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HANSARD

Thursday, March 15, 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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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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Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

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New Democratic Party

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**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, March 15, 2018 — 1:00 p.m.**

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

Prayers

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes made to the Order Paper. Motion No. 62, standing in the name of the Member for Porter Creek Centre, and Motion No. 191, standing in the name of the Leader of the Third Party, have been removed from the Order Paper as they relate to Motion No. 251, adopted by the House yesterday, as amended.

DAILY ROUTINE

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

Tributes.

TRIBUTES

In recognition of Arctic Winter Games and athletes

Hon. Mr. Streicker: I rise today to recognize Yukon athletes and pay tribute to the upcoming Arctic Winter Games.

By the way, Mr. Speaker, I am wearing one of the unfurled pompoms, which will be topping the team toques — a shout-out to the Alsek Renewable Resources Council and the folks of Haines Junction who volunteered to make these. They are going to make our team look great.

Starting tomorrow, 270 Yukon athletes competing in 19 events, including Arctic sports, Dene games, cross-country skiing and futsal — indoor soccer — will travel to the NWT South Slave region to compete in the 2018 games. We're sending six cultural participants, 45 coaches, 15 mission staff, 25 officials, and also eight observers from the upcoming 2020 Whitehorse host society.

First and foremost, I would like to wish each and every athlete the very best of luck. I hope each athlete surpasses a goal, smashes a personal best, snags an ulu and has the time of his or her life. I'm certain that our Yukon athletes will come out of this experience with deeper knowledge of their sport and their abilities, as well as new friends, new understandings and even more appreciation for our northern cultures. This is a week they will never forget.

Our Team Yukon athletes have shown a lot of grit to get where they are. In sport, practising and striving isn't always easy, but it always pays off. Just last week, I had my backside kicked by young Anton Menzel, who is playing badminton in the games.

I know that we are all proud of these athletes. They have worked hard and shown immense commitment and hustle to reach this level of competition. I know we all look forward to seeing them compete for Yukon and cheering them on — you can do it.

Mr. Speaker, it is so important that we support Yukon athletes and foster opportunities for sport and active living. Sport and culture can take people so far. Take Yukoners Emily Nishikawa, Dahria Beatty, and Knute Johnsgaard, who recently competed for Canada in the Winter Olympics, and Graham Nishikawa, who guided Brian McKeever to another gold at the Paralympics. We are so proud.

Sports help us thrive. They contribute to healthy, sustainable and vibrant Yukon communities.

To the athletes: This is an exciting moment for you and for all of us as Yukoners. See you at the pep rally tonight.

As you prepare for competition in our neighbouring territory, you can also look forward to hosting the Arctic Winter Games here in Whitehorse in 2020, 50 years after the first games. What a wonderful time for sport in the north.

I would like to invite everybody here to join me in wishing Team Yukon good luck as they represent our territory with dignity, drive, humility and sportsmanship.

Applause

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to recognize each athlete who makes up our Team Yukon. As they gear up to head to the South Slave region of the Northwest Territories, we send them with best wishes. This year, the 2018 Arctic Winter Games will be held between March 18 and 24 in Hay River and Fort Smith, Northwest Territories.

I would like to acknowledge the efforts of all of our athletes, but also acknowledge the efforts of all of those who have supported them to get here. Thanks go out to the coaches, mission staff, managers, chaperones, organizers, parents, supporters and other volunteers who are working to make this year's Arctic Winter Games a success.

Every two years since 1970, athletes from Team Yukon are joined by teams from around the circumpolar world. Throughout these years, teams and interest have grown as more regions have been added. What a wonderful way to learn about other northern regions and meet others as well as hone your athletic skills.

The athletes at Team Yukon have highlighted on their Facebook page — well, to read about their goals and aspirations is truly inspiring. I for one look forward to hearing more about their experiences after the games in the NWT.

The theme for this year is "Find Your Power", and I know you will. The mascot is a snowy owl named Kechi, which means "power" in the Cree language. The snowy owl is a messenger, a wise one, non-judgemental and an elder, so I have a personal request that someone give Kechi a hug from me, a Yukon elder.

Yukon government Sport and Recreation branch, Sport Yukon, City of Whitehorse and many others are to be commended for their passion and hard work to ensure our team is prepared. This is an event that these youth will be talking about for years to come, and I look forward to following the action through the news reports. It is always wonderful to see athletes from around the north and to witness the culture as well.

I hope all Yukon athletes have a wonderful time tonight at the pep rally, with a grand send-off that will give you that extra “oomph” and power that you will need to be the best at your games. That is the main thing: Do your very best and have fun.

In the spirit of the games, go Team Yukon.

Applause

Ms. White: The Yukon NDP caucus thinks that the Arctic Winter Games are a pretty big deal. With teams from the circumpolar north gathering every two years to celebrate sports, it is an event to behold. This year, the two host communities of Hay River and Fort Smith will be hosting 19 different sports and will nearly double their populations for the duration of the games. They will welcome 1,900 athletes, 155 officials, 100 cultural performers, 300 VIPs, 95 mission staff, 100 journalists and over 2,000 volunteers.

We wish all the athletes, coaches, officials and volunteers an exciting and rewarding 2018 Arctic Winter Games.

Applause

In recognition of Yukon Native Hockey Tournament

Hon. Ms. Dendys: It is with such pleasure that I rise today on behalf of the Liberal government to pay tribute to the 41st annual Kilrich Yukon Native Hockey Tournament, which is being presented for the very first time by Victoria Gold.

I would like to thank John McConnell for this new sponsorship and for your investment in the Yukon. Thank you to all of the sponsors for this tournament. Without your support, it just would not be possible.

This tournament is one of the biggest — and, of course, in my opinion, the best — hockey tournaments north of 60. The games kick off tomorrow morning at 7:00 a.m. and will run until March 18, with all three ice surfaces at the Canada Games Centre and at the Takhini arena busy from morning until night. The opening ceremony will take place tomorrow at 6:30 p.m. at Takhini arena, and it will showcase our indigenous hockey players and performers. The ceremony is grounded in a blessing that will take place later on tonight.

The tournament brings indigenous players from all over the north, British Columbia and Alberta, along with individual high-calibre players from across this country to Whitehorse. We are so proud to see such a large, successful event hosted on the traditional territory of the Kwanlin Dün First Nation and the Ta’an Kwäch’än Council. It is one of the largest annual events held in our beautiful city and has a huge economic impact. This tournament brings an estimated \$1.7-million annual boost to our territory with an estimated 3,000 visitors. That is so fantastic. Every hotel room is booked, restaurants are busy — along with substantial benefits to many other businesses.

