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HANSARD

Monday, March 12, 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

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

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Yukon Liberal Party

Ted Adel	Copperbelt North
Paolo Gallina	Porter Creek Centre
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Yukon Party

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

THIRD PARTY

New Democratic Party

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

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Yukon Legislative Assembly
Whitehorse, Yukon
Monday, March 12, 2018 — 1:00 p.m.

Speaker: I will now call the House to order. At this time, we will proceed with prayers.

Prayers

Introduction and welcome of Commissioner of Yukon

Speaker: Prior to proceeding with the Daily Routine, the Chair will, on behalf of all members, welcome to the Chamber Angélique Bernard, Yukon's new Commissioner. Welcome.

Madame la Commissaire, au nom de l'Assemblée législative du Yukon, je vous souhaite la bienvenue à la Chambre cet après-midi.

Members will know that the Prime Minister of Canada, the Rt. Hon. Justin Trudeau, announced the appointment of Commissioner Bernard last Friday.

Commissioner Bernard was sworn in as Yukon's 26th Commissioner for a five-year term this morning at Taylor House. The swearing-in, which included the signing of the oath of allegiance, the oath of office and the oath of secrecy, was administered by Yukon's Chief Justice Ron Veale.

The Commissioner of Yukon is appointed pursuant to subsection 4(1) of the *Yukon Act* and performs the role of Yukon's head of state, including such important tasks as assenting to bills, signing orders-in-council and attending ceremonial duties.

Angélique Bernard moved to the Yukon in 1995 for a translation internship with the Bureau of French Language Services. She quickly immersed herself in Yukon culture and became involved in the territory's francophone community.

From 1996 to 2011, Ms. Bernard worked as a development officer with Les EssentiElles, a non-profit organization that represents the interests of Yukon's French-speaking women. Since 1998, she has volunteered as the host of a weekly French radio program. In 2000, she launched her own translation firm and continued to be involved in women's health issues and the rights of women in sport and theatre.

In 2010, Ms. Bernard was first elected chair of the board of directors of the Association franco-yukonnaise, a position she held until 2017. During this time, she worked to improve relations and engagement with the Government of Yukon and developed a position paper for the franco-Yukon community. Today, she continues to proudly represent Yukon francophones as vice-president of the AFY.

Ms. Bernard has been widely recognized for her community involvement and dedication to francophone rights. The Alliance des femmes de la francophonie canadienne recognized her as one of the top 100 women who have had the biggest impact on Canada's francophone community over the last 100 years.

Once again, on behalf of all members, I welcome Commissioner Bernard to the House this afternoon. I look

forward to working with you during the course of your term. Thank you very much.

Applause

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of Alison Anderson

Hon. Mr. Streicker: On behalf of the Yukon Liberal government, I rise today to pay tribute to strength in diversity. In particular, I wish to pay tribute to the new Westcoast Women in Engineering, Science and Technology associate chair at Yukon College, Alison Anderson.

This organization is one of the five regional 2015-20 Natural Sciences and Engineering Research Council of Canada chairs for women in science and engineering. It works to increase the participation of all women and all under-represented groups in the fields and careers of science, technology, engineering and mathematics.

As an association chair, Alison — who is a professional engineer and the technology and innovation officer at Yukon College — will head a satellite program at Yukon College. This is the first time this program has been active in the Yukon. It is also the first of up to three satellite programs that will expand the organization's impact outside of the British Columbia lower mainland. In this role, Alison will have a unique opportunity to inspire young women and other under-represented groups to make a role for themselves in science, engineering and technology-related fields.

As an engineer myself, I know that she will be working closely with Engineer Canada's 30 by 30 campaign to raise the number of women engineers to 30 percent by 2030. Her work will help to create more opportunities for a wider range of people in Yukon's science, engineering and technology industries. This work will benefit Yukon employers as they gain access to a more diverse workforce that can bring a range of ideas and ways of doing things. There is strength in our diversity. This will help strengthen opportunities in Yukon's growing knowledge economy and breed new innovation throughout our territory.

Westcoast Women in Engineering, Science and Technology will be investing \$10,000 to support the important work of this satellite program. Along with this investment, Yukon College is also providing in-kind support to the program. I am also proud to say that the Yukon government is joining other Yukon organizations in contributing nearly \$25,000 in support of Ms. Anderson's activities as the associate chair.

I thank the Westcoast Women in Engineering, Science and Technology for their work in expanding opportunities for under-represented groups in the knowledge economy across Yukon and British Columbia, and I look forward to hearing about the great work Ms. Anderson will do in her new role. I hope you will all join me in congratulating Alison on her new

role and how it will make an impact on the lives of women here in Yukon.

If we could just welcome her, Mr. Speaker — thank you.

Applause

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Ms. Alison Anderson. She has been selected by the Westcoast Women in Engineering, Science and Technology, or WWEST, to head a new satellite program at Yukon College. The program will focus on engaging women and other under-represented groups in science, technology, engineering and mathematics, or STEM.

Ms. Anderson, a professional systems engineer, is also chair of Engineers Yukon 30 by 30. She will also continue in her current position at Yukon College as technology innovation officer. Ms. Anderson is responsible for identifying potential in technology innovation and supporting Yukoners in getting their ideas off the ground.

I would like to congratulate Ms. Anderson on her many roles and on her dedication to Yukoners and, in particular, to balancing the representation of women in STEM. As former Chancellor of Yukon College, it is the little college that can. Well done. We look forward to learning the outcomes from this program, and we also look forward to hearing more about this young woman's future achievements. Congratulations.

Applause

Ms. White: The Yukon NDP Caucus would also like to congratulate you, Alison, for your appointment as the first Westcoast Women in Engineering, Science and Technology associate chair at Yukon College.

Just like my tributes last week, it's so important that we have representation. I'm excited to see someone young and vibrant. Based on what I've seen that you have already done in the community, we know that you're going to go far. We look forward to seeing what you do in the next year. Congratulations. We're so excited for you.

Applause

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: There are several people who are here today to accompany Ms. Anderson, and I would like to welcome them. As we have already introduced, Ms. Anderson is here as the associate chair for the Yukon College. Also from Yukon College is Sara Thompson; the president of the We Count Math Society is Tara Fallat; the executive director of Engineers Yukon, Kim King; and the chair of the 30 by 30 Committee and a member of the Engineers Yukon Council, Kirsten Hogan. Could we welcome them please?

Applause

Mr. Kent: I would also just like to recognize Kirsten Hogan. She is also the chair of the Golden Horn Elementary School Council.

Applause

Ms. Hanson: I would like the House to join me in welcoming a young woman who plays many roles. In addition to her role with the Commissioner's Office, she is an active member of the Downtown Residents Association and one of the driving forces behind the Father Mouchet Memorial Loppet that is occurring at the end of this month — Pavlina Sudrich.

Applause

Mr. Adel: I would like members of the House to help me in welcoming a former member of this House and a constituent from Copperbelt North, Mr. Don Roberts.

Applause

Mr. Gallina: I will take this opportunity and have members join me in welcoming Emily Farrell, who is a constituent of Porter Creek Centre, and who is with our Cabinet staff.

Applause

Speaker: Any further introductions of visitors?
Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Mostyn: I have for tabling the 2016-17 Fleet Vehicle Agency annual report.

I also have for tabling the 2016-17 Queen's Printer Agency annual report.

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

Hon. Ms. McPhee: I have for tabling a letter from the president of the Commission scolaire francophone du Yukon, dated February 14, 2018, regarding the French first language secondary school. The original letter is in French, and I have attached an English translation. I have also included the conceptual design for the French first language secondary school to which the letter refers.

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

Mr. Istchenko: I rise to give notice to the following motion:

THAT this House urges the Government of Yukon to:

(1) initiate consultations with Yukon residents about the possible elimination of daylight saving time in Yukon; and

(2) report back the results of the consultation to this House before the conclusion of the 2018 Fall Sitting.

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

THAT this House urges the Government of Yukon to live up to its assertions of openness and transparency by informing Yukoners and this House of the decision already made regarding the route chosen for Yukon's second fibre optic link.

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

THAT this House supports development of a strategy that addresses climate change, energy and the green economy as an effective mechanism to support economic diversification and environmental stewardship.

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

THAT this House urges the Premier to, in addition to explaining his statement made during March 6, 2018 Question Period which implied he knows the identity of those submitting ATIPP requests, also explain his statement made during May 3, 2017 Question Period where he implied the same thing.

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

THAT this House denounce the distribution of partisan pins that display a Yukon Liberal logo to the community members who attended the tributes to International Women's Day in this Legislative Assembly.

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

MINISTERIAL STATEMENT

Community Wellness Court

Hon. Ms. McPhee: I am proud to announce today that the Government of Yukon will now provide permanent funding to the Community Wellness Court.

Effective April 1 of this year, the government will provide permanent annual funding of \$459,000 to this important initiative. This innovative court provides sentencing alternatives for offenders with mental health, addiction problems and cognitive impairments such as fetal alcohol spectrum disorder. The court recognizes that wellness-related problems — including addictions, historical trauma and poverty — are deeply embedded in the fabric of many Yukon families and communities.

Holistic and culturally relevant approaches to working with offenders on the underlying issues that lead to their criminal behaviour are required in order to achieve positive change in Yukon recidivism rates. The affiliated Justice Wellness Centre provides wraparound support and programming to Community Wellness Court participants, including referrals to counselling, assistance with obtaining

jobs and housing, and help with reintegrating into the community.

The Community Wellness Court has been operating successfully since 2007 on year-to-year funding and has served as a model for similar courts in other jurisdictions in Canada, including the Northwest Territories, New Brunswick, and Newfoundland and Labrador. This new permanent funding will give the court more stability and enable programming officials to more effectively plan for staffing and programming needs. This permanent funding is well-deserved. A 2014 evaluation of the court found that it was meeting its primary objectives of reducing recidivism and improving public safety. Many individuals who have participated in the court have made significant progress in addressing the underlying factors that contributed to their involvement in the criminal justice system.

The wellness court is an excellent example of the kind of alternative therapeutic approaches that our government is pursuing for qualified offenders in Yukon's justice system, but it is really a team effort. The court is a collaborative project that involves a partnership among the Department of Justice, the Department of Health and Social Services, the Yukon Territorial Court, the Yukon Legal Services Society, the Council of Yukon First Nations, the RCMP and the Public Prosecution Service of Canada. For more than a decade now, the court has helped offenders with mental health, addictions and cognitive challenges to avoid being caught in a prison-to-probation cycle.

As Minister of Justice, I have been specifically directed in my mandate letter to develop alternative correctional therapeutic environments for individuals with disabilities, mental health and addiction problems. Establishing permanent funding supports this objective and will ensure that the Community Wellness Court continues to rehabilitate participants, reduce recidivism in our communities and increase public safety well into the future.

I thank our partners who have helped to make the Community Wellness Court a successful initiative, and I look forward to continuing our partnership to ensure that our justice system meets the needs of all Yukoners.

Mr. Cathers: As Official Opposition critic for Justice, I will rise in support of this continued funding for the Community Wellness Court, but I do have to correct the record on one matter. The Minister of Justice incorrectly indicated that the Community Wellness Court has been operating on only year-to-year funding when, in fact, during the course of the past 10 years, it has had on many — if not all — occasions multi-year funding approved by Management Board — simply not the permanent commitment the government is announcing today.

While we do recognize and appreciate that commitment, we would point out that, in fact, the structure of the funding was to deliberately allow for forced reviews of the success of the program. We have, in fact, seen as well, through the independent review of this program, that it is doing very well and is gaining attention both in Canada and internationally. I

know that those involved in the Community Wellness Court have hosted people from Canada and overseas to talk to them about the success of this program.

I would like to congratulate all those who have been involved in making the Community Wellness Court a success in terms of improving outcomes in the criminal justice system, and I would specifically like to thank staff of the Department of Justice, the Department of Health and Social Services, the Yukon Legal Services Society, the Territorial Court, CYFN, the RCMP and Public Prosecution Service of Canada and, as well, contractors who have provided special services throughout the term of the court since 2007.

I'm pleased to see this announcement, but it does seem like an ongoing practice of this Liberal government of spending time in this House to announce something that could be announced more quickly and more expeditiously through a press release — but we do appreciate the investment itself.

Ms. Hanson: The Yukon New Democratic Party is pleased with the announcement that permanent funding will be provided to the Community Wellness Court. This is a program that we have supported since the beginning. We believe that a collaborative approach by departments and courts to address the needs and challenges of the whole person is what makes the Community Wellness Court so effective.

Permanent funding will allow this valuable program to plan and look toward future growth. We hope this announcement signals that community wellness courts will be available in all communities and that people will not have to find their way to Whitehorse to participate.

In addition to the other key outcomes and activities of the Community Wellness Court, we look forward to having the work of Yukon's community wellness court informing the reformation of Canada's *Criminal Code*, in particular with respect to persons with fetal alcohol spectrum disorder to allow courts to consider FASD as a mitigating factor in sentencing. We also hope that the work of these courts will play a part in informing amendments to Yukon's *Corrections Act* in order to better meet the needs of individuals with fetal alcohol spectrum disorder, as well as to accommodate FASD as a disability in the Yukon corrections system. These are two key recommendations by both the Yukon bar association and the Canadian Bar Association going back to 2010.

We welcome this announcement by the Yukon government and we hope that we will see the work of the courts, as I said, informing these very critical amendments to the larger picture.

Hon. Ms. McPhee: I thank my colleagues from across the way for their comments on this important announcement.

As I noted, starting next month, the government will provide permanent annual funding of \$459,000 to the Community Wellness Court. This new permanent funding will give the court more stability and improve their ability to help offenders with mental health, addiction problems and cognitive impairments to avoid the prison-to-probation cycle.

Over the past 10 years, the court has been very effective at reducing recidivism and improving public safety and we want to ensure that this continues. Providing the Community Wellness Court with permanent annual funding is just one example of what our government is doing to improve Yukon's justice system. We know there is room for improvement and we are committed to enhancing it to ensure that our justice system meets the needs of all Yukoners, including some of the ideas that have been noted by the Leader of the Third Party.

Last week, I announced the creation of the Historical Case Unit to expand the RCMP's capacity to investigate unsolved homicides and missing-persons investigations. We stand with the families who have lost their loved ones and we share their hope that those additional resources will result in those responsible being held accountable for their actions. We will continue to work together with the RCMP to ensure that they have the resources necessary to bring criminals to justice and keep our community safe.

Last month, I also announced that we are providing funding for a three-year pilot project to adopt and support a Gladue report-writing program for indigenous offenders. This pilot project addresses the long-standing gap in our justice system by ensuring the unique systemic factors that may have brought a particular indigenous offender before the courts are properly considered during sentencing. We know that indigenous offenders are disproportionately represented in our justice system for reasons that extend beyond the justice system itself, but reassessing how our justice system treats offenders is an important part of addressing this issue. To this end, last fall, I called for an independent inspection of the Whitehorse Correctional Centre to identify areas where the government can improve policies, programs and service delivery at the Correctional Centre, particularly the practices that may affect the mental health of inmates.

Again, last month, I agreed to an extension to ensure the inspector has the time necessary to meaningfully engage with First Nations and other stakeholders to give context to matters that fall under the scope of the inspection. Mr. Speaker, we look forward to receiving that report.

As you can see, our government is taking action to enhance our justice system, which has been and continues to be a leader in areas of restorative justice, reconciliation and innovative services.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Access to information and protection of privacy

Mr. Hassard: Mr. Speaker, last week, the Premier made a comment in this House that implied that he knows the identity of individuals filing ATIPP requests. This isn't the first time he has made comments such as those in this House. On May 3 of last year, in responding to a question from the Official Opposition, the Premier said — and I quote: "I'm sorry, but there are other things happening in this government.

We're very busy answering ATIPP requests and the like from the opposition."

The Premier's remarks leave us with the impression that he was aware of the identities of those filing ATIPP requests. We are curious: Could the Premier please clarify this?

Hon. Mr. Silver: Most certainly I can clarify this. In my time in opposition, I would create ATIPP requests. So last week — and from the other quote that the member opposite is bringing forward — this was merely making assumptions that some of these requests do come from the opposition members. Of course, Mr. Speaker, we do not know who submits the ATIPP requests.

Mr. Hassard: As I indicated, the Premier's comments from May of last year aren't the only time that the Premier has made remarks implying that he and his office are aware of who is filling ATIPP requests. As the Leader of the Third Party highlighted via a motion last week, on March 6 of this year, the Premier once again made comments suggesting he was aware of the identity of those filing ATIPP requests.

On March 6, the Premier said — and I'll quote again: "A little bit of context here — we made this commitment regarding electoral reform and setting fixed election dates, and there have been access-to-information requests on that issue from the opposition..."

Mr. Speaker, can the Premier please clarify these remarks?

Hon. Mr. Silver: Again — merely assumptions — we do not know who is submitting ATIPP requests.

Mr. Hassard: So then maybe the Premier could tell us whether he or any of his staff or anyone in Cabinet has spoken to officials, media or anyone else about the identity of those filing ATIPP requests.

Hon. Mr. Silver: It would be hard to because we don't know what they are, so I guess the answer would be no. Again, we do not know who is asking for ATIPP requests. We know that the opposition — the Yukon Party — did change the ATIPP act in their tenure here in the Legislative Assembly, but as they know, being in Cabinet, we have no idea who is making those requests, so it would be hard to answer that last question because, again, we do not know who makes those requests.

