking ban implemented in this area at any time during the next two years? What will be the level of public and stakeholder engagement in developing this plan? When will the terms of reference and a work plan be available that maps out how the committee will endeavour to meet the March 2020 deadline as established by the minister?

Some questions remain about the process as well. The proponents, when they initially put forward this proposal, put in two separate routes for the tote road. One went through

Na Cho Nyäk Dun settlement land which, under the legislation, made the First Nation of Na Cho Nyäk Dun a decision body and one did not. I did ask the minister in the fall if the Na Cho Nyäk Dun was a decision body regardless of which route was chosen and I look forward to an answer to that question that will provide certainty to other proponents who perhaps find themselves in similar situations.

In conclusion, I look forward to Energy, Mines and Resources' Committee of the Whole appearance later this spring where we can dig deeper into what this plan entails and what effects it may have on other parties that are active on the land in that area of the Yukon.

**Ms. Hanson:** I rise as the Leader of the Yukon New Democratic Party to respond to this statement.

In response to this new way forward, I must express some reservations. The minister has not provided any clarity with respect to the real issue at play here, which he made a passing nod to — and that is the constitutionally mandated obligation to complete regional land use plans.

The minister and this government owe it to all Yukoners to explain how this exercise will contribute to or facilitate fulfillment of that obligation. We fully understand the concerns of the First Nation of Na Cho Nyäk Dun regarding this type of project moving forward without a land use plan in place to guide future development. We hope the minister, in his reply, will set out a firm timeline and commitment for the commencement of the regional land use plan required under chapter 11 of the *First Nation of Na Cho Nyäk Dun Final Agreement* and the degree to which the plan announced today will be incorporated.

There are many questions — more questions than the brief time allotted for responses to these types of statements allowed. For example, the minister says that the agreement also ensures that the land will be fully reclaimed after the road has served its purpose, so it is important to know the criteria to be used to assess the fulfillment of this assurance. That will be key. We are keen to learn where they are set out and what form of assurance — that is, how much money is to be set aside is especially important, given the fact that the plan contemplates quarries, the 46 creek and river crossings, and eight bridges.

The minister's statement was silent on this; however, the media reports indicate there will also be compensation provided to trappers whose traplines are negatively impacted by activities in the area contemplated in the local land use plan for a portion of the Stewart River watershed. We look to the minister for confirmation of the compensation process to be followed for trappers whose livelihood may be affected. Can the minister confirm whether the provisions of chapter 16 of the *First Nation of Na Cho Nyäk Dun Final Agreement* will be followed?

Mr. Speaker, we are becoming inured to the use by this government of ministerial statements to use this Assembly to re-announce press releases for matters that deserve the full attention of and debate by all members of this Legislative Assembly. We look to a productive discussion on this

important issue, the issues of regional land use planning and development in the regions of this territory.

**Hon. Mr. Pillai:** I would like to thank both of my colleagues for their questions. Those are appropriate and very important questions that have been tabled, and there is an obligation on behalf of my colleagues and myself to speak to those questions, of course. Today, we are not all — probably 10 or 15 that I want to have a chance to speak to, but I'm going to do my best to touch on some key ones from the Member for Copperbelt South as well as the Leader of the Third Party.

First — just quickly — I would like to add that I think that Committee of the Whole, as the member opposite said, is going to be a great time to actually get into a series of elements about the process and being able to touch upon some elements such as the committee makeup. Certainly we are more than happy to go through this agreement with a fine-tooth comb. I think we owe that to both opposition parties, and we owe that to the Yukon people.

Some of the other items that were touched upon — the route, of course, as the member opposite had asked, is going through traditional territory, and that is the reason that Na Cho Nyäk Dun, as well as the Yukon government, are part of that decision process. Just for clarity, I know that was a question that the member opposite had asked.

As for the questions from the Leader of the Third Party, we're going to have many conversations about this. We're committed to getting into conversations about where we go with regional land use planning. We're undertaking the Peel land use planning. We were waiting for the conclusion of the Supreme Court case. We have met with the affected First Nations; we're starting to talk to industry as well, just making sure that we let them know where we are and what the process is for them to feed into the conversation.

Primarily, our work has to be done with the three affected nations. We have also taken an opportunity to meet in our Cabinet offices with the Yukon Land Use Planning Council, something that had not happened in a very long time, as they told us.

We'll continue to work on that, and then the next stage, of course, is to look at the Dawson region. That work is going to commence, but when you have an area such as what we're talking about today, understanding how long some of the regional land use planning has taken, it's important to do some of the smaller planning work. It's the same type of work that we're going to be undertaking in different regions of the Member for Lake Laberge's riding, where we have some planning to be done. This planning has been undertaken in a number of different areas, whether it's local area planning or even what we see in municipalities.

This is key to that work, and I will stand behind it. I want to commend our staff at Energy, Mines and Resources for balancing these many things they're doing. I think we'll have an opportunity to speak to all of those items. Hopefully, I've shed a little bit of clarity today. We'll talk about chapter 16

and what's happening with the work concerning trappers as well.

What's important today is that this is something to be celebrated. I truly hope that the opposition can put politics aside and take into consideration today that we're using agreements that are in place. We're doing this in a respectful manner.

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

**Hon. Mr. Pillai:** Mr. Speaker, it's really disheartening when the member of the Third Party continues to heckle like this.

I think we'll have lots of time to talk about this, and hopefully we'll have both parties get on the record, which we didn't hear today, about how they really feel about this.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Francophone high school

**Mr. Kent:** On November 23 last year, the Minister of Education told this House that the new francophone school would be designed to accommodate 150 students. We asked her if a school designed for 150 students would be large enough, and her response was — and I quote: "... 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."

However, according to the functional plan for the francophone school, they are expecting to have 172 students between the grades 7 to 12 by the year 2024. Can the minister explain why the projections done for the government's functional plan appear to contradict her comments in this House three short months ago?

**Hon. Ms. McPhee:** The projections with respect to the functional plan are just that — they are projections. We have numbers based on the current enrollment. Those numbers have been worked up with the Department of Education and with the Commission scolaire francophone du Yukon. Our discussions have taken place over many months.

With respect to the decision that has been made, the plan for 150 students is adequate. Some changes have been made to the conceptual design through conversations with the CSFY. In fact, all parties have agreed that this is the right size of school, not only for the educational campus in Riverdale, but for the years to come to serve the French first language students.

**Mr. Kent:** So again, the minister has stated that the school is being designed to house 150 students. The functional plan estimates that student enrollment at this school will increase to 172 students only four years after construction is scheduled to be complete. For this reason, the functional plan recommended that the school be large enough for 200 students. In fact, in a CBC article in June 2017, it was again restated that the school would be designed for 200 students.

So again, the exact wording of the functional plan is — and I quote: "A capacity of 200 students is a minimum and the design must incorporate elements that will allow for future

expansion.” So could the minister explain why the decision was made to reject this recommendation from the functional plan?

**Hon. Ms. McPhee:** These decisions are not made — if I can say it this way — carved in stone. These are fluid decisions. They are conversations between the parties involved. They are based on the partnerships going forward. The French first language secondary high school will be, at 150 students, adequate for the current population and the population going forward.

I note that, with respect to the functional plan, those are primarily wishes at the time — best-case scenario — those kinds of figures. But by the same token — and I note, Mr. Speaker that it includes grade 7 students, who are not included in all of the other three high schools. So certainly there is some movement going forward, should we reach an exorbitant amount of students. Certainly a school built for 150 students could easily accommodate 172, were that to be the figure sometime in the future.

**Mr. Kent:** I guess one of the questions for the minister is: Wouldn't that functional plan provide the government with the evidence that they needed to base their decision on? That functional plan did set out and recommend that the school be large enough for 200 students.

When the minister and the government were making a decision on the design and on the size of the school, did they receive options for a school that would house 200 students and, if so, can the minister provide us with the cost for that option?

**Hon. Ms. McPhee:** I can indicate that budget was a strong factor in the conversations that we have had going forward with respect to finishing the conceptual design in relation to this project. I can also confirm that currently, with respect to students between grades 7 and 12 in the French first language secondary program, there are 58. Eighteen of those students are in grade 7. As a result, should that be restricted going forward, we're talking about currently 40 students going from the current French first language school to the French high school.

We, of course, recognize that there are some students who are currently enrolled who would be French first language students and rights holders at F.H. Collins, and they may transfer over to the French high school, but those numbers continue to be fluid.

#### Question re: YESAA process

**Mr. Kent:** Later today, we will be given the opportunity to debate Motion No. 233, which was brought forward by the Member for Porter Creek Centre. This motion is asking the House to support the construction of the new francophone high school in Riverdale. However, the project in this particular location is currently being assessed by the YESA board. Does the Minister of Education believe that it is appropriate to ask members of this Legislature to interfere in an ongoing YESAB assessment?

**Hon. Ms. McPhee:** When the first version of F.H. Collins was presented to this community by the then-Minister

of Education, who currently sits in this House, it is my understanding that the YESAB application had not even been presented — not even been made. As a result of that, the photo opportunities were taken, the announcements were made that F.H. Collins was going forward at that location and the design with respect to how that would happen without even an application being made to YESAB. YESAA is an important process with respect to this matter. The departments have put forward an appropriate submission to them and we await their answer.

**Mr. Kent:** The minister is incorrect in her assertion that the Minister of Education at the time of that announcement is in this House, but I will move on.

I did not get an answer to anything with respect to interfering in the ongoing YESAA assessment, so I will take us back to last fall. The Member for Takhini-Kopper King brought forward Motion No. 169 on a private members' Wednesday asking the government to make a decision on the Division and Corduroy coal exploration project. The Minister of Energy, Mines and Resources said at the time that injecting himself into the assessment process before the work was completed was — and I quote: “really disrespecting the government process.” So why is it now okay for the government to ask the House to vote and interfere with an ongoing assessment process when it was not okay in the fall? Perhaps the minister can tell us what has changed?

**Hon. Mr. Silver:** Yes, the specific minister at that time may not be in the building right now, but they did switch around a lot, so it was hard to keep track of which one was which.

I will talk specifically about the design office — the YESAA review — as this comes out of my office. The YESAB designated office issued an information request on February 22 regarding alternatives to the project. As the proponent, YG is developing a response. We support strongly an environmental and socio-economic assessment process that upholds the principles of independence, fairness and transparency as laid out in the YESAA legislation.

**Mr. Kent:** Contrary to what the Premier just said about respecting independence, fairness and transparency, he has to understand that this project is still under assessment. It has not been completed. There has not been a recommendation sent to the decision body which, of course, will be the government. In the fall, the government said that it would disrespect the YESAA process to vote on a motion regarding a project currently before the assessor. The Minister of Energy, Mines and Resources stood in this House and said just that. Today's situation seems somewhat similar. Will the minister, or the Premier, ask her colleague from Porter Creek Centre to either adjourn debate or seek unanimous consent of the House to stand down on this motion until after the YESAA process has finished?

**Hon. Ms. McPhee:** I'm pretty sure that the member opposite is not suggesting that a YESAB application could go in without indicating a location for the building. So indicating a chosen location for that building or for any other project is a required portion of the YESAB application. As a result, of



course, the application has to go forward indicating where that building is planned. I'm pretty sure he's not indicating that this is prejudging the situation.

**Question re: Affordable housing**

**Ms. White:** Yukoners from all walks of life are struggling in Yukon's housing market. Young families can't afford a down payment with rising real estate values, minimum wage workers can't afford rent with most one bedroom apartments going for over \$1,000 a month and seniors are spending months or years on Yukon housing wait-lists. Regardless of these hardships, this government doesn't seem to be in any rush to take action. In fact, the vast majority of the money announced for affordable or social housing projects in this recent budget is entirely recoverable from Ottawa. This means that Yukon is actually allocating a mere \$3.6 million of its own money to address the affordable housing crisis that our territory faces again.

Can the minister tell Yukoners how many affordable housing units will be created with the 2018 budget?

**Hon. Ms. Frost:** I would be happy to respond to the question with respect to our government's commitment to address affordable housing. The objective of the budget that you see before you really reflects that. It provides an opportunity to create and promote partnerships within Yukon to form the partnerships to build affordable housing.

I think we've realized quite early on that we're in a major crisis. We recognize that and we're working with our partners to address that. The resources in the budget will allow for that to happen.

**Ms. White:** What I was really looking for was a number of units. Budget documents show that the entire cost of the Housing First project and the seniors housing project in Carmacks are coming straight from Ottawa. This government can announce and re-announce those projects as many times as they want. Ultimately, when built, it should be a Government of Canada logo on the front of the building because that's who is footing the bill.

As of last September, there are over 200 people on the government's seniors or social housing wait-list. We meet many of these people at our offices every week. Some are families, some are homeless and some have full-time jobs. This affects everyone. This government talks about measuring its performance. Well, if the number of people on Yukon Housing wait-lists is a performance indicator, this government would be getting a failing grade on this file.

How will the minister reduce the number of people on the current Yukon Housing wait-list and by how many?

**Hon. Ms. Frost:** I wish I could give the very specific numbers on how many people. At this point, what I can say is that we are committed to improving affordable housing options in the Yukon and the 2018 budget takes that into consideration. We have invested \$6 million to address affordable housing. We have implemented and we are proceeding with the housing action plan, which Yukoners and NGO groups and our partners finalized — signatures and proceeding with implementation now.

The implementation of that is defined in this budget. We are working with members of our community and our business partners to address the challenges. We most definitely recognize them. I think I made mention last year that we spent over \$700,000 to accommodate members of our community in hotel rooms. That has been historic. Our objective is to address that and eliminate that.

**Ms. White:** Wouldn't it be delightful if people didn't have to live in hotel rooms? If the government won't build affordable housing itself, it could still help reduce housing wait-lists through other programs. The Vimy Heritage Housing Society has been seeking, for years, government support to build independent supported housing for seniors who can afford it. A project like this would see some seniors able to move out of Yukon Housing units or off wait-lists, creating openings for others.

Yukon Housing Corporation's rent supplement program could also help. It allows those approved for social housing to find private accommodation. Yukon Housing Corporation then pays the difference between what the tenant can afford and the market cost of the unit, but this program is tapped out and most people on the wait-list can't access it.

Mr. Speaker, will this government take immediate action to assist the more than 200 people on the Yukon Housing Corporation wait-list by supporting the Vimy project and by increasing the rent supplement program?

**Hon. Mr. Pillai:** I'm just glad that we have an opportunity to talk about Vimy today. I appreciate the question on the Vimy project. First of all, the Vimy general meeting is about to take place this month. I believe it's on March 20. I could be wrong, but I'll make sure I bring that back to the Legislative Assembly. It has absolutely been a pleasure to work with Vimy on coming up with a strategy.

What we have seen, really, is that our predecessors really had done absolutely no work on the Vimy file. There were a lot of false words made, but really no work. It's interesting to see how they rally behind Vimy now, but really, it was all false words. What we're doing right now with Vimy is, we're putting some funds in place so we can take the plan that was previously done and update that plan. We have a series of other options that we're working on with them. I'm working with my colleague as well to come up with solutions for them. Certainly, it is a pleasure to actually be speaking at their general meeting this year.

So we're happy to be working with them. They need a little more support to update their plan and make sure it's a feasible plan and that they have the right government structures in place. But I really appreciate the work of all of those volunteers and look forward to bringing a plan forward after a lot of false words.

**Question re: Mental health services**

**Ms. McLeod:** I have heard concerns from parents and others in Watson Lake about the lack of mental health supports in the classroom — specifically, I have heard that there are not enough resources being provided to school staff to support the students. Can the Minister of Education tell this

House what mental health supports are available to rural Yukon schools and specifically to Watson Lake?

**Hon. Ms. McPhee:** I had an opportunity to speak about this a little bit yesterday in my conversation with the Member for Copperbelt South regarding the supplementary budget with respect to Education.