This year, 38 teams will participate in this exciting and highly anticipated event. I would like to commend the Yukon Indian Hockey Association for their dedication and hard work in organizing this tournament each and every year on behalf of all Yukoners. Several members of the board and staff are here today, and I would really like to thank you for all of your

tireless work. I know how much work goes into this tournament. I will formally introduce all of them after we finish the tributes, but I just want to say thank you so much.

The association was created in 1973 to promote indigenous hockey for all ages and create an opportunity for Yukon’s First Nation athletes to compete with other Canadian provinces and territories. It has grown and flourished into the tournament that we know today. In addition to organizing this tournament, the Yukon Indian Hockey Association also sponsors athletes who travel to other tournaments and they work with partners to offer youth skill development camps, such as the Summit Learning to Lead camp. I would like to thank the association for all that they do to promote the love of hockey. This tournament represents the spirit of community and a gathering of nations. This tournament represents the spirit of community and a gathering of nations.

It is a time to socialize, meet our neighbours, and make new friends. I look forward to being MC at the awards ceremony on Sunday. I am looking forward to that.

We wish all of the hockey players the very best this weekend — and also to all the fans, of course. We join the Yukon Indian Hockey Association in welcoming all of the visitors to Whitehorse and to the Yukon. Let’s showcase our legendary Yukon hospitality, and may the games be a tremendous success, keeping in mind, of course, our First Nation values of trust, respect, honour and relationship to each other. I just wish everyone a very fun and safe weekend.

Applause

Ms. Van Bibber: I too am pleased to rise today on behalf of the Yukon Party Official Opposition in recognition of the 41st annual Kilrich Building Centre’s Yukon Native Hockey Tournament, presented this year by Victoria Gold Corporation. From March 16 to 18, bragging rights on the line for communities and teams from across Yukon, Alberta, BC and the NWT.

By my count, we stand to welcome a total of 38 teams in this year’s tournament in six categories. There is no doubt that each category of hockey boasts the best of the best, from the A, B and C divisions to the old-timers, the jamboree division and the youth. Not only that, but it brings together friends and families from across our territory to witness some of the best hockey played north of 60. It’s an annual event that provides a bit of rivalry, but a lot of friendly competition.

We will see youth who play with all they have and old-timers who have played since they were that same age. The tournament spans generations, and that makes it an exciting family affair. Every one of the players represents their community to the best of their ability and for that reason makes the Yukon Native Hockey Tournament a truly phenomenal experience for all.

This annual sports event is a huge economic driver, as was mentioned, for Whitehorse as well. When we speak of tourism, we sometimes forget our local large events that can make many businesses smile.

I would like to acknowledge all tournament sponsors, organizers, volunteers, coaches and players. I look forward to

the excitement of the weekend, and we wish the best of luck to each and every player. I encourage all Yukoners to take the time to get out and watch some incredible hockey this weekend. I can guarantee that we can expect three days of great fun for the whole family. So play well, but play safe.

Applause

Ms. White: The Yukon NDP caucus is happy to celebrate this year's 41st Yukon Native Hockey Tournament and the incredible work done by the Yukon Indian Hockey Association since 1973.

We now know, because of the work done by the Yukon Indian Hockey Association, that we in Whitehorse have the ability to host up to 43 hockey teams for a three-day tournament. I can't even imagine the work and the planning done by the scheduling wizards when they had the full capacity for that first time in 2017.

This weekend, 38 teams will battle it out for three intense days of hockey on Whitehorse's three ice surfaces — again, all thanks to the hard work of the Yukon Indian Hockey Association, the legions of volunteers and the city staff manning the rinks. We welcome all of the teams and players from all over Yukon, the NWT, BC and Alberta. I know that they'll have a really good time, just like we — the hundreds of spectators — will.

Good luck and have a great weekend.

Applause

Speaker: Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: I'm wondering if we could please welcome to the House the Arctic Winter Games mission staff: Rose Inglangasuk, coach Sarah Walz, Ken Howard, Michael Lauer and from the Community Services team, Paul Moore and Diana Dryburgh. Can we please welcome them?

Applause

Hon. Ms. Dendys: I would like to welcome today Michelle Dawson-Beattie, who is the president for the Yukon Indian Hockey Association. We also have directors Jackie Callahan, Khandi Jackson and George Skookum and our wonderful, incredible tournament coordinator extraordinaire Karee Vallevand. I would also just like to mention that both Karee and Jackie are also constituents of mine. I thank you very much for all of the hard work that you do, not only with this event but with all of the volunteer work that you do, each and every one of you, for other events throughout the Yukon and throughout the year.

Thank you so much.

Applause

Mr. Kent: I would like to welcome two guests to the gallery today: a current constituent and Wolf Creek resident, Kim Beacon and a former constituent of mine — she used to live in Riverdale North — May Blysak. Welcome. They stop

in from time to time to keep an eye on us and see what we're doing. Thanks for coming.

Applause

Mr. Istchenko: I would just like to reiterate what the minister said in welcoming Michelle Dawson-Beattie. She is from the Champagne area. I know that her parents would be very proud of the work that she does. She is the president — in charge of everything and responsible for everything — and I know there are some up there looking down on her who think she is doing a wonderful job.

Applause

Speaker: Are there any further introductions of visitors?

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to provide equitable funding to the Village of Mayo by designating its landfill as a regional landfill.

Speaker: Are there any further notices of motions?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Housing programs

Ms. Van Bibber: Last October, CKRW reported that the wait-list for social and seniors housing had more than doubled under this Liberal government. According to the news report, the wait-list was 217. That was five months ago.

Mr. Speaker, yesterday, we learned that the wait-list for social and seniors housing has since grown to 263. Will the Minister responsible for the Yukon Housing Corporation finally take action to address the wait-list for seniors and social housing?

Hon. Ms. Frost: I would certainly like to respond to the question and state here that we are taking action and will see some progressive responses throughout the year when working with our communities to address social housing in our communities. In fact, we are looking at addressing that as we speak in our communities and looking at communities like Watson Lake, for example, where we are merging some of our units to occupy more space and maximize our opportunities in our communities and building our partnerships.

Ms. Van Bibber: In July 2016, the wait-list for social and seniors housing was 105. Now the wait-list has skyrocketed to 263. That is almost a 150-percent increase in the size of the wait-list. Last year, we asked the minister what

she was doing to reduce the wait time, and apparently the answer is nothing.

Can the Minister responsible for the Yukon Housing Corporation point to one tangible example of something she has done in the last six months to reduce the wait-list, and if these actions have reduced the wait-list?