Question re: Cannabis regulation in Yukon

Ms. McLeod: One thing that Yukoners have been clear about is that they want to ensure that once it becomes legal to purchase cannabis, there are efforts taken to protect minors. In the budget lock-up, the government gave us a document that says that this budget allocated \$100,000 to Health and Social Services for — and I quote: "an education and awareness campaign for adults and youth." The document then tells you to look at page 13-6 of the budget to find this \$100,000 for the education and awareness campaign, but we don't see any line item for that \$100,000 anywhere on that page.

Can the Minister of Health and Social Services let us know where that money for the education and awareness campaign is? Exactly where is it in the budget?

Hon. Ms. Frost: With respect to the question around funding for education and cannabis awareness with our youth, we are working in collaboration with the Department of Education and with our partners in our communities to inform and advise our young people around the health implications of cannabis and cannabis use, and it's not limited to \$100,000. We are going to work with all of our partners and integrate as much as we can the resources to ensure that the information is widely spread and that we educate our young people, because we care about all of our young people in all of Yukon.

Ms. McLeod: Again, it looks like this year's budget is missing some key details. The document given to us by the government says that there is \$100,000 for an education and awareness campaign delivered by Health and Social Services. Yet we look through the budget and can't find any line item for that expenditure.

We turn to the page of the budget that the government's backgrounder told us to go to and it takes us to the Corporate Services section. All we see are increases in the size of the deputy minister's office, the policy office, human resources and the financial administration office. Nowhere do we see \$100,000 for an education and awareness campaign. It looks to us that, rather than focusing on the health and safety of Yukoners, the government's plans for cannabis are simply to grow the size of government.

How can the minister ask us to vote on a budget when their own budget documents don't align?

Hon. Ms. Frost: I would say that, given that we are proceeding with legalization and the legislative process on cannabis, we are working with our partners and advancing the interests of all Yukoners. Our focus — my focus and the Department of Health and Social Services' focus — is on education and awareness for our young people and we are tying the resources into our budgets to ensure that happens.

With respect to the \$100,000, if there was a clerical error, I would be happy to address that in the main estimates discussion, and at that point, I can then identify where the resources are.

Ms. McLeod: Of course, we would be interested to know where the \$100,000-plus is because we now have no idea how much money is involved.

The government claims that \$100,000 or more are earmarked for an education and awareness campaign, so can the minister tell us how much is for programming and how much is for hiring new employees? It's a straight-up question, Mr. Speaker.

Hon. Ms. Frost: The straight-up answer to the straight-up question is: We are working with all Yukoners; we are working with our partners to ensure that we provide additional resources and services within our budget.

We are working with our partners and we are working with the Department of Education. I can assure the member opposite that it is not going to cost \$100,000.

We are putting the resources in place to provide services to all of our departments, so a one-government approach to service delivery, ensuring that we maximize all the opportunities that we have.

I would be happy to provide specific details when we get into the main estimates discussions.

Question re: Protection of health information and patient privacy

Ms. White: In late 2016, it was reported in the media that a physician was being asked by Health and Social Services to provide sensitive patient information to the department for billing purposes. The government tried to prevent the Information and Privacy Commissioner from looking into the matter but the IPC ruled that it was qualified to investigate.

Not only has the situation not been resolved but it seems to be escalating. I have for tabling a copy of a letter from a physician to a patient. Attached to the letter was a list of past appointments, the amount billed, the amount paid by the department and the outstanding amount. It is clear in this letter that this is not a bill but it does say — and I quote: “There may be a time when you will be issued a bill.”

Mr. Speaker, patients are the clear victims of this fight between the government and physicians. When will the minister intervene to ensure that patient privacy is respected?

Hon. Mr. Mostyn: I want to assure the member opposite that we take the issue of privacy and our citizens’ privacy very seriously in this government. I can tell the member opposite that the protections we have in place right now are solid and we are now working with the Information and Privacy Commissioner and with the Department of Highways and Public Works to improve our ATIPP act, which is the *Access to Information and Protection of Privacy Act* legislation.

We’re improving that legislation as we speak. That will provide a lot more. It will modernize the act, take into account the new environment we’re living in and the digital communications that we use all the time, and it will better protect people’s privacy.

Ms. White: Although I appreciate the answer, I was talking very specifically about health information. When this matter arose over a year ago, the physician — a psychiatrist — expressed concern about the information he was being asked to provide in order to be paid by the department. Given the number of people who work for the Government of Yukon, it’s easy to understand why this would be a major concern in terms of patient privacy.

The Yukon Medical Association also weighed in and stated that confidentiality is — and I quote: “... paramount and fundamental to the doctor-patient relationship.” They went on to state that: “The YMA will continue to advocate for the appropriate balance between the confidentiality of medical records and the information required by government to ensure fiscal responsibility.”

It would appear that this balance has not been achieved. What specific work has been done over the last year and a half to resolve this issue? Will the Minister of Health and Social Services assure Yukoners that the privacy of their personal health information is paramount in any solution being considered?

Hon. Mr. Mostyn: I can assure the member opposite that the privacy of our citizens and their personal information is very important to this government and we are working very hard to make sure that their privacy is protected and that the tools that we use within government to guarantee that privacy are improved and modernized for this new age we’re living in. That work is underway, so that work is continuing and will better protect citizens’ privacy now and into the future.

Ms. White: I’m not sure that is the answer that patients were looking for. Physicians should not have to face this conundrum and the departments should be able to pay physicians for their services and remain accountable. But mostly, patients shouldn’t have to worry about their personal information being disclosed. Patients shouldn’t have to worry that they may be denied the medical services they need because of a conflict between the government, the paid department and physicians. This situation is creating undue stress to patients who are in some cases in vulnerable positions. This issue has dragged on for much too long and patients are paying the price. It’s time for the government to step up and solve the conflict. How much longer will Yukon patients have to pay the price for this government’s conflict with physicians?

Hon. Ms. Frost: The *Health Information Privacy and Management Act* sets out rules on how personal information can be collected, used, disclosed and secured. These information practices apply to the Department of Health and Social Services and prescribed custodians, and that includes the pharmacists, doctors, the hospital and our health centres.

The outline of the process by which the public can access personal information is defined by this process. Any medical records held by the Department of Health and Social Services are kept secure at all times and there are internal policies to protect the safety of both paper and electronic records.

In closing, it’s mandatory that all health staff complete this privacy training and that we ensure confidentiality at all times.

Question re: YuWIN funding

Ms. Hanson: The Yukon Work InfoNet, known more commonly to Yukoners as YuWIN, operates Yukon’s most popular job board. Employers and employees alike appreciate the user-friendly website as well as knowing that, if there is a job available in Yukon, it is likely on YuWIN. The job board has been in operation for over 15 years. If you speak to anyone who has looked for a job in the Yukon over the last decade, chances are they found it on YuWIN’s job board. Yet, as of the end of March this year, the Yukon government has cut all funding to YuWIN. My question is simple: Why?

Hon. Ms. McPhee: It is actually not the current Government of Yukon that cut the funding or ended the funding with respect to YuWIN. In fact, an agreement was signed in the early spring or summer of 2016 by the former government that indicated that YuWIN would have funding for two more years, to March 31, 2018. There was an agreement put in place at that time. Since I have been in this role, I have spoken to YuWIN on a number of occasions. We

were advised, in fact, that they were seeking funding from their partners — their business members — and that they would be proceeding after March 31 with their own initiative. To be clear, the funding agreement was in place from 2016 to March 31, 2018, and that was signed by the former government.

Ms. Hanson: Well, convenient, in part, Mr. Speaker — the job board may not have been funded directly over the last two years, but the funding to YuWIN allowed it indirectly to maintain the job board, and the fact of the matter is that the Yukon Party wanted to use the federal job board.

Mr. Speaker, a job board should be about employers and employees. I am confident that if this government was to ask them if they believe that the YuWIN job board is a better tool than the federal portal, the answer would be a resounding yes.

Did the government consult with Yukoners — both employees and employers — about cutting the funding to YuWIN? Not relying upon the past actions of a past government — we are talking about YuWIN today as an effective tool for both job seekers and employers.

Hon. Ms. McPhee: As I have noted, the current funding agreement will expire, as noted by the member opposite, on March 31, 2018. It is not a convenient answer. The member opposite asked for a straight answer. I have explained why the funding is expiring on that date.

The Department of Education provided funding for YuWIN to work with Yukon employers so that they have access to information and services about labour market programs and services that are available from the department. That was the vast majority of the arrangement between the two organizations.

While the decision was not made lightly to not continue, or to allow the agreement to run out, the department can use these resources to better serve employers in meeting their labour market needs. Lots of conversations have happened with YuWIN. I appreciate that Yukoners like YuWIN. There is nothing — absolutely — from continuing YuWIN. I certainly understood from my conversations that the members of that organization would be happy to financially support that and it could operate a job board along with the Canada Job Bank, which, by the way, is a requirement of the arrangements that we now have with the federal government for funding in this area.

Ms. Hanson: I think we finally got to the nub of the response with the very last sentence. It is really about using the federal job board.

It doesn't sound to me like this government has done anything different from the previous government, which was blindly following Ottawa's request to use the federal job board.

The logic for cutting the funding to YuWIN is flawed. Obviously, it makes no sense for a government to fund competing services, and this applies to a job board. But if there are multiple services like YuWIN that are funded by the government, the smart thing to do is to assess which one does it better — not simply saying, as the previous government did, that Ottawa wants us to use the federal job board, so that's the

one we will use. There ought to be criteria used, performance metrics or some sort of analysis as to which service is best and worth maintaining.

What criteria were used to determine that the YuWIN job board was not worth funding?

Hon. Ms. McPhee: I think the important part with respect to this is that our government is keen to work with Yukon employers to make sure that all members of the Yukon public who are interested in applying for jobs know about the jobs, know where they are, and know what criteria is required in order for them to apply and how they can apply.

As I've indicated, YuWIN has indicated their intent to continue the operation of the YuWIN job board once this funding agreement with the Department of Education ends. We are having ongoing conversations with them. We are interested in making sure that Yukoners have access to all information about employment in the territory, whether that be through a job bank or whether that be through an ongoing YuWIN that is supported by the business community.

Question re: Cannabis regulation in Yukon

Mr. Istchenko: Last week, we learned from the *Yukon News* that the Liberals' plan to grow government by creating a new government-run cannabis corporation has already hit a pothole. In this year's budget, we saw a line item of \$3 million, which is supposed to cover the start-up costs, staffing, the purchase of inventory and the purchase of the facility. However, the only bid for a facility is \$400,000 over the government's entire budget for the new government-run cannabis corporation. This means that there would be no money left over for anything else.

So can the minister tell this House today how much additional funding the government will require to pay for all the other start-up costs?

Hon. Mr. Streicker: I thank the Member for Klwane for the question. Regarding the amount of money that is budgeted for the start-up, the things I would like to note are that, if there is the purchase of a facility for a location, then it will be amortized over 20 years. So the amount of money that's in the budget for a facility is fine within the start-up costs.

The lion's share of the start-up costs — 90 percent of those start-up costs — is going toward inventory. Part of that is to deal with the fact that, until after the date when cannabis is legalized across the country and until such time as the production catches up, there may be a shortage, so we're just looking to make sure that there is a supply in place.

The amount of money that is there is for inventory. We are committed to a hybrid model. As the Premier has stated here, we are working to get out of the business of doing business.

Mr. Istchenko: This leads to my next question. As we have already pointed out to the government, their plans for a government-run cannabis corporation will grow government while increasing the cost to the taxpayers. The Premier bragged in his budget speech about getting government out of the business of doing business, and instead, he is doing the

exact opposite and his plans are looking to be even more expensive than he has budgeted.

Can the minister confirm how many employees the government is hiring to work at the government-run cannabis corporation?

Hon. Mr. Streicker: I thank the member opposite for emphasizing the points that we are trying to emphasize — that we're working to get out of the business of doing business. We appreciate the private sector and we have been meeting with them and discussing with them their role in this, and I look forward to working with them over time. It is a new field. There will be some changes as we go, but we are happy to be working with the private sector.

The specific question that the member opposite asked was about new hires. The only hires that we are contemplating — sort of full-time equivalents right now — are around enforcement and regulations, which will be required regardless. I don't have an exact number here today because we are still working through to decide the exact number, but I would say it could be counted on one hand.

I look forward to further questions.

Question re: Budget estimates and spending

Mr. Cathers: As was highlighted last week, the Premier's budget is sorely lacking in details. Media and members of both opposition parties have asked a lot of simple and straightforward questions about what is in this budget and unfortunately the government hasn't provided simple and straightforward answers. In previous years, the budget forecasted how much was going to be spent on capital projects to provide certainty to industry, but also so government could be held to account. Unfortunately, with the Premier's new budgeting format, we have seen him pull out pages and pages of information, depriving Yukoners of that information even for the current fiscal year.

Will the Premier agree to provide the projections for how much is going to be spent this year and in future years on each project in his five-year capital plan?

Hon. Mr. Silver: Contrary to the Yukon Party's narrative, we believe that this process gives more information than what was previously given in the past. For one, we have the fiscal forecasts with the budget plan, but also we just announced our performance plans and also a five-year capital plan and seasonally dependent contracts.

This is the first year of a five-year plan. It is a living, breathing document. We believe this is a lot more information than was given in the past and, to the member opposite's point, working with the private sector is extremely important to make sure that we show them what kinds of projects are coming down the pike, but also the certainty of the seasonally dependent contracts.

We on this side of the House believe that we are doing a better job to get that money out the door and the information out the door. I know that change is not something that the members opposite in the Yukon Party like to see, but what we're hearing from the private sector is that this is a home run.

Mr. Cathers: Well, I don't know who in the private sector the minister claims to be listening to because that is certainly not what we're hearing from them.

The Premier chose to remove 77 pages from the budget documents, so we see a case of the government talking a big game on openness and transparency but there are fewer details provided — simple fact. When people ask for details on how much the government is planning on spending, even in this fiscal year, the Premier is either unwilling or unable to answer simple questions about the budget.

This is taxpayers' money and Yukoners have a right to know how this money is going to be spent during this fiscal year and ongoing. Sharing the information also provides certainty to industry so they know how much government is intending to spend on a capital project in each year. Previous budgets actually used to have this information, so why did the Premier provide direction to make this year's budget less informative, less open and less transparent?

Hon. Mr. Silver: Again, we have been looking back at some of these highlights that the member opposite talked about and, in previous years, the Yukon Party would have three pages of information on highlights, so I am not sure exactly what changing the approach — I don't think it is necessarily being understood by the member opposite.

When Committee of the Whole goes through line-by-line items, we will have an opportunity to showcase all of the dollar values as they come in. However, I am very pleased that our government is able to deliver on our promise to provide Yukoners with comprehensive information on the government's planned capital investments over the next five years — something that has never happened before in Yukon history. It is one of the examples of the commitment that we have made about being open and transparent, not only with the private sector, but also with Yukoners, municipalities and First Nation governments as well.

Mr. Cathers: The fact is that, in the last year the Yukon Party was in office, there were 11 pages of budget highlights. The Premier reduced that down to four that are very heavy with infographics and very shy on details. All in all, with those reductions and other information received from the budget, there is a net reduction of 77 pages of information in the budget. We have asked the Premier to share information on how much money will be spent on capital projects listed in the capital plan. We saw last week that, even on a project he himself had highlighted, he was unable or unwilling to provide the details of the actual costs. By refusing to share this information, we are left with the impression that the Premier is either purposely keeping the information from Yukoners or he just doesn't know. Mr. Speaker, which is it?

Hon. Mr. Silver: I know that we are getting some bad math from the member opposite. When you take all of the pages that were reduced but don't add the pages that were increased, your formula is going to be fundamentally flawed from the beginning.

Again, in Yukon Party 2.0's first kick at the can, I believe their highlights were three pages. We are at four. Change is

not something necessarily that the members opposite like to see. They don't like being in opposition.

I believe that the five-year capital plan signals to Yukoners our priorities and will allow Yukon businesses to prepare for upcoming budgets. This is information that wasn't provided for in the past. Gone are the days where the forecasts were dollar values — the \$1 mark. We will put tenders out right on time, and not just in time. We will also give the vendors a better opportunity to prepare and plan for seasonal projects.

As capital projects and procurement forecasts evolve and mature, we will have a working schedule where there was no working schedule before.

I am very proud of the work that has been done by the department in a whole-government approach, whether it is to procurement or to the economic forecasts through Finance. We believe, and we are hearing from the business community, that more information is better information.

Question re: Infrastructure funding

Ms. Van Bibber: Mr. Speaker, on page 4 of this year's budget highlights, it says that there is \$42 million allocated for municipal and First Nation infrastructure this year. Could the Minister of Community Services let us know if decisions have already been made about where this money will be spent or if it has already been allocated to specific projects?

Hon. Mr. Streicker: To answer the question — by the way, I should also say that the first time I got up to answer a question last week, I forgot to acknowledge and welcome the new Community Services critic, the Member for Porter Creek North. So thank you for the question and I am looking forward to working with you and answering your questions.

I think the question that was asked was: Do we have specific projects in mind for the capital infrastructure in our municipalities and our communities? The answer is yes.

Ms. Van Bibber: Thank you for acknowledging my new critic role.

Mr. Speaker, would the minister be able to provide us with a legislative return detailing the breakdown of the \$42 million referenced in the budget highlights?

Hon. Mr. Streicker: Members may recall that in a previous session, I was asked if I could provide a breakdown of the clean water and waste-water fund projects, which I did.

I want to be careful — I am happy to talk about which communities these projects are in and what the projects are, and I am also happy to talk about them in a rough dollar sense, but I always want to keep it at least a high enough level to allow that we are not explicitly stating exactly how much, because that has to go through the RFP process.