The Government of Yukon provides a range of supports and resources to access the learning needs of students. These include mental health services and educational assistance, and these are just one way, in several resources, that a school can access supports for students. In addition to that, we have psychologists on staff at the Department of Education. There are speech pathologists. There are other professionals with respect to providing services in schools, and those are accessed through the school group that makes recommendations to the Student Support Services in the Department of Education.

Clearly, it is critical that no student who requires these kinds of services is ever left without to access to those resources.

**Ms. McLeod:** Not really the answer to the question that I asked. Mr. Speaker, last fall, my colleague from Porter Creek North asked the minister about the wait times for students to receive mental health supports, and the minister responded and stated that it varied from school to school and community to community.

So are there Student Support Services staff located in the communities outside of Whitehorse? Can the Minister of Education tell us what the wait time is for a student in Watson Lake to receive mental health support, and is it higher or lower than the wait time for a school in Whitehorse?

**Hon. Ms. McPhee:** Unfortunately, the Member from Watson Lake regularly says her questions aren't being answered, and I guess I would like to point out that just because she doesn't like the answer I give, it doesn't mean I'm not giving one.

There are supports for students, which include counsellors, teachers, learning and teacher assistants, school administrators, and the Department of Education branch staff, including education support workers and community education liaisons. They are accessed by school teams making recommendations to those professionals to provide service in the schools.

In answer to the questions from her colleague yesterday with respect to the assessments — first of all, I should say that assessments are not required for access to every one of those services, so obviously case-by-case is absolutely critical.

In answer to the question from her colleague yesterday, we are attempting to get the service standard for those assessments to be completed within four weeks of them being referred.

**Ms. McLeod:** Parents and others have made it very clear to me that Watson Lake needs dedicated mental health support services at the school. I am going to assume that the minister hears similar messages from other rural schools.

Will the Minister of Education commit to reviewing mental health supports for rural Yukon schools to ensure that

they are receiving the same service as Whitehorse schools, and, in the meantime, will the minister commit to providing a dedicated mental health support worker at the Watson Lake school?

**Hon. Ms. Frost:** I am very happy to respond to the question from the Member from Watson Lake.

The supports that are in Watson Lake right now — I'm happy to report that, in the next week, the community of Watson Lake is opening up its mental wellness hub. In that hub, the objective is to provide specialized services and supports to the community of Watson Lake. So we will be in Watson Lake, meeting with the mayor and council, meeting with the Liard First Nation and community members at large.

We have the hub fully staffed and the community will hopefully welcome that opportunity and easy access to the supported specialized services that are required. As the member opposite mentioned, obviously the youth are really important. They are important to us. They are important to all of our communities, and the hubs will provide that very specific, timely supports that the communities deem are essential and necessary, and we absolutely agree. In all of the four hubs that are created in the Yukon, you will find a youth support that is identified.

#### **Question re: Traffic safety at schools**

**Ms. Van Bibber:** Mr. Speaker, on November 23, I asked the minister about some big safety concerns that I had heard from parents and school councils at both Jack Hlland and Elijah Smith schools. There is a huge issue with the school drop-off areas and how traffic is managed, especially around the traffic circle on Hamilton Boulevard, and there not being controlled crosswalks. This is unfortunately creating a dangerous situation for our students. In fact, one parent even told me that it's not a matter of "if" a child is going to get hit; it is "when".

When I asked the minister about this, her response was — and I quote: "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."

Mr. Speaker, can the minister please tell me what her government is doing to specifically address the traffic safety issues at both Jack Hlland and Elijah Smith Elementary?

**Hon. Ms. McPhee:** I very much appreciate the question. I can tell the member opposite what the government is doing with respect to these issues. We have recently written to each and every school council in the territory — not just in the City of Whitehorse — and asked them to express to the department their specific concerns with respect to traffic issues, traffic safety issues in and around their school. The purpose of that will be for us to determine how to resolve those issues through partnerships across the territory.

**Ms. Van Bibber:** That is great to hear — now if the minister could provide me with a timeline as to when these issues at Jack Hlland and Elijah Smith will be addressed.

**Hon. Mr. Pillai:** I would thank the Minister of Education for this undertaking. I think it is key to identify not

just some of the safety concerns within the City of Whitehorse, but certainly in all of our communities. I want to thank the Member for Porter Creek North for bringing this forward. We have had dialogue on this topic. It is of great concern. Both of us in our attendance at Jack Hulland School council meetings — as well as I want to thank the parents who have met me on early mornings to actually watch and observe what is happening.

Part of the challenge, of course, is that there is crosswalk infrastructure in place. The City of Whitehorse has done analyses with their traffic committees but there are still concerns from the parents.

In our roles, whether it be the Member for Porter Creek North or me, or the Member for Porter Creek Centre, or even the Member for Mountainview when it comes to Elijah Smith, we still have a role to play to continue to inform and bring forward to the City of Whitehorse our concerns.

We respect the fact that there are traffic studies that have been completed, yet the parents still have concerns. In some cases, we don't have flashing-light systems and in the wintertime, those crosswalks are covered over. It's something with the school councils as well. I commend them on continuing to inform the parents.

This is something we continue to work on, and there will be more to come on that, as we put strategies forward in partnership with municipalities.

#### **Question re: School bus service**

**Mr. Cathers:** In October, I wrote to the Minister of Education on behalf of constituents in the new Grizzly Valley subdivision to request school bus service for their children this school year. Four months later, I received a reply from her indicating that school bus service will not be provided. The subdivision and its roads were designed, engineered and built by government. After construction, it was inspected and approved by government officials. The roads were intended to accommodate school buses.

The minister now cites safety concerns based on an assessment by the bus contractor, Standard. The question is what the minister plans to do to fix this problem. The second access road into new Grizzly Valley is closed, waiting for repairs. Has the minister looked into whether fixing the second access will allow school bus service to be provided to residents of new Grizzly Valley?

**Hon. Ms. McPhee:** I appreciate the question. The member opposite is correct — it took some time to sort out what the concern is with respect to this situation — but I can assure this House and all Yukoners that the safety of children and the safety of children on school buses is absolutely paramount. The information that we currently have is that it is not a safe grade for school buses to travel up that road.

What he has neglected to mention is that the last part of my letter indicated that we are more than prepared to work with parents to resolve the issue, if possible — whether that requires some sort of additional transportation or some funding with respect to addressing the issues they may have in

getting their children to the bottom of that hill so they can get on a school bus.

**Mr. Cathers:** If the minister is talking about other transportation options, it's actually something she did not mention in her letter.

The Minister of Education doesn't seem to appreciate how important this issue is to families who are affected by it, or that four months is a big part of the school year. The subdivision was designed and engineered with the intention of having school bus service. People who bought land did so with the expectation that school bus service would be provided once there was a need for it.

The lack of school bus service is already negatively impacting people who have to reduce their hours at work to drive their kids.

My question for the minister is quite simple: What steps does the government plan to take to fix the problem? Will repairing the second access into Grizzly Valley allow school bus service to be provided? If not, does the government plan to refund a portion of the cost that people have paid for the lots to compensate them for any negative effect on property values because of not being able to get school bus service?

**Hon. Mr. Pillai:** Very rich — what we're hearing across the way. The importance of ensuring that there's school bus access to the students of Yukon is paramount. I owe it to my colleague, who has really pressed me to ensure that we come up with some good information, and I'm still working to ensure we have a path forward.

Part of the problem is — and I watched one of the individuals from across the way say, "It's a mess." It sure has been a mess. Let us go back in history a little bit. This is a process where the original subdivision where my friend across the way was a huge champion — who is asking questions — a huge champion of this. In the last year and a half, we have this legacy project where at one point in our department, we did not know if we needed to subdivide so we could sell more lots just to come up with revenue to fix the problems that we inherited so that we could move this project forward. Certainly, whether it is the cost overruns on the original project, the scope change, change orders, the national news on the moose highway or many other things that came out of this project, we are still working to clean this up — not to also mention that the member opposite presses us from time to time on what communication infrastructure we also should have in place, which also was not taken into consideration at the time.

We will continue to work to clean this up. I will continue to work with my colleague. I am sorry that we do not have everything in place yet, but we are trying to address many things that have been left to us.

**Mr. Cathers:** Well, the Minister of Energy, Mines and Resources is indebted to his imagination for his facts. The minister can try to point the finger and play the blame game. The simple fact is this: the new Grizzly Valley subdivision was designed and engineered by government staff with the intention of having school bus service. If there was an unanticipated problem with the design, it is up to government

to take appropriate steps to find the solution. For a government that likes to use a talking point about a people-centred approach, it is time for the Minister of Education and the Minister of Energy, Mines and Resources to understand the importance of this issue to families and take steps to find a solution.

Again, two simple questions: Will repairing the second access into Grizzly Valley allow a school bus to be provided? If so, when will the government take steps to fix the road? If not, does the government have a plan to refund a portion of the cost people have paid for these lots to compensate them for any negative affect on the property values of not being able to get school bus service?

**Hon. Mr. Silver:** When it goes into the mode of having to redo things that were designed by the government, yes, these are extra costs. Again, we hear questions from the members opposite about the grade of a road that they built, and they are asking us now to solve those problems.

The good news is that with the whole-of-government approach on this side of the House, we are working in a coordinated fashion with Highways and Public Works, with Education and with the Minister responsible for Energy, Mines and Resources. They are coming up with solutions based upon engagement with stakeholders, and we will fix this mess.

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

### Speaker's statement

**Speaker:** Just a gentle reminder to all members — and we are all capable of misspeaking ourselves, including the Chair today — but there is a developing consensus right now that the members are from somewhere. I do not think Yukon democracy is in danger by virtue of that, but a gentle reminder to everyone that you are members for your ridings.

It is perhaps more intuitive or more logical to say that you are a member from somewhere — I understand why that is occurring. This is just a gentle reminder that we are all members for our ridings.

We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT PRIVATE MEMBERS' BUSINESS

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

##### Motion No. 229

**Clerk:** Motion No. 229, standing in the name of Mr. Adel.

**Speaker:** It is moved by the Member for Copperbelt North:

THAT this House supports a five-year capital plan as a means of promoting transparency and predictability about the Yukon government's capital planning.

**Mr. Adel:** Thank you, Mr. Speaker. I'm very happy to rise today to speak to this motion because it addresses an

important need in our territory. I look forward to hearing the thoughts of my colleagues here in the Legislative Assembly.

Just to set the context, I would like to return to the campaign of 2006 that saw our Liberal party elected to a majority government. Our campaign had a focus on good jobs in a sustainable environment, recognizing the need to balance economic diversification with environmental stewardship. We believe that a thriving and prosperous economy should support innovators, visionaries and those capable of expanding Yukon's economic competitiveness and creating good jobs.

This resonated with Yukoners, especially Yukon businesses. Yukon businesses create jobs. With a fair procurement process, Yukon businesses can compete and grow, creating more jobs. With more Yukon government spending staying in the territory, local businesses benefit. When local businesses benefit, all Yukoners benefit.

In support of these ideas, we, Yukon Liberals, pledge to support Yukon business with a number of commitments. We committed to reducing the corporate tax from 15 to 12 percent. We delivered on that commitment. We committed to fast track the implementation of the recommendations of the Procurement Advisory Panel report. We are delivering on that commitment. My colleague, the Minister of Highways and Public Works, is diligently working to improve the government's procurement process for the benefit of all Yukoners and we are seeing great progress on this file after years of being set aside under former governments.

We have also committed to increasing the transparency around the Yukon government capital planning by creating a detailed five-year capital plan — the subject of this motion. I am proud to say that with the release of the 2018 -19 budget last week, we have delivered on that commitment. Beyond delivering on our commitment to Yukoners, the five-year capital plan supports one of our enduring priorities.

A diverse, growing economy provides good jobs for Yukoners in an environmentally responsible way. It also supports our overarching commitment to providing Yukoners with open, transparent and accountable government. More importantly, the five-year capital plan responds to the needs of Yukoners, especially Yukon businesses.

Constituents have asked for a plan — a road map as it were — to help them see what the government has planned for the future in terms of their capital investments. The need for such a plan is clear — it helps Yukoners, including municipalities, First Nation governments and private sectors. It allows them to understand what to expect in the years to come and schedule existing work around upcoming projects so they dovetail together, align staff and resources to plan to bid on upcoming projects, prepare those bids for upcoming government contracts and complete projects more efficiently and effectively.

Yukoners have asked for this plan and our Liberal government has listened. Mr. Speaker, this is the first-ever five-year capital plan released by a Yukon government. Beginning with this year's budget, the Government of Yukon

will release a five-year capital plan as part of the annual budget process.

As I said, this is part of our effort to provide Yukoners with open, transparent and accountable government after years to the contrary.

To complement our decision to incorporate the fiscal and economic outlook into the budget, which we started with last year's budget, we continue to refine our budgeting process to make it more accurate and dependable for Yukoners, and the five-year capital plan is an important part of that, focusing on — as the title indicates — capital spending.

We have heard the Official Opposition note that current numbers indicate that we will lapse almost \$30 million in capital expenditures. We will have to wait for the 2017-18 actuals to know for sure, but assuming that it is true, we will have lapsed fewer capital dollars than each of the last five years under the Yukon Party government. The closest fiscal year was 2012-13, when the Yukon Party government lapsed nearly \$40 million in capital, and that was the low mark. The following year, they lapsed over \$84 million in capital, before hitting their high mark in 2014-15, when the Yukon Party government lapsed over \$100 million in capital — over \$100 million. The next year, they lapsed \$74 million, and then they lapsed nearly \$60 million the following year.

So I would like to thank the Official Opposition for noticing that we lapsed fewer capital dollars than each of the last five years under the Yukon Party government, and the addition of a five-year capital plan will improve our performance even further.

This five-year plan is a tangible planning tool for Yukon First Nations, municipalities and the private sector that will reduce barriers to securing government contracts. By signalling our long-term plans for capital investment in the territory, the five-year plan helps to build trust, foster good working relationships and encourage partnerships at all levels of government to meet the highest priority needs of Yukoners in all communities.

This plan is based on our best information about what capital projects we will need within the coming five years, but it is flexible and it will evolve over time. The five-year capital plan, as it has been stated before in this House, Mr. Speaker, is a living document. We can revisit it again as we gain information and new ideas from all Yukoners, as we engage and continue dialogue with our partners about their plans and priorities, and as new needs emerge over time and long-term priorities are identified.

The five-year plan allows us to be predictable, which helps First Nations, municipalities and private sectors, as I've said before. But it is also flexible, so that we can respond to the changes as they occur, and ensure that we meet the needs of Yukoners.

When it comes down to it, our government is committed to providing key infrastructure, which is the foundation of a modern economy. Mr. Speaker, investing in infrastructure ensures the health and well-being of Yukon residents, while providing tools for growth in private sector investment.

We are committed to investing in infrastructure to build capacity in our territory and grow the Yukon's economy. The five-year plan reflects our transparent decision-making and, like I said, it delivers on campaign commitments that we made to Yukoners.

We are proud to deliver on this commitment, and we're excited to see the projects that are profiled in the plan get underway. As I said, the five-year capital plan is a living document. It is a first for the Yukon government. We will revisit it as we hear back from Yukon First Nations, municipalities and local businesses about how it can be improved going forward.

Today, I look forward to hearing from my colleagues and what they have to say about it.

**Mr. Cathers:** In speaking to the motion here today, I would note that my colleagues and I do support the idea of releasing a five-year capital plan, but it's worth noting that the so-called five-year capital plan released by the current government in the budget is missing a lot of details. Much as the budget itself, there are a lot of high-minded platitudes in the document and very little in terms of actual detail.

As we heard yesterday, both we, the Official Opposition, and media noted the fact that a road project that the Minister of Highways and Public Works claims is proceeding and claims there is money in the budget to do is not mentioned in the five-year capital plan, nor in this year's budget. This so-called living document is — again, the words sound great, but the devil is in the details — and in these details, there is not a lot of detail.

Our question again with this is if the government is actually committed to delivering in a meaningful way on a platform commitment to release a five-year capital plan. Again, what was released in the current budget lists a mere handful of projects, does not provide great detail on them and leaves many projects and priorities of Yukoners unmentioned.