Hon. Ms. Frost: I am happy to respond to the question with respect to a tangible response action. We have taken some significant approaches in the communities. We have invested nearly \$40 million in housing and land development to address Yukon's housing needs. As the members opposite well know, we have spent upwards of \$150 million on opening up the Whistle Bend continuing care facility. We have opened up extra beds at the Thomson Centre. We are working with our communities on a process of transferring a number of units over to the Ross River Dena Council that will allow for better occupancy in that community, addressing some of the pressures.

We are working with our community of Watson Lake. We just supported the Klondike Development Organization to open up a whole bunch of units in Dawson City. We are working with the Village of Carmacks and the Little Salmon Carmacks First Nation, and I can go on with the list.

Ms. Van Bibber: The Whistle Bend facility and the Thomson Centre aren't to relieve seniors and social housing.

Last week, the Premier claimed that there was \$6 million set aside for social and affordable housing in this budget. He then told us it might actually be \$6.6 million.

Regarding the \$6-million amount of money set aside for social and affordable housing, I am wondering if the Minister responsible for the Yukon Housing Corporation can tell us how much will be spent in the communities.

Hon. Ms. Frost: When I speak about the investments, aging in place and the models that we have, we look at expanding our resources on a home first model, so attempting to keep the supports within our communities, within our families, and ensuring that we adequately address some of the pressures.

On the question with respect to affordable housing, we have identified significant resources in the budget. I would be happy for us to go through that when we have direct discussions on the mains. Currently, as I indicated, we have \$40 million allocated overall in the budget.

Question re: Watson Lake emergency medical services

Ms. McLeod: The supervisor position for EMS in Watson Lake is only in place until the end of March. Losing the supervisor position will mean reduced coverage of emergency medical services in the community of Watson Lake and the surrounding area. I have raised this issue multiple times with the Minister of Community Services since October 5. Many people in Watson Lake are very concerned about this.

I know he has agreed to meet with the Chamber of Commerce and the Town of Watson Lake on April 6 to discuss this issue, but apparently that's going to be too late.

Will the minister agree to extend this position beyond March 31?

Hon. Mr. Streicker: I thank the member opposite for the question. Last fall, when the question came up and was raised, what I heard from the member opposite was that we had lost the position. I went back and checked, and I found that no, we hadn't lost the position. I reported that back here in this Legislature.

I'll take the specific question again this time, and I will go and check. I won't make a commitment today as to what's happening beyond March 31. What I will do is make a commitment to go and inquire within the department about what is happening with the position.

As I said then, and as I will say again today, by all means, I encourage the member opposite to just reach out and ask me the question directly. It doesn't have to come to the Legislature. I'm happy to answer it here, but I won't be able to get an answer directly while I stand here. I will work to get it, and I encourage the question to come at any time.

Ms. McLeod: I will remind the minister, perhaps, that I have reached out on numerous occasions, and today, we're still talking about this issue.

The Town of Watson Lake is alarmed at the government's approach to what looks like reducing the emergency medical coverage for the region of southeast Yukon. Losing any positions in that community will have a negative effect on the health and well-being of Yukoners living in southeast Yukon. Will the minister commit that there will be no reduction in EMS positions, aside from the supervisor position, based in Watson Lake?

Hon. Mr. Streicker: I hope that I can assist here. What I can commit to is not reducing the level of service that we are putting in Watson Lake for EMS. There is no intention to reduce the budget. I say this for the Member for Watson Lake and in particular for the citizens of Watson Lake.

What I can't talk about is whether a particular individual is planning to move on or do something else — that I can't talk about — and I don't wish to talk about that here in the Legislature. I don't want to talk about individual employees or volunteers, except to praise them, and I'll do that too.

What I will do is say that we are not reducing any budget to our emergency medical services in Watson Lake, and I hope that will provide some assurance for the member opposite.

Ms. McLeod: I hope the minister understands that we are talking about positions here and there's never any attempt to talk about the names of the personnel involved.

Again I remind the minister that I have been talking about this issue since October of last year. The minister did assure me that there was nothing to worry about and that the position for the supervisor was remaining in place. This is a serious issue, and I would have hoped that it had been dealt with some months ago, but we are coming to the end of the agreed term of service. I would like the minister to assure the Town of Watson Lake and its citizens that they will retain that third position beyond March 31.

Hon. Mr. Streicker: I think all of us here in this Legislature — all of us — and all Yukoners recognize that EMS is critical for our communities, including Watson Lake, and we understand how important it is. I would like to thank those people who work as paramedics and those volunteers for EMS — and, by the way, we are always looking for volunteers.

I said in my last response and I will say it again: Let me assure the member opposite that there is no reduction in the level of service that we are planning for Watson Lake. If there is some issue around individual personnel, we will work with the team and make sure that everybody in the community is informed.

Question re: Land development

Ms. Hanson: Mr. Speaker, the housing crisis that Yukon remains stuck in is not limited to Whitehorse. Finding a place to live in some Yukon communities can be nearly impossible. We have all heard of teachers or other government employees who are couch-surfing or sharing accommodation for weeks or even months when they arrive to start their job in a Yukon community.

This housing shortage also represents a major challenge for the private sector. It is hard to convince someone to relocate for a job when there is no housing available. This is particularly true in the mining industry, causing many employees to fly in and out of the communities. The government does have a key role in making sure that land is available to those who want to settle in and to help grow Yukon's communities.

This year's budget allocates only \$1.75 million to rural land development compared to \$15 million for Whitehorse. How many rural lots will be developed this year, and in which communities?

Hon. Mr. Pillai: Thank you for the question. This is something for which we have an across-government approach, whether we are working with Energy, Mines and Resources or with Community Services. I will endeavour to go through the full list of data that I have concerning our inventory of lots, as well, in questions two and three.

We are meeting with our First Nation partners, beyond the approach that has happened before where it was just Energy, Mines and Resources and working with Community Services. We are taking a look in certain regions, whether it is in Mayo with Na Cho Nyäk Dun or our conversations that are happening with Tr'ondëk Hwëch'in. We are trying to come up with solutions so that we can have a multiple approach to this. Certainly we are having those conversations here in Yukon.

Under the current land inventory — just quickly while I have some time — in Carmacks, we are looking at an inventory of six lots that are out. Dawson City is our biggest challenge. We are now working with Tr'ondëk Hwëch'in, but part of the challenge is that, from a geotechnical perspective, working with the City of Dawson on the north end project — it is really cost prohibitive to do the geotechnical work in each of those lots. That is taking us a bit more time, so within that,

we are trying to look at reclamation projects that will lead to lots.

I will continue on for questions two and three, Mr. Speaker.

Ms. Hanson: Mr. Speaker, we are aware of the existing inventory; the question was about development and in which communities.