The projects from our municipalities and communities that are listed this year are largely the clean water and waste-water fund projects. I am happy to get that back to the members opposite again, and now some small communities fund projects.

I will turn to the department and ask them if they can provide a list here for a legislative return, or I can speak about it during budget debate.

Ms. Van Bibber: I think that at least a few of these projects would be funded with the help of federal infrastructure funding. Regarding the delivery and cost-sharing of these projects, traditionally, Canada has covered 75 percent of the costs, while Yukon covers the other 25.

Are there any planned changes being contemplated as to the how the cost-sharing arrangements will work here in Yukon, and how much the Government of Yukon will cover?

Hon. Mr. Streicker: I would like to also thank the member opposite for giving a shout out to the federal government. They have been very generous with their infrastructure dollars, especially for the north. The agreements that we have signed with them have been the clean water and waste-water fund, the small communities fund and upcoming will be the Investing in Canada infrastructure plan. They have all been at a 75/25 cost-sharing agreement.

Speaker: The time for Question Period has now elapsed.

Government House Leader's report on length of Sitting

Hon. Ms. McPhee: Mr. Speaker, I rise pursuant to the provisions of Standing Order 75(4) to inform the House that the House Leaders have met for the purpose of achieving an agreement on the maximum number of sitting days for the current Sitting. The House Leaders have confirmed that the current Sitting should be a maximum of 30 sitting days, with the 30th sitting day being Tuesday, April 24, 2018.

Speaker: Accordingly, I declare the current Sitting shall be a maximum of 30 sitting days, with the 30th sitting day being Tuesday, April 24, 2018.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 16: *Technical Amendments Act, 2018* — Second Reading

Clerk: Second reading, Bill No. 16, standing in the name of the Hon. Ms. McPhee.

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

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

Hon. Ms. McPhee: This technical amendments bill is designed to address and correct issues that have been identified as being unclear or problematic in current legislation. The bill will also coordinate territorial legislation with related federal legislation and will correct inconsistencies.

The amendments included in the technical amendments bill are generally based on a theme. The underlying connection among all of the amendments proposed in this bill

is that they all relate to a statute administered or enforced by the Department of Justice.

Members of the House may recall that the *Condominium Act, 2015* was passed in May 2015, but unfortunately has not yet been proclaimed. This work is now a priority. The Department of Justice officials have had regular meetings with the land titles stakeholder advisory committee and the drafting advisory group to work through any policy issues that have arisen in the new *Condominium Act, 2015* and to develop the *Condominium Act, 2015* regulations.

In December 2017, the department officials heard from lawyers of the real estate bar that there are issues with the original wording in some of the provisions of the legislation. Those lawyers expressed concern that the wording in question would hinder the ability of developers to obtain financing to advance their condominium projects, and therefore to proceed with these developments.

The section in question dealt with the fact that developers of certain apartment-style condominium developments were required to provide specific information to buyers before it was available. The information required to be provided could not be available by the timeline required to facilitate financing. We have addressed these concerns by amending the legislation to ensure that it does not impede condominium development and, at the same time, continues to protect condominium buyers.

The amendments will ensure that the developer provides relevant and accurate information when the purchaser enters into a purchase agreement before the condominium is registered. This is a regular practice, particularly in respect of conventional or apartment-style condominiums in other places in Canada.

The setting out in legislation of the required information to be provided to purchasers is important because, on delivery of the documents by the developer to the buyer, the applicable 10-day period under paragraph 55(1)(a) of the act begins. Accurate information about this time period is significant because it is the time within which a purchaser has the right to cancel the purchase agreement with no penalty. This is sometimes referred to as the cooling-off period. Without this amendment, purchase agreements used in part to obtain project financing would not be finalized until the condominium is registered, which cannot happen until construction is nearing the final stages of completion. This amendment will allow developers to obtain financing earlier and have purchase agreements that are enforceable earlier in the building process.

Buyers will be provided with information that will give them a clear idea of the proposed condominium that they are agreeing to purchase and provide equivalent information to the documents that would be provided if the agreement was entered into after the condominium had been registered. This information will help buyers make an informed decision in respect of the purchase agreement.

The amendments proposed in this bill are similar to requirements found in other Canadian jurisdictions' condominium legislation. Other amendments to the

Condominium Act, 2015 that are included in this bill were identified internally by department officials and representatives who sit on the stakeholder advisory committee. Amendments will ensure that the term "surveyor" is used consistently throughout the *Condominium Act, 2015* and the *Land Titles Act, 2015*. The act as presently drafted is not incorrect in any way but we took the opportunity to ensure that the terms used are consistent. The setting out of rules around condominium boards creating bylaws in the act also needed to be clarified to ensure that condominium boards have the authority to place limitations on renting or leasing condominiums. The original intention in the drafting of these provisions was to give clear authority to condominium boards to establish bylaws and restrict or prohibit the renting or leasing of residential units, and other provisions of the *Condominium Act, 2015* make that intention clear. This amendment reflects stakeholder feedback during consultation on the *Condominium Act, 2015* and reflects, again, best practices in Canada for condominium legislation.

The wording of the new *Condominium Act, 2015* stipulates the use of prescribed forms. This means that as many as 40 Land Titles Office forms would have to be included in the regulations for the act. Given the administrative lag time that would occur if every change to a form had to be approved by the Commissioner in Executive Council and that these are forms that can change frequently to reflect changes in business practices, we have crafted an amendment that mirrors the equivalent rule that is in use under the *Land Titles Act, 2015*. This amendment will streamline the process for the registrar of the Land Titles Office by giving them the authority to create and amend forms under this act, especially given their expertise in the area. We believe that this amendment will ensure that the Land Titles Office can be responsive to issues with forms as they may arise, while at the same time ensuring that those with the technical legal expertise are reviewing and making those changes — a clear reduction of government red tape in this area.

As members of this House are aware, it has been almost three years since the *Condominium Act, 2015* was assented to by this House. Given this, we have proposed an amendment that updates the section that allows a developer to operate under the current legislation if they had substantially advanced the incorporation of the condominium under the current legislation. The provision allows the condominium to continue to be developed as a pre-existing condominium. Being a pre-existing condominium means that certain aspects of the condominium development would then be regulated under the previous or current *Condominium Act* rather than the *Condominium Act, 2015*. For instance, a pre-existing condominium's formative documents, such as a condominium plan, would be deemed to already comply with the requirements of the new act if they met the requirements of the previous act.

At present, we are working through the regulation package and expect to begin consultation on those regulations shortly. We will also be consulting with stakeholders on the optimal date on which to bring the *Condominium Act, 2015*

into effect but, given the necessity for all stakeholders to prepare for the implementation of the *Condominium Act, 2015*, we would not anticipate that it would come into force before January 1, 2019.

Our government does not want the implementation of the *Condominium Act, 2015* and the regulations to adversely affect any stakeholders or their planning, but we are also very keen to make sure that this project moves ahead as quickly as possible. To that end, I can confirm that if we determine that additional changes are required to ensure that the *Condominium Act, 2015* is supportive of completed transactions, we will work with our stakeholders to address any concerns.

Mr. Speaker, as I stated earlier, the *Technical Amendments Act, 2018* will make several legislative changes, including ensuring, through an amendment to the *Judicature Act*, that non-Yukon corporate bodies can hold real property — land — in the Yukon as joint tenants, as opposed to being able to only own land with another person only as tenant in common. There is no policy benefit or objective in limiting the ability to hold real property as tenants in common to natural persons or to Yukon corporations, only as is presently the case. So this amendment will be an improvement.

The amendments to the *Supreme Court Act* and various other pieces of Yukon legislation related to changing the title of the Senior Judge of the Supreme Court of Yukon to Chief Justice are in this bill. These changes are in response to the federal government deciding to proceed with making the same amendments to the title of “Senior Judge” in the three territories. The federal legislation changes the title “Senior Judge” in the three territories to “Chief Justice”, and we are trying to bring that in line with this portion of the *Technical Amendments Act, 2018*. There are no costs associated with making these changes and they will not change the role of the Senior Judge, or the soon-to-be-called Chief Justice, of the Supreme Court in any way.

The technical amendment bill also provides an opportunity for Yukon to clean up old and outdated legislation, Mr. Speaker. This bill contains a provision to repeal the *Lord’s Day Act*, as the federal *Lord’s Day Act* was deemed unconstitutional many years ago in 1985.

Finally, it was recently identified that there is a lack of clarity in the *Motor Vehicles Act* around existing default speed limits on Yukon roads within municipalities that did not have the regulation or bylaw setting the speed limits. Given the importance of road safety, we determined that it was essential to ensure that the legislation clearly set a default speed limit on all roads in Yukon where no other bylaw or regulation applies. This amendment will ensure that it is clear that the standard speed limit of 50 kilometres per hour applies to every road in the Yukon if no other speed limit is posted.

The Government of Yukon has always had and continues to have the legal authority to ticket and prosecute speeding infractions, but this amendment will simply make that authority absolutely clear in the *Motor Vehicles Act*. We felt it was important to clarify this provision to the greatest degree because, as all members of this House are aware, the dangers

presented by speeding and dangerous and distracted driving are important to us as a government and as a community.

In conclusion, the *Technical Amendments Act, 2018* succeeds in fixing substantive policy issues, modernizing and clarifying legislation, aligning our legislation with changes in federal legislation, and following best practices to ensure our legislation meets acceptable standards for fairness, equity and respect for the rule of law.

While effectively balancing stakeholders’ concerns and needs, the legislation we propose today will also ensure that Yukon laws are internally consistent and legislatively valid, and stay as error-free and consistent as possible.

Thank you, Mr. Speaker, for this opportunity to outline this legislation.

Mr. Cathers: In rising to speak to this as the Official Opposition Justice critic, there are a few things that jump out at me that I would appreciate clarification on from the Minister of Justice.

The first is their indication that the *Condominium Act, 2015* — the implementation date is well beyond what was originally foreseen. This government appears to have been stalling on bringing in regulations under the *Condominium Act, 2015*.

We have seen amendments that are proposed today. I would appreciate an indication from the minister as to who, if anyone, has been consulted on these proposed amendments, when that occurred, and who was involved in those consultations.

With regard to the proposal to repeal the *Lord’s Day Act*, she made reference to a court decision from the Supreme Court of Canada relevant to federal legislation. I would appreciate confirmation from the Minister of Justice of whether the minister is confident that the Yukon’s *Lord’s Day Act* was not in force and effect by virtue of that federal decision. If that is not the case, could the minister clarify who, if anyone, has been consulted on this proposed change?

Ms. White: I think it’s going to be an exciting debate when we get to the crux of this issue — when we have the opportunity to go back and forth.

For my second reading reply to this — we were contacted by people who were trying to build condominiums. They ran into these problems about actually ensuring that they could get the funding. It was in a conversation prior to the briefing on the *Cannabis Act* — it wasn’t the *Cannabis Act* itself, but it was the “what we heard” document — that I brought in a sheet from the proposed *Condominium Act, 2015* and highlighted what we had been told were the concerns and had the conversation then with the government officials, who said that they had also been contacted by lawyers working on behalf of organizations wanting to build condominiums. So I believe that is in response to that and we appreciate that certainty.

There will be other questions, I’m sure, as we go through. I look forward to possibly having it in a more plain-language conversation because a lot of the ideas are quite complicated

when we use the legal language of the acts. But if we can actually talk about it in a way that is more easily understandable then I think it will be more easily understood.

I was taking a look — just as an aside — at the *Lord's Day Act* and it talks about how you need special permission to have movies and social gatherings after 1:30 on a Sunday. So I'm not sure if — you know, it's an interesting act if anyone would like to take a look.

One of the things that the minister mentioned though was the commonality that these all fell underneath Justice, which I appreciate, and the fact that they were going to be updated to reflect federal legislation and changes.

Again, I just really want to highlight that on July 20, 2005, Canada recognized same-sex marriage as a legal entity. That's really important. If we're talking about pieces of legislation under Justice that don't meet what the federal legislation says — and I apologize, because I was on the website and I was hoping that if I clicked “legislation” under Justice, it would take me to just those acts, but it doesn't. But we've mentioned them before, and I'll mention them again — in my opinion — of course, not being a lawyer, but understanding that same-sex marriage has been legal in Canada since 2005 — I think that there is language in the *Land Titles Act, 2015*, the *Family Property and Support Act*, the *Marriage Act*, the *Married Women's Property Act*, the *Evidence Act* and the *Spousal Compensation Act* that don't reflect that reality. When you refer to “husband and wife” and it doesn't include anything else, I would imagine that rife for a constitutional challenge and I would hate for us to go that way.

I appreciate the minister's statements in the opening because it laid out very well the briefing that we had. I look forward to, like I said, more back and forth, and I imagine, at that point, my colleague from Whitehorse Centre will be doing that part.

I just really want to make sure that we put this on the record again that if we are talking about making sure that we are current with federal legislation and that we are respecting the language changes, that there are also other acts that are important to look at.

With that, I do look forward to the back and forth of these five pieces of legislation because the *Condominium Act, 2015* is really important, as are the others. My hope is that in debate we are able to use more plain language so that it is easy for those of us without the legal background to understand.

Also, the point is that it was my first briefing where there were eight representatives of Yukon government from various departments, which was really fantastic to see, so there were people who were able to speak to each of them. It was the first time though that it felt crowded in the briefing room, but I did appreciate it.

We thank the minister for her opening statements. We look forward to the ability to go back and forth with the officials here, having those conversations and also being able to explain more why it is so important for someone who is developing a condominium to be able to give the proposed plan at the beginning with the deposit and not what have

happened before under the previous legislation, which is the person had the ability once the condominium was built — they had 10 days to pull that funding at the end. What we are talking about is really taking the deposit from the back end and putting it to the front end where it belongs, but the language in the document is very complicated. The idea is that the right of refusal happens early on in the project and not once the funding has been secured, because the problem was that you couldn't secure the funding.

I thank the minister for her statements and we look forward to Committee of the Whole debate on this bill.

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

Does any other member wish to be heard on second reading of Bill No. 16?

Hon. Ms. McPhee: I appreciate the comments from my colleagues on this. Certainly, I think my address to this House — I don't disagree with my friend from Takhini-Kopper King that the draft of the bill before the House is technical, and it is living up to its name — it is technical. I certainly hope that my remarks today here in this House in introducing the changes were a little more plain language. I agree that it will be interesting to have those conversations as we go forward.

With respect to the two specific questions asked by the Member for Lake Laberge, I can indicate that any of the changes approached here and presented in this bill with respect to the *Condominium Act, 2015* have been developed in very close work with the teams of people who have been put forward and put together some months ago — some years ago, actually — in developing this legislation. For a period of time, they were on hiatus working on the regulations but are now back doing so.

Those are the stakeholder advisory committee, as I noted, with the land titles stakeholder advisory committee and the drafting advisory group — all populated by individuals with expertise in this area and who are clearly interested in seeing this piece of legislation. By that, I mean the original *Condominium Act, 2015*, which came into being in May of 2015, and then regulations were not worked on for some period of time. In the spring of 2017, once this matter came to my attention, we had prioritized the work going forward and reinvigorated not only those committees for consultations with respect to the details, but had the opportunity to work very closely with stakeholders and individuals who are not part of those committees, but have come forward on behalf of their clients or their developers, or others — whether or not they are perhaps just individuals who are thinking about purchasing a condominium or looking for their rights — so clarity is key and we will go forward with developing these regulations as soon as possible.

These are the technical amendments that will make the *Condominium Act, 2015* a wholly better piece of legislation for all concerned, and my notations earlier from today also indicate that, should other matters come — and a few have come to our attention — that we can address in regulation, we

are very keen to do so, and my direction has been to get that sorted.

With respect to the *Lord's Day Act*, I think reference was made to a Supreme Court of Canada decision, but my reference today was that it was repealed by the federal government in 1985 — that our legislation, being substantially similar, had no force and effect, and, in fact, was not being complied with for some 30 years. It is appropriate to clean it up and remove it from our books.

Lastly, Mr. Speaker, I will note, with respect to the language noted: same-sex marriage has been legal here in the territory for almost as far back as 2005. I think we were one of the first places where that was, in fact, the case. Some legislative changes were made after that to the *Vital Statistics Act* and a couple of others where issuing of marriage certificates was appropriately permitted and indication of same-sex partners' names were recorded in the government vital statistics. But I take the point that there is language in others — I don't want to speculate today — and there have been some changes to an interpretation act that would allow that language to be broadened or disregarded as being specific, but I will undertake to look at that issue because I just simply don't have the information today at my fingertips.

I certainly take the point that those are — and I agree — technical amendments that could be made relatively easily. I suspect that as these items are brought to my attention that — I am certainly a stickler for consistency whenever possible for things like the *Technical Amendments Act, 2018*, cleaning up pieces of legislation that aren't relevant any longer, and making real targeted changes so that the legislation in the territory works as we want it to work and for the benefit of all citizens.

I will anticipate that there will be more technical amendment-type things coming forward on my watch. I appreciate the comments, I appreciate the opportunity to address this and I look forward to the debate on this bill.

Motion for second reading of Bill No. 16 agreed to

Bill No. 206: First Appropriation Act 2018-19 — Second Reading — adjourned debate

Deputy Clerk: Second reading, Bill No. 206, standing in the name of the Hon. Mr. Silver; adjourned debate, Mr. Cathers.

Speaker: Member for Lake Laberge, you have, by my notes, 19 minutes and 46 seconds.