The government is patting itself on the back and declaring that they have accomplished their mission, but for Yukon contractors, this is certainly not what they expected when they heard the government commit to a five-year capital plan.

The members need to recognize the fact that contractors and employees of contractors who welcomed the government's campaign commitment are disappointed with what they saw on budget day. They heard there was going to be a five-year capital plan; they were expecting it to provide greater certainty for them and their families — clarity about what they or their employers would be bidding on in future years. In fact, they see large projects mentioned, and many of those large projects were often, under the previous government, the types of projects that would have been announced and in the public forum already. So people are asking what new information they have actually been given.

We have also heard complaints from others, as well as us, who complain about the fact that government has actually stripped details from its budget that used to be released on budget day. The previous government typically released around 11 or more pages of budget highlights specifically

listing by department the major projects for each year. Yet in going through the budget, when we are looking at road projects, such as in the Member for Pelly-Nisutlin's riding — or in mine — we still do not know, because the government has not shared with us, whether projects that are important to our constituents are proceeding.

Again, where in the current budget can my constituents find out whether the government is listening to them and adding a walkway on to the Takhini River bridge on the Mayo Road for pedestrians, cyclists, equestrians and others? Not only is it a priority for my constituents, but it is one that I raised with the Premier early on in this mandate — I believe it was in January of 2017 — taking the Premier at his indication that the government would work in a collaborative manner with members of the Official Opposition and the Third Party when we bring forward priorities of our constituents. I identified one of the top priorities of my constituents and now, over a year later, we are still waiting for an indication of whether government will proceed with this project or not. The budget itself and the five-year capital plan do not provide an answer for my constituents.

I could go through a long list of priorities by community that are not identified in the capital plan. They include recreation projects such as in the Village of Carmacks. People there are waiting for clarity on what government is proceeding with there. There are projects across the territory, including in municipalities, where municipalities are waiting for an indication from government on whether they are going to support and work with the municipalities in building new facilities for fire and EMS. Again, the budget does not answer the questions and the five-year capital plan provides even less information.

We support the concept of a five-year capital plan, but considering that the current government plan included with the budget does not contain real or quantifiable details and does not provide, as the Leader of the Third Party had referred to it, any measurable and quantifiable — I am forgetting her exact words, but the Leader of the Third Party has drawn attention to the fact that in government's own performance plan, they have not laid out any real meaningful criteria by which it can measure and assess performance. The same applies to the five-year capital plan.

With that in mind and in the interests of helping the government fulfill its campaign commitment to Yukoners, I would propose what hopefully will be a friendly amendment.

*Amendment proposed*

**Mr. Cathers:** I move:

THAT Motion No. 229 be amended by:

(1) after the words "capital plan", inserting the words "that contains real and quantifiable details"; and

(2) after the word "promoting", inserting the words "certainty, accountability,".

**Speaker:** I have had an opportunity to review the proposed amendment with Mr. Clerk and can advise that the amendment is in order as far as the proposed wording.

It has been moved by the Member for Lake Laberge:

THAT Motion No. 229 be amended by:

(1) after the words "capital plan", inserting the words "that contains real and quantifiable details"; and

(2) after the word "promoting", inserting the words "certainty, accountability,".

The proposed amended motion will read:

It is moved by the Member for Copperbelt North:

THAT this House supports a five-year capital plan that contains real and quantifiable details as a means of promoting certainty, accountability, transparency and predictability about the Yukon government's capital planning.

**Speaker:** There is appetite for some members to speak to the amendment — yes?

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

**Speaker:** Who would like to speak to the amendment?

**Hon. Mr. Silver:** I would like the opportunity, and the democratic process here, to speak to the amendment put forth by the member opposite. I think we're going to have to get into the urban dictionary and change the definition of "friendly", but that's a conversation for another time.

We do appreciate the words crafted by the Yukon Party in this, but we believe the original motion, as it stands, is very succinct. We believe that there is more information now. When you're talking about certainty and accountability — certainty is an interesting word. I think our plan is offering flexibility, which is really important. If we want to sit here and list all of the adjectives that this five-year capital plan brings to the industry, we would be here all day.

To pinpoint two specific words — much appreciated is the wordsmithing from the Member for Lake Laberge. However, we're hearing from industry that they are very happy with this five-year capital plan. I just had the privilege of doing a luncheon speech for the Chamber of Commerce, and I was approached by members of Northwestel — just for an example, Mr. Speaker — praising the work of this plan. They gave me some anecdotal information as to why this is an important plan for Northwestel. Without knowing what Highways and Public Works is doing, other than on a year-to-year basis —

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

**Hon. Mr. Silver:** The members opposite can have their opportunity to speak. Now they are trying to talk when I'm talking, which is funny, because they didn't want to have debate on this and now they're talking when I'm talking.

What Northwestel told me — and I guess the members opposite don't agree — that by knowing what projects — not necessarily the dollar values, but which projects we are going to be moving forward on, they are going to save millions of dollars. They have to move whenever projects are not coming down the pipe at the right time, if they don't know. I have been told this costs them millions of dollars every time they have to make those moves.

What we had in the past from the Yukon Party were a lot of \$1 marks for projects identified, so I guess that a \$1 mark

in their sometimes-forecasted and sometimes-not-forecasted capital plans is somehow more information, according to the Yukon Party, than our plan for the five-year capital plan. I will respectfully disagree. I believe the industry asked for this. I believe the private sector is happy with the progress that we have made.

Again, this is a living, breathing document, Mr. Speaker. It will have the flexibility to change as we move forward. It's a first step, and we believe, from what we have been hearing from the private sector on this pursuit, that it's a great first step and they are looking forward to engaging with us with this added information.

Now, we have heard from the Leader of the Third Party. She is not happy with enough information from the performance plans. We're now hearing from the Yukon Party that they're not happy with enough information from the five-year capital plan. We will continue to engage with the private sector, which seems happy with both and want to see more of this type of pursuit. We would encourage both members of the opposition parties to work with us in these pursuits. If they want to see more information on these, then work with us on the five-year capital plan and work with us on the performance plans and make sure that, every time we get more information out to the general public, the information is more concise and works on a good plan, moving forward.

With all due respect to the member opposite, we will not be supporting this amendment.

**Hon. Mr. Pillai:** Once again I would like to thank the Member from Porter Creek Centre for bringing this forward today. I think that — or from Copperbelt South for bringing this —

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

**Hon. Mr. Pillai:** Sorry, from — three times lucky — for Copperbelt North. Thank you, and I thank my friends from across the way today in assisting me. I hope that with that same sort of approach to helping in the Legislative Assembly today, we are going to see their support to continue to work on this five-year capital plan, instead of challenging the good work that we have been able to do already and the good work of the officials.

Certainly what has really happened is that the leadership from the ministers involved has led to a conversation where Highways and Public Works and other departments have come together to put together a five-year forecast, and we truly appreciate the real work that has been done. The real work has been done by the officials. The Official Opposition stood by the same officials who worked with them over the last number of years. The same officials came into this Legislative Assembly during budget debate and assisted them in speaking to the Yukon public and to the opposition.

What we are trying to craft here is a better way forward — some of the work that I've done alongside the Leader of the Official Opposition in trying to ensure that Yukon businesses have appropriate opportunities — we have done that. We have put our perspective and our political views aside. I have had the opportunity for him to help me and to

advise on different paths forward, and it has been appreciated. The result has been that Yukon businesses, in turn, get good opportunities, and that is really what this five-year budget is about.

The gamesmanship that I see here from the Member for Lake Laberge really comes down to putting some words in play —

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

#### Point of order

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

**Mr. Cathers:** I believe the Minister of Energy, Mines and Resources is actually in contravention of two points of order — Standing Order 19(b) and Standing Order 19(g). Standing Order 19(g) is imputing unavowed motives to another member — specifically by using the word “gamesmanship” in reference to the amendment that I proposed, attempting to be constructive — and Standing Order 19(b) — he is speaking to matters other than the matter under discussion. He is talking about everything except the amendment.

#### Speaker's ruling

**Speaker:** The Standing Order that refers to being on point with respect to speaking to amendments is 35(b), I believe, and I am tending to agree with the Member for Lake Laberge that the Minister of Energy, Mines and Resources could come around to the subject matter of the amendment.

I will review the Blues further. I do not believe that Standing Order 19(g) has been contravened but, if necessary, I will return to the House for further clarification.

So Minister of Energy, Mines and Resources, please continue, but perhaps confine your comments to the proposed amendment.

**Hon. Mr. Pillai:** Once again, to my colleague, sorry. Thank you for that. For the Member for Copperbelt North and to the people of Copperbelt North, I apologize in my challenging start to this conversation today.

Focusing in on this amendment, the words that have been tabled — and I think I am going to key in on two pieces: the insertion of the words “certainty” and “accountability”. Taking into consideration that, under the previous processes, what we had in the planning process for the Yukon government was essentially a year-by-year capital planning process.

I think that for anyone who has worked, whether it be in the private sector or within public governments, taking a one-year process and extending it to a five-year process gives you both more certainty and more accountability. I think that the actual action of my colleagues and the work they've done provides us with both of those things. I think it's a bit of a stretch to then have to take out “promoting” and move to put “certainty” and “accountability” in place when I truly believe that we have the actual action of the five-year capital budget is hitting the mark on that.

The word “promoting” also is to ensure that — not only do we have a chance to strive for something new, but also that, from my interpretation, it takes into consideration that this is a new process. It’s both — I think “promoting” is an appropriate word. I think that the actual action itself takes into consideration certainty and accountability. I believe that we’re hitting the mark there.

In the first suggestion — which was after the words “capital plan”, inserting the words “that contains real and quantifiable details” — the great part about the Legislative Assembly is that, through a disciplined and stringent process of discussing the capital plan, we do get the opportunity to get those real details discussed, and quantifiable details. So, actually, the actions of the Legislative Assembly trigger the ability to undertake that process. I think that the processes that we see within the Legislative Assembly and the actions of the capital budget both meet the mark. It would be redundant for us to then in turn add the first or second suggestion, so therefore I think that this side of the House probably won’t be supporting this amendment because this is actually through the protocol and the processes of the Legislative Assembly. We already attain what these words were meant to do though action versus just the added words from the Member for Lake Laberge.

**Mr. Hassard:** Mr. Speaker, it’s interesting that we hear from the Minister of Economic Development. He is saying that the opposition is challenging this motion and I tend to disagree. I think that the opposition is actually trying to help with the motion, not challenge it. I don’t think there is anyone who can argue that people are opposed to accountability and certainty. It’s also rather interesting — this coming from a government that on numerous occasions have said how they support listening to good ideas, or they support listening to ideas from the opposition.

So here we have an example of adding accountability to a plan and the government feels that it is not a good idea. It’s kind of an odd concept, I guess. Personally, I think those are great things to have included in the motion. It’s certainly things such as these that I believe were sorely missed from the document that the government tabled last week. Even though we have said we agree with the concept of a five-year capital plan, I think that without adding the words that the Member for Lake Laberge added in his amendment, it really makes this a five-year capital concept, which I think would be better wording than a five-year capital plan. We see nice graphs and nice tables and nice colours, but without any actual numbers or without any details, I think it’s a little lacklustre.

People look at a plan — they want to know what the project entails. They want to know what the budget is for the plan and, probably just as important, they want to look at the document and know that they can count on it. The Premier talked about the flexibility of it. I think that it’s more important that people can look at it and have faith in it and know that what they’re reading is something that is actually concrete and not “fluid”, as the Minister of Highways and

Public Works called it. I think that certainly leaves a lot of uncertainty in people’s minds.

I think an example of that was the roadwork that we didn’t see between Faro and Ross River. I mean the government said: “Here’s our five-year capital plan; this is our budget,” so Yukoners — myself included — just assumed that we can take the government’s word for it — you know, this is it. Yet when I asked the Minister of Highways and Public Works yesterday why there was no roadwork in this plan for the road between Faro and Ross River, after refusing to answer the question, he then went ahead and talked to the local media and claims that there is a half-million dollars hidden somewhere in this for design work for the road between Faro and Ross River.

It leads back to my original discussion of having that accountability in that document — having the certainty, rather, in that document; having a fluid document. There might be a half-million dollars there for Faro and Ross River, there might not be; it just depends on who asks the question of the day.

With the amendment the Member for Lake Laberge has proposed, it takes that uncertainty away. When people look at the document, they know what they’re really looking at, and when they ask a minister a question and he says yes, it’s there or no, it’s not, it’s not a question of whether he or she decides they may try to insert it somewhere else, if they get too much pressure from a certain group or individual — it appears and disappears.

Like I said, I believe the amendment put forward by the Member for Lake Laberge takes that discretion away and adds some certainty to the motion.

**Ms. Hanson:** I just want to indicate that, for quite different reasons, I disagree with the comments made by the members on the government side — the Finance minister and the Minister of Energy, Mines and Resources — with respect to their defence of the capital plan. Unfortunately, the only thing that saves the motion, as originally put forward, and the reason why I can’t support the amendment is that the motion speaks to the notion that this House supports “a” five-year capital plan. We have not been asked to support “the” five-year capital plan.

Similar to my comments yesterday regarding the difference between what a Finance minister tabled as a performance plan — we think that both a five-year capital plan and a performance plan are means of ensuring accountability, transparency and predictability if and when done with those measures in them.

Unfortunately, in both of these, we don’t have that, so I’m looking forward to actually speaking to the notion of supporting “a” five-year capital plan as a means of promoting transparency and predictability, because I certainly am not suggesting or endorsing either the performance plan piece nor necessarily all elements of “the” capital plan.

So “a” is different from “the” — the important little difference of a word.



**Hon. Mr. Streicker:** Just rising to speak a little bit to the amendment, I have been looking through and noting the member of the Third Party's words on the article, whether it is "a" or "the".

I appreciate the difference, but I am looking at what is listed in our budget as five-year capital plan — I will drop the article — and comparing it to the 2016-17 budget, which lists under, a tab called "Long Term Plan", the multi-year capital plan. I am looking underneath the plan as it exists right now that we have proposed. There are some definite numbers in here, and they are in the first table. They talk about these envelopes of spending. Then we get to examples. The Leader of the Official Opposition — the Member for Pelly-Nisutlin — said he wanted to know specifically about a piece of road. This table says that these are select transportation projects. They are not exclusive of every project.

Yesterday in this Legislature, when there was a question by the Leader of the Official Opposition asking about the section of the Campbell Highway between Ross River and Faro, I heard the Minister of Highways and Public Works give a direct response. That response said — and I quote: "I do want to return to that" — referring to Ross River — "because it is an area of high interest, and I know that the members opposite ignored the problem for five years. I mean, the members opposite didn't do any work on the road from Faro to Ross River, and I'm happy to say that clearing and design work has started between kilometre 114 and kilometre 232 to the BMC access road, and also we are starting design work for the space between Ross River and Faro. The people of Ross River are elated that we have actually started work on something that they have been asking for..." — I will end the quote there.

My point that I am trying to make here is that when — I guess the first point I am trying to make is that actually there was a question asked and a question answered and, yes, the minister did go and speak to the media afterward; however, that is not how the answer came out. It was here in this Legislature.

The point I am trying to make is that in the plan as proposed by us and in the previous government's plan, not every project is listed — not every project is listed. I counted up in their plan, and I counted 29 projects. There were lots of other pieces, and I will speak to that when I get to the main motion. In our plan, we listed over 60 projects that would be going this year — so not every project is listed. This is the point I want to get to. When I go around and talk to municipalities in particular — but all communities — one of the things that they talk to me about is the ability to adjust where they want to go in time if they reset priorities. What I am worried about is if there is a sense that once it is written down once, we will never be going back to talk with our partners to understand whether their priorities are refreshing or adjusting to deal with emerging situations.

As an example: What if we wrote the five-year capital plan and we hadn't had the drop of the Slims River, and then the drop of the Slims River happened and suddenly we are trying to deal with a marina that has become high and dry?