The last mining boom in the mining industry showed the limits of Yukon's wait-and-see approach to land development. Most mining companies would welcome the opportunity to reduce their costs of flying employees in and out by encouraging them to settle in the communities they work in. This is especially true when it comes to larger operations like Eagle Gold, which is about to take off near Mayo.

Mr. Speaker, the government can't wait for the mine to be up and running to start the work of developing land. We must plan for success and that means doing the work now so that communities are ready to take full advantage of the upswing in the industry — an upswing that could bring economic growth for Yukon communities outside of Whitehorse.

Does the minister believe that current rural land development efforts are going to meet the needs created by the expected growth in the mineral sector?

Hon. Mr. Pillai: I think that the short answer to the end of that question is that we are going to have pressure in Whitehorse and all of our communities because of this uptake and economic boom. One of our pressure points will be housing and land development. I think we have to look at the good work that has been done already when we talk about the work between First Nation governments and the Land Titles Office.

Specifically speaking to Mayo and Dawson — the member opposite has talked about Victoria Gold. Our first meeting with their management team was this week, concerning the announcement of financing. Now, we know there is a project that is fully financed so that becomes the impetus to have an aggressive approach to meet their needs. What they're telling me after this week is that there will be a significant amount of people at camp. All of these companies want to ensure that there is as much capacity as possible from the Yukon. They want to see people living in Mayo. They want to see people living in Whitehorse. They want to see people living in Stewart. So yes, there will be an obligation.

We do have lots that are coming out this year within the Mayo area. Those are going to be lots that are out. We have agricultural lots that we're about to release in Mayo as well for some who want that choice. But we're also going to need temporary — we're going to need apartments and we're going to need hotel capability. What I'm saying is that we're talking to these companies to understand what they need.

Ms. Hanson: Those talks have been going on for years and mining companies have been telling us for years what the pressures are. I'm glad to hear the acknowledgement that there are pressures. It really makes the point that \$1.7 million for rural land development hardly seems like much, considering not only the expected growth in the mineral industry, but how far behind we're starting from.

We're just a couple years out from the last Yukon recession. The upswing in the mining industry is starting again, and in several communities like Dawson and Mayo, finding land for housing is nearly impossible. That is some catching up to do. It's also important to look at the types of lots we're developing.

In Mayo, large country residential sites are a good idea but where a well, septic field and roads need to be put in it may appeal to some, but others are likely looking for options like a lot in an actual town. Again, how many rural lots will be developed this year and can the minister indicate the types of lots that are being prioritized and where?

Hon. Mr. Pillai: To continue on again, I'll pivot from going through the inventory. I think what we have to speak to is that the way to appropriately and effectively meet the needs is to continue to have conversations. Yes, there has been some talk in anticipation of particular projects going to production, but what we now have is a financed project. What we also have are two projects that are moving through a regulatory process.

I would say that the member opposite would never want the previous government or this government to go out and spend millions and millions of dollars in anticipation that somebody may go through a regulatory process or be financed. Now that we have concrete facts and we're making this decision based on that, we are now pivoting to look at how we can ensure that we have appropriate lots.

As I said, Mayo is going to have residential lots and agricultural lots coming out, but there is pressure. I want to thank the member who represents that district who continuously informs me about those needs and ensures that we are moving forward. I want to thank the member for keeping us focused on that.

When it comes to the Dawson region, we also have the opportunity to work with Tr'ondëk Hwëch'in and their traditional territory on C3. So we do have other opportunities there. That's the way we will work; we will work with all of the partners to ensure that we have an effective way to meet these needs.

Question re: Teacher staffing

Ms. White: I want to go back to the issue of temporary teachers that we raised earlier this week. The *Education Labour Relations Act* is clear: After being employed for two years on a temporary status, a teacher or educational assistant should be awarded a permanent status.

Since 2013, grievances have gone to arbitration and employees and their union have been repeatedly proven to be in the right. Yet the government — this government — keeps arguing otherwise and denying temporary teachers the respect and the permanent status that they deserve after working for two years.

Why does this government keep wasting time and money on forcing grievances when history has shown that they will lose?

Hon. Ms. McPhee: The Government of Yukon is working very closely with the Yukon Teachers' Association

on a regular basis to address the staffing issues, including temporary teachers and employee grievances. That is, in fact, the proper place if someone thinks that their case or their employment has been adversely impacted by a decision of the department, and that is the process that is appropriate for them to proceed through. Each individual case is dealt with as a result of the opportunity for individuals to challenge that.

With respect to the temporary teachers issue, it has been ongoing now for some — I guess it will be close to five years — and we are working very closely with the YTA and with individual teachers to resolve those issues on their behalf.

Ms. White: Let me read some excerpts of the recent decision by an adjudicator who once again found the government in the wrong on the treatment of temporary teachers. These are all quotes, Mr. Speaker.

"The issue of the rights of temporary teachers appears to be a matter of ongoing tension between the parties. It should not be. The employer has a very clear direction from..." past rulings. "The employer seems to want to ignore those findings, despite the fact that the decision was upheld on judicial review."

"The employer's actions are worthy of condemnation." "... the employer's breach was deliberate, known, and persistent..."

One more, Mr. Speaker, just to bring the point home: "This is not sound labour relations. It borders on abuse of process."

Will the minister immediately put an end to labour practices that have been found to border on abuse of process?

Hon. Ms. McPhee: I am sure that the member knows that in addition to being the Minister of Education, I am the Minister of Justice, and while I would not — and nor would the Department of Education — in a determined way try to make decisions, or make decisions that were contrary to a decision of an arbitrator in a case in which a legal finding was made, judicial review or not.

As I have said, we clearly will work with the individuals to make sure that their grievances are upheld, the decisions of the arbitrator are upheld, and the teachers' issues are resolved through working with them and with the Yukon Teachers' Association.

Ms. White: I think you would find that the temporary teachers and their union disagree. The minister needs to be accountable for this scathing report by an independent adjudicator on the government's treatment of temporary teachers — and, Mr. Speaker, the ongoing treatment of temporary teachers. These professionals are trusted with the education of our children and they deserve better than the poor treatment they continue to receive from this government.

Let me repeat two parts of this judgment — and I quote: "The employer's actions are worthy of condemnation..." "... the employer's breach was deliberate, known, and persistent..."

My question is simple: Will this government immediately stop deliberately, knowingly and persistently disrespecting the rights of temporary employees?

Hon. Ms. McPhee: This is an extremely complex issue. I guess the short answer is that individuals who bring their matters forward and to have the process play out appropriately to determine a grievance that they may have ultimately end up in a situation where a decision has to then be implemented.