Mr. Cathers: Thank you, Mr. Speaker. I am not going to take all of that time. I did speak to the budget the other day for about 20 minutes and I would note that, in this budget — as we have noted on a number of occasions — what it is really missing is detail. It's hard to comment on details of the budget if those details are not provided. We still don't have a breakdown on capital spending that is usually provided within the budget and the budget highlights. In the past, during our time in government, it was often not only provided to members of the opposition, but, in fact, we typically provided

a community-by-community breakdown of the capital spending in our projects.

Again, I would note in wrapping up my comments that we will also hold the government to account in the areas where their words and their actions do not match. We have seen the government — despite committing to managing the growth of government and restraining the growth of government — begin its term by increasing the size of government dramatically and despite repeated claims related to it, the majority of those positions have nothing to do with Continuing Care.

We have seen the substantial increase in this fiscal year — again, according to the information government provided us at the budget briefing — with an increase of 242 full-time equivalent employee positions envisioned in this fiscal year, but with what we heard the Minister responsible for the Yukon Liquor Corporation appear to be indicating to this House during Question Period, it seems that employees required for the new cannabis retail distribution are not in fact included within that total allotment. We heard an indication of a rough number from the minister, but it sounds like that will be in addition to the 242 new full-time equivalent employee positions. Again, this is showing, according to the information we received from the Department of Finance, growth in the personnel allotment from \$516.5 million in 2017-18 to \$454.1 million in 2018-19.

I would just point out by way of context that, while the needs of the territory have grown over the past 15 years, when I was first elected — when we took power from the previous Liberal government — the annual total budget of the Government of the Yukon was in the neighbourhood of what is now taken up with the personnel budget in 2018-19 — so very dramatic growth.

We have yet to receive a breakdown of the positions that are allocated for Continuing Care.

We were advised that 186 of those new positions are related to Whistle Bend, Thomson Centre and home care but have yet to receive a breakdown. We have yet to receive a breakdown on the capital projects mentioned in the budget highlights, and there are Yukoners across the territory — including constituents whom I have heard from — who are both looking to bid on contracts and simply, for some, wondering what projects are being undertaken in their communities and are asking questions about what roads will be upgraded and what bridges will be worked on.

As I mentioned earlier in my remarks, my constituents want to know whether this government is committed to listening to citizens in my area and adding a walkway onto the Takhini River bridge on the Mayo Road for pedestrians, cyclists, equestrians and so on. They have yet to receive answers from this government despite the fact that I sent a very friendly and respectful letter to the Premier about that very project in January of last year. We have received an acknowledgement but, again, no answer.

I will largely wrap up my comments, just again noting that the choices made by this government — of running a \$4.5-million deficit — are ones that were discretionary, not

forced. Their choice to spend \$3 million on a new cannabis corporation — which, based on the information that the Minister responsible for the Yukon Liquor Corporation provided earlier today — if I heard him correctly — 90 percent of that \$3 million is going to be spent on buying inventory. That is a cost that — if the government were simply to allow the private sector to respond, rather than spending 90 percent of their \$3-million allotment on buying cannabis for subsequent sale to Yukoners, they could leave that cost and that risk to the private sector.

We will continue to urge government and hope that they will have the sense to actually listen to the suggestions coming from us and Yukon private sector — by, in fact, changing their plans, ending their misbegotten and ill-advised plan to grow the size of government by expanding into cannabis distribution and retail, and instead create a structure that allows the private sector to enter into retail and distribution, to acquire a licence in accordance with the process, and that places the costs both for capital and inventory on the private sector and places the risks on the private sector, not on Yukon taxpayers by getting into the marijuana retail business.

Again, we're trying to provide constructive suggestions to this government for where they can cut their deficit. I gave a number of examples the other day of where — if a government were to make reductions — they could, in fact, put the finances back into the black.

I do have to point out as well in wrapping up my remarks today that, despite a lot of fanfare around the government's Financial Advisory Panel, they have chosen to cherry-pick which recommendations they are following. The Financial Advisory Panel recommended twice that government change the format in which they're presenting their budget to show the fully consolidated books because that presents a more accurate picture of the government finances. I will note again that the committee specifically recommended twice in its report that the government should include those corporations to — and I quote: "Improve comprehensiveness and transparency of territorial budgeting to include fully consolidated books and projections."

To that end, we see that they have not acted on that recommendation made twice by the Financial Advisory Panel. We will be interested to hear what other recommendations they are acting on and which ones they are choosing not to act on, because the taxpayers spent not the quarter-million dollars budgeted for the Financial Advisory Panel but, according to the briefing, it went \$58,000 overbudget on the government's watch. While we did find the report interesting, much of the information was not substantially new.

In those recommendations — again, appreciating the work of all who were involved in that — if government doesn't plan to take those recommendations and do anything other than file the report on the shelf and add a reference to it in their talking points, then Yukoners are going to be asking about the value for dollar achieved through that exercise. If the government does choose to follow some of the good recommendations contained in that report then they may be able to justify that cost. Again, we are waiting to hear

specifics from the government as, in so many areas related to this year's budget and their plans, it is time to go past the talking points and very nebulous commitments made in their performance plan by which anyone can write up a list of supposed successes, but we see — compared to those commitments — a lack of tangible and specific commitments, tangible and specific investments, and a lack of detail and accountability in terms of the government's finances.

I do have to point out, in response to something the Premier mentioned earlier, that the Premier keeps trying to indicate that by moving the government's previous economic forecast from a document tabled separately in the Legislative Assembly to one that is now included as part of the budget documents — that has not created any substantial new information. It simply included one document that wasn't previously in the budget as part of the budget. The 77 pages that the Premier chose to strip from the budget contained real information that Yukoners, including members of the opposition, relied on to be able to tell us details of the government's finances.

In concluding my comments, I will note that we will be calling on the government to show us the fine print of this year's budget and provide the details that have been dramatically lacking in the budget itself and their announcements about it, because Yukoners have a right to know how the government plans to spend their money. If the government fails to do what it said it intends to do — to be able to hold them accountable both directly and through their duly elected representatives in the Legislative Assembly. With that, I will wrap up my remarks.

Mr. Gallina: I would like to take this opportunity in speaking to the 2018-19 main estimates to thank constituents in the riding of Porter Creek Centre. Constituents in this riding are passionate individuals who care deeply about the quality of life for all Yukoners. Constituents regularly express to me their support or opposition toward initiatives or plans brought forward by this government, and they do so respectfully and with the intention to fully understand the complete picture being presented. I understand the importance for Porter Creek Centre constituents to know that their MLA is accessible and listens to their concerns and input and is available to address their needs. Mr. Speaker, for me to serve as their MLA is an honour, and I look forward to representing the good people of Porter Creek Centre for many years to come.

I would also like to thank the Minister of Finance, the Department of Finance, Cabinet ministers and all governmental departments for their hard work in putting together this budget. The meticulous work done by the public service and hard-working staff in the various government departments throughout the budgeting process should not go unmentioned. It really is amazing to witness the collaboration and commitment that takes place by many in the public service to ensure that a fulsome and detailed budget is able to be presented here in the Legislative Assembly to be debated among members. Yukon residents truly benefit from this

dedication and, on behalf of the constituents of Porter Creek Centre, I thank them.

Mr. Speaker, during the 2016 election campaign, Liberal candidates heard that planning for major projects is important to Yukoners. Businesses, contractors, industry and many other Yukoners told us repeatedly that they want to have confidence that their elected officials have a plan.

The budget that has been tabled by the Premier this Sitting shows financial restraint and focuses on long-term planning and it achieves eight of our campaign commitments, including the five-year capital plan.

This government has taken a three-pronged approach to the Financial Advisory Panel's recommendations: a comprehensive health care review, efficient and effective government, and moving away from government operating what could be a private sector service.

During budget responses in the recent government private members' motion day, members of this House, visitors and Yukoners who listened in on the proceedings heard that this 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, and that the needs of Yukoners were taken into consideration throughout the planning of this document. They heard that this government made best efforts to reflect the needs of Yukoners in this plan.

In the preparation of this budget, I shared with my colleagues recent conversations I've had with Porter Creek Centre constituents, which includes the growing neighbourhood of Whistle Bend. These first-hand accounts by Yukoners bear repeating. I heard stories of frustration from constituents waiting for the previous government's land development processes to catch up with a growing population. I heard from families who were struggling to get by because there wasn't certainty regarding government capital plans.

Last week, during government private members' day, members of this House debated and delivered unanimous consent in support of Motion No. 229 which supports the five-year capital plan as a means of promoting transparency and predictability about the government's capital planning. Mr. Speaker, this is reassuring to Yukoners.

Last week in this House, members heard from the Member for Lake Laberge on this five-year capital plan, and I will quote from Hansard on March 7, 2018: "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."

With what I've heard from constituents and members of the business community, the five-year capital plan is the type of leadership and commitment that Yukoners wanted from their elected officials, and this government is delivering that.

Just this afternoon, the Member for Lake Laberge shared with us that he is hearing a lack of information and transparency with this budget. I have read the report card from

the Yukon Chamber of Commerce, which did a review of the 2018-19 territorial budget. I would like to take a moment to highlight some key points because, Mr. Speaker, this is what we are hearing. Overall, this report card was graded with a B-plus — in investments and infrastructure, a B-plus. The chamber applauds the inclusion of the five-year capital plan.

Investments in communities: B-plus. The commitment of funds toward the Internet redundancy and planned paving of the Dawson City Airport end the uncertainty of both of these election commitments and will be significant aids to business in the territory.

Further, on taxation, we are graded with a B. The chamber is pleased that government recognized its recommendations to the Financial Advisory Panel that projected deficit reduction be addressed by government expense reduction rather than a territorial sales tax.

Further down, on housing: B. As mentioned last year, the chamber continues to hear from the business community that affordable housing as well as social housing continue to be critical needs in the territory.

Finally, a balanced budget: a B-plus. The chamber acknowledges the planned deficit is now significantly smaller than what was projected a year ago and shares the government's optimism that future deficits will be less than previously estimated. The chamber applauds the information in the final report of the Financial Advisory Panel. It applauds the government on a long-term view of the territory's finances in terms of revenues, capital spending and the need to review health expenditures.

The Yukon Chamber of Commerce represents hundreds of Yukon businesses and the report card that they delivered is a testament to the hard work and consideration that has gone into the planning of this budget.

Finally, on the five-year capital plan, the importance of multi-year planning of this kind cannot be understated. In 2014-15, the Yukon Party government lapsed \$100 million in capital spending. In 2015-16, the Yukon Party government lapsed \$74 million in capital spending. In their final year, the Yukon Party government lapsed \$58 million in capital spending. This government will be lapsing \$28 million in capital spending this year — and as the member for beautiful Southern Lakes has stated in this House on this exact topic, we should strive to do better.

For the benefit of Whistle Bend residents, I would like to relay how this year's territorial budget and five-year capital plan will impact their growing community. There is \$15 million allocated for the development of new lots in the Whistle Bend subdivision. This amount represents 85 percent of the total budgeted amount for lot development throughout the entire territory. By the fall of 2019, 319 lots in Whistle Bend are scheduled to be released for lottery. As well, this year's budget also includes operation and maintenance costs for Whistle Bend place — the 150-bed continuing care facility scheduled to open this fall.

The government workforce has indeed increased this year. The opposition doesn't like that. The lion's share of this growth is for Whistle Bend place with over 150 new staff.

This is the facility the Yukon Party started but did not finish. The previous government also didn't budget any operation and maintenance dollars to run this world-class facility. We have now actually captured these necessary costs and, yes, that will increase the cost of running government.

While I am on the topic of addressing opposition concerns related to the budget, the opposition has also complained about our approach to the legalization of cannabis. The Yukon Party has opposed the legalization of cannabis from the very beginning, except for one member. They all voted against it when it came before the House last year. They don't like our approach. The opposition says we should be building the private sector. We have seen record low unemployment in Yukon recently, and under the previous government, the GDP actually shrank two years in a row.

Mr. Speaker, we are building the private sector and we are active and progressive in the support we are providing private industry to grow a healthy Yukon.

Opposition members have criticized the amount of seasonally dependent contracts despite the fact that there will be \$46 million worth of contracts out the door by March 31 this year. This is more than any year under the previous government. I will file that under "empty criticism".

The Leader of the Official Opposition has said — and I quote: "We have heard concerns from the contractors about a lack of work this summer. We are concerned that if all that is available for seasonally dependent work this year, it will not be enough."

This year is a record number for seasonally dependent contracts. A concern we are hearing from the private sector is there might be too much work this summer, and just last week, we saw an announcement from Victoria Gold about their project receiving the financing it needed to proceed with production.

The opposition has also complained about the pace of the gateway. This is another project that falls into the "didn't get it done" pile from the previous government. We are working on agreements with First Nation governments this year. We have seen the approach of the previous government and how they interacted with First Nations. It ended up with us in the Supreme Court of Canada. Our approach is negotiation rather than litigation.

I also wanted to address the opposition around the perceived lack of budget highlights in this year's budget documents. Last week, the Member for Lake Laberge had these comments on the budget highlights — and I will quote from Hansard from March 7: "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."

I wanted to reassure members that 11 pages of budget highlights and the 70 pages of supplementary budget information did, in fact, accompany the release of the budget documents tabled here in the House. I am looking here at

Internet hyperlinks on the government's website and I see all 2018-19 budget documents listed — 11 pages of additional budget highlights listed and 70 pages of supplementary budget information broken down by department — all listed on the government's website at www.yukon.ca.

Finally, Mr. Speaker, I would like to point out that I have heard much criticism from opposition about the budget highlights only being four pages long. It wasn't that long ago that the previous government presented budget highlights that were four pages in 2008 and three pages in 2009.

In closing, I would like to again thank the constituents of Porter Creek Centre for allowing me to represent their interests here in Yukon's Legislative Assembly. I would also like to thank Yukon's public service for their dedication to the delivery of this budget, while taking into account Yukon's best interests. Finally, I would like to thank the opposition members for their ongoing interest in this budget and also their work helping their constituents understand how this plan affects their riding specifically.

Hon. Ms. Frost: It is my privilege to rise today to speak to members of this Legislature as the MLA for the Vuntut Gwitchin riding.

Beautiful north Yukon — Yukon's only fly-in community is surrounded by majestic mountains, clear, clean rivers and creeks — a place where the animals roam freely without industrial impacts. This abundance has sustained the Vuntut Gwitchin people for many generations. The customs and cultural practices of the Vuntut Gwitchin people are paramount in their connections to the land, the animals and the water that sustain their way of life. I'm honoured to say that, as the Minister of Environment, I have the distinct privilege of ensuring that we continue to protect the pristine nature of that environment.

I would like to take this opportunity to acknowledge the good people of my community of Old Crow. I appreciate the support and guidance I have received over the last 15 months. To my family and my supporters, your never-ending support is appreciated and valued. It is an honour to represent the members of my community.

I also have the distinct honour to rise as the minister responsible for Health and Social Services, Environment, Yukon Housing Corporation and Yukon Hospital Corporation. Our partners with Yukon First Nations, industry partners, NGO groups and the federal government sets a path forward for us — a path of transparency and good governance with clear and realistic plans for the territory. We must continue to explore options and base our decisions on evidence, evaluating programs and services for efficiencies and the criteria in which we are mandated must be measured and well-thought-out.

This budget looks beyond the government-to-government practices we have seen historically in Yukon. I am proud to be a part of this team that is setting a new path forward — a team that is focusing its efforts on reconciliation, collaboration, cooperation and transparency for the spending of public funds. This engagement with citizens of Yukon via the new website,

through the Financial Advisory Panel, through our over 110 community visits sets us on a path to right what we see as some major challenges of the past. I am proud of the good work of my colleagues.

I look forward to discussing the 2018-19 main estimates for the departments I am responsible for and look forward to positive and constructive feedback. Through our one-government approach, we will be developing better service-delivery options for Yukoners. This will be done in collaboration with one another. No longer will government departments work in silos.

We have many new and exciting projects identified in the main estimates. Yukoners have expressed elation. They are telling us that they are pleased with the new approach. We have set ambitious goals for ourselves and we will strive to do our utmost to set things right and proceed with continued, further engagement with the public and to make Yukoners lives better.

We have heard from members of the opposition and will work on better forecasting and planning. We have taken steps to shift the past practices and we will work on better planning to address shortfalls and challenges of our main estimates. We have heard and we do continue to work hard on the number of priorities identified by this government, such as improvements that will be defined through the review of Health and Social Services to mental health services throughout the development of the service hubs in our communities to improve service delivery to all of our clients. This work will increase the number of mental health workers in communities and dramatically change the service delivery in Yukon.

I'm happy to say that we have seven positions hired, all of which are advanced skillsets. We have three master-level clinical positions hired in Yukon, which we have never seen before. We will continue to work with our communities to ensure that, as we advance legislation and as we advance opportunities in our communities, we will work on educating our young people and ensuring that they are fully informed and aware of the impacts and effects of cannabis.

We're hearing a lot of questions around the legalization of cannabis. There has to be enough put around education and the health and well-being of our young people. We intend to balance that.

We have updated and continued to update legislation policies and practices to support a diverse, inclusive society that promotes LGBTQ2S and rights equality and non-discrimination. We funded training across the Yukon so that professionals and community members can intervene when they see someone at immediate risk of suicide.

We created a Financial Advisory Panel to talk to residents, businesses, First Nation governments and municipalities on long-term financial priorities for Yukoners and to provide options to the government. This will set the tone for our discussions with Yukon First Nations as we advance our discussions on post-service transfer negotiations and service delivery with our partners.

We established the presumption that when an emergency response worker is diagnosed with post-traumatic stress

disorder, it is work-related and we are working to prevent related psychological injuries by making new rules and training workers to recognize and support safe working conditions.