Would we say that we cannot adjust because we have certainty? We are not allowed to have flexibility. What I want to say here is that the plan is to give a clear direction of where things are going, while at the same time balancing that there will be emerging priorities, and we will continue to be in dialogue with our partner municipalities and communities to discuss those.

So it's that worry — and it's not just because of the debate that we have here today. It's how we work out there around these things. I feel like there is sort of "gotcha" politics. As soon as it's said — okay, well, you didn't say this. What I believe is that we should be striving to improve the situation for Yukoners. I appreciate that the Member for Lake Laberge is proposing an amendment to do what he believes improves this motion; however, my concern is that — in talking directly with municipalities — they want us to have an evergreen process around the infrastructure.

**Speaker:** Is there further debate on the amendment?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Disagree.

**Hon. Ms. McPhee:** Disagree.

**Hon. Mr. Pillai:** Disagree.

**Hon. Ms. Dendys:** Disagree.

**Hon. Ms. Frost:** Disagree.

**Mr. Gallina:** Disagree.

**Mr. Adel:** Disagree.

**Hon. Mr. Mostyn:** Disagree.

**Hon. Mr. Streicker:** Disagree.

**Mr. Hutton:** Disagree.

**Mr. Kent:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Hanson:** Disagree.

**Ms. White:** Disagree.

**Clerk:** Mr. Speaker, the results are five yea, 12 nay.

**Speaker:** The nays have it. I declare the amendment negatived.

*Amendment to Motion No. 229 negatived*

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

**Hon. Mr. Streicker:** I will try to adjust my comments based on the debate that we've just had.

To begin with, though, this was a commitment that we made to develop a five-year capital plan, and I think it is an important commitment and I am happy that we are moving

forward on it, and I think it is important at all times to work with the best information available regarding the capital project projected needs, and I am going to talk a little bit about that and why I want this to be a living plan and to see it adjust over time.

This plan signals our government's priorities to allow Yukon businesses to prepare for upcoming opportunities and projects and trends, and I am going to give some examples. I am also going to talk, as I did a moment ago, about the flexibility to respond to new information and priorities as they emerge in our municipalities, especially — but our communities and our territory.

I want to thank both the Member for Lake Laberge and the Leader of the Official Opposition for talking about being supportive in principle of a five-year plan, and the concept of a plan.

To reiterate that when the plan was created, we had a real discussion about this — whether we should try to list every project — and the thing you came up against right away is two challenges. The first one was that there are some really projects, and they get diminishingly small — and do you list them all or do you list them over a certain size? The other one we had was — knowing that there are areas where things are dynamic, and so what we tried to do was to give a strong sense of what was going on.

We looked back at the multi-year capital plan that was listed in the 2016-17 budget by the members opposite, and we looked to try to see how we could add to that. I think it was the Member for Kluane who made a comment the other day — the importance of not just trying to rebrand or get rid of the past work but rather to build on it, and I think that was an excellent suggestion.

I also heard from the members opposite about the need to speak with contractors. I think that too is an excellent suggestion. I know that the Minister of Highways and Public Works spoke at the annual industry conference and I believe that the Premier and the Minister of Energy, Mines and Resources also spoke at that. Those are great ways in which we work with the business sector to engage them in what we see coming up, what they would like to see coming up, and their suggestions about direction ahead.

I want to talk for a minute about real and quantifiable details. One of the reasons that you don't give exact dollar figures against any single project is because you want to not — those projects will obviously be bid upon by the private sector. At best what we do is give a range when they go to the forecasting tender; however, on the out years, these projects haven't gone through their analysis as of yet. They would have only the coarsest of estimates against them about what they are going to cost. So you can't give a solid dollar value until you do the diligent work.

What we can do is give solid dollar values about where we want the budget to go and that was given in table 1. So if you want real and quantifiable details, there they are.

Here is one of the things that I will note: in this budget, we have put down \$280 million on capital projects. When I looked back at the 2016-17 budget — and I spoke about this

last year — that the members opposite put forward, they had in this 2018 -19 budget projected when they put forward this 2016-17 budget, \$175 million. That's a \$100 million difference. So is the problem just that when you get into those out-years you're not sure where you're going to go? Well, it's not now, so let me point out that in the out-years from 2018 -19, year 2, year 3, year 4, year 5 of the five-year plan, actually there are real numbers against all of those. What we're using is an envelope approach and I'm going to talk about that envelope approach.

I agree that certainty and accountability are important principles and I just want to be careful that we balance it with this notion of flexibility.

How do we get predictable investments and financing? I'm going to talk about envelopes. We have put in envelopes for buildings, transportation, community infrastructure, land development, information technology, equipment, loans, et cetera. We're putting in envelopes that give a real dollar value and we're going to work within those envelopes. There are several key things that we're going to get out of that. The first one is predictability — a sense of scope. The second one is tighter forecasting and the third one is flexibility.

First of all, let me talk about that predictability. Again, we're building on the previous government's multi-year projection. I appreciated the questions that again came from the Member for Kluane asking about a community-by-community breakout and also the Member for Lake Laberge who talked about wanting to see it on a community-by-community level. However, I noted when I look at their multi-year capital plan, you can't list everything. I am sure this is not everything. I counted up 29 specific identifiable projects on their list and I am sure that more work than was done.

When we get to the mains on the budget I am happy to try to provide as much information as possible on a community-by-community basis and happy to try to give that because we believe that money should be well-distributed across the territory. We believe all communities matter and we care to make sure that all those communities are receiving support. By the way, that has nothing to do with which riding we're talking about. We're talking about the importance of all of our communities.

Over the last few days, the members opposite have highlighted their concerns about lapses in capital spending. The Member for Copperbelt North mentioned this as well and I want to say that I agree with them. I agree with the members opposite. This is a concern. They lapsed \$100 million — \$101 million in 2014-15, \$74 million in 2015-16 — and then lapsed \$58 million in their final year of 2016-17. We should do better. We are lapsing this year \$28 million in capital and we should strive to do better. This is why I'm excited about the capital plan envelope system. It is a solid step toward smart planning and we will continue to work on this. I think the Premier spoke about the need for continuous improvement and I think this is the opportunity.

When we have an envelope system, what we're going to do to try to reduce our lapsing and the ability to tighten our forecasts and get better predictability is that with a multi-year

plan is we will look at it and if money is starting to lapse in a particular project because of weather delays or because of YESAB — or maybe there were environmental concerns that hadn't been discovered in time and maybe the money couldn't flow as quickly as it was originally thought — with this multi-year plan, the goal is to have the next round of projects ready to go. By using an envelope process, our intention is to backfill and to continue to spend out to reach the envelope. We are hopeful that will tighten the spending and allow for that flexibility to accommodate the private sector. If, for some reason, we issue a multi-year contract and they want to back-load or front-load their work and we are able to flex around it — terrific. So this is how I hope that the envelope system that we are proposing in the capital plan will allow us to get more predictability.

Let me now talk a moment about flexibility. First of all, I would like to thank the municipalities, the First Nations and the unincorporated communities. We have been going around for — every meeting that I have been at in a community, we have talked about infrastructure. Overall, I would call it the number one issue. Maybe cannabis is close, but from my seat — from the work that I do — infrastructure is probably the most common thing that we engage with communities on. I would like to put a particular shout-out to the Infrastructure Development branch in Community Services. They have been doing terrific work at connecting with our municipalities, our First Nations and our unincorporated communities to ask them about their priorities around infrastructure dollars.

It is effectively continuous and ongoing engagement to get those priorities as input into this budget. I was surprised to hear the Leader of the Official Opposition talk about a lack of engagement around this budget because it was what I had been doing all along and I know my team has been doing it continuously. So the point is that we are out there asking communities what their priorities are.

We have new funding streams that are coming onboard and I'll talk in a moment about that, but what that means is that there will be changing needs and priorities and we have to allow the system that we propose a way to refine — especially in the out-years of the capital plan — while maintaining that overall spend. So that is the flexibility.

Getting information our early allows our municipalities and our First Nation development corporations and the private sector and everyone time to plan and prepare. I want to use as an example something that the Premier has talked about when I have been in communities with him. He has talked about bridges. For example, last fall, the Minister of Highways and Public Works announced the award of a contract on the Nares bridge in the community of Carcross in my riding, alongside Khà Shâde Héni Carvill. It was a great project. The RFP used a value-based system, which allowed us to measure local importance or local values and improvements that give a way to help add value locally.

One of the things the Premier said was — because we don't have a lot of bridge engineering firms here in the territory — what if those engineering firms that have colleagues Outside, or the ability to build expertise, or the

ability to develop local capacity so we could get at other future projects, what would they need in order to try to get there? The answer was that there was some confidence that there would be bridge projects coming up and the ability to see them on the horizon. That is what we're trying to achieve here. There it is under one of the envelopes — I am certain I saw it. There it is under the select transportation projects — again, not all transportation projects, but select.

I am sure that as the Minister of Highways and Public Works does this assessment work on the road between Faro and Ross River, he will then be adding that as another example under the select projects and show it in the five-year list — and always, I hope, happy to respond to questions here in the Legislature.

This past summer, we announced federal infrastructure dollars that will flow nearly a half-billion new dollars into the Yukon over the coming decade, so even more reason to start planning in advance now. That's new dollars; those dollars aren't yet in here. Sorry, they're here on the table of where the spending will come, but we haven't yet had the conversation with our municipalities and our communities to ask them what their priorities are on those projects.

This new funding will leverage more investment, resulting in nearly \$600 million in green funding, more retrofits, climate change adaptation, renewables and energy independence, culture and recreation, public transit and other infrastructure, as prioritized by our northern communities. Those are the streams under the Investing in Canada infrastructure plan, which I believe is slated to be \$594 million over the next 10 or 11 years.

We see those projects fitting into these envelopes, but we have to sit down with our partners to identify what their priorities are and to bring them on board.

Let me talk for a minute as well about sustainability, and I'll talk about two topics under sustainability, and the first is housing. Today, at the business luncheon, the Premier discussed the importance of and ways in which we are supporting affordable housing through the 2018-19 budget. Using the envelope approach I have been discussing here — and maybe flogging — we will be investing \$15 million in Whistle Bend and a little over \$2 million in our communities for lot development. I recall the Leader of the Third Party noted — maybe it was yesterday, but recently in the Legislature — that ensuring there is an adequate supply of lots is a critical piece of the housing spectrum. I agree with her.

I am hoping that the Member for Porter Creek Centre and/or the Minister of Energy, Mines and Resources will give more information. I will also mention that we just put up for lottery 79 lots in Whistle Bend — I think in the past several days — and, by the way, there is an April 3 deadline. This year, our investment in lot development here in Whistle Bend should add three times this number by this time next year.

With land development, it is vital that we are planning well ahead. We have known this for many, many years. This is all the more reason to support long-range planning. Any form of long-rang planning, in my mind, speaks to sustainability.

Let me talk as well about retrofits. We have identified in this budget \$11.7 million. I said in this Legislature two days ago, I believe, that we set as our platform commitment to build to \$30 million a year on retrofits. I just want to talk about the importance of retrofits for a moment. When we look at the energy mix of this territory and we talk about climate change mitigation, most often — or when I hear conversation out in the community — the conversation is around electricity. When I look at where we have emissions in the territory, very few of them come from electricity. Yes, we need to work on renewables for electricity, but more important, in my mind, is the fact that roughly one-third of our emissions come from heat. We need to get that into a more sustainable fashion, and the way to do that is retrofits. That is from individuals' homes up to commercial buildings and institutional buildings. All of our building portfolio could use some —

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

### Point of order

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

**Mr. Cathers:** I believe that the minister appears to be in contravention of Standing Orders 19(b) in speaking to matters other than the matter under discussion. He has strayed very far from the motion itself.

**Speaker:** I require some greater clarification from the Member for Lake Laberge. We are talking about capital projects. I will hear from the Minister of Community Services.

**Hon. Mr. Streicker:** I am speaking about \$11.7 million in investment of capital projects and the planning and forecasting of those projects over the five years, which speaks about retrofits. It is about capital planning and our five-year plan.

### Speaker's ruling

**Speaker:** I will allow the Minister of Community Services some additional latitude. I would imagine that, during the course of this Spring Sitting, we will have additional opportunities to speak in a more fulsome manner specifically on retrofits and on the government's environmental or specific energy policies. I have some sympathy for the position taken by the Member for Lake Laberge but, as indicated, I will allow the Minister of Community Services some latitude.

You can proceed, although you are fairly close — you have, I believe, two minutes left.

**Hon. Mr. Streicker:** I am nearly done.

This type of capital investment is a great investment in our territory because it will not only allow us to become more sustainable, it will bring down the costs of individuals' O&M, and whenever we do capital planning, one of the important things to do is to make sure that we are looking at asset management, O&M costs — these are critical. The farther out we can plan well, then the better we will do to make the long-term future of Yukon important.

Mr. Speaker, I just want to conclude by saying that any time we can have long-term thinking in this House — we tend to work on short-term thinking, typically because of the notion of oppositional politics or adversarial politics or, if you like, partisan politics. But any time we have the ability to think longer term, I think we rise above that and we start to think about what is best for Yukoners. That is why I think this is a great notion. I appreciate the words of the Premier that, as we move forward, we will continue to refine it with partnerships in our communities and, I think, based on suggestions that come from other members of this Legislature.

**Mr. Hassard:** I'll be very brief, Mr. Speaker.

Obviously I wish that the government would have supported our amendment because I believe that it certainly would have improved it. However, we have been clear: the Official Opposition does support a five-year capital plan. I think that the document that has been tabled by the Premier is missing key details and certainly does not provide certainty to industry, as the Premier seems to believe. I certainly have spoken to contractors who would like to see this type of information in the plan, and I have heard from a number of them who have stated that they wish that this information was included.

We have also already had an example of a minister going out to media and directly contradicting what was in the plan, and that is concerning to Yukoners, Mr. Speaker. People count on the information that the government provides to be accurate information, and it should be accurate information.

As I've said before — and I will continue to say it — the Official Opposition supports a five-year capital plan. We just hope that, as the government moves forward, they make improvements to the five-year capital plan.

That being said, we will be supporting the motion.

**Mr. Gallina:** I'm pleased to rise in the House today in support of this motion. I'm proud to be part of this government and I'm proud of the five-year capital plan that was presented in this House last week.

I'm going to focus a little bit on what I'm hearing from Porter Creek Centre constituents and comments that I have also heard from industry.

The five-year capital plan summarizes the Government of Yukon's priority infrastructure projects and is the first of its kind undertaken by the Government of Yukon. It provides more certainty — not complete certainty. It provides more certainty than has been in the past. The five-year capital plan was a commitment we made to Yukoners and we're happy to deliver on it.

Throughout the process of creating this plan, the needs of Yukoners were considered and these needs were reflected in the end product. A major goal of making the capital planning process more transparent was to reduce the barriers to First Nations and local businesses in their efforts to secure government contracts. Careful, thoughtful planning matters to Yukoners.

Throughout the 2016 election campaign I listened to Porter Creek Centre constituents, and I heard stories from residents about how a lack of capital planning on the part of the previous government affected their work, their families and their ability to make plans for the future. It affected residents who were full-time home builders waiting for lots to be released by the Government of Yukon. It affected residents interested in supplementary income with part-time contracting work. It affected residents living in rental homes waiting to get into the housing market but unable to do so because of factors such as limited inventory and the high cost of home ownership due to supply and demand.

As the MLA for Porter Creek Centre — which includes Whistle Bend, the fastest growing area in Yukon — I would like to outline how this year's budget — and in particular the five-year capital plan — will directly impact this community. The 2018-19 budget includes a total investment by the Government of Yukon of \$17.7 million for land development in the next five years. I will add to the comments made by the Minister of Community Services. Out of this total, \$15 million is allocated to the development of new lots in the Whistle Bend subdivision. Therefore, the amount of money allocated to release the lots in Whistle Bend is 85 percent of the Government of Yukon's total investment in land development. This budgeted amount is significant to constituents in Whistle Bend because it directly impacts their community.