The complexity of this issue is that this is one of the only labour relations situations in which an individual has a status, as opposed to them holding a particular job. A person who is an employee of the department, who is a temporary teacher, who automatically becomes a permanent teacher as a result of passing a two-year mark, may not have a permanent job. So it is a complex situation. We are working with the Yukon Teachers' Association to resolve these issues and make sure that the best possible teachers are in the best possible positions in our schools.

Question re: Liquor transport

Mr. Istchenko: I have some follow-up questions for the minister on the now-cancelled liquor haul contract. Yesterday, the minister said that he would split the contract in two so that product from Alberta could be trucked and product from BC could be either trucked or barged. The original tender the minister cancelled asked for two prices, one from Alberta and one from BC. As we mentioned yesterday, since the tender was cancelled after the bid was closed, the prices for each bid were public information for roughly a week.

Is the minister concerned that this may be perceived as a case of bid-shopping?

Hon. Mr. Streicker: If the specific question from the member opposite is if I am concerned that this is bid-shopping, my answer is no. I'm not concerned that this is bid-shopping. We do take procurement seriously. We do want to ensure both that we're using a fair and transparent process around how we procure shipping and also working to ensure that, through it, we get good value for Yukon taxpayers' services. We also try hard to accommodate our licensees here in the territory so that there is a decent turnaround time with the product.

I would like to challenge one thing, Mr. Speaker — and the member opposite has used this phrase several times. I am saying again, very explicitly: I did not cancel a contract. I'm sorry. It was the corporation that chose to cancel the RFP. There was no contract awarded and it was not me as minister. This is the corporation doing its diligence and looking out for Yukoners.

Mr. Istchenko: In construction law, bid-shopping is the practice of divulging a contractor's bid to other prospective contractors before the award of a contract in order to secure a lower bid. The minister said yesterday that the reason for the cancellation was because bids were overbudget. He said this was standard practice.

Can he tell us in the House today what changes will be made to the new tender to make it significantly different to avoid claims of bid-shopping?

Hon. Mr. Streicker: Mr. Speaker, I don't believe that there was anything that was done here that was illegal, nor do

I even feel it was inappropriate. I'm challenging the member opposite — I have stated here that this is not bid-shopping.

If the member opposite believes that it is bid-shopping, then let's have that conversation, but I ask that we don't use terms in this Legislature that talk about illegalities.

In my understanding of the work that the corporation is doing — they have been totally above-board. They issued an RFP. It resulted in bids that were overbudget and that were higher than were estimated according to the process that had been taken ahead of time as part of the diligence. What I have also heard from the corporation was that the authorization to cancel was given late last week. It was not anything to do with a question that came in the House. What I am saying here is that the process is unfolding appropriately. I am happy to get more answers for the member opposite.

Question re: Grizzly bear management

Mr. Istchenko: In December, the British Columbia NDP government banned grizzly bear hunting in the province. Bear hunting in the Yukon has long been a topic of interest for residents, with Yukoners on both sides of the argument on whether or not it should still be allowed. When I asked the Minister of Environment last spring about our government's support for the spring bear hunt in the Yukon, she told us that she will be consulting with the renewable resources councils, the Fish and Wildlife Management Board and the Yukon Outfitters Association — those who are directly impacted in the communities — regarding any potential changes in legislation.

Can the minister tell us what discussions have taken place with regard to bear hunting in the Yukon and what direction the minister has received from these groups?

Hon. Ms. Frost: At this point, I can verify that I have met with our renewable resources councils on numerous occasions throughout the Yukon. I have met with the Fish and Wildlife Management Board, and we have had extensive discussions around regulatory changes that best align to the needs of Yukoners — and also looking at hunting and hunting regulations. We have just gone through an extensive review of the *Wildlife Act*. I am happy to say that we have gone through a process of engagement with Yukoners and with the regulatory bodies that are designated under the *Umbrella Final Agreement* to allow us this opportunity. I would be happy to respond to further questions.

Mr. Istchenko: Last spring, the government held public consultations and a survey regarding grizzly bear management in the Yukon. The survey closed on May 27. In November, the minister told the Member for Takhini-Kopper King that, following this extensive survey, they would be completing a grizzly bear conservation and management plan. However, we have looked on the Environment Yukon website and there doesn't seem to be any information regarding this plan. I know that a lot of Yukoners were interested in the development of this management plan, and it has been almost a year since the survey was completed.

Would the minister be able to tell us where we can find that document?

Hon. Ms. Frost: The management plan was done in good-faith consultation, and we would be happy to provide that when it is available.

Mr. Istchenko: That will be comforting for resident hunters in the Yukon and for those other people who are concerned with this.

Again, many Yukoners were interested in the results of the survey and the development of this new management plan for grizzly bears in the Yukon. If the management plan has not been completed, as the minister told us in the fall, would she be able to provide an update on the current status of the development? Further, would the minister be able to provide us with the “what we heard” document regarding the results of the survey?

Hon. Ms. Frost: I’m happy to say that, as indicated, the consultation has taken place, and we are now working with the Fish and Wildlife Management Board to ensure that we get the information out as quickly as we can. I would be happy to do that.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 205: *Interim Supply Appropriation Act 2018-19* — Third Reading

Clerk: Third Reading, Bill No. 205, standing in the name of the Hon. Mr. Silver.

Hon. Mr. Silver: I move that Bill No. 205, entitled *Interim Supply Appropriation Act 2018-19*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Premier that Bill No. 205, entitled *Interim Supply Appropriation Act 2018-19*, be now read a third time and do pass.

Hon. Mr. Silver: I won’t spend a lot of time here. I want to thank my colleagues for all of their comments on the interim supply bill. In passing this bill, the House will provide the spending authority for the month of April. This will enable the government to deliver the public services that Yukoners rely on when members complete the debate of the full budget for the upcoming year in the Legislative Assembly.

This bill will cover expenditures for government departments in April, so generally one month of personnel and non-personnel costs. It also includes commitments in the first quarter of the year that require payment, such as grants, transfer payments and contractual obligations.

As I noted earlier, the funding in this interim supply bill is absolutely included within the main estimates, so there is an opportunity for full debate of this funding while ensuring public service continues without interruption.

Mr. Cathers: In rising to speak to the interim supply at third reading, I am not going to spend a great deal of time here

this afternoon. I already brought forward comments on behalf of the Official Opposition at second reading and during Committee. We’re not going to take time to delay debate or passage of this legislation, but I would reiterate the concerns that I shared earlier in second reading and during Committee of the Whole — that we still don’t have a breakdown on the spending here. I’m talking particularly about the capital spending. We understand that the O&M spending is largely pro-rated with the exception of some upfront contributions, such as the comprehensive municipal grant and other contribution agreements to certain NGOs that require front-end loading in the fiscal year. I’m not concerned about that in this case, but again I note, as I did earlier, that we’re still waiting for clarity on the budget.