We are improving outcomes for seniors who wish to remain in their own homes by implementing the Home First project. In the first four months of this operation, this project has freed up 991 hospital days for Yukoners who were able to receive care in their own homes. The success of the work of this project will continue to grow with our collaboration and our cooperation with the Hospital Corporation, with our partners and with our communities.

The Department of Health and Social Services and the Department of Community Services continue to work together to develop the rules for funding and governing midwives to support safe childbirth options by seeking the views of midwives, other health professionals and the public.

We have decided to advance the opening of all beds in this fiscal year at the Whistle Bend place. This brings the total number of available beds up to 150 — from 130 — which will result in eliminating the wait-list for our aging clients. This will also result in eliminating the current bed pressures at the hospital.

Our work so far has been open and transparent and we will work to close quality-of-life gaps and improve quality of lives of Yukoners and our indigenous communities. We strive to foster ongoing collaborative relationships between all orders of government and with our partners. We continue to support inclusiveness and ensure equality and respect for diversity and programs and services throughout all of our departments that we are mandated as responsible for. This will be achieved through ongoing dialogue and communications, with local input to solve local concerns.

Our Liberal government's goal is to make lives better for all Yukoners, including those residing in rural Yukon. Economic diversification and strong, vibrant communities will define the future of Yukon that we want to see, based on their interests and their desired goals and outcomes. This government is committed to building and strengthening our diversity.

Our Minister of Tourism and Culture is doing an incredible job on Yukon tourism strategies that take into account the needs of all Yukoners and Yukon businesses.

We have much to celebrate, many successes demonstrated throughout the past 15 months. We are providing better services to Yukoners by improving Yukon government's campgrounds, by adding new sites and by increasing accessibility. We are updating rules for using Yukon government campgrounds. We provide more opportunities for Yukoners to enjoy the outdoors and ensure that Yukoners and visitors have a better camping experience.

We have heard from the Minister of Justice, who has taken a long-overdue look in the territory on such things as a review of the Whitehorse Correctional Centre, continued work to update legislation and assist all of us in providing the good guidance that we need when we define and look at policies and equalities within our workplace, within the government,

and in the modern, diverse and inclusive society that we have come to know in our Yukon, in our Yukon that represents all interests.

We have made improvements to the way the government handles procurement by tendering seasonally dependent contracts, doing this good work with the Minister of Highways and Public Works, with all of our colleagues.

Our aim through the Yukon Housing Corporation is to provide and work in collaboration with our partners and eliminate working in silos, looking at as many opportunities as we can.

We will continue our work on innovation, on renewable energy. This will not be coffee-shop talk, as defined by members of the opposition. We will do it in good-faith discussions with the experts in the field. We are developing ways to meet future needs for renewable resources, such as support for small-scale micrograde solutions in Yukon communities.

We are partnering to implement Safe at Home to end homelessness in Whitehorse and are proud to announce the territory's first Housing First project. We launched "Looking for Housing?", a one-stop-shop website that provides valuable information for people looking to help with housing or a home to rent or buy.

We have established a response team to provide wraparound services of victims of sexual assault when and where they need them.

In closing, I welcome the continuation of working collaboratively with our partners, making evidence-based decisions, evaluating our programs and services, and the discussion in the 2018-19 main estimates.

Hon. Mr. Streicker: I rise today, first and foremost, as the MLA for Mount Lorne-Southern Lakes. I know we all believe that our ridings are beautiful places, and I believe mine is — beautiful Mount Lorne-Southern Lakes.

I would like to thank the MLA for Copperbelt South in his role over the last year as critic for Community Services.

Again, as I said earlier today, I would like to welcome the Member for Porter Creek North in that new role, and I look forward to answering her questions. I will always do my best to answer questions in this House. I am happy to respond to questions about what the budget will mean for each of our communities.

Since the Member for Lake Laberge got up and talked about past budgets, having listed off on a community-by-community basis, I went through and tried to find it, and I could not find it. I think the point here is that we want to make sure that we provide as much information as we can for our citizens without overwhelming them. I don't expect that we are going to get exactly a line by line of all budget items, but we will do our best to provide that information.

Let me begin by talking about our communities and how important they are to all of us here in this Legislature. As the Minister of Health and Social Services just referenced, we have taken it as an important point to try to get to our communities. After I was asked how many trips I had made,

we started counting them up and we are well over 100. It is important that we get to our communities.

Earlier in his address to this Legislature on second reading of the main estimates for the 2018-19 budget, the Member for Kluane stated — and I quote: "... constituents in my riding haven't been met with yet." I am not sure if what he means is whether or not we have met with every single person in his riding — and, of course, we have not — but I have been to Haines Junction a half-dozen times and had excellent meetings with the village there. One time I popped in and we were there at the same time.

I have been to Burwash several times, including once recently with the Minister of Education. I have been to Beaver Creek once and also had a meeting with the White River First Nation here with the Minister of Energy, Mines and Resources, the Minister of Health and Social Services, and the Minister of Environment — same person, of course. I have also been to Destruction Bay, and the Member for Kluane even referenced that meeting. I am not sure, when he stated that we have not met with his constituents yet, what he is referring to.

But I do want to say that the important point here is that our communities matter and it is important that we engage with Yukoners and that we hear from them about their local concerns and their local solutions.

Last year, we spoke about a coming deficit. Since that date, we have been working hard to tighten our belts on a department-by-department basis to manage our growth and to make sure that our spending was in line with our revenues. We managed to reduce our projected deficit for this year from \$49 million to \$4.5 million. Of course, by reducing that deficit this year, it helps us on years going forward. I think we are very lucky to have seen our revenues go up.

For a moment, let me talk about our economy. We have a positive economic outlook. We have projected GDP growth of 4.4 percent this year. With respect to jobs, the Yukon's unemployment rate hit a record low in 2017 — the lowest rate for Canada. We just heard again that, for last month, it was a very low unemployment rate. Despite this positive outlook, we are in deficit and we must work to get out of that deficit.

One of the things I will not shy away from is saying that we have to steer ourselves out of that deficit — we as a government, we as a Legislature. It is our responsibility. The biggest concern — no, that might not be correct — one of the concerns that I hear over and over from the members opposite is not the economy, but rather missing pages in the budget. So, as the Member for Porter Creek Centre noted, those pages are available. They are online and we did not print them, but they are there. I think that it is important that we talk about the economy and this budget and the deficit and how we are going to work to turn this around. I think that is a much more pertinent conversation.

Let me talk for a moment about the capital budget. When I look back through the 2016-17 budget — and I happened to be here in the Legislature that day to listen to the budget speech from the then-Premier — there are several things in here about the capital budget, and I will just note a couple of

them. The first one is that when I look at the projection about where the capital budget is going to go, what I see is that the capital budget, for example, for this year, would have been \$175 million. When I look down for information, I see zero, zero, zero, zero, zero, zero under those, and I see \$1 now and then, but I don't see the detailed information, just as the criticisms are coming to see more detailed information. In fact, it's basically set within three lines — \$75 million for other capital projects, \$37 million on the New Building Canada Fund, which is not a project, it's a fund, and \$50 million on transportation infrastructure.

We are starting to shape a five-year capital plan. It starts to give some sense of where that money is going and I'm happy that the members opposite are asking for more details — happy for that.

The Leader of the Official Opposition talked about lapsed funding in the capital budget and I would say that is a perennial problem for governments and I think it is important to address, as I stated last week in this Legislature. I note that, looking back over the years — this year, we are lapsing \$28 million. In past years, it ranged up to \$100 million. So the question is not: Should we do better? That is the obvious question. Of course, yes, we should do better. The question is about how to do it better. How can we improve it? So I'm glad that it has been improving and I want to see it do better still.

The three ways that we have identified to try to identify lapses in the capital budget and how to get the forecasting tighter are: getting the large seasonally dependent contracts out early so that there is less lapsing generally on that money; developing a five-year capital budget — and I'll talk for a minute more on that; and use envelopes.

In the budget under the five-year capital plan, although there is concern about details, the place where there is very specific detail is under those envelopes and that is a good starting place, Mr. Speaker. The envelopes do two things. They allow us to project where the spending is going to go but they also give us some flexibility to work with our communities, our partners, our municipalities, First Nations and the private sector to prepare for that five-year capital budget.

In particular, I want to talk about municipalities for a moment. We have had many meetings — and I would like to give a shout out to the Infrastructure Development branch of Community Services and all the work they have done in talking with those communities to discuss with them what their priorities are, knowing that we have coming forward in the next year another — sorry, I should reference this — combined with the Yukon's contribution, \$594 million over the next 10 years. There is a lot of further discussion that we have to have with our communities and our municipalities to discuss their priorities in that upcoming infrastructure and the ability to plan it out over the years so that we can give certainty to the private sector about where that investment is going to happen while at the same time hitting the priorities of our communities.

Let me also discuss for a moment housing and land development. It is an important piece in ensuring that we

support the spectrum of housing here in the territory. Using the envelope approach, we will be investing \$17.7 million into Whitehorse and the communities for lot development in the coming year. Over this coming year, our goal is to develop more than three times the number of lots we just made available for lottery last week.

Let me turn for a moment to talk about sustainability. When it comes to sustainability, the main place we have to address in sort of combatting climate change is our energy economy. How can we make our energy economy more sustainable over the future? As I have said in this House on several occasions, the best place to invest is where we save on energy. It is not where we have renewable energy; it is rather where we can avoid having to spend money on energy in the first place. Those types of investments will stand us very well. They will help our individual citizens in their costs, they will help our businesses in their costs and they will help our governments — First Nation governments, municipal governments and the territorial government — in our ongoing operation and maintenance costs.

Investing in that kind of capital investment is such a smart choice for us as a territory. In particular, we have stated that we will invest \$11.7 million across the territory in energy retrofits. I note that when it comes to capital planning and those energy retrofits, we have made a commitment to build toward \$30 million a year. I'm happy that this year we will be at \$11.7 million.

I want to note and I want to thank the members of the Third Party for their voices in asking that there be strong investments in the energy sector. I note from their platform that they had made a commitment to — quote: "... create a green energy investment fund with a Yukon government contribution of \$50 million over five years with the opportunity to grow to \$100 million with other sources of investment..."

So that commitment that they made was for \$10 million per year. I'm happy this year that we're at \$11.7 million per year and happy that we are building to \$30 million per year. It is the smart way to invest in our energy economy. It will help all Yukoners.

I would also like to thank the Member for Porter Creek North for her comments regarding the importance of physical activity. I agree. That is why this year, I'm happy that in the budget we are breaking ground on the Carmacks recreation centre this summer. I'm excited to be moving forward with the renovation of the F.H. Collins regulation artificial track and field, which will be used by schools and the whole of the territory. These are good news pieces for us as a territory.

Finally, Mr. Speaker, with respect to portfolios, let me talk about cannabis. First of all, I would like to thank Yukoners for all of their input. It has been an amazing amount of input. I would also like to acknowledge the work done by the departments on this file. They have done a tremendous amount of work to prepare legislation, scope out regulations, talk to communities about their hopes and concerns about cannabis and prepare for a private sector and a hybrid model.

Our two main priorities have been to displace the illegal sales and to have a focus on public health, safety and harm reduction, including protecting our youth from the negative health effects. I thank the Official Opposition for now coming on board and looking for solutions. We support the legalization of cannabis with private sector sales.

Today, I talked a little bit about the seed funding that is in the budget but I want to note first and foremost that the way this will be created is through a corporation. That's what we have put in the legislation. There are two important things to note with respect to cannabis: It is an intoxicant and, therefore, under the *Yukon Act*, it is a controlled substance. So we will control it. We will work in partnership with the private sector to ensure that how cannabis reaches the public is engaging them and using them and, as the Premier notes, getting out of the business of doing business.

We also, though, are aware that cannabis will be legalized sometime late this summer, depending on when the federal government gets there. We will prepare for that. So there will be some time for transition, and during that time of transition, we are working hard to ensure that we focus on our priorities of displacing illegal sales and ensuring that public health, safety and harm reduction, including our youth, are maintained.

The Member for Lake Laberge, I believe, has talked several times during Question Period and during his second reading speech today about the private sector. We have been happily engaging with the private sector. We are having great conversations with them and, just to clarify, when it comes to production, it will be federally regulated, although we will work with Yukoners to help them navigate that system. When it comes to retail, it will be regulated by us and we are working diligently with the private sector. If there are other members of the private sector that the Member for Lake Laberge is referring to, by all means, please get them to speak with us directly. We would be happy to engage with them to make sure that we are aware of their interests and to make sure that they are aware of how they can engage as the private sector.

Today, when I spoke in the Legislature, I talked about full-time permanent employees. During transition, there may be some other employees that we have, although they will be employees of a corporation, not employees of this government. In the full listing of all of the employees who are there, including when I look back through past documents, I don't see a listing of the corporation employees. I am happy if the members opposite wish to share. That is great. We can take a look. I was up front in saying that I felt we would need some regulatory staff on board and that, as we transition through the initial phases of cannabis, there may be some need for temporary staff, but we will not be growing government as a result of that.

I should also note that if we go for a more privatized model, we will need more regulatory folks. You cannot have it both ways. If, for example, we go to utilize the private sector more heavily — and we are very happy to be exploring that — it will require more regulatory enforcement folks. They work

for the corporation, of course. Let me just reiterate. I want to thank the public servants from the Department of Justice, Department of Health and Social Services and the Liquor Corporation for all of their hard work in preparing for the legalization of cannabis. It is great. Again, thank you to the Official Opposition for getting onboard.

I just want to talk for a moment about my own riding of beautiful Mount Lorne-Southern Lakes. Let me talk about the three biggest issues that I hear when I talk to them and how they relate to this budget. They are: aging in place, land planning, and local decision-making.

Let me start with local decision-making. In the riding of beautiful Mount Lorne-Southern Lakes, we have several communities. Four of the five local advisory councils are in my riding and all of them are interested in local governance — the ability to have more choice in how the future unfolds. They have been actively involved in the Electoral District Boundaries Commission and have been talking about that, and I know that will be coming forward to us in time. They are currently working on how they can have more local decision-making. The Department of Community Services is working with them to explore those possibilities.

With respect to land development, I know that land plans are a very big issue for the citizens of my riding. For example, there was a great announcement recently that the Carcross-Tagish First Nation and the Kwanlin Dün First Nation talked about starting to do some land planning together. I think that is great news and I will work to support them with that. Of course, since we got the Supreme Court of Canada decision, it is allowing us to get moving with regional land use planning and I look forward to that work here in the territory.

We also have an important piece of planning underway, which is the Whitehorse and Southern Lakes Forest Resources Management Plan, because as we have heard in this Legislature and in and around our communities, wildfire is a big issue and we care about it and are concerned. By the way, it is good to note that this year we will be able to rebuild the air tanker base here in Whitehorse and this year we are investing in the planning work. That work will take place over the next several years.

Mr. Speaker, a shout-out to our volunteer firefighters and ambulance folks from around the Southern Lakes loop. This year, led by the Tagish Volunteer Fire Department chief, we will be hosting the Western Canada FireFit Competition here in Whitehorse on the May long weekend, so everyone can come on down to Main Street where they will be setting up the tower to cheer on our local and visiting firefighters. They are hoping to have the Dakhká Khwáan Dancers open the competition.

Let me turn for a moment to aging in place. Mr. Speaker, I affectionately refer to my riding as the greyest riding in Yukon. I say this as a point of pride. As the oldest member of our Cabinet, I think it is fitting that I come from beautiful Mount Lorne-Southern Lakes, which has the oldest community, statistically, which is Tagish — although they don't seem to report the statistics for Marsh Lake or Mount

Lorne, which I think would rival Tagish. I have three of what I consider to be the oldest communities in the territory.

I agree with the Leader of the Third Party that our seniors are glorious. I want to say it up front — I think they are a wonderful part of the fabric of our territory. By the way, Team Yukon is getting ready for the Canada 55+ Games, taking place in St. John, New Brunswick this August, and Team Yukon always wins the Spirit Award. I expect no less this coming year. I am going to be there playing and cheering them on.

There was a great story. One of the organizers said that she had a sign-up sheet with all the men who were going alone and were looking to have roommates, but it had gone missing. There was good laughter in the audience wondering who had taken the list.

My riding — the communities want us to think about how to support them to age in place and to live healthy lives in their homes. So I'm excited that we will be conducting a review of our Health and Social Services spending. I think it's great. This is a recommendation from the Financial Advisory Panel. When we note that we can build on the review that was conducted 10 years ago and when we note that 30 percent of our spending is going to Health and Social Services and we project that spending to go up, I think it is terrific that we can look for ways to both make sure that spending is as effective and efficient as possible and, at the same time, ensure that we can help our citizens to age in place. I know how important that is for my citizens. I thank the Minister of Health and Social Services for telling me that she was going to be sure that, as the aging-in-place strategy took place, she would engage with the citizens of beautiful Mount Lorne-Southern Lakes.

Let me conclude by saying that our role as MLAs is to represent our citizens and to make the Yukon better as much as we can. That role is also coloured by the fact of which side of this Legislature we sit on. When I think about the citizens who live in the riding of Kluane, I know they have concerns, Mr. Deputy Speaker. However, I don't believe that they only have concerns. I think that they have some good news as well for what they see is going on — similarly, within our own ridings on this side of the House. I don't for a second believe that it's all good news.

I wish for us in this Legislature to find the best way possible to, of course, maintain the roles of holding government to account and us responding from this side of the House, but I also wish to recognize that Yukoners are diverse folks. As I said today in the tribute — which I had the honour to rise and talk about — I believe there is strength in our diversity and I believe that all communities are important. I will continue to do my best in my role as an MLA of this Legislature and as a minister to ensure that I engage with all citizens across the Yukon.