Just this past week, the government has released for lottery 55 single-family lots, 20 townhome lots and four multi-family lots. Over the next building season we will add 132 single-family lots, 14 duplex lots, 40 townhouse lots, 19 multi-family lots and 35 commercial lots. The total number of lots that will be released within two years will be 319. Once completed, the community of Whistle Bend will have a town square, retail shops, schools, plentiful greenspace, and many kilometres of paved and unpaved trails.

It's important to note that along with development and progress comes uncertainty for members of the community. They will see their neighbourhood grow and change over the next several years. This is why it is critical that there be a carefully thought out plan for land development.

Residents can be reassured that one of their most significant investments, their home, provides the sanctuary they need so that the community around them is one where they want to raise their children, access services, greenspace, activities and amenities, and all of the elements that contribute to a healthy lifestyle and healthy Yukoners.

The five-year capital plan also sends a signal to industry that there's an increased capacity to accommodate residents in Yukon and provide certainty for the business community and for individuals. Another aspect of the five-year capital plan that positively impacts residents of Porter Creek Centre is the Yukon government's commitment to tender seasonally dependent construction projects earlier in the year. The streamlined process will benefit contractors, businesses and industry, which will have the advantage of a longer planning period for major projects. This five-year capital plan signals

our government's priorities and will allow Yukon businesses to prepare for upcoming projects.

Improved procurement practices directly impact progression of building in Whistle Bend. We heard that Yukoners want certainty in planning. We listened and we are delivering.

Another area that I would like to focus on in this motion is on the Government of Yukon's five-year capital plan with respect to the upcoming opening of Whistle Bend place, which affects Yukoners, along with the residents of Whistle Bend. This year's budget includes \$20 million in O&M for this continuing care facility, which is scheduled to open this fall. I refer again to the election campaign in 2016 and the conversations I had with constituents from Porter Creek Centre and Whistle Bend. I heard concerns from the adult children of aging parents, and I heard from seniors themselves about the need to plan for continuing care housing into the future.

I listened as people spoke about continuing care waiting lists and how they were unable to get information concerning care for their loved ones. The five-year capital plan provides assurances to residents that their loved ones will receive the care that they need.

I would like to conclude by saying that the five-year capital plan is flexible and allows us to respond to new information and priorities as they emerge. Members from the Official Opposition have criticism of the government's budget and five-year capital plan, with arguments like: there isn't enough information, there isn't enough certainty, no accountability, and the infographics in the budget document are lacklustre. Well, Mr. Speaker, I would like to remind members opposite that the president of the Yukon Chamber of Commerce gave the recently tabled budget a B-plus. To me, this is validation from key industry stakeholders of the hard work undertaken by the Government of Yukon, work that included feedback and involvement by businesses, individuals and industry. Feedback from constituents allows this government to plan and make thoughtful, evidence-based decisions on matters that are important to Yukoners. We are delivering on our commitments to Yukoners.

The residents of Whistle Bend and Porter Creek Centre consistently bring issues to my attention, and I encourage them to continue to do so. I would like to thank the constituents of Porter Creek Centre for electing me to be their MLA, and I look forward to more discussions on this topic with my constituents in the coming months.

**Ms. Hanson:** I think I have been clear at the outset that the New Democratic Party supports the notion of a five-year capital plan. There are a couple of comments that I would like to make, though, with respect to comments that I have heard from the members opposite.

Certainly I think it is important that, in developing a five-year capital plan, it is responsive and reflects all members of the community, so I appreciate the comments from the last speaker with respect to his constituents and how sensitive and how responsive the government is to the interests of those

constituents. I believe I was quite clear that I'm seeking the same kind of sensitivity and responsiveness to the citizens of Whitehorse Centre as elements of the five-year capital plan — “the” five-year capital plan, not “a” — because we are not talking about the construct of the motion as it is placed before us.

What we are being subjected to this afternoon is, yet again, more of the laying out of the speaking points of the Liberal Party. I don't mind that as much as I mind the repetition of it and ignoring — in the guise of saying, “We're listening” — what words have actually been spoken on behalf of citizens of this territory.

I have outlined in some detail — not just in this Spring Sitting — legitimate concerns about the tendency of the Yukon government — including this government — to make decisions independent of other government bodies' planning processes, independent of consultation with community groups. In my riding, I have described those to you and, if you were to look back at the transcripts of this week — and I offered and I encouraged the whole-of-government approach in these capital investments in my riding to have those conversations in the context of the official community plan, which included the 2010 south Whitehorse plan, what was going on between 2010 and 2018, and what is forecasted as a result of the 2018 downtown Whitehorse and Marwell plan.

The notion of a five-year capital plan is incredibly important. One of the difficulties and one of the reasons why I haven't risen to speak specifically to this one, which I anticipate doing — but I will point out, just as I point to set the context for our future conversations, that when we talk about elements of this plan, we will be looking to see how what is included in this five-year capital plan reflects both the findings of the report of the Auditor General in March 2017 where he reported on the capital asset management of the Government of Yukon and how it reflects the recommendations of the non-partisan Public Accounts Committee to this Legislative Assembly in our report to the Legislative Assembly in September 2017.

The reason why I raise this, Mr. Speaker, is because the non-partisan Public Accounts Committee reported to this Legislative Assembly that we had sustained concerns about capital asset management and planning within the Government of Yukon. I will just point out what the Auditor General did say — that the Government of Yukon had systems and practices in place for managing the maintenance and repair of government-owned buildings, but it didn't use the information gathered and didn't follow its practices. Also, it didn't follow its own processes to prioritize building maintenance projects against such criteria as health, safety and costs. When I talked about criteria yesterday or the day before with respect to the performance plan, I was looking for exactly those kinds of criteria in terms of establishing priorities for capital planning.

That Auditor General's report made six recommendations. You will find that when you look back at the Public Accounts Committee report that we made to this Legislative Assembly, we summarized those into five

recommendations. But they were of sufficient concern that when I look at some of the projects being proposed here with respect to capital infrastructure, with respect to schools and others, I need to know, on behalf of the citizens of this territory, what the criteria were that were made to assess that those are the priorities. What the committee heard, and what the committee was told, was that by April 1, 2018, the GAM 2.8 and other policies that were wending their way through the territorial Cabinet approval process would be finalized.

I will be looking for assurances that those policies and procedures had been finalized prior to these various capital initiatives being placed on the capital and how, then, among the many — we will come back to this when we get into the actual debate, but the members of the committee will remember that there were hundreds of items that were identified in the Auditor General's report.

I am not questioning the need at all for a five-year capital plan, but I think there is a legitimate issue to be raised with respect to prioritization and assessment criteria. What we were told is that one department — the minister opposite who has making comments yesterday with respect to having information but not really sharing it about Highways and Public Works. That particular department has information, but they don't necessarily share it in the report — I am not making this up. This is what was said in the Auditor General's report, which was reaffirmed by witnesses in this Legislative Assembly.

The key thing is that, because they had not had a chance to verify it — we will be looking to see that in fact the data that the department had actually gathered has in fact been verified and has in fact been shared so that it does truly reflect what we have been told, which is a whole-of-government approach to managing these projects. Until that occurs, I am not doing my job as an elected representative of the constituents of my riding of this Yukon Territory and as an opposition member, which is to hold government to account for the due diligence and the probity with respect to our fiscal resources. That is my job. It is not a personal thing; it is my job. You don't have to like me for it. It is my job.

So Mr. Speaker, we do support the notion of a five-year capital plan and we do look forward to actually getting to a debate about the plan as opposed to speaking points about how great our platform was. Well, the platform is gone — done — on to get to the job of serving Yukoners and demonstrating through accountability provisions, measures and criteria. We will look forward to the specific discussion on how those criteria are established. We will look forward to how best practices have been incorporated in developing the criteria for determining what fits into the capital planning exercise of the territorial government.

**Hon. Mr. Pillai:** Mr. Speaker, I rise today to speak to our government's support for the five-year capital plan as a means of promoting transparency and predictability for the government's capital planning. I thank my colleague, the Member for Copperbelt North for bringing it forward today

for debate. As he noted, the five-year capital plan was a campaign commitment that we made to Yukoners and we are happy to deliver on. We heard constituents, the private sector, municipalities and First Nations that more transparency was needed when it came to government capital investments.

With the five-year capital plan we are providing that transparency by profiling the government's priority infrastructure projects and signalling our long-term plans for capital investment in the territory. The five-year capital plan will reduce barriers to First Nations and local businesses in securing government contracts and facilitate planning for upcoming capital projects.

This will be included in the budget going forward with the overall aim of giving local businesses a better opportunity to plan effectively, while ensuring that all levels of government can work together to meet the needs of Yukoners in all communities. With proper planning, there will be certainty for government and the private sector — a first for government. We will use the plan to build and diversify our economy.

We are encouraging growth in Yukon's knowledge-based economy, a key area we will focus on for the diversification of the economy in the territory. The work we are doing is supporting an active and diverse innovation in knowledge economy that facilitates collaboration and the creation of export-ready products and services. This is an area of focus that is laid out in my mandate letter.

The five-year capital plan includes plans for Yukon's first-ever innovation hub. In this year's budget, we are committing \$1.9 million toward construction of a location with business assistance, collaboration, mentorship and networking opportunities to support the development of innovation in entrepreneurship. The innovation hub will bring business and industry, post-secondary institutions and public supports together under one roof to create an environment that supports entrepreneurs and promotes the development of growth of innovative business in Yukon.

This space will provide a centralized access to the tools, expertise, capital and talent required to create, develop and commercialize products. It will help us foster a culture of entrepreneurship that will result in incubation, commercialization and export of Yukon-made innovation products.

The innovation hub supports our government's vision of an innovative and collaborative economy where the exchange of ideas and expertise foster individual success and collective strength. This is a major investment in the development of Yukon's innovation and knowledge economy, and we are tremendously excited to see this sector flourish in the coming years.

Of course, a major issue hampering the growth of Yukon's knowledge economy has been a lack of redundant fibre optic connection, leaving our territory vulnerable to Internet disruptions. Every business in the territory has experienced the frustration and stress of losing the use of their IT systems and being unable to process transactions and provide clients and customers with the products and services

they need when they need them. If we want our knowledge economy to grow — and we believe it has tremendous potential to grow — we need to address this long-standing issue.

The previous Yukon Party government talked for years about a redundant fibre optic project but, by the time they left office, the Yukon was no further ahead on this issue than when they took office 14 years prior. A redundant fibre optic line is just one project in a long list of items that were previously pledged to Yukoners but were not completed.

I'm delighted to share with Yukoners and reassure them that we are delivering on our commitment to advance the fibre optic project. The five-year capital plan includes construction of a diverse fibre line to provide sustainable, uninterrupted fibre optic service throughout the territory. We are investing over \$11 million this year alone to accelerate this project and to deliver on our commitment to Yukoners. I look forward to sharing more information in the coming days and weeks on this exciting project. Reliable and stable Internet access is crucial to our emerging innovation and knowledge economy. It will help place Yukon in an advantageous position to attract individuals, entrepreneurs and businesses to grow and strengthen our knowledge economy. Reliable and stable Internet access to online services is also key to supporting healthy, vibrant and sustainable communities, which is one of our priorities.

The five-year capital plan advances the priority by increasing the amount of information shared between different levels of government, Yukon First Nations and municipalities and the private sector, allowing us to plan more efficiently and coordinate our efforts to address the capital infrastructure needs in all Yukon communities.

Working together with our partners in an open and transparent manner, we are supporting the development of a thriving, prosperous and diversified economy that provides benefits for communities across the territory. In keeping with the theme of working together with partners in the private sector, I would like to speak to meetings with private sector representatives to discuss future projects and forecasts in the years ahead.

These conversations are ongoing and involve open dialogue regarding private and public spends, upcoming government and private sector procurement opportunities and how we balance the two in out-years. We believe in a one-government approach to these conversations. That's why we're involving officials from several departments, including Economic Development, Finance and Highways and Public Works.

The goal is to ensure our local contractors and suppliers are well-equipped to take full advantage and the dollars being spent in our territory ensuring that they stay in our territory. I spoke to this recently during the fourth annual industry conference. I have also had discussions with Yukon Chamber of Mines and asked for their willingness to work in partnership with the Department of Economic Development to forecast future expenditures in all sectors. I have asked the department to work with the industry associations, such as the

Yukon Contractors Association, to share these forecasts and plan for future opportunities. Working together to ensure our local industry is prepared will help build a strong, diverse and sustainable economy for future generations to come. That's the goal.

In this plan, we are also committing funds to the Yukon Development Corporation innovation fund — our investment in establishing our fund to target government investment to further diversify our economy. The energy sector is another area of focus for our government in diversifying our sector. This fund will be a conduit for that as will the innovative renewable energy initiative, which will see \$1.5 million invested annually for the next four years with a goal of reducing community reliance on diesel.

Mr. Speaker, these are just some of the initiatives our Liberal government is working on to increase transparency when it comes to capital spending, aligning partners and plans in strengthening our local economy. I look forward to discussing these initiatives further during the session and I look forward to working with my colleagues and our fantastic team of public servants to get to work on this five-year capital plan.

As the Premier has already noted, the private sector was happy to see this plan and we're excited to work with them on implementing as we move forward.

I would like to just once again touch on two or three key points. One thing I think I have to commend our officials for is the work that they've done with reaching out to the private sector, specifically the road builders and those who also undertake other construction, whether it be the crushing or the earthmoving, as well as the builders and the engineering firms that are key. I think that it's a good move in the right direction to bring those players together. That's partially what the Minister of Highways and Public Works as well as the Minister of Community Services brought to the table — it was those discussions we've had an opportunity to have — those ongoing discussions.

We have committed to a series of groups where we're having roundtables that will help improve — so when we talk about some flexibility in the five-year capital budget it is because we believe that we're going to have an opportunity to continue to improve on it. It's a first time for this undertaking. We all should strive to make it a better document that provides more information and provides more certainty, but that's going to happen by bringing those private sector elements to the table — representatives to the table — so we can talk about what their capacity is. It truly is a one-government approach on how we look at this.

The Leader of the Third Party touched on it and outlined how that is paramount and that's part of what we have an opportunity to do; it is to have a discussion with these companies to understand where the training needs are, understand what their workloads look like in one season or multiple seasons so that we can really focus on the key to maximizing the potential for Yukon companies. I want to thank the Yukon companies to date that we've had an

opportunity to sit with — there are managers, general managers, owners, CEOs — sharing information with us.

I appreciate the fact that they have committed to come here to the government offices to meet with the officials so the officials can get a better understanding. I think it's easy to say that sometimes, in the busy world of public service, there can sometimes be a disconnection to the realities that we see on the ground for the private sector. Having a chance to share and gain some common ground on these topics is key for us to build the appropriate environment for Yukon businesses to thrive in and ensure that they have time to either skill up or to expand when need be. So I look forward to those meetings, and I assume that they will lead to some changes in our plans as we move forward so that we can ensure that they have an opportunity to grow.

Also, we made a commitment at the Yukon Forum and here to ensure, using the levers and the tools of chapter 22 and others, that local companies can prepare for opportunities, and that is really the key on the five-year plan. It is taking a look at what is not just coming up in the upcoming year, but at what year two and year three look like. How do you ensure that you have the equipment?

I know that on some of the projects that I have sat with the private sector on — today, if you wanted to take on a major project and you called Caterpillar or Finning and you needed new equipment, you are probably looking at seven to eight months of lead time because of some of the positive economic activity here in Canada. When you take that into consideration, you're certainly going to need to think on a multi-year scale.

Also, in western Canada, part of the challenge right now is that with Suncor work starting to increase, as well as some of the work that has been undertaken on Site C, we're seeing some growth in those areas and that is starting to drain some of our great Yukon capacity. That has been something as well that our local companies have signalled as a challenge, and that is something that we have to take into consideration. These are all key things that we have to do.

Certainly, coming from the private business sector, I am excited about this type of undertaking. Can we do better as we move forward? Absolutely. Have there been some good points from members of the opposition? Absolutely. That is part of what we have to do here — to take that advice and to move it in an appropriate way so that we work together because, at the end of the day, we're all here to represent our constituents, our communities and Yukoners.