The format that the government has chosen to go with has removed 77 pages of information compared to the last budget tabled by the Yukon Party when in office. We’re still waiting for a breakdown — as are Yukoners — in terms of the roadwork listed in the budget highlights, some of which presumably is included in interim supply, yet we don’t have the details on that.

We’re also waiting for details on other areas of contracting, including the transportation-related work and the bridge replacements and repairs. To that end, I will give the Premier and his colleagues a specific example.

Early this afternoon, as I was heading out briefly for lunch, I ran into constituents in the hallway who asked whether the government is moving forward with adding on a walkway to the Takhini River bridge for pedestrians, cyclists and equestrians, as the previous government had planned. I was in the position of only being able to say that I don’t actually know the answer to that yet. That’s a specific example of the types of concerns that I hear from Yukoners.

I know that other colleagues have constituents who ask them about different projects in their riding, and we’re waiting for that information from the government, both with regard to interim supply and to the budget itself.

Again, we’re not going to take time to delay passage of this legislation, but we would appreciate an itemized list of the major capital projects that are proceeding. In the case of the Takhini River bridge on the Mayo Road, I have constituents, including the people who approached me today, who would very much appreciate government action and an answer on when and if the government is going to proceed with improving safety for pedestrians, equestrians, cyclists and others crossing the Takhini River bridge.

With that, Mr. Speaker, I will conclude my remarks. I hope to receive information from the government answering that and the other questions as soon as possible.

Ms. Hanson: I have very brief comments to make. I find that every time I stand after the Member for Lake Laberge, I’m kind of astounded. The notion that the Yukon Party provided more level of detail for interim supply than has been provided in this one confounds me.

However, the point I wanted to make was that, as I said the other day, we are pleased that the government has

restricted the interim supply bill to effectively one month of operations. We said that what this outlines is an opportunity for all members to consider this: If, in fact, we want to have the integrity of the legislative process fully in effect, then we might consider looking at our fixed dates occurring so that full deliberation and voting on the budget for the subsequent fiscal year could occur prior to the end of March. This is technically what we're supposed to be doing if we're actually taking this seriously.

With that, Mr. Speaker, we have nothing else to add with respect to the interim supply appropriation.

Speaker: If the member now speaks, he will close debate. Does any other member wish to be heard on third reading of the interim supply bill?

Hon. Mr. Silver: Thanks for the comments from the opposition. I agreed with almost everything that the Leader of the Third Party said, other than whether or not we're taking this process seriously. I believe that the public servants and the ministers on this side of the House believe that we do take this process seriously. We will take her comments about interim supply and the timing of the fixed dates under consideration. There are, of course, many other things to consider other than an interim supply bill.

I will give a shout-out to the members opposite for keeping, for the most part, their comments to the interim supply bill, although will say that the third reading closing comments from the Member for Lake Laberge gobsmailed me as well.

We're talking about the interim supply bill. We had ample time during Committee of the Whole discussing the interim supply bill to talk about the things that are inside the interim supply bill. The Takhini River bridge has nothing to do with the interim supply bill but, again, that can be something that will be discussed in the mains in the departments — and the member opposite knows that very well.

When we take a look at the budget information, I concur with the NDP — I'll just say that, for me, with the inclusion of the fiscal and economic outlook and the five-year capital plan within this budget, there's more information than in previous years. We have also provided Yukoners with a full and complete budget with all the normal information. The budget shows financial constraints and puts Yukon's finances back on a sustainable path.

The 70 pages the member opposite keeps on talking about are readily available online. We are providing more information, not less information.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Ms. Van Bibber: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Mr. Istchenko: Disagree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 12 yea, 6 nay.

Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 205 agreed to

Speaker: I declare that Bill No. 205 has passed this House.

Hon. Ms. McPhee: Thank you very much, 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): The matter before the Committee is Vote No. 8, Department of Justice, in 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* — continued

Chair: The matter before the Committee is Vote 8, Department of Justice, in Bill No. 206, entitled *First Appropriation Act 2018-19*.

Department of Justice

Hon. Ms. McPhee: Thank you very much, Mr. Chair. I rise today to speak to the Department of Justice main operation and maintenance and capital budgets for 2018-19. Joining me here this afternoon are the Director of Finance Systems, Administration and Records for the Department of Justice, Luda Ayzenberg, and Lesley McCullough, the acting deputy minister for the department. I appreciate them being here and all the staff who have worked so diligently on the documents we have before us today and the ones we're going to be discussing.

Over the last year, I have had the pleasure of seeing collaboration between the Government of Yukon, First Nations, the RCMP, independent agencies and communities on a variety of initiatives that are making our communities safer and healthier places, and our justice system more accessible and easier to navigate.

The estimates outlined in the 2018-19 budget consist of capital investments of just under \$5.7 million and operation and maintenance expenditures of \$73.3 million. I will highlight budget items that are being used toward the cannabis implementation project as well as for improving services and supports for those in contact with the justice system, for quality and responsive policing services and for infrastructure and IT investments.

Our departments have been working diligently to prepare Yukon's cannabis bill in response to the Government of Canada's intent to legalize cannabis in the summer of 2018. To introduce a territorial bill that aligns with the federal legislation and that reflects the needs and feedback from Yukoners, First Nation governments, municipalities and stakeholders has been quite an undertaking, particularly considering the timelines we were working under. I look forward to future debate on the proposed legislation, which will restrict access to youth, remove profits related to organized crime and minimize the impacts on courts and our citizens for minor possession of cannabis.

Resources have been put into place to ensure Yukon will be ready for when the federal legislation is enacted and, in this operation and maintenance budget, the Department of Justice has allocated \$542,000 for implementation, legal counsel and drafting support. As well, there is an increase of \$525,000, which is 100-percent recoverable from Canada for the implementation of Bill C-46, a connected bill presented to change the laws in Canada with respect to impaired driving.

Yukon will be working with Canada and our public safety partners to ensure our police are supported with the required training and technical support needed to effectively enforce the new laws. Our people-centred approach is being applied to the manner in which Yukoners come in contact and interact with the justice system. We are sensitive to the fact that we must identify and implement solutions to make our justice system more responsive and culturally relevant.

The indigenous courtworkers in the territory have been playing an important role by bridging the gap between the existing criminal justice system and the needs of indigenous

clients and communities. These workers are helping clients to understand the philosophy and the function of the courts, the language and terminology used, and court orders and conditions. I have had an opportunity recently to speak in this House about the indigenous courtworker program, and I noted then that it is some 30-plus years old and has been growing and evolving, and provides an absolutely integral service in our communities. Indigenous courtworkers are also able to advocate for their clients and to make the court process more culturally relevant by bringing awareness to values, customs, languages and socio-economic conditions of indigenous peoples.