Deputy Speaker (Mr. Hutton): If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Silver: I don't have a lot of comments. I think there was some very succinct messaging on both sides of the House. I want to thank my colleagues for all of their conversation about the budget. I want to welcome the opportunity to wrap up this second reading debate and be able to get into the mains.

Mr. Deputy Speaker, I am very proud of this budget. I'm very proud of the commitments from all the ministers and all of their departments to sustain a financial path for future generations.

Again, I want to spend most of the dialogue here moving forward in the main debates, so I won't spend any other time, other than to say thank you to everybody in the House for their comments.

Deputy Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Deputy Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Ms. Van Bibber: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Mr. Istchenko: Disagree.

Ms. Hanson: Disagree.

Ms. White: Disagree.

Clerk: Mr. Speaker, the results are 10 yea, 8 nay.

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

Motion for second reading of Bill No. 206 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter before the Committee is general debate on Bill No. 206, entitled *First Appropriation Act 2018-19*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 206: First Appropriation Act 2018-19

Chair: The matter before the Committee is general debate on Bill No. 206, entitled *First Appropriation Act 2018-19*.

Hon. Mr. Silver: I would like to welcome Deputy Minister of Finance Katherine White to the House today for general debate.

I am very pleased to rise and address Committee of the Whole regarding the 2018-19 main estimates. Within this budget, our government seeks to continue our efforts to provide clarity in public finance and support a more systematic and informed approach to public spending. It is a budget that relies on deeper engagement with Yukoners for it to succeed. The engagement includes continuing efforts to consult with communities. It includes furthering our government-to-government partnerships with First Nations. It includes building the capital assets that enhance quality of life for Yukoners and doing so in a way that maximizes economic benefits.

We are striving to give Yukoners the full picture of the territory's finances as well as the outcomes we are working to achieve with those finances. It is a process aimed at putting Yukon's finances on a sustainable path. In this fiscal year, revenues are forecasted to be \$1.333 billion. Total costs are expected to be \$1.338 billion. Of this amount, \$280 million is capital spending. There is \$1.2 billion for operation and maintenance. Yukon's accumulated surplus as of 2018-19 will be \$1.4 billion. These 2018-19 main estimates show a deficit of \$4.5 million. The deficit is a result of the increasing costs in operation and maintenance.

Allow me to highlight specific areas where operation and maintenance costs have increased. Health and Social Services operation and maintenance spending is up \$37.1 million. Of this, \$24 million is for the Whistle Bend long-term care facility. There are increased costs of \$2.8 million to open 10 new beds at the Thomson Centre to provide much-needed space for seniors who need continuing care.

Costs within the Department of Environment are up by \$5.1 million, largely due to \$4.6 million in costs for environmental cleanup in Marwell.

Higher enrollment in schools has largely contributed to an increase of \$6.8 million over the main estimates of 2017-18.

We will continue communicating with Yukoners on our plan to return the government finances to a surplus, and we expect to do so in 2020-21. Even still, there is a long-term challenge around operation and maintenance spending. These costs are presently on a steady upward trend that must be brought down to align more closely with Yukon's ability to pay. This upward trajectory is due to pressures related to an aging population and increased demands for public services.

Continued attention to sound fiscal management is critical to returning the government's finances to a path of fiscal sustainability. Our government will be doing this work in consultation with Yukoners. Already, these conversations are underway. The Financial Advisory Panel was an important first step. They provided many valuable insights and options.

Our government will begin three early actions on some of the panel's recommendations. We will complete a comprehensive review of Health and Social Services, as the panel suggested. We will increase the efficiency and the effectiveness of delivering services to Yukoners, and we look for opportunities for government to get out of the business of doing business.

Yukon's vibrant business sector is a source of innovation and expertise. First Nation development corporations and local governments can also be innovators in offering services that make better sense for communities. Our government was pleased in 2017 to sign an MOU with 11 First Nations on a one-government approach to Yukon's mining sector. Our government is determined to develop that partnership and to get more value from public dollars. One of the ways we are doing this is by releasing, for the first time, a five-year capital plan. Spending will be consistent over those five years at about \$280 million per year on average.

Conducting procurement in a more orderly fashion avoids overheating the construction sector. This helps Yukon-based companies bid on more work by spreading out construction activity. We are also committed to putting tenders out at the right time, not just in time. This includes issuing tenders for seasonally dependent projects well in advance of when ground must be broken.

The capital plan is carefully balanced to meet Yukoners' most critical needs for future growth and prosperity. The five-year capital plan is an opportunity to develop a true Yukon approach to infrastructure. This means sitting down with local communities and First Nations to plan together. We can determine the highest priorities. We can look at affordability and discuss shared responsibilities, including cost.

In publishing the capital plan well in advance, local partners can align capital investments with their own plans for land use. Yukon will continue taking advantage of federal programs but our discussion will not be driven by federal funding announcements. Instead of reacting, we will proactively determine Yukon's needs.

The capital assets we build today will be on our operation and maintenance costs for a long time afterward. We need to build capital assets in a way that is affordable, sustainable and collaborative. In addition to knowing what we spend, we need to know why we're spending and the difference these

investments make. This is why we have released Yukon's first ever performance plan. It is built around the priorities we outlined for Yukon in last year's budget.

This performance framework will move Yukon toward evidence-based decision-making. The work of government will be ordered around outcome statements and there will be indicators attached to the outcomes. We will communicate to Yukoners all of the actions being undertaken each time. Yukoners will be able to review performance plans, which will be available online — and are available online — in a format that is easy to understand.

In closing, our government is in the process of developing a more transparent and consistent approach to governing the territory. Yukoners want to have the confidence to know that the territory is on a sustainable path. While we may be in a deficit in this fiscal year and in the next, we will continue to show how the budget will return us to a surplus.

Just as important, we are addressing the long-term challenges in operation and maintenance costs to avoid risk of substantial deficits in the future. Our government believes it is better to know and to share the true cost of delivering services. We are acting on a five-year capital plan to ensure maximum economic benefits from infrastructure activity. We are committed to using a more evidence-based approach to delivering public services and meeting the needs of Yukoners.

Yukon needs to have a handle on its financial situation because the size of our territorial budget, the assets we own and the opportunities before us — well, they're all growing. This is about preparing for a future and the future demands for public service. It's about preparing for the variables that we can control in a resource-driven economy. It's about preparing for greater economic opportunities in tourism, culture and in the new economy. Yukon has a dynamic private sector and we have innovative public servants as well. We have municipal governments and community groups that make a real difference on the ground. Yukon First Nations are determined to make progress in generating economic opportunities and improving quality of life. Our government is determined to provide the budgeting and governance that makes the most of Yukoners and their potential.

Our government will continue this work with budget 2018 and in future budgets as well.

Mr. Cathers: In rising to this as Official Opposition Finance critic, I would like to thank officials across all departments for their work in putting together the budget and I would like to also welcome the officials from Finance here this afternoon and note that we in the Official Opposition truly do appreciate all the effort across government departments and the Department of Finance, the central agency responsible for developing the budget, that goes in to putting it together.

I want to ensure that it is very clearly communicated to all that our criticism of the lack of detail provided by government is not intended as a criticism of staff, since we recognize that the decisions of what to include in highlights, budget speeches and announcements are made at the Premier's level or at Cabinet level, not at a staff level.

Beginning with a number of areas in our job as Official Opposition, part of that is to hold government to its statements and its assertions and to call them on their claims when we believe those claims are inaccurate. I would note that, again, the Premier talks about improving budgeting of government and in one of the areas, though the ink is barely dry on this year's budget, we have seen that the government, as part of its plan to get into the sale and distribution of cannabis, earlier today my colleagues, the Member for Watson Lake and the Member for Kluane, asked questions about this. We learned that government, according to the Minister of Health and Social Services, with the figure that we were given in budget information about the amount being spent on an education campaign, according to the minister's statement they are not planning on spending the \$100,000 they indicated. We didn't hear details on the campaign. Since that information was provided as part of the general information related to the presentation of the budget in the budget lock-up, I would ask the Premier for clarification on what, if anything, the government is planning on spending on education related to the legalization of cannabis. What are they planning on doing, in general terms, in terms of educating people, especially young Yukoners, about the potential risks associated with consumption or over-consumption?

I would also ask a follow-up to comments made by the Minister responsible for the Yukon Liquor Corporation. The minister, in his second reading speech in speaking to this budget, appeared to be indicating several things that were interesting, but also concerning. It appeared that the minister was indicating that new employees would be hired for the Liquor Corporation or under a new cannabis corporation — whatever the name may be — to deal with the legalization of cannabis. The minister appeared to be saying in his comments that those employees would not be government employees; instead, they would be the corporation's employees. I would ask the Premier to clarify whether the government is now excluding Liquor Corporation employees from the total list of government employees and whether indeed the minister was accurate in stating that these new employees that would be hired would be off the books, so to speak, when the government is calculating its total number of full-time equivalent employees. If the minister was inaccurate, then I would appreciate that clarification from the Premier. I would also ask for more information about how many employees they envision adding through the new cannabis corporation.

Moving on to another area within the budget that seems to have been misunderstood by some of the Premier's colleagues in speaking to it — the community-by-community breakdown was not typically provided in the budget documents itself but, historically, during our time in government, there was supplemental information provided usually in the budget briefings, sometimes in the House itself, as a tabled document.

There was typically and historically a list of the community-by-community breakdown of all major items for the community capital budget for the fiscal year and we haven't received that information. We are asking for that

information to be provided, and if the members of the Liberal caucus look back in Hansard they will find a record in past of members of their own party asking for that breakdown if it had not immediately been provided prior to the House resuming sitting. So again, I'm just asking for that information that historically has been shared with members of all opposition parties. I think it is fair to say that the Third Party may also appreciate copies of any information that the government provides to us.

I would also note that in the area of continuing care we have heard that this year will add 186 new employees according to the information we were provided. We didn't get a breakdown on how many of those employees are for Whistle Bend, how many are for the Thomson Centre and how many are for home care. Those numbers were blended in together, so we would appreciate a breakdown of those numbers from the Premier.

I will leave it there so I am not presenting him and his officials with too many questions that require flipping through different pieces of information.

Hon. Mr. Silver: That's a lot of different questions in a lot of different fields, so if I miss something, I apologize in advance.

Let us start with liquor and the comments from the minister earlier today. As you know, Mr. Chair, and as the member opposite knows, as well, the Liquor Corporation, being a corporation, would be unconsolidated budgeting, so it wouldn't be numbers in this budget. This is the difference between consolidated and unconsolidated budgets, as the member opposite knows. As far as accounting purposes, we will wait for the Liquor Corporation to speak specifically about those expenses, but again, I believe — I don't want to speak on behalf of the Liquor Corporation and the good work that they do, but these would be contracted positions as opposed to FTEs.

We are extremely cognisant of the fact that over the years — in the last 10 years — there has been a huge buildup of government. We want to be able to right-size the government. We also believe that we need to get out of the business of doing business. With that statement being said, if there is no business that is in that business, then we have to reach out to businesses that are interested in that. You can imagine, Mr. Chair, as the federal legislation is coming at us, we have a decision to make as to how are we going to write the rules that are going to be here for cannabis and the inevitability of cannabis being legalized throughout Canada.

I think the ministers responsible for Justice, Community Services and Health and Social Services did a fantastic job of working, really, without any of us knowing what is going to happen once this industry gets legitimized. We can take a look at jurisdictions like California where the illicit market reduced prices substantially — over six-fold. As we watch the price points, that is something we are definitely interested in and so those are the conversations we are having with the private sector as well. Again, if there was somebody interested in the warehousing and distribution, we will have that conversation.

I know the Liquor Corporation has been having some great conversations with the private sector.

As the opposition shows their concerns — they don't want to see us necessarily growing the size of government in this pursuit — we agree. We want to make sure that we do this properly so that the regulations, the policing and the education side of things are succinct. I think that the government officials and the ministers have done a fantastic job of that. The language that is in the legislation and in this budget is a hybrid model that allows the flexibility for the private sector if we can find private sector individuals who are willing to take on those responsibilities. I think that's great. I think it's a great approach and I'm very happy with the work that the government officials have done in this government and also the ministers.

We did speak about the enforcement agents as far as the regulatory piece and whether or not it would be private sector versus public sector. Regardless of either, we are going to have to have these enforcement folks for the regulations. I think that the point that was trying to be made today in the Legislative Assembly was that if this was a whole bunch of different private sector involvement — not a monopoly — we would have an increase in the amount of enforcement officers that you would need, as opposed to one company or one government.

Those positions — they are going to have to be an FTE — we are going to need that enforcement — and I would imagine that the opposition would agree that we wouldn't want to create this whole new industry without the enforcement individuals available. Imagine in liquor, if we didn't have the enforcement agents to make sure that liquor is being offered within the rules of the legislation, both territorially and federally.

Also, the Minister of Health and Social Services spoke about the \$100,000 that was allocated for cannabis. What I heard this morning was that not only is there \$100,000 for that educational piece for cannabis, but also an expansion — the minister wants to go beyond just cannabis when she speaks about the other pockets of money, so a whole-of-government approach and all-communities approach when it comes to social ills and why people want to get out of their sober minds to begin with and how to make sure that we work effectively with all of the NGOs and the other municipalities to make sure that the mental health issues and the social issues of the Yukon can be addressed in partnership and unison.

When speaking about just \$100,000 for cannabis, what I heard from the minister was willingness and a desire to spend more money, not just for what we're doing on cannabis but also for the other social issues that are facing Yukoners today.

When it comes to Continuing Care — I do have some numbers for the member opposite, but I really do hope that he brings this up during Committee of the Whole debate for Health and Social Services. This is the reason why: It gives our minister the opportunity to speak of the good work of these individuals. Mr. Chair, I can give you the numbers and I will give you the numbers here, but I would love for this conversation not to just be in general debate. It is one thing to

say how many are being hired but it's another thing for the minister to be able to, with her department officials, break down the importance of each individual job.

What I have here for FTEs for Whistle Bend would be 151, less 52 FTEs for Macaulay Lodge. We also have Health and Social Services — we have 10 FTEs for home care staff, we have Health and Social Services as well at 16.3 FTEs for the Thomson Centre. Of course, we spoke a lot about the new 10 beds here, so that's some good news. We also have one FTE, which is going to be a security guard from Highways and Public Works. We also have one FTE for sexualized assault response team — the SART coordinator. This is a very important initiative that has been taken on by Health and Social Services and Justice. We are very excited about the work being done there. We also have one FTE for a communications officer for cannabis implementation. There is one FTE as well for social marketing analysis and so that would be funds that are transferred from the deputy minister's contract services. Then, last but not least, to make the total 187.4 FTEs are six FTEs for Whistle Bend. Four are in human resources, one is in communications and one is a systems administrative piece.

We were asked also by the member opposite to break down the capital assets per community. I don't know if he wants specifically what all the projects are or dollar values. It's something we're willing to consider. I'm not sure if this has been a past practice as far as getting all of those numbers out the door. The member opposite can jog my memory if this is a past practice or not and I will talk with the minister responsible to see if this is something we're prepared to do.

Mr. Cathers: I do appreciate the information provided by the Premier.

I'll start with the last question he asked in terms of the community-by-community breakdown. I think what I would note with that — and there have been slightly different formats from year to year, but the practice has been and what we would appreciate is a breakdown of any significant projects by communities. So not down to the level of detail necessarily — although we are happy to have all of the information they want to provide — of whether a new coat of paint is being put on the walls of one office in Mayo, for example.

We are just asking for the details — especially of major projects that are going on. I will give the Premier a few examples of that. When people in individual communities are looking for projects that are important to them, it is contractors — but not just contractors — who want to know: Will my road be worked on this year? Will we see a new turning lane at this location? Any of that information that they can provide proactively would be much appreciated.

I would also appreciate — the Premier, in providing the breakdown on Continuing Care, made reference to the number of 187.4 FTEs. The information that we had been provided earlier indicated that the total was 186 FTEs. We would just appreciate it if the Premier could clarify what the actual number is — relating to the increase in Continuing Care — since I have not had a chance to tally up all of the individual

numbers that he listed off — again, just a discrepancy between whether the total is 186 or 187.4.

I would also just note that, while we will ask more questions in individual line departments, one of the reasons that we have to date — and I expect to continue in the future — I asked the Premier in general debate on the budget about the overall increases across departments for FTEs. I think it is fair to say that, when departments or people within departments are putting forward requests for new positions or when a minister is making a request for a new position to Management Board, that probably each and every one of those requests viewed on its individual merit probably has some merit to it, and some of them, in some cases, are definitely needed. But collectively, when those add up, that is an area where Cabinet as a whole — and the Premier as Finance minister — does, in our view, have an obligation to look at those numbers and look at their total effect when you add up all those items and distinguish between items that are necessary and items that are nice to have — including new positions. One of the unfortunate realities in government is that, if you are exercising some degree of fiscal restraint, you can't fund everything that would be nice to fund. You need to pick priorities within there, and there are some other areas in which government may have to tell someone that a project or a position that they have requested is simply not going to be possible this fiscal year because of the government's overall restrictions on the financial envelope.

One of those specific ones that I would appreciate more detail on — but I expect the Premier may tell me that we need to get the details on that from the Minister of Health and Social Services — but I understand that there is a new FTE for social marketing. I would note that the Third Party, in particular, has often questioned the addition of communications staff. We in the Official Opposition recognize that there is value, but also, in a time when government is trying to control the growth of its overall budget, the question of whether the addition of a new FTE just for social marketing is the highest priority — so more information would be appreciated, but at the moment it does sound, to me at least, like potentially an expenditure that would be nice to have but not necessarily a core need.