We think that this undertaking is a first step in the right direction and is certainly something that we are proud of delivering after committing to it over a year and a half ago.

**Speaker:** Thank you for the debate on the motion.  
If the member now speaks, he will close debate.  
Does any other member wish to be heard?

**Mr. Adel:** Thank you to my colleagues for offering their remarks on this motion. Thank you to the Leader of the



Third Party for her comments on the views and concerns that need to be heard from all riders.

Certainly I know, after going with the Minister of Community Services to meet with the City of Whitehorse, that the concerns and priorities that are brought forward to the City of Whitehorse are certainly driven by community groups and associations. When we are out in the rural riders, they bring them to us as well. We are trying to have them all be heard — well, not “trying”, we are hearing.

As I mentioned in my opening remarks, during the 2016 election we committed to increasing the transparency around Yukon government capital planning by creating a five-year capital plan. We heard from Yukoners that they were tired of the lack of planning and the lack of transparency under former governments when it came to capital investments. Constituents asked for a plan for capital investments — once again, a road map — that they could use to help them plan more effectively, so they could see where we were going and how we were getting there.

Our Liberal government has listened and we have delivered on the commitment to create a five-year capital plan. We look forward to the increase and certainty of opportunities for partnerships that will result from this plan. We also look forward to getting feedback from Yukon First Nations, municipalities and local businesses. As I said, the five-year capital plan is a living document allowing us to be flexible but it helps with some predictability.

We are the first ones to do this. The first ones through the wall are the ones that get scratched up a little bit. They take the most criticism, but we are trying to lead. We were elected to be leaders, and that is what we are doing with this Liberal government. We are leading with this five-year capital plan to bring some assurances to Yukon businesses, First Nations and constituents as to where this government is heading and what we are doing with our capital projects.

Our Liberal government will continue to invest in infrastructure to build capacity in our territory and to grow the Yukon's economy. We will continue to engage in transparent decision-making providing Yukoners with the open and accountable government that they asked for, and that is what they deserve. They are the ones who elected us, Mr. Speaker. We listened to them at the door, we heard them, and now we are going to put that into action with this five-year capital plan.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

## Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Ms. Dendys:** Agree.

**Hon. Ms. Frost:** Agree.

**Mr. Gallina:** Agree.

**Mr. Adel:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Hon. Mr. Streicker:** Agree.

**Mr. Hutton:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Hanson:** Agree.

**Ms. White:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yeas, nil nays.

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

*Motion No. 229 agreed to*

## Motion No. 230

**Clerk:** Motion No. 230, standing in the name of Mr. Adel.

**Speaker:** It is moved by the Member for Copperbelt North:

THAT this House supports the Yukon government tendering major construction projects that are seasonally dependent no later than March of each year.

**Mr. Adel:** I am pleased to rise in the House for the second time today to introduce this motion because the tendering of major construction projects matters to Yukon businesses, contractors, industry and chambers of commerce. These stakeholders asked the Government of Yukon to improve opportunities for local business. Yukoners told us that they needed more support in planning for capital projects.

Mr. Deputy Speaker, this Liberal government committed to developing an annual list of seasonally dependent contracts and getting them out the door by March 31, and with the hard work of my colleague and his departments and the other departments here in our government we have accomplished that — for that they are to be commended.

When we took over government, we got straight to work to fulfill this commitment, relying on the hard-working people in the procurement branch of the Department of Highways and Public Works. Improvements to the procurement process have been completed by the assistant deputy ministers working group, which was tasked with accepting capital budget submissions. A multi-department working group collaborates to identify projects scheduled for early tendering, pairing tenders that are similar, bundling or unbundling of projects with the thoughtful consideration of project location, market availability and the availability of industry to meet the government demand.

This working group is comprised of the staff from the departments of Highways and Public Works, Community Services, Energy, Mines and Resources, and Yukon Housing Corporation. The streamlined process put in place by the procurement division provides greater consistency across

government, as well as increased predictability for local vendors to plan for seasonal work. This is some of the stuff that I heard when I was campaigning in 2016 for my constituents — that they really would like some predictability so they can plan to run their businesses to the best of their advantage to give Yukoners jobs and make a living for themselves and their families.

During the 2016 campaign, residents told us that when contracts are tendered prior to the end of March the Yukon contracting community benefits. The tender management system is a tool that provides interested parties with access to government tenders so they can decide if the available contracts fall within their scope of service. The tender management system lets the community know about opportunities as they arise. The early development contracts will allow businesses to generate efficiencies in their seasonal staffing and procurement.

The early release of seasonally dependent contracts is of benefit to Yukoners, including First Nations, businesses and development corporations, because this process gives an opportunity for all to bid on projects that suit their capacity or plan for future projects to build their capacity. No matter how we look at it, it's good for Yukoners, it's good for jobs.

The tender management system also helps government to identify the industry's capacity to fulfill capital budget projects. At the industry conference put on by the Department of Highways and Public Works in February of 2018, participants from industry, business and government heard Premier Sandy Silver and Minister Richard Mostyn —

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

#### Point of order

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

**Mr. Cathers:** The Member for Copperbelt North just used the names of two of his colleagues, which, of course, is contrary to our Standing Orders — to mention a member by name.

#### Deputy Speaker's ruling

**Deputy Speaker:** I have to agree with Mr. Cathers on that point — if you could refrain from naming colleagues by name. Carry on, Mr. Adel.

**Mr. Adel:** I apologize, Mr. Deputy Speaker.

The government heard the Member for Klondike and the Member for Whitehorse West speak about procurement and planning. Our team continues to listen to Yukoners. A significant aspect of procurement for Yukoners is the Canada fair trade agreement, which came into effect on July 1, 2017. We are committed to exercising this trade agreement for Yukoners' greatest advantage.

Local competition and applying local preference will help the economy. We look for economic opportunities that will maximize economic benefits for Yukoners. We are the first jurisdiction in Canada to apply this section of the agreement and its exceptions. Under the provisions in this trade

agreement, allowances are included that give the Government of Yukon the ability to provide preferential treatment to Yukon First Nations, businesses and private contractors.

We are developing a standard practice for procurement. We are offering training for anti-competitive activities for people involved in the industry. We are producing procurement templates that are in line with case law, also with fair wage schedules for public works contracts.

Good planning leads to a stronger economy and local prosperity. It matters to Copperbelt North constituents and to Yukoners. They asked for clear indications for doing business with the Government of Yukon. I would like to say that this government has committed to developing an annual list of seasonally dependent contracts and getting them out the door by the end of March every year. We have delivered. We delivered \$46 million in seasonally dependent contracts to be tendered by March 31, 2018.

There's an additional \$15.8 million in 16 contracts that should be coming forth by April 1. Yukoners spoke and we listened.

**Mr. Cathers:** We appreciate the content of this motion, and we will be supporting the intention of this motion. We do have to point out that this is something again where the current government's words don't match their actions. We have seen the government — or heard the government I should say — again and again refer to the commitment to tender seasonally dependent contracts by March 31. But the way they frame that commitment is slowly morphing and is not reflecting what they actually said in the election. It is another commitment where the government has not done what they promised they would to get people to vote for them and is trying to convince people into thinking that they are actually doing exactly what they said, even though they failed to deliver.

Again, we support improving the number of seasonally dependent contracts that are tendered by March 31. I should note and remind members, though, that this in fact was one of the recommendations that came out of the Procurement Advisory Panel that had been commissioned by ourselves when we were in government. The reason that we had commissioned that panel and sought advice was recognizing that there was a need for improvements to the contracting and procurement process, so we sought the advice of experts in the field and affected Yukoners to help identify where improvements could be made. In this case, I would point out that as the government is appearing to try to amend election commitments after the fact, and hoping people won't notice, that the Liberal Party committed to Yukoners during the 2016 election campaign — they made a very specific commitment in this area.

The Liberal Party, including members who are currently in this House, in an election news release on October 11, 2016, made very specific commitments to Yukon businesses and people who are employed in the contracting community. In the section entitled: "Commit to Transparent Capital Planning", they committed to Yukoners — and I quote:

“Tender projects for seasonally dependent Yukon Government-funded construction projects no later than March each year.”

We saw last year the minister and the Premier attempting to spin their wheels and argue that in fact the commitment was somehow only a commitment to work toward that during their mandate. That is not what they actually said. They did not say, “We didn’t mean the first year.” They didn’t say, “We will work toward it during our mandate.” They said, “Every year.” Of course, that did not occur last year — a failing grade for the Premier and his Minister of Highways and Public Works on that in terms of their commitment last year. This year, we have heard the commitment being amended by the Minister of Highways and Public Works and the Premier to suggest that it was only a commitment to do more by March 31, 2018.

We do recognize that they have improved their performance over last year, but it is our job as the Official Opposition to hold the government accountable to the promises they made in the 2016 election. The government, despite being more than one-quarter of the way through its mandate, seems to try to blame every unpopular decision and every imperfect situation on the previous government, but the sand is fast running out of the Liberal hourglass and they have been in office long enough to start delivering on commitments made to Yukoners.

I would just again note that I know the government doesn’t like being held to account on the commitments they made, but the commitment was very specific. For the second year in a row, this Liberal government is not keeping a commitment they made to Yukoners. They are only partially keeping the commitment compared to their failing score for last year.

I would note that the Premier when he was the Leader of the Third Party would have been the first to criticize the former government for not doing what they said and trying to change commitments after the fact. The Minister of Highways and Public Works, during his time as editor of the Yukon News, would also be one of the first to criticize any party who made a promise to Yukoners and then didn’t do it. The members — we are holding them to account based on their own commitments and as well reminding them of the expectations that they had of others when they were in opposition.

In the area of contracting, we have noted, as have the media, that the government, under the *Canadian Free Trade Agreement*, appears to have effectively wasted a number of their exemptions that would have allowed for protecting local contracts by identifying areas that have not been at risk of Outside contractors bidding on them in the past. The government, if they provide themselves with very nebulous, subjective criteria, such as we see in their new performance plan, it’s easy to give yourself an A-plus if you have written the criteria yourself and you have left it very, very open to interpretation so you can simply provide a list of all the ways that you have delivered on your commitments allegedly, but in fact you haven’t measured that.

I’m going to just briefly, in referring to measuring performance here, talk about the measurements of government’s performance that they’ve included in the 28 performance plan. Those measurements of performance don’t have any reference to delivering on their platform commitments; they don’t have any reference to delivering on this specific commitment; and they’ve changed the indicators to a very nebulous list that are easy in future years for government to give itself an A-plus on.

There are such nebulous indicators on page 19 of their performance plan, such as asking whether Yukoners feel emotionally well and whether Yukoners feel healthy. Now, I would note that I agree that health outcomes and measuring the health of Yukoners is an important matter, but in their list of indicators there is no mention of actually measuring the health outcomes of Yukoners through patient care at the hospital, through continuing care, through programs such as the chronic disease collaborative or through the pharmacare program. There isn’t even a reference or commitment to measure whether Yukoners are healthy. It’s simply a very nebulous question: Do Yukoners feel healthy? Again, while I would note that if the intention of this poorly worded and nebulous commitment was to make some reference to people’s mental health situation, there are better ways to measure that than with a very, very nebulous commitment that allows government to give itself a successful grade.

Another example of the rather nebulous indicators includes this one: Are Yukoners participating in physical activity? So government is scoring itself — its outcomes or planning to — on whether Yukoners are participating in physical activity. There is no reference to even whether or not government programs aimed at getting people more physically active are working. There is no reference to the utilization of community recreation facilities. There is simply a question about whether Yukoners are participating in physical activity. This means that someone who is an avid runner and uses no government facilities — or a skier who doesn’t use the Whitehorse cross-country ski trails but skis on their own — would, by presumably filling out a survey saying they are physically active, help the government give itself a successful grade in this area.

I am not going to spend too much time talking about the performance plan, but I am just pointing out that the government seems to have learned that they have been embarrassed by not following through on their commitments. The solution to that is to be thoughtful in making commitments, not to develop a nebulous set of criteria that allows you to give yourself an A-plus because you can simply decide what it means.

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

#### Point of order

**Deputy Speaker:** Ms. McPhee, on a point of order.

**Hon. Ms. McPhee:** Earlier today, we heard the Member for Lake Laberge bring a point of order with respect to one of the members on this side of the House not speaking directly to the motion, and I suggest to you, Mr. Deputy Chair,

that this is what we're hearing from the Member for Lake Laberge now.

**Deputy Speaker:** Mr. Cathers, on the point of order.

**Mr. Cathers:** Mr. Deputy Speaker, I was comparing the government's record in following through on commitments in the platform to a new set of commitments that have been made. I believe it was very relevant to the motion, and I think the Minister of Justice may just not have been paying attention to what I was saying.

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

**Hon. Ms. McPhee:** Mr. Deputy Speaker, I think I can raise a point of order in this well-respected Legislative Assembly without having to suffer personal insults.

**Deputy Speaker:** Mr. Cathers, on the point of order.

**Mr. Cathers:** I didn't personally insult the Government House Leader. I was suggesting that perhaps she didn't understand what I was attempting to convey in my remarks because she may not have heard it. That is not disrespectful to the minister to suggest that she may not have heard what I was saying. I would encourage you to — I don't believe there is a point of order and this is a ridiculous accusation on the minister's part.

#### Deputy Speaker's ruling

**Deputy Speaker:** On the point of order, it came very close to being insulting, and insulting is much more in the eye of the beholder than the person flinging the insult. I would caution you, Mr. Cathers, about using language that would imply that people in this House are not paying attention. That is insulting, in my opinion.

The previous point of order, I will take under advisement and get back. I want to discuss with the Speaker.

Carry on, please, Mr. Cathers.

**Mr. Cathers:** Thank you, Mr. Deputy Speaker.

I'm going to go back to the commitments the government made in the 2016 election campaign. I do have to point out that, to table a motion — and I believe this is the second motion that government has brought forward in what appears to us to be an attempt to sing their own praises and to stand up and talk about how bad they think the previous government was.

Mr. Deputy Speaker, the issue in this situation is the commitments the Liberal government made to get elected and the fact that, when they choose to not follow those commitments or are unable to deliver on the commitments they made, it is our job to hold them accountable on behalf of Yukoners. Yukoners who voted for the Liberals on the basis of commitments they made, which may include — and probably did, in some cases — their commitment to — each and every year of the Liberal mandate — get out seasonally dependent contracts by March 31. Those contractors, those businesses, those families and all the employees of those companies do deserve some accountability from this current government for their failure to deliver on a very specific

commitment and their attempts to pass off their half-hearted partial delivery of that commitment as a complete success.

As one of my colleagues, the Leader of the Official Opposition, has noted in the past in this House, there are contractors who depend on income from seasonally dependent contractors to feed their families, to put food on the table, and there are people out in the Yukon right now who took the Liberal government at its word, when it promised to have seasonally dependent contracts out by March 31 each and every year during the mandate.

I would be interested to hear the Premier's thoughts on whether or not their failure to deliver on that commitment last year had any effect on the 50-percent increase in social assistance cases that we saw during the last fiscal year. The Premier, during debate yesterday, attempted to ascribe that increase just to a lag time a year and a half or two years after a year with the gross domestic product shrinking in the territory, but it would seem that a more likely contributing factor to that would be the government's failure last year to get seasonally dependent contracts out by March 31.

With those delays occurring, with that 50-percent increase in social assistance cases that led to a \$2.9-million unanticipated cost by the Yukon government in the 2017-18 fiscal year, an increase — by their own numbers — from 800 social assistance cases to 400, the question that Yukoners deserve an answer to is: How many of those 400 cases were due to the government's failure to deliver on their platform commitment to get seasonally dependent contracts out the door by March 31 last year?

The members should not lose sight of the fact that they didn't keep their word to Yukoners. There were people last year who were affected.