In this budget, the indigenous courtworker program is receiving a time-limited increase of \$300,000, with 50 percent recoverable from Canada. This funding increase has allowed the program to increase from six to 11 indigenous court workers serving Yukon communities.

The capital budget assigned \$75,000 for video conference equipment to expand our capacity in the communities, and \$50,000 has been allocated to Court Services for the installation of a digital docket display that will provide the public with more accessible and user-friendly docket information.

To support families in transition that need help with family law issues, the Family Law Information Centre — also known as FLIC — is working to establish a family mediation service. Mediation is an important voluntary avenue through which Yukon families can work to resolve disputes.

FLIC is wrapping up the first preparatory year of a three-year pilot project that has been completing the necessary work to make this service operational, and plans to hire a mediator are soon to be realized. The budget allocates \$112,000 for this project, with 100 percent of these funds being recoverable from Canada.

We are committed to supporting and developing correctional therapeutic environments for offenders with disabilities and mental health and addiction problems. For 10 years, the Community Wellness Court has been providing a holistic approach to support individuals who are experiencing challenges with substance use or mental health, and/or deal with intellectual disabilities, and who are currently in the criminal justice system.

I am pleased to highlight that, ending nine years of pilot-project status, we will be providing the Community Wellness Court and the associated Justice Wellness Centre \$495,000 in permanent funding per year, effective April 1, 2018, as per a Management Board recommendation.

The other budget item for the Justice Wellness Centre shows an ongoing increase of \$145,000 to \$100,000, which is recoverable from Canada, for a reduction of a position that isn't needed to meet the current clients' needs at that centre.

Evaluations of the Community Wellness Court show that it is providing offenders with opportunities for meaningful change and paths away from crime, and we are pleased to provide stable and sustainable funding for that innovative court option.

Yukon's low-income and disadvantaged individuals, including those who are facing serious *Criminal Code* offences, receive legal representation through Yukon's legal aid provider, also known as the Yukon Legal Services Society. In the last few years, the legal aid program has received funding increases, which have improved operational and financial certainty. This year's operation and maintenance budget increases funding by \$50,000 for a total annual contribution of \$2.35 million.

In addition, a request has been made by Legal Aid for some additional funding, and that will be funded from within the department's current budget. The addition for Yukon Legal Aid will be approximately \$242,000 in total for 2018-19 and ongoing. Funding for Legal Aid is cost-shared between the federal and the Yukon government, with Yukon receiving \$989,000 under the access to justice services agreement.

The Yukon Human Rights Commission has an important role in Yukon by ensuring that the principles of the Yukon *Human Rights Act* are upheld and that human rights complaints are resolved.

The commission has communicated that additional funding is needed to help alleviate funding pressures caused by an increased number of hearings and expert witness fees and reports that are required. The Department of Justice has been working with the commission to find solutions to its funding issues and stabilize operational costs. After reviewing the commission's funding request, a decision was made to provide an increase of \$121,000, which brings the 2018-19 budget for the Human Rights Commission to \$803,000.

Yukoners have the right to live in safe and healthy communities and it is our goal to protect Yukoners and respond to the needs of victims. I have been working with the Minister of Health and Social Services, the Minister responsible for the Women's Directorate and community partners to improve services for victims of violence and sexualized assault. Yukon has one of the highest rates of police-reported sexualized assaults and we can assume that many more incidents go unreported.

This past December, we announced new dedicated resources for the development of a sexualized assault response team to enhance and streamline how victims access wellness, medical and legal supports and to ensure that they can access support when they need it and on their own terms. The Department of Justice will be contributing \$215,000 from the operation and maintenance budget toward this important work.

To improve service accessibility and support the implementation of the *Canadian Victims Bill of Rights*, Victim Services will see a time-limited increase of \$11,000, recoverable from Canada, for a project that is enhancing services for victims of crime in Yukon. They will also receive another \$11,000 for the delivery of victim services to the communities of Good Hope Lake, Lower Post and Atlin. This funding again is 100-percent recoverable from British Columbia, another partner in sharing, in order to expand services for citizens.

Hosted with Victim Services, the Family Information Liaison Unit, another acronym known as FILU, is providing a centralized coordinated mechanism for family members of missing and murdered indigenous women and girls to access information related to their loved one's case from governments and agencies such as the coroner, the police and medical services. This service is being funded by the federal government as a parallel investment to the National Inquiry on Missing and Murdered Indigenous Women and Girls. FILU will receive a onetime increase of \$285,000 with 100 percent of the funds being recoverable from Canada.

The Yukon government is committed to supporting the important work and mandate of the National Inquiry into Missing and Murdered Indigenous Women and Girls and the families who are courageously participating. We know that many families have many questions regarding their loved one's case and that helping them find out information, liaise with agencies and access support is an important part of their healing journey.

The Department of Justice strategically partners with the RCMP to ensure a professional, efficient and effective territorial police service. Through open dialogue and a strong relationship, we continue to address emerging police needs.

Mr. Chair, we are very sensitive to the pressures on the RCMP and other service providers due to the unusually high number of homicides that have recently occurred here in the territory. The RCMP communicated that they need additional resources to continue to diligently pursue all investigations, and therefore funding will be provided for the creation a full-time three-person Historical Homicide Unit for a three-year pilot project.

That decision, as this House has already heard, came about in consultation with the greater communities and with families of the victims of these terrible crimes.

The Historical Homicide Unit will be responsible for reviewing and investigating existing and new historical cases, should they come to light, liaising with victims' families and providing front-end support, when appropriate, to the Major Crime Unit if a new homicide or a suspicious death investigation occurs.

An increase of \$442,000 to the territory police service budget for the creation of this unit is included in the operation and maintenance budget before this House.

We want families who have lost their loved ones to be able to find closure and those responsible to be held accountable.

Mr. Chair, the budget also provides the RCMP a \$500,000 ongoing increase to cover salary increases for regular and public service members.

The RCMP will also see an increase in the territorial police service budget for the continuation of a phased implementation of the four-year policing resource plan, which began in the 2016-17 fiscal year, to ensure appropriate front-line policing capacity and support for the Whitehorse detachment. The plan has seen the addition of four police members added to the Whitehorse detachment and four clerks to support operations, along with a disclosure clerk.

A budget of \$109,000 has been allocated for the 2018-19 fiscal period. The Department of Justice works with the RCMP and Public Safety Canada to ensure that our policing infrastructure is built and maintained to a high standard. This includes the ongoing maintenance, renovation and eventual replacement of RCMP detachments throughout the territory. The RCMP and Department of Justice are undertaking a careful analysis of policing infrastructure in order to ensure that investment in detachment facilities is guided by the best available evidence.