As the Premier mentioned, in terms of the operational planning and staffing plan for Whistle Bend and for Continuing Care, I am sure that my colleague, the critic for Health and Social Services and the Member for Watson Lake, will be asking for more details and an understanding of the breakdown. Again, while recognizing the good work that staff do and that new staff for new beds at continuing care facilities are necessary, you can't just open beds without doing that. It is our job as the Official Opposition to question the details and scrutinize the details to fulfill our job on behalf of the taxpayers.

Jumping back to cannabis — again, we've heard somewhat mixed messages from the Premier and the Minister of Health and Social Services on the cost of the health promotion portion of this, and a lack of clarity so far on that \$100,000 identified in the information that government

provided us about its response to cannabis. I'm not clear at this point whether that includes a new government position or more, and we would appreciate that information, as well as clarification on how much of that \$100,000 is expected to be spent on actual marketing initiatives, and what those would be.

I would also just note that when it comes down to the area of cannabis, I am not going to spend too much more time on this particular area, at least here today — but the Premier made reference to having to reach out to businesses, and I would point out that, yes, the government may need to reach out to businesses, but there are also Yukon small businesses reaching out to government and saying, "Give us the chance to demonstrate that private retail can be done." While I agree with both the Premier and the Minister responsible for the Yukon Liquor Corporation that this might require government to hire or contract more enforcement staff, it would avoid government needing to staff its own retail locations and would also avoid government having to spend, from what I understood — based on the Minister responsible for the Liquor Corporation's comments earlier today in the House, it sounds like government is planning on projecting to spend \$2.7 million on buying cannabis or cannabis products.

I would appreciate clarification on that. Perhaps I misheard the Minister responsible for the Yukon Liquor Corporation and we don't get a copy of the Blues from that — or at least I don't have a copy in front of me of that so I haven't actually seen the transcript. But, based on what I heard the minister say, it sounded like 90 percent of that \$3-million envelope was anticipated to be spent on inventory, and I understood, as the minister indicated, that the spending was a planned \$2.7 million on buying cannabis and cannabis products.

If that is the case, I would encourage the government to actually seriously listen to what we are saying and question whether it is necessary to put that much of taxpayers' money at risk in purchasing inventory for retail versus focusing — as we believe government should — on creating a structure where the private sector can become licensed and be enforced, just as we see through a large portion of the liquor sales within the territory — those being all the ones that are handled through private outlets.

I would also just remind the Premier that last fall, when we were in debate on the supplementary budget, I had raised two issues with the government and the Premier that we haven't yet received a response on. We had asked for a list of all of the major transfers to other governments, both First Nation and municipal, just broken down by individual ones because, both in the interest of transparency to the taxpayers about what expenditures are being transferred in the capital or operation and maintenance to other levels of government and what the purpose for those transactions are — recognizing that there may be good reason in that, but the public wants to know and the Official Opposition wants to know. Again, we want to know what government is spending in terms of those transfers — how those transfers are made up, what are capital, what are operational in nature, and the rationale individually

for why government believes that they are appropriate expenditures of the taxpayers' resources.

I had also asked the Premier in the fall — first outside this House and then later in this House — about the total costs of government administering the *Access to Information and Protection of Privacy Act* and the *Health Information Privacy and Management Act* and expressed the concern and my belief that there is a significant amount of money being spent on administration and, in some cases, different arms of government either debating with each other or with entities such as the Office of the Ombudsman and the Information and Privacy Commissioner about whether information should be released. Again, we expressed the concern — the request was made for information about the total number of FTEs across government that are dealing with the administration and management of those two acts. We know that the Department of Health and Social Services had a number of dedicated positions related to the implementation of the *Health Information Privacy and Management Act* — and, again, just looking for details on that because the concern does come up that, if government is spending a significant amount of time and resources on those areas, perhaps there is room for reducing those costs.

As I mentioned, according to one of the officials who was involved in bringing in the *Access to Information and Protection of Privacy Act* when it was first passed back in, I believe, the 1990s — at the time, he advises me, there was one part-time position in government reporting to him that was dedicated to that legislation. Over time, that has certainly grown somewhat, including one of the positions that the Premier added to the Department of Finance that had listed, as part of the job description that we were provided with when we asked for information about it — it seemed to be related to administration of ATIPPA as well.

Again, we just ask for that information and recognize that department staff who deal with those areas do have obligations and are often quite busy in doing so, but the question is: Measuring it across government, how many positions are dedicated to it? How much staff time is invested? How much cost is there to government? This leads up to the question that I would ultimately pose — wondering whether government, by adjusting how it is managing these areas, can find room to save money and potentially make it easier for staff as well in dealing with protection of privacy but also with hopefully an emphasis on proactive disclosure of information that is not protected by law.

I'm just going to jump to one other area for the minister. In the interest of not making this too complex a list of questions, I would just ask the minister if the amount that is included in the budget highlights — \$4.6 million to clean up the Marwell tar pit — is all being expended and allocated by the territorial government, or is a portion of that recoverable from the federal government. If so, how much?

The next question is: Is that anticipated to be the end of dealing with that remediation, or is more money anticipated to be spent in future fiscal years?

Hon. Mr. Silver: There are questions from all over the place here, so I will do my best to answer the questions as they come in. There is no real rhyme or reason, or even chronological or alphabetical order, to any of these questions, so if I don't answer them, I'm sure the member will get to his feet and pick apart the ones that haven't been able to answer. I will do my best, though.

I will start with Marwell. As the member opposite knows from the budget speech, this money was money that was already given from the federal government years ago and just was never spent. I think we were pretty clear on that messaging already.

I will move on to the transfer payments that the member opposite is asking for. We have addressed this, as well, in the past. All of the information he is looking for as far as the transfer payments are in the mains by department, and then, after the money is spent, as the member opposite knows, schedule A to the Public Accounts will give all that information as well. That information is available publicly.

With cannabis — we're back to cannabis again, I believe. As far as the cannabis education, there was a question about the money going toward one FTE for cannabis education, but that one FTE can be done through a contract. It doesn't need to be a full-time permanent position. It is a one FTE position but it's looking like we are going to hopefully go for a contract position because, again, cannabis education, up front, is something that is necessary right now.

We know that the member opposite voted against the legalization of cannabis, but here is the thing, Mr. Chair: the Canadian government spends \$2 billion to \$3 billion on enforcement every year while this illicit trade continues to be a \$7-billion to \$9-billion-a-year industry. The information that we can garner from having an educational campaign — I think it is money well-spent. I don't know if the member opposite believes that or not. Maybe he can give us his opinion on whether or not we should be educating our youth and our community members as this market gets legitimized and hopefully the illicit component of it gets a good chunk taken out of it.

I am not really sure where the member opposite is going with this line of questioning but as far as efficiencies and use of taxpayers' money to make sure the programs and services are out the door — they are something that we, on this side of the House, are very committed to.

With ATIPP specifically — this is an entire area of law that has been developed worldwide and there has been lots of movement, especially in the past two decades — and especially in Canada — and I think Canada is a world leader with respect to the protection of our citizens' privacy. Can we be more efficient and effective in making sure that this office works? I guess the member opposite has some concerns therein, and if he would like to share with me his opinions as to how to be more efficient in that capacity, then that would be great. We are always working on efficiencies in services and we are open to hearing from the opposition if they want to be helpful in that capacity.

As far as the community breakdown that the member opposite is asking for, I don't recall ever getting that from the Yukon Party government — a breakdown per community — so I am not sure exactly what he is asking for. What we can provide him is, again — as we get into Committee of the Whole, Mr. Chair, it will be a great opportunity to outline every single line item of this budget and what those dollars are going toward. If he has a specific spend that he wants to ask me about right now, then I will endeavour my best to give him that information as we work forward. Committee of the Whole is an excellent opportunity if the member opposite really wants to get a breakdown of the money spent in his community and in other communities. That is a great time for that endeavour. I will go back and take a look to see if the previous government had broken down those contracts further than that and, of course, we will see what we can do.

Specifically with Marwell, I think that is the last piece that I have notes on here. We have \$76,000 in additional money for Marwell from the federal government this year, so that was added on. Most should be spent this year. We are hoping to get that money out the door, but it could be spent next year depending on how it goes with the remediation piece.

On marijuana supply, the member opposite is concerned about \$3 million and how much of that money is going toward stock. Our estimates are based upon Deloitte's estimates, which are national estimates, and the breakdown there of our community is based upon that.

It's all publicly available information and it is a very conservative estimate of supply needs. I think a lot of the industry is prepared for the beginning but they are not prepared for a long-term plan when it comes to the supply of marijuana — cannabis — as this legislation moves forward. So what we are going to see is a little bit of a glut and it will be hard to find the supply in a six-month period, but the member opposite — for his sanity's sake — can rest assured that this number is a conservative estimate and really we need to find better information for a more long-term plan to make sure that supply is well attainable in this remote jurisdiction. I have all the confidence in the minister and his departments in that endeavour.

Again, this being a completely new industry, Mr. Chair, you can see how this would cause the department some consternation.

I think that was all of the questions.

Mr. Cathers: I appreciate some of the information provided by the minister. I would also like to actually remind him of the costs of ATIPP. I don't have the quote in front of me, but I know the minister actually did make a commitment to provide that information last fall, so I am a little concerned that we seem to be hearing a different message here today.

I don't want to spend too much time on the cannabis legalization simply because of the number of other areas that we need to get to, but I do have to note that now the Premier is indicating that the \$2.7-million estimate on the purchase of cannabis is maybe a low figure. They do have the option of simply allowing the private sector to enter retail and

distribution and take the risks. I would remind the Premier and his colleagues that there have been a number of companies that have expressed interest, including some that, as far back as April of last year, wrote to the Premier, the Minister of Health and Social Services and the Minister of Justice and have followed up on numerous occasions outlining both their interest and the argument that government doesn't need to enter into this area.

Again, we would encourage the Premier, rather than simply stubbornly proceeding with government entering into the retail market and spending \$2.7 million, or as he indicated, perhaps more to purchase cannabis this fiscal year, to allow the companies that have contacted them the opportunity to apply for a licence.

Again, I want to make clear that I don't think it's the role of the Official Opposition or the government to speak on behalf of any individual private sector companies, but I would note that I have seen proposals and requests coming forward from credible members of the Yukon private sector who have developed their own plans, presented them to government and indicated a willingness to work with government. While not advocating for any particular one of these licensees — because they should properly have a well-structured licensing process and the opportunity to apply for it, just as companies that receive a liquor licence do — however, it certainly appears to me that there are credible private sector options, which would allow government, if government reconsidered its plan, to simply focus public resources on regulation, inspection, enforcement and education, rather than putting \$2.7 million or more of taxpayers' money at risk in entering the retail of cannabis and purchasing cannabis for retail. The fact that the Premier just indicated that number may be too low is equally concerning.

On a somewhat related matter, I would just ask the Premier, since it crosses many departments, what steps the government is taking to respond to the fentanyl crisis. We have seen the government finally, after taking awhile, agree to our request to provide more resources to the RCMP. We are pleased to see that the RCMP has received more resources this year — the two amounts that are being allocated though support homicides and a sexualized assault response team. I want to make clear that we welcome both of those initiatives and agree that both of those areas are important but the question I would ask as it pertains to the RCMP's pressures and also pressures placed on government agencies including EMS, Victim Services and the coroner's office, is what steps government is taking to take a coordinated approach to dealing with the fentanyl crisis and having an effective action plan to reduce it as well as supporting staff. As I'm sure the Premier recalls, we've been identifying since spring of last year the need for a more structured support system for staff in those areas, including cumulative incident stress management to reduce the risk of government staff developing post-traumatic stress disorder from those cumulative incidents.

I would just return to the area of continuing care. I appreciate the number that the Premier provided for employees at Whistle Bend and the fact that those 151, as I

understood it, were less 52 from Macaulay Lodge. Can the Premier confirm that this means that Macaulay Lodge is going to be shut down? What is the expected date of that shutdown?

Hon. Mr. Silver: I will start with the cannabis issues brought forth by the member opposite. Again, I didn't say it was a low figure; I said it was as conservative estimate. Those are two different things. The Deloitte study is known as having a conservative estimate, but again, it is so hard to play this game in the dark, right? This is currently an unlisted market that represents \$7 billion to \$9 billion a year to a legal trade. I would urge the member opposite to take a look at the Deloitte report. It's quite interesting and it's not Yukon-specific, but using the numbers from Deloitte is where we came up with our estimates as to how much product is going to be necessary.

The member opposite needs to understand as well that a controlled substance, like alcohol or cannabis — we still have to bring it into the territory. This is not something that can happen by the private sector, but we are extremely interested in talking to the private sector about options and opportunities for them to do business that we believe they can do more efficiently than us. We have been having some great conversations with private industry, and I want to continue those conversations; however, our legislation is designed to have that flexibility to have a hybrid model and to be able to allow the private sector to completely take over parts of this industry as well — or again, in those areas where there is no alternative, of course, the government as well.

That hybrid model, I think — it took a lot of work, I will say that, to make sure that the legislation was that flexible. I do want to credit my colleagues — both the Attorney General and the Minister of Justice; also the Minister responsible for the Yukon Liquor Corporation and also the Minister of Health and Social Services. It was definitely a group effort and a lot of long hours to make sure that, like I said, Mr. Chair, in this unknown industry, we have the flexibility. I think that kudos are definitely deserved to all those departments and those ministers.

Moving on to fentanyl — and this is a good segue, Mr. Chair: Studies have indicated that when cannabis is legalized, the use of fentanyl is reduced and the deaths are also reduced. A lot of people, as you know, Mr. Chair, get hooked on painkillers and usually over-the-counter — and then once you're hooked, you go to other illicit sources. In those jurisdictions where cannabis is legalized, we see the deaths that are related to fentanyl are absolutely reduced, so it is a good segue to the fentanyl conversation.

Anytime we go into this conversation, it is important to note that the health and the safety of our students and our greater population is the highest priority for this government when it comes to initiatives dealing with fentanyl. Our government is working with students on the education part, and staff and their families to educate them about the dangers of the illicit market and illicit drugs like fentanyl. We are providing the naloxone training for staff, and presentations and resources to get some more information out there. Mr. Chair, this information is extremely important and it will

help the young people make better decisions and to keep themselves healthy and safe.

We remind parents and students about the risks and dangers of fentanyl, which may be hiding in other drugs. These conversations have to happen, and they are happening inside and outside the school. I am very encouraged with the amount of parental involvement there as well.

Health and Social Services has distributed business cards to the schools that show phone numbers for folks to get help, to make them safe and make safe decisions during graduation and also at the end-of-the-year party season. These bilingual cards are tips for partying safely and also the signs and symptoms of drug-related overdoses. Yukon government is also planning a youth education campaign about drugs and alcohol throughout Health and Social Services and Yukon schools. That work is ongoing through the winter and now into the spring. Naloxone training and kits were made available to the principals — I believe that was in the spring of 2017 — and will be on an ongoing basis so that money will be in this budget as well.

Again, we are ensuring that the naloxone kits — and training of staff at all schools and events in the event of an overdose in the schools. These kits can save lives, Mr. Chair, if somebody is overdosing. Of course, due to confidentiality, we do not have the specifics on which schools have those kits and what numbers — that type of thing. That is just some more information on fentanyl.

I believe the member opposite spoke about Macaulay Lodge as well in his last question — about when it was going to be shut down. The anticipated shutdown date right now is for October.

Also, with opioids, we talked a little bit about the school programming that is going to continue, but there is also more funding available through Health and Social Services. That is being led by the chief medical officer of health, and the opioid plan is nearing completion and will be made public in the spring of 2018.

Last week, the federal government announced significant funding for opioid and fentanyl education and awareness. As the jurisdiction with the second highest number of fentanyl-related deaths per capita, Yukon will be requesting funding to support our opioid plan. We are aware of the problem that opioid abuse presents in Yukon and remain very committed to that harm reduction and to public awareness, as well as surveillance and the Health and Social Services system reforms to address this.

INTRODUCTION OF VISITORS

Ms. White: With the help of my colleagues, I would like to welcome a citizen to the Legislative Assembly. Chase Blodgett is an activist, an educator, a hockey player, and an all-round fantastic human who has decided to come down after his workday to watch us finish ours. Thank you for coming to the Legislative Assembly. It is nice to have you.

Applause

Mr. Cathers: I thank the Premier for that answer. I would just note again — returning very briefly to the cannabis conversation — that it should be noted that in the Yukon and across the country, it is not just government that has involvement in dealing with controlled substances such as narcotics. That includes pharmacies, which across the country are typically either private sector or hospital. It includes veterinary offices that, in some cases, even deal with substances on which there are restrictions. While obviously — and just to make sure that the minister does not suggest otherwise — we are certainly not suggesting that either pharmacies or veterinary offices should be selling cannabis, the point is that it is not only government that can safely deal with drugs for which there need to be tight control measures to ensure that they are not out on the streets. I don't think we are going to get too much further here today on that topic, but I would just, in my capacity as Finance critic and as Justice critic, encourage the government to reconsider the plan to get into retail and distribution of cannabis, including the indication of \$2.7 million of inventory and an as-yet-unclear amount on setting up their retail and distribution operations, including capital costs and the cost of staffing.