I hear the Premier off-mic dismissing any connection between the two. Again, just as I did with social assistance yesterday — we are asking the question, and the onus is on the government to provide the information. If they can demonstrate that there wasn't a significant effect on the 50-percent increase in social assistance related to the delay in seasonally dependent contracts, we will review that information. But, in the absence of information and if we are simply provided with rhetoric claiming that there is no connection, we do have to question those statements and point out that the government has access to far more information than we do in the Official Opposition. If they have access to information that can demonstrate that there isn't a connection between that rather large increase in social assistance cases and their failure on seasonally dependent contracts, then, of course, we will evaluate the information and assess it with critical but fair eyes.

For the Premier to be off-mic, dismissing that connection — I think it sounds to me like the Premier has lost sight of the fact that if there is a delay in a contract and someone is in a business — is an employee of a business where they are very dependent —

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

**Point of order**

**Deputy Speaker:** Premier Silver, on a point of order.

**Hon. Mr. Silver:** Mr. Deputy Speaker, a couple of things — right now, by making the comments that I am somehow dismissing the member opposite off-mic, he is making reference to people being in the Assembly or not being in the Assembly.

Also, he is wrong. I am having a conversation over here that has nothing to do with his narrative.

Again, he is making reference to people being in or not in the Legislative Assembly and also pointing out facts that are simply not true.

**Deputy Speaker:** Mr. Cathers, on the point of order.

**Mr. Cathers:** I think the Premier has his Standing Orders wrong. It is not out of order to refer to the presence of a member in the Assembly. It is out of order to say they are absent from the Assembly. I don't believe there is a point of order in this case.

**Deputy Speaker's ruling**

**Deputy Speaker:** I concur with Mr. Cathers on this matter. It is out of order to refer to a member's absence from this House.

Carry on, Mr. Cathers.

**Mr. Cathers:** Thank you, Mr. Deputy Speaker. I just want to note as well for the record that, in pointing to this question, we are asking a question. I am not in fact going so far as to say that the increase in social assistance was all due to the delay on seasonally dependent contracts or to start guessing how many of those 400 increased cases might have a connection. I am simply asking a question and asking the Premier to provide the information. If he can demonstrate that there was no effect on the increase in social assistance cases caused by the government's delay on getting seasonally dependent contracts out the door, then we will assess that information on its merits and on the facts presented.

These are the kinds of questions we hear from Yukoners who are concerned about their families and paying their mortgages. When there is a gap in work and they are forced to either resort to employment insurance or social assistance, it does have a significant impact on their families and they deserve to have those concerns treated seriously and deserve access to information from government that answers their questions.

Mr. Deputy Speaker, just trying to find my next part in my comments here — the next point I wanted to make is that I wanted to again point out, as I've had to take the government to task a number of times since taking office, that the government stills seems to have a problem understanding that if you don't make a decision, if you delay a decision because you want additional information, if you delay a contract going out the door, if you delay the approval of a project in YESAB by a year beyond what would normally occur, those decisions do have real-world consequences. Ultimately, at the end of the day, Yukoners elect us to take care of their interests. They don't elect a government to dodge the tough decisions. That

means sometimes that government needs to proceed and move forward with action in certain areas, and can't always — whether for budgetary reasons or others — simply push off the contract to the next year or delay action on a certain file and think that there aren't going to be any real negative impacts to the public. Or I suppose I should say they can think that, but it is not accurate to think that those decisions made within the Cabinet room don't have real world consequences.

As we pointed out last year, there were clearly choices made under the government's watch that affected the timing of a number of projects, and again, giving the government the benefit of the doubt, even if those delays are well-intentioned, ultimately the fact that there are fewer contracts out the door than in previous years by a certain point in time does have a negative impact on Yukon families.

I do want to note that those mistakes made by government — those delays — cannot be simply be washed away with a nicely written budget speech or a press release that extolls the virtues of the government or a performance plan that government issues that allows themselves the ability in future, because their measurements were rather nebulous, to simply come up with a list of all the ways that they have delivered on those commitments.

Again, in that area, I would just note that when government is talking about indicators of success, when they have examples such as "Help residential customers with the cost of electricity in Yukon," what does that mean? "Stabilizing the prices to increase availability of energy solutions" — again, a bit nebulous. There is a lack of detail. Even the ones that approach specific commitments in their performance plans are pretty nebulous.

Again, the motion itself, the commitment to a five-year capital plan — this is not the first time the House has debated it since this government has taken office, but in this particular motion, the reference to seasonally dependent contracts — again, not the first time we've debated this particular motion. There are a lot of other issues that are important to Yukoners that, unfortunately, the government has neglected today in choosing to have its first two motions called for debate be ones that are largely self-congratulatory, or intended to be so, and not having real debates on substantive policy matters.

Pointing to a few other examples where the government has been slow to act — the fact that we still see senior officials in acting positions at a deputy head level, 25 percent through the government's mandate, and they're failing to make a decision. Again, all of these decisions have a consequential impact that the Premier doesn't seem to be recognizing.

Six months is a long time in the role of government; 16 months is even longer. What I would say is that it's easy to have someone write you a speech that is rather self-congratulatory, but what Yukoners are gauging this government on is what they actually do, not what they say they're going to do, or not what they said that they think they did. People are judging government based on what they actually deliver and what they don't deliver.

When it comes to the area of contracts, we're seeing, only over 25 percent through this government's mandate, government being quite late in fulfilling a commitment they originally said they were going to do each and every year.

I believe the motion we talked about last year related to this very same matter — urging the Government of Yukon to live up to its election promise to tender seasonally dependent contracts by no later than March 31 of the year and to immediately get contracts for the summer in the tender management system. We heard a number of complaints last year. We saw cuts in areas from traditional budget levels, such as the government's decision to cut the brushing for vegetation control beside highways. We saw situations where people had close calls with animals, and even accidents, that they believe were due to either clover growing at the roadside or the high level of trees and bushes in ditches alongside major Yukon highways.

During the election, this government made a bold — and, in our opinion, good — promise to tender all seasonally dependent contracts before the end of March each and every year. The contractor community, generally speaking — I think it's fair to say — thought that was a good promise, but what this Liberal government doesn't seem to be realizing is that when they made the commitment people expected them to follow through — not to kind of, sort of follow through, but to actually keep specific commitments that they had made.

Anyone who has ever worked in business knows that certainty and clarity is key, especially businesses that are dealing with government. They deal with looking at opportunities, but also grappling with real risks and concerns around whether they will be successful — when contracts will be out, whether they will be able to keep their employees on the payroll if they have employees, even for small, single proprietor, family-run companies. They are left in a situation of having their own bills to pay, their own mortgages to pay and their own car payments to pay. In many cases, they may be supporting others, such as kids away at school or older family members and when they're dealing with a situation of uncertainty, it has a negative effect on them.

Part of our job here as the Official Opposition is to ask the questions we hear from Yukoners, to raise the concerns we hear from Yukoners and to bring forward those questions here at the Legislative Assembly. We've seen the government typically in any area where they've been slow to act or have done things that are unpopular, such as increase the size of government by hiring over 200 government employees in their first year in office, this Liberal government always seems to point the finger and to try to blame the previous government or try to blame Ottawa or try to blame someone else for their failure to do what they said they would.

It seems we have heard the Premier state in this House that, in his words, the view is a little different from this side of the floor. I think that, unfortunately, the Liberal government may be finding out that they made some rash promises that sounded good to get elected, but they have found themselves unable to deliver. The responsible thing is to take ownership of those promises that they made to get elected, and where

they've been unable to deliver on them, to humbly acknowledge to Yukoners that they haven't done what they said they would and to explain why and to explain what they're going to do to get back on track — or to get on track I should say — to fulfill their commitments, including their commitment to tender seasonally dependent contracts no later than March every year — not every year except 2017, not every year except 2018, but every single year.

Instead of spending effort coming up with excuses or talking points to attack the opposition or the previous government or the Third Party or Ottawa, government should simply focus their time on doing what they said they would and if they're not able to, acknowledging that to Yukoners instead of trying to pass off their failure to deliver on a specific commitment as a so-called glowing success.

According to the Yukon Bureau of Statistics, the construction industry made up 8.5 percent of Yukon's GDP in the past, with accommodation and food services making up 3 percent, administrative, waste management and remediation services making up 1.4 percent, transportation and warehousing making up 3.3 percent, information and cultural resources making up 3.1 percent and professional, scientific and technical services making 3.5 percent.

Certainly those industries are not entirely dependent on contracting, but along with other industries, they do receive a lot of work thanks to government contracting. The thing that should be noted with this is that combined, these industries account for over \$400 million of Yukon's gross domestic product. Their contributions to the economy are undeniable, the sectors of the economy want certainty, and it is important for government to understand the impact that delays or failure to deliver on the part of government have on them.

Again, we just felt that these are points we need to make when the government is bringing forward a private member's motion largely to pat themselves on the back — that perhaps the self-congratulation is premature — and when I say “perhaps”, I mean that it is premature. Government has not been able to deliver on the specific commitments it made, and we have seen them be very defensive/combative on this issue instead of acknowledging where they failed to deliver on the very specific commitments they made.

In wrapping up my remarks, I do have to remind the government of the unfortunate fact that people will remember the election commitments they made and they will not gauge them based on the mudslinging they can direct toward other political parties. They will hold the government to account on their own commitments, their own specific promises to Yukoners, and they expect them to deliver.

In the areas of their commitments to improve consultation, we have seen a series of failures including the *Designated Materials Regulation*, the failure to consult on a group home in Porter Creek North, the failure to consult on the Housing First project downtown, and the failure to consult with ordinary Yukoners on the budget. So the central campaign slogan of the Liberal government, “Be heard”, is yet another on their growing list of commitments where they have failed to live up to their specific promises to Yukoners.

With that I will conclude my remarks, but I would urge the government to raise the bar and, instead of pointing fingers, to take a look in the mirror and figure out what they need to do to deliver on the commitments they made to Yukon citizens.

**Hon. Mr. Mostyn:** I have enjoyed this afternoon, listening to all the good words heard in the House this afternoon. In fact I am gladdened to hear all the praise and see all the solidarity in the House this afternoon around our government's motions.

Specifically, I am happy to hear that the Member for Lake Laberge supports our efforts to improve procurement tendering in the territory. I am happy to hear the Member for Lake Laberge recognize the very real action we have taken to improve procurement in the territory. I am happy to hear the Member for Lake Laberge recognize that we have dramatically improved the tendering of seasonal contracts, and his observations and comments on our good work on procurement are incisive and appreciated, so I offer my thanks.

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

#### Point of order

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

**Mr. Cathers:** The Minister of Highways and Public Works, in claiming I just said things that I clearly didn't say, seems to be in contravention of Standing Order 19(g), imputing false or unavowed motives to another member, and I would urge you to have him refrain from making such grossly inaccurate remarks.

#### Speaker's ruling

**Speaker:** In my discussions with the Clerk with respect specifically to Standing Order 19(g), it seems to me — and I'll come back with a more fulsome response — that there's a fundamental misapprehension by MLAs as to the application of that section, because it appears to me that it's more with respect to the motive and it's generally reserved — across the country, I think — for when you're alleging that another MLA is in a conflict-of-interest position where they have perhaps, in theory, benefited from a government contract or something of that nature. That is the general application of section 19(g), but it appears to be used here fairly freely as support for the proposition of criticizing each other, which, in my respectful submission, it is not. I don't understand that to be the application of section 19(g).

In any event, I will speak to the Clerk and the Deputy Clerk, and I'll come back with a more fulsome response but, in my discussions over the last year or so, that's my interpretation of that section.

Yes, once again, when the temperature rises and there's a perception that language, in context, is insulting so as to potentially cause disorder, then you are really almost always referring to section 19(i) of the Standing Orders.

I don't think I have heard — we're on day 64 — any allegations in those 64 days alleging any MLAs finding themselves in an overt conflict-of-interest situation.

That's where we're at for now, and I'll get back to the House, as indicated.

**Hon. Mr. Mostyn:** Thank you, Mr. Speaker. The Member for Lake Laberge's observations and comments on our good work on procurement is appreciated, as I said earlier, and I thank him. I offer my thanks.

The member has hinted at economic malaise this afternoon, but that's not borne out by the facts either. The facts show that, in the past year, Yukoners have seen a dramatic improvement in the economy and in employment in the territory — dramatic and welcome. The fact, as we will soon show, is that — he also talked about our procurement last year — in our first four months in office, we have approved and tendered \$20 million in contracts, which compares exceedingly well to the \$27 million they managed to get out in a year.

The member opposite also spoke about the effects of delays, and we will see reference to governments making decisions without taking time to consult or consider the information before it. Yukoners have spoken on that recently. We have seen in vivid colour their thoughts on consultation and delays on the Peel watershed and on supportive housing and the lack of housing and a host of other matters. We did see our government make some tough budget decisions. The member opposite referred to these things — actions forced by decisions to spend \$1.50 for every dollar the government used to collect.

That has real-world effects and those real-world effects are still resolving. However, my colleagues and I are working together to deal with those problems we have inherited. We are confident we will deal with them in a thoughtful and methodical manner that will keep service delivery and make sure the people of the territory have a good economy. The one that we have seen in the last year is excellent, and that is through a lot of partnerships, consultations and discussions with the good people of the territory and making sure, in our relations, that First Nations, our municipal communities and rural Yukoners across the territory are involved in our decisions.

I am pleased to speak again on the fulfillment of another election promise. A little more than a year ago, we promised to get seasonal contracts out earlier, to promote planning and to help our contracting community. This year we have done that. Yukon Housing Corporation, Energy, Mines and Resources, Community Services — tremendous job — and Highways and Public Works — we have all worked together as a team, closely, to coordinate and get these tenders out before the public and before our contracting community as early as possible. The result is that this year, we will get more than \$46 million before the contracting community by the end of March. That is a remarkable achievement on behalf of the civil service and our department staff working diligently to get

this in motion. I really do appreciate those efforts because I know it has not been easy.

We made this promise to get the seasonally dependent contracts that the Yukon government funds before people earlier because we heard a lot of complaints prior to the last election. We spoke with a lot Yukoners, a lot of citizens and businesses — especially contractors, the contractors association — and they were adamant that we do something — anything — to fix territorial government procurement. We have taken action. We acted right out of the gate and we worked very hard. Working together, we have managed to get the 10 \$1-million exceptions out — \$4.4 million out before the contracting community. We did that out to local companies, putting money — the \$4.4 million — into the hands of local companies without any fear of getting poached or snatched up by Outside companies. We did that very quickly. We are the first jurisdiction in the country to do that, and that is remarkable. It is through the diligence and hard work of our civil service and my colleagues to get this done. I am really happy we were able to fulfill that promise.

We also got a five-year capital plan before the Yukon public. That was another promise — another promise made and another promise delivered. The nice thing about this is that we are talking about more — we are not talking about less — in the House this afternoon. We are talking about something that Yukoners didn't have and now they do, and we are quibbling about how we execute it or what is in or what is not. We are talking about an action taken — an action promised and an action delivered that actually puts something before the people of the territory that they did not have before. It's another tool that will benefit people going forward. I think that is a great thing.

So the reason why we've taken this action — and there will be more to come in the Procurement Advisory Panel recommendations. We are working very hard to get those recommendations in force, like we said, and we did that because we heard a lot of complaints. We heard these contractors use a lot of colourful language to describe the system as it existed before. They were frustrated by a lack of consistency, they were frustrated by a lack of oversight, they were frustrated by a lack of clarity, and they were frustrated by a lack of planning.

Mr. Speaker, I am proud to say that we listened. We heard those complaints and we have every intention of making good on our word to improve the system, and we have taken real action in this past 15 months now. We have made real progress and we are going to continue that progress going forward.

Let us examine the larger procurement puzzle we are tackling. Let us look at early tendering of major seasonally dependent contracts. In Yukon — indeed, across the north — the outdoor construction season is shorter than it is in the rest of the country — much shorter. Mr. Speaker, I have heard it described as fast and furious. That just highlights the importance of forewarning and planning. Private industry needs time to plan their season's work ahead of time and properly allocate their resources. Unfortunately, opportunities

were lost as a result of many contracts coming out — I won't say last minute; let us just say “with less than desirable lead time.” These tight timelines often left our private sector scrambling to ensure they had the machinery, staff, cash flow and other resources to carry out the work, should they win the contract.