This evidence includes up-to-date reporting on building conditions, assessing policing demands and looking at the best means of advancing capital construction opportunities.

We need to ensure smart, strategic capital investments are paired with operational priorities and realities. To enable this, Canada and Yukon are working to adopt a “smoothed rate” charge for all capital construction and maintenance of RCMP buildings. The “smoothed rate” will allow the RCMP the flexibility to use their procurement processes, but will also ensure that Yukon maintains input and approval authority on size and location and that northern construction standards are met for those capital projects. The “smoothed rate” averages the cost over a five-year cycle and is the model in place in other provincial and territorial contract policing jurisdictions.

In anticipation of future work, the capital budget has \$2.27 million earmarked for the expenses associated with detachment facilities for each of the next five years. It certainly appears as \$2.27 million in the 2018-19 budget before this House. The department will continue to work closely with the RCMP to make sure that policing facilities are meeting the demands of the RCMP and of our communities.

There are large IT projects and building renovation initiatives underway in the department. The capital budget allocates just over \$1.8 million to finish the procurement and implementation of a new electronic registry system — the Yukon electronic title information system, known as YETI — for the Land Titles office. The department is working on negotiations to finalize a 20-year service contract with the highest scoring proponent, with a proposed system implementation target of March 2019. That company’s name, because it is a publicly traded Canadian company, at this point must remain confidential. When we have finished the negotiations, of course, it will not be. The new system will speed up title registration and enable users to search registry data and eventually submit registration documents online.

The second IT project for adult and youth corrections will put an integrated facility management and case management system in place. This is a joint initiative between the departments of Health and Social Services and Justice. A new system will allow management information to be readily available on offender status, offender profiles, program delivery and a host of other operational information with respect to corrections. \$800,000 in the capital budget has been assigned for the first year of the project to plan.

The existing two-person cooler at the coroner’s morgue is in need of replacement. Refurbishing was done in 2017 on the

existing 20-year old cooler to keep it running until a replacement is acquired. A cooler with increased capacity is needed to handle Yukon’s growing population and, correspondingly, the number of deaths. \$500,000 is allocated in the capital budget to assess whether retrofits to an existing location or a new morgue and coroner’s office is the best option.

Also, the Whitehorse Correctional Centre, being a 24/7 operation, will need to update and replace critical equipment. There is kitchen, dental and medical equipment coming to the end of its life cycle. The capital budget sets out \$50,000 for this equipment to be replaced. These capital investments are key to our operations, Mr. Chair.

In closing, I would like to thank the dedicated staff at the Department of Justice for their important work. Thank you for the opportunity to speak to the main operation and maintenance and capital budgets for 2018-19 with respect to the Department of Justice. I would now like to welcome members to ask questions to debate this portion of the budget. I’m happy to answer their questions.

Mr. Cathers: I would like to thank the officials who are here today and others for their work in preparing the budget, as well as the work that they do on an ongoing basis within the department. I thank them as well for the briefing.

I have a few questions regarding the Department of Justice. The minister made some mention of the land titles project and the work on the registry.

I would ask two specific questions on that: What is the expected timing of the new electronic registry being live? Are the minister and government committed to ensuring that there continues to be paper backup of the electronic registry? Of course, the reason for a backup is in consideration of how important and central land titles and the registry are to the Yukon economy and to people’s proof of ownership of what, for most citizens, is their largest single asset: their home. It is all based on the record of ownership in the land titles registry. The concern is that, with the potential for a virus or computer hacking, or the risk of electromagnetic damage — which may be remote risk, but it could be potentially catastrophic to electronic systems — whether or not the government is committed to taking the steps to protect the integrity and security of Yukoners’ homes and ownership by ensuring that there is a paper backup done of the land titles registry going forward.

On a related matter, I would also ask for the status of the work with Kwanlin Dün First Nation to implement the agreement on their use of registering settlement land in the Land Titles Office. What steps are necessary to implement that? When is that expected to be fully in place and in use by KDFN? Have any other First Nations been in talks with the government regarding the possibility of signing a similar agreement to what Kwanlin Dün has with the Yukon government, which would potentially allow them the ability to create access to their citizens for mortgage financing on settlement land, as well as commercial opportunities — for any First Nation that chose to entertain them — to allow others to use settlement land?

Hon. Ms. McPhee: I appreciate the questions. I will deal first, I think, with the land titles modernization project by saying that the estimate for searchable capacity, or the ability to search data online — we hope the target will be between March and June 2019. The funds that are in the budget this year are required for the second year of the capital project, which will continue with the procurement to operate and maintain the new electronic land titles registration software, which was a solution for the Land Titles Office. The estimate of \$2.5 million in capital costs for the project includes \$1.835 million in this year's budget, which is 2018-19. The entire multi-year project will result in an electronic land title registry system, which will greatly shorten the time required to register documents with the Land Titles Office. We also note that this will be a reduction of red tape for individuals.

We continue with the continuation of this project to work with our stakeholders to determine how that registration and searchable database will best suit them. While the work is ongoing, there are opportunities at every stage to make sure that the system being designed will ultimately be maintained on behalf of Yukon landowners and property owners and will service them well.

There is absolutely no plan to get rid of — if I can say it that way — any paper documents or paper records. They will, of course, be maintained, but most documents will likely arrive eventually at the land titles system for registration in electronic format, but certainly we know that this will take some period of time — I would say that it will be years — until such a time as those capacities change overall.

With respect to the ability of Kwanlin Dün First Nation to register settlement land at the Land Titles Office, all of the background work — or work to enable this process — has been completed. The Yukon government, Kwanlin Dün First Nation and the Canadian government have all signed amendments to the *Kwanlin Dün First Nation Self-Government Agreement* in order to permit that to happen. So everything is in place for that to be done, and it is our understanding that some internal work is being done by the First Nation with respect to how they want to use that system.

Mr. Cathers: I appreciate the answers that the minister provided.

I would just ask her to clarify — I think I understood what she was saying, but just because of the importance of the land titles matter, I would appreciate it if, when she rises, she could clarify. I believe her words were that there were no plans to get rid of existing paper records in the Land Titles Office. I think she was indicating that they would continue to generate them after documents are filed electronically as a backup to that — but if the minister could just confirm that point.

There is a difference between not getting rid of existing paper and continuing to generate paper as a backup to the software system. I would ask her to clarify that. The reason that I am emphasizing the point is because of what I believe to be the central importance that the land titles registry plays within the economy and proof of property ownership. I believe that it is appropriate