I just want to return to the issue of fentanyl here. I would note that, as I did when the Premier and I stood here last spring in the Legislative Assembly, I talked about the concern that I had related to systemic supports in rural Yukon and also within Whitehorse to provide the support to EMS — both staff and volunteers — and support as well to victim services, the Coroner's Service and other affected areas in government — including Victim Services and Health and Social Services. I didn't hear any details in there of steps that are being taken in that regard. I would appreciate an update on whether government is doing anything in that area. Perhaps that falls under the area that the Premier is referencing in terms of applying to the federal government fund — but again, information on what is being done internally, particularly with regard to better supporting staff, and better dealing with critical incident stress management and reducing the risk that people will develop that. We have heard a number of concerns from Yukoners, and this is an area that is worthy of more attention across a number of government departments.

I just want to note, in terms of the level of detail that is being provided here, that I do have to point out for people who are listening and not necessarily quite understanding why we're expressing concern about the reduction of the budget highlights — looking at the budget highlights, according to the count I did of the four pages in there, we see a number of areas that are identified that really don't provide much detail, such as the highlight that speaks to \$22.7 million in roadwork — we don't know what roads, we don't know where and we don't know when — and the \$17.1 million in bridge replacements and repairs, and the funding that is there for energy retrofits — again we don't have clarity yet on how much of that refers to existing programs such as the good energy program and how much may be new money. That is why we're asking for more detail.

In total, in counting up the budget highlights, there appeared to be 36 different projects or funding areas mentioned, and I would point out that when you look at the thousands of employees employed by government, the \$1.4 billion that government is looking at spending and having a total of 36 projects and project areas mentioned, this is less than one per 1,000 people in the territory comparatively. We're just using that by way of comparison to point to the fact that, out of a \$1.4-billion budget, surely we can get more of a breakdown in terms of capital spending and O&M spending than is provided in this area.

Could the Premier provide an update on the status of the renewal of the territorial formula financing agreement? I understood that the calculation is changing and that there is money included in the federal budget to compensate for a reduced annual transfer. Could the Premier please clarify the total amount of that federal funding? How many years does it cover and does it fully compensate for the reduction in the territorial funding formula that would have occurred under the new calculation? Last but not least, once that is all said and done, what is the expected annual growth of the territorial funding formula over the new agreement? I would appreciate whatever the Premier can provide on that as well as clarification on whether all of the approvals on this funding have occurred or whether some of it is still subject to negotiation and/or signature.

Hon. Mr. Silver: There are a couple of different questions there. Our Government of Yukon, as far as energy-efficiency initiatives, is moving forward on a cost-savings effect here. We're working across departments with the Government of Canada as well to build on our energy-efficiency initiative programs for residential, commercial, government and industrial sectors, and we intend to increase our energy-efficiency efforts to deliver solutions that can further reduce the energy consumption and greenhouse gas emissions. This reduction in emissions will also sustain and protect our environment.

I think the question was: How much new money is available? I believe we were pretty clear with the \$11.7-million number — a couple of times in the Legislative Assembly — of new money and again, we're working up to our commitment of \$30 million in this pursuit.

There will be more to come on that this year as well. Putting this money toward energy programs that are providing the most environmentally sound technologies and best practices to deliver energy-efficient solutions are extremely important on this side of the House. We are going to commit to that — a record-breaking amount so far and more to come in that pursuit. These programs are going to allow us to collectively meet our climate change commitment, lessen our energy consumption, reduce Yukon's carbon footprint and also increase the renewable energy solutions. Overall, our mandate is to increase the availability of the renewable energy solutions while reducing the reliance on non-renewable resources as well.

The member opposite — and I apologize for our slowness in getting up to the table here. There was confusion as to

whether the question on the TFF was based upon renewal. I believe it was — the question about the renewal process through Stats Canada. As you know, Mr. Chair, the TFF arrangements, or the territorial funding formula financing arrangements, are legislated in Canada, and they are legislated on a five-year period. The next one — the one we are currently in — will be ending March 31, 2019. Discussions by the officials surrounding the renewal of these arrangements have been occurring for some time. At the December 2017 Finance ministers' meeting, for example, the federal Finance minister announced some minor changes to the calculation of several tax bases and used it to develop the equalization and the territorial funding formula financing grants for the 2019 renewal of these arrangements. The TFF arrangements continued as principle-based arrangements and the measurement of fiscal capacity for the provinces and territories in the respective transfer agreements are based upon the same definitions. The eight principles included: responsibility, accountability, adequacy, comparability, affordability, predictability, neutrality, sustainability, flexibility and sound incentives. These are significant differences between the equalization payments that the provinces receive and the arrangements that the three territories have within Canada. The TFF arrangements are a more complicated algorithm than the equalization arrangements. For example, equalization ensures that provinces have comparable revenue potential; whereas, the TFF ensures territories have comparable revenue potential and can address their expenditure needs as well. It is worth noting that the Financial Advisory Panel did note that the territorial formula financing may not adequately capture the differential effect of an aging population at territorial cost, and that this is an ongoing concern for Yukoners as we continue to press forward with these concerns.

With respect to the renewal question from the member opposite — basically, it is going to be the same agreement, but with some technical changes that would have cost the Yukon \$1.3 million annually.

We expressed that concern to the federal Minister of Finance, and how in his government in Ottawa, \$1.3 million is change for the parking meter, but in Yukon that is a substantial amount of money. We made our case and Ottawa has made a transitional provision of \$1.3 million annually to ensure that Yukon is made whole through that. It is, like I said, trying to keep the same agreement and the same arrangement, but taking into consideration the importance of us losing \$1.3 million annually, so it was a successful trip to Ottawa to make sure that we got the provision for the \$1.3 million annually added back into the federal transfer.

Mr. Cathers: I appreciate the answer from the Premier on that.

The Premier missed one of the questions I had asked him, which was what the projected annual increase to the TFF is going forward and just asking how much is projected under the formula. Now that the adjustments have been made, how much is it anticipated to grow over the next five years or for however many years the Premier knows about? Could the

Premier speak to what risk factors exist within the formula that might affect the projected growth in out-years?

I'll just leave that there for the moment.

Hon. Mr. Silver: The forecast, as we currently have it, is at a two- to three-percent growth rate, and that is based upon projections both here and also throughout the rest of Canada. It is a conservative estimate, and to answer the question, Mr. Chair, about risks in the formula — the biggest risks to the TFF is the differential population growths throughout Canada. Another one would be lower than expected spending in different jurisdictions across Canada.

These things do affect the growth and, again, that's why we as a government always have those projections and the two to three percent as being conservative estimates because of the considerations of these types of variables being out of our control.

Mr. Cathers: I appreciate the answer from the Premier and the information on that because for those who are not intimately familiar with this area and who might be listening in today or reading this in Hansard, since the territorial funding formula being as the Premier knows very well the largest single funding envelope and source of revenue for the territorial government, the projected rate of growth is one of the major risk factors in terms of government planning for future fiscal years. As the Premier knows, in looking at projections for the growth of costs of government, the question of whether the territorial funding formula is keeping up with the rate of inflation is one that is an important one. I appreciate that information.

I'm now going to jump to two other areas, one being the Financial Advisory Panel. We've heard the indication in the budget and the supplementary information provided with it that government is planning on acting on three recommendations of the Financial Advisory Panel this year. The question then for the Premier is: Is that it? There were a lot of recommendations contained within the Financial Advisory Panel's report. The report itself is buried under my other papers here, but the total number of recommendations contained in the report is significant and the question would be: The government has indicated it planned to act on three of them, so why did government pick those three and is that all there is for this year or are they planning on acting on other ones and, if so, which ones? I'm going to ask about one specifically too, which is whether the Premier plans to implement the panel's recommendation that they made twice to present budgets on a fully consolidated basis, as the Financial Advisory Panel specifically recommended no less than twice in their report.

Hon. Mr. Silver: I guess, to answer the question, Is that it? — no, that's not it. We think there were a lot of great recommendations from the Financial Advisory Panel. Of course, being a third-party panel, we have heard some criticisms across the way from the Yukon Party that this panel cost more money than we forecasted for, and we've already defended that by saying we were overwhelmed in a good way by the response we got from the communities, the other governments — both municipal and First Nation — and also

the private sector. To say no to consultation I'm sure is something that the Yukon Party would not want us to do.

We had to put some more money into that and I think it was money well-spent, especially when you have a draft that goes out. People were engaged. It was a big document and hearing from the panel and knowing what conversations happened afterward in the consultation phase — people were engaged in this process.

I want to thank Yukoners, Yukon businesses and those other governments for their diligence in reading the draft and then making the recommendations from that draft. It was a good use of time and effort.

There is a reason why we're picking up front the three that we picked — the review of the Health and Social Services department, increases in efficiencies and effectiveness of delivering services to Yukoners, and also getting out of the business of doing business. Those three are big concerns and they are big issues. With the review of Health and Social Services, the key focus of this year would be that — because of the amount of money that goes into the review of Health and Social Services.

We have heard concerns. We talked about an aging population and we talked about them as a budgetary stress. In no way is a budgetary stress the same as thinking that this group of our population is in any way a burden. Another huge budgetary stress is education — and again, not a burden. Something that this Yukon Liberal government wants to put money and effort into is, of course, social services and programs to make sure that our elders in the communities are able to stay in their communities for as long as possible and that they have access to all of the programs and services that everybody else has access to as well.

The reason we're putting these three up front and putting an accent on that is because early action makes sense in these three departments. Again, as we said, almost \$1 in every \$3 of government budget spending is in Health and Social Services, so this is going to be a huge endeavour — one that we have committed to right up front. In the last five years, these costs have grown every year by more than five percent, so we're growing at quite a rate here. We do have an aging population now. That might change. The demographics of Yukon might change later, but right now, there is a growing aging population that creates a lot of those pressures to expand spending to meet those needs of our seniors and our elders, which we plan on doing.

The review of Health and Social Services is an opportunity to make sure that these services deliver value for the investment that is made and that the system is cost-effective and efficient as well. We are going to be looking at innovations in health care delivery and funding, appropriate to Yukoners and communities. Of course, this is going to be building upon a 10-year review that has occurred in the past. We think that this is an important piece as well — to address the review that was done in the past, 10 years ago. It's a good time to see what was accomplished in that 10-year period and what is still left from that review to be accomplished, and where we have failed and where we have seen successes.

Again, to not have that as part of the review would be us not necessarily learning from past mistakes and successes.

As far as increasing the efficiency and effectiveness of programming, we're responding to that by looking at ways that we ensure that our services and programs provide better value for the money spent. We're not just looking at what the government does, but also how it does it and what are new ways of thinking and new ways of doing that business.

I do want to expand a bit on that, specifically to my departments. In Finance, for example, the role and the mandate of the Minister of Finance in all those provinces and territories is to provide the government with strategic, evidence-based recommendations and advice, and we have committed to that evidence-based decision-making, and Finance is kind of ahead of the gate on these considerations and concerns.

The Yukon government's Finance department didn't have the capacity in the past, or the systems, to effectively meet the needs of the government and to deliver on that mandate. When you are taking a look at the effectiveness and efficiencies of services, you need to make sure that Finance, as a department, is ready, willing and able to address those concerns and issues.

We believe that by putting some more human resources into Finance, we are able to have these three initiatives up front being the things that we want to really focus on in this year. I believe that the strategic investments that are made within Finance will save money in the long run to ensure that Government of Yukon can make financially stable decisions now and also for generations to come.

Those strategic investments within the Department of Finance will also ensure that the budget and the reporting process are providing streamlined information for the departments for the purpose of planning. Specific investments in program evaluation will also contribute to the effectiveness and efficiencies of these programs.

Specifically, we have directed resources toward programs where evidence shows that intended outcomes are being achieved effectively, and by redesigning the programs in a more effective manner — we believe we are doing that in Finance. There have been some challenges with the redeployment in the Department of Finance, and I can get into that when we get into that when we get into the Department of Finance specifically. But as far as the Financial Advisory Panel, there are a lot more great recommendations still to come in that and, of course, we are having continuing dialogue in all of our departments about what is next and how we roll out some of the other recommendations from the Financial Advisory Panel.

I would be very interested to sit down with the two leaders of the two other parties to talk about some of these particular issues, some of the things that have never been tried before in Yukon. Of course, we have taken a few off the table based upon the input that we got from Yukoners, but there are still a few more in there that I really do want to sit down with the other two leaders to talk about a strategy, a strategy where we actually put together our opinions in the Legislative

Assembly on one or two of the main recommendations. There is more to come on that, but again, when it comes to the three up front, I know the member opposite is wishing and dying to get into more of those recommendations. We believe that a lot of our resources are going to be strained by the three initiatives that we are putting forth right away from the good work that the panel has done, but there is more to come for sure.

The member opposite talked about when we are going to — based upon the recommendations from the Yukon Financial Advisory Panel — have consolidated and non-consolidated budgets. I don't know how the panel missed that, but if you turn to page S-1 you have your consolidated budgets and we also use non-consolidated budgets for appropriation purposes as well, so those numbers are already in the books.

Mr. Cathers: I am a little concerned with the last statement that the Premier made indicating that he thinks the panel somehow missed that. The Financial Advisory Panel is the Premier's initiative, and they recommended twice that the government improve comprehensiveness and transparency of territorial budgeting to include fully consolidated books and projections. From the opportunity we had to meet with them both inside and outside the House, their statements on that and the fact that they talked about improving it — it's clear that the Premier's own panel took a look at it and said there was room for more transparency.

They made it clear that they were looking at budgets and they were looking at Public Accounts. It's a little bit strange here to see the Premier choose people as experts in their field and then in a recommendation that was clearly important to them where they specifically said that you should improve territorial budgeting by showing this information on a fully consolidated basis, the Premier is now suggesting the panel somehow missed something, which I find questionable. I think the panel seems to have quite clearly said the information that is provided is not enough and government can and should do better.

I will talk later with the Premier — I'm sure we'll resume discussions of the decision made to increase the size of the Department of Finance. I will also note I appreciate — and I know my colleagues in the Official Opposition appreciate — the work that is done by Finance officials, but I would also note that the plan seems to keep growing. The amount of new employees that are being added this fiscal year has grown from what we were told it would be last year and there are additional employees planned for the next year. The question is just how far this goes and again, as I said in that in general, across government, any request for a position probably has some merit to it. I recognize there are areas of government where people are busy and could probably use additional help, but it's also the job of the Premier and the Finance minister and Cabinet if they're trying to restrain that growth of government to take steps to look at that and restrain that overall growth.

I am going to move to another area where the Premier is talking about getting out of the business of doing business and

suggesting that this is one of the priorities outlined that they are working on. Again, we see a laudable commitment and a fine idea, but what we actually see presented in terms of the budget is something different. We see the government's decision to get into cannabis retail and distribution and spend an estimated \$2.7 million on inventory. We see in the area of land development — which in the Premier's own comments in interviews recently, he seemed to be pointing to land development as one of the areas where government can potentially get out of the business of doing business. Yet, we see in this year very little investment in rural Yukon. I know that my colleague, the Member for Watson Lake, has heard concern from constituents about what they feel is a lack of sufficient action by government on rural land development. We see the bulk of the total amount projected for land development made up of Whistle Bend and the government, if indeed land development is an area that government is looking at getting out of the business of doing business, we see a five-year capital plan that outlines a plan to spend \$88.5 million in this area. That again calls into question how committed the Premier and the government are really to getting out of the business of doing business if they are projecting spending \$88.5 million in that area.

I would also move on to a couple of specific areas — I know our time is drawing short this afternoon, so I will put a few things on the record and hope to hear from the Premier when we resume debate his responses to these areas.

We see in the government's performance plan that they appear to have taken one of the recommendations from the Financial Advisory Panel report — page 17 of the performance plan says one of the things the government is working on — and I quote: "Reviewing our fees, fines and goods and services to consider increasing revenue to support better programs and services." That leads to the question: If government is looking at fee increases, which is certainly what that section seems to be speaking to, I would ask the question as to whether those fees would include, as part of their health care delivery and what the Premier is titling "Innovations in Health Care" — is the government considering or at least leaving on the table the potential of increasing fees for continuing care, potentially charging for health care insurance and what might that be? Are they looking at co-payment requirements? Are these things being considered or are they off the table?

I would just note to the Premier, lest he try to say that we are arguing for those changes, that those are changes that we didn't put into place in the past, but are simply asking what the government is planning on doing. Are there going to be increased costs passed on to Yukoners for everything from continuing care to health care eligibility to potentially ambulance service, pharmacare programs and so on and so forth?

So with that, I will leave that there for the Premier to consider. We would also appreciate hearing when he rises, just what fees and fines government is considering increasing, since they say they are working on them right now.

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

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

Motion negatived

Hon. Mr. Silver: Sorry — I beg the indulgence of everybody in the Legislative Assembly. I would be very remiss — we will get to the answers to those questions. Earlier on, I talked about the sexual assault response team and I forgot to mention the good work of the Women's Directorate and I would feel horrible if I didn't get it on the record today how important the work that was done by that department as well — my apologies to the department.

Mr. Cathers: I move that you report progress.

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Hutton: Mr. Speaker, Committee of the Whole has considered Bill No. 206, entitled *First Appropriation Act 2018-19*, and directed me to report progress.

Speaker: You have heard the report from the Chair of the Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

The House adjourned at 5:30 p.m.

The following documents were filed March 12, 2018:

34-2-35

Fleet Vehicle Agency 2016-2017 Annual Report (Mostyn)

34-2-36

Queen's Printer Agency 2016-2017 Annual Report (Mostyn)

34-2-37

Approbation de la CSFY pour le projet de construction du Centre scolaire secondaire communautaire francophone, lettre (dated February 14, 2018) from Jean-Sébastien Blais, président, Commission scolaire francophone du Yukon, to Hon. Tracy-Anne McPhee, Minister of Education (McPhee)