In many cases, companies were already committed to other work and could not reallocate their resources quickly enough to take on new and more lucrative contracts. Opportunities passed them by.

Of course, having too much work sounds like a good problem, Mr. Speaker. The problem is that often they were committed to smaller jobs, hindering their ability to get on the larger projects being put out by the territorial government — so they had to take a pass on some larger opportunities, because they were unaware it was even coming down the pipeline. We heard they may have passed on these smaller jobs for a crack at a bigger piece of the pie, had they had the opportunity. Perhaps they would have made arrangements to ensure they could gather the trained workers they would need.

The lack of lead time had impacts beyond businesses. It affected the workers too. Workers go where the work is. This is a straightforward concept. People have bills to pay and families to feed. Workers — especially construction workers — often decide before each construction season whether there is enough work in Yukon to keep them busy. If there isn't, they often head for greener pastures elsewhere — Fort McMurray, other places down south — it doesn't really matter. To make a decision, workers need to know what local work will be like and what work will be available.

In the past this included a lot of guesswork, listening to rumours and coffee shop talk. “What projects will the private sector be moving ahead with this year? What projects will government be doing — do you know? What are the timelines? How many workers will be needed?” I could go on.

If they can't confidently say there will be local work, many people decide to leave the territory. That is talent we lose for the construction season. You know, it was funny — a couple of years ago I was talking to a company in town that was working on a local construction project that was actually suspended without any forewarning, and he was committed to the project and then had to find work for his teams of people, and he was worried he was going to lose his entire firm to Alberta. All his skilled workers would then leave — this was because a rapid about-turn, an erratic decision made by somebody to suspend a project that was already in the works.

Well, that has real-world effects. What happened was, this contractor actually had to go around and started to look for jobs to keep his people busy and he started work bidding on a lot smaller jobs, and that took work away from the smaller contractors who were expecting that work this summer. The spiral was devastating. He was complaining about that. He said, “You have to do better.” I heard that — I heard that story — a very real-world effect. This guy was really upset about having to take work away from other contractors, but he had to keep his people fed.



This is what happens when you don't plan and execute smoothly. You lose talent, you lose firms, and you bleed economic benefits to other jurisdictions. When you lose that talent, you can lose it for far longer than you might want to, because that talent is working elsewhere. Sometimes they don't come back and that's understandable, because workers go where the work is.

When the economy is booming, as it is now — we spoke about it earlier; things are just humming — we end up with local businesses that can't rustle up the workers they need to tackle projects. We actually lose economic potential, and when we lose that, we all lose — government, private business, the workers, their families, communities, First Nations. It is a lose-lose-lose situation. On this side of the House, we don't want to see that happen. We're doing the hard work. What does that mean? Well, we're getting a lot of work out the door — a lot of work. How much? Let's look at the numbers for a minute.

At the volume of the great work the departments I've mentioned earlier are doing, we've managed to get an awful lot of work before the contracting community already, and there's more to come before March 31. In the three years between 2013 and 2016, for comparison, the Yukon government got an average of 18 tenders out the door worth about \$27 million. This year we expect to get 48 tenders worth \$46 million out the door by March 31. This is all work that the Government of Yukon solely is funding. That's roughly 75 percent of the contracts out the door — seasonal contracts — by March 31, compared to 35 percent in the past. It's incredible and it came through a lot of hard work for civil servants assembling contracts, pulling the documents, getting them on the system and before the contracting community.

By doing this, we're taking an important step toward delivering on a number of our campaign promises. We vowed to support local procurement and maximize government spending in the territory. Through these efforts, we're doing these things. We're giving businesses and workers an important tool to help them plan for their upcoming construction seasons. It gives them time to get their ducks in a row before deciding what tenders to bid on.

In the case of workers, it will provide time to assess how much work they can reasonably expect in their field, be it carpentry, plumbing, electrical, welding or any of the other trades or fields that will benefit from this government investment.

Early seasonal tendering allows decisions on hard facts, not rumours. I think, at this point, it's really important to note that what will be left are about 16 tenders worth about \$15 million, once we get this big chunk out the door, and a lot of those are dependent on federal funding approvals and other things — at least some of them are.

That's one of the caveats we had when we made our pledge more than a year ago — that some things are out of our control. We will do what we can control and will get the other ones as sufficiently as we can before the contracting community and people of the territory.

Early seasonal tendering allows decisions on hard facts and not rumours around the coffee shop. It allows the private sector to make evidence-based decisions, which dovetails with another commitment of this government. All this work may seem easy — just get the tenders out early, sign the order and make it happen. People might say that if you're going to get them out, just bump the schedule. I want to make sure everyone understands how much work government departments and civil servants actually put into making this happen. In particular, I would like to highlight the Department of Highways and Public Works, Community Services — especially the Procurement Support Centre here in Highways and Public Works, which spearheaded this initiative — and also, as I had mentioned, Community Services, which generally has the most seasonal tenders to award each year.

My colleague, the member for beautiful Mount Lorne-Southern Lakes, has asked the departments to make this happen. They work like made to do so and it was not easy. I thank them for all that hard work.

It's an important initiative and, through their efforts, we were able to accomplish a lot. \$46 million is an impressive number by all accounts. There will be many other tenders coming out after March 31. They said that another estimated \$15 million is on the way, after April 1, but these are dependent on federal funding and, unfortunately, we don't have the ability to determine which projects the federal government will approve.

That's a tiny problem, compared with the federal generosity to provide 25-cent dollars to this territory in support of our infrastructure improvement.

In closing, Mr. Speaker, I fully support this motion and thank my colleague for bringing it forward. I'm confident the efforts made this year are a tremendous step toward our goal of more clarity, certainty and efficiency to Yukon government procurement.

**Mr. Hutton:** I'm pleased to rise in support of this motion, which supports the tendering of seasonally dependent major construction projects no later than March of each year. During the 2016 election campaign, we committed to developing an annual list of seasonally dependent contracts by March 31 of every year. I'm pleased to report to this House that we have successfully delivered on this commitment with \$46 million in seasonally dependent contracts to be tendered by March 31, 2018.

Organization around procurement services allows the opportunity for local businesses and First Nations to bid on government projects to help local companies with planning for tenders. To improve response rates to tenders, we have increased forecasts of upcoming tenders over \$75,000 on the tender forecast management system, added access to closed tender documents and created a three-week minimum tender period for all public procurements.

The actions taken on behalf of this government will ensure job creation and create maximum economic benefits for all Yukoners. Open, transparent and fair procurement processes is what Yukon businesses and industry asked for.

The hardworking people at the procurement branch of the Yukon government continue to meet regularly with these stakeholders to hear their feedback and to provide them with inside knowledge on best practices for procurement. This framework allows time to ensure that equipment is maintained and ready to go as soon as weather permits. If extra staff is needed, once again, the early notice allows employers to prepare in advance. By bringing these projects to tender in a timely manner, contractors and businesses have the assurance that they can be completed during the most favourable part of the construction season.

The Government of Yukon is signatory to a number of trade agreements that benefit Yukon by reducing barriers to internal trade, promoting economic growth and diversification, and impacting government procurement. The tools made available in the trade agreements will have many positive effects — increased government transparency, reduction of red tape and improvements to procurement processes. I am encouraged that this government is actively using the exceptions in the trade agreement to promote regional economic development and support the use of local labour and manufactured goods on government projects. These processes provide the opportunity for guaranteed work for local Yukon companies.

Our Liberal government is also working diligently with Yukon's First Nations to discuss ongoing procurement improvements and look for opportunities to better maximize economic benefits. We're using chapter 2 of the Yukon First Nation final agreements as a primary tool to try to accomplish these objectives within the Yukon Forum working group.

The use of the tender forecast management system is a key planning tool. It provides businesses and contractors notice of our project needs, as well as notice of upcoming projects, which allows businesses to plan well in advance of projects going out to tender. I'm optimistic that these new processes will benefit all businesses and contractors in Yukon by allowing time to prepare, ensuring that projects get started as early as possible and hopefully ensuring that more projects get completed on time and on budget during the most favourable construction period of April to October each year.

I would like to take this opportunity to talk about the five-year capital plan, introduced in the House on March 1, 2018, and its relevance to the residents of Mayo-Tatchun. The five-year capital plan summarizes the Government of Yukon's priority infrastructure projects and was created in consultation with Yukon businesses, contractors and industry representatives. It is a plan that is reflective of the needs of Yukoners. Projects that affect the Mayo-Tatchun riding and the contractors therein include a grader station for Carmacks, work on seniors housing in Carmacks, work for the Stewart Crossing living quarters, work on the Mayo River bridge in Mayo, the buried infrastructure upgrades phase 3 for Mayo water and sewer, as well as a recreation centre for Carmacks. These are just some of the projects — it doesn't include all of them.

The contractors who work in Mayo-Tatchun will be pleased at the certainty provided through this five-year capital

plan as well as the issuing of contracts as early in the construction season as possible. These processes matter to my constituents, Mr. Speaker. It affects their livelihoods, their families and our communities and I am proud to stand in the House today to support this motion on behalf of my constituents.

Thank you, Mr. Speaker. Mahsi' cho.

**Ms. White:** I am just going to take the opportunity to revisit some things today in the House. It is interesting, because it really is different, I think, for the current Official Opposition, compared to the position before. We used to debate motions in this House that said that this government will use this amount of money to do this action, as it was budgeted in the budget. I can tell you from my perspective, those were frustrating days, because you were debating a motion on the floor that was already in the budget, and it was going to happen.

I feel kind of like we are revisiting history a little bit with this motion. I appreciate that government is going to make an effort to have seasonally dependent contracts out by March. I think that is the very least that government could do. I think that is fantastic — that's great — but it has already been announced. It is already in the works and, again, we are discussing and debating something that government has said they are going to do. It feels very much like the time before.

What would be great is if we heard how the government is going to ensure that this happens — how we are going to make sure that brushing contacts are out by March and make sure that people can buy equipment, where we are going to make sure that anything that involves ground breaking is out so those can go forward.

What I challenge government to do with their Wednesday debates is to rise up and bring up the ideas that aren't included in the budget that maybe, in future years, they would like to have included — to raise the bar and say that we weren't able to do it this year, but what we would really like to try to do in future years are these action items. This is happening. The Minister of Highways and Public Works has said this is happening in the Budget Address. We know that this is happening.

I believe that this current government can do better than previous governments in Wednesday debates by bringing forward ideas that haven't already been put out in budget items or in press releases. I believe that the members opposite have that ability to debate ideas that are new and maybe not included in the budget, but that they would like to see happen — because I think that on Wednesdays other than government motion days, there is an opportunity to have a really exciting conversation about things where eyes don't glaze over and notes aren't read off and we can actually have a dialogue.

It would be really fantastic to get fired up about these days, as opposed to — I mean, I am sure that other people have heard this, but when I first got elected, I had no idea about Wednesdays. I literally had no idea. When I first got elected I did not have an idea about a lot of things in my job. I was just always in election mode, thinking, "Okay, we have to

have different representation.” The first time I heard it referred to as “wasted Wednesday” I was like, “No way. How could we possibly call a day when we do work in the Legislative Assembly as wasted?”

Mr. Speaker, I have sat through Wednesdays for both opposition Wednesdays and other than government business Wednesdays, and I am really sad to say it feels that way. It does feel that way. We have fallen into this rut that this is how this is going to work. The reason why it feels wasted on opposition Wednesdays is because it is really hard to get agreement, if it is a majority government. It is really hard to get agreement.

More often than not, I can go through all my notes and it is stuff that government said that they’re going to do and we’re going to talk about it again. It seems like there’s opportunity to do that during budget debate; there’s opportunity to read about it in press releases, and I feel like coming into the Legislative Assembly and having these conversations is not the best use of our time, because there’s opportunity. I mean, there are 11 people across the way with really great ideas that maybe can’t get included in the budget, and there would be a great opportunity to talk about those right now and what we would like to see in the future — what the opportunity is.

There are all sorts of things. I was just reading an article that talked about the banning of one-time plastics, so the concept that if it’s not an item that will be used more than one time, goodbye plastic straws. We could have a conversation and debate about the banning of plastic straws in the territory. How amazing would that be? Straws — that would be great — get rid of straws.

We could have a debate about so many different things right now. We could be talking about the importance of biomass and heating future in the territory. We could talk about how we saw the increase of firewood collection, or we could talk about how biomass has an opportunity to heat houses and produce electricity in the territory. That would be fantastic. There are a million different things that we could talk about on Wednesdays, and it would feel like an engaging day, as opposed to Wednesdays where, to be perfectly frank, they don’t really feel like we’re doing our best work.

So I appreciate the sentiment of the motion — I do — because it’s really important. It’s really important that this gets done, but I caution the government side right now to not relive the mistakes of the previous government. The only difference here is they didn’t say that this amount of budget money was going to do this line item. That’s the big difference here.

Those were frustrating days to have the debate on. I want to give full credit to the government members who had to take my colleague’s comments — not my immediate colleague, not the Member for Whitehorse Centre, but the Member for Lake Laberge — because that was maybe not the best use of the day, either. There was a lot of anger and a lot of different things coming out, and that’s hard to sit through — it is. Imagine if we were going to use our time to debate things that weren’t line items, if we were going to take the time to talk

about ideas that weren’t on the floor already and how great those Wednesdays could be.

So Mr. Speaker, I would be a crazy person to say I didn’t think that contracts should be out by March. I mean, who would disagree with that statement? But my point here is that we could use this opportunity to talk about things that weren’t already in the Budget Address, that weren’t in line items, that weren’t already put out in government press releases, because it feels a bit redundant, to be perfectly honest.

So I encourage my colleagues to up their game, and I look forward to having a debate where I want to read things to come in, and I want to look at new ideas, and I want to be inspired on Wednesdays.

So like I said, it would be crazy to vote against the idea of contracts that are seasonally dependent being released by March. I will look forward to future Wednesdays.

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

Does any other member wish to be heard at this time?

**Mr. Adel:** Thank you to my colleagues for providing input on this motion. The member opposite, Third Party, for Takhini-Kopper King is very impassioned — not a lot of things I would disagree with there.

Listening to the Member for Lake Laberge’s comments on the motion and the relevance to the motions have left me lost in my own nebula. But, moving on, this is a motion that is important to the residents of Copperbelt North, some of whom own businesses and some who are dependent on government contracts in the industries they work in. The livelihoods of many Yukoners depend on timely tendering of contracts. The assurances provided through the work of this government cannot be understated. I am proud to stand in this House as part of the Liberal government, which is working diligently to deliver on its comments and commitments.

The development of an annual list of seasonally dependent contracts out the door by the end of March each year and \$46 million in seasonally dependent contracts to be tendered by March 31, 2018 — my colleagues have all commented on this and that is quite a step forward. That is putting money into the hands of Yukoners, and that is keeping jobs, as the Minister of Highways and Public Works said — keeping skilled labour in Yukon. It is making us move forward in a strong economic way.

In April, we will finish off with some of the other tenders that are coming out the door — seasonally dependent — depending on — again, as the Minister of Highways and Public Works has mentioned — how the federal government sends the money out for these contracts.

Yukoners spoke, and we listened and we delivered, and the commitments of this Yukon Liberal government on tendering seasonal contracts are to be commended.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

**Division**

**Speaker:** Division has been called.

*Bells*

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Ms. Dendys:** Agree.

**Hon. Ms. Frost:** Agree.

**Mr. Gallina:** Agree.

**Mr. Adel:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Hon. Mr. Streicker:** Agree.

**Mr. Hutton:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Hanson:** Agree.

**Ms. White:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yeas, nil nays.

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

*Motion No. 230 agreed to*

**Hon. Ms. McPhee:** I have spoken briefly with the other House Leaders, and I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:29 p.m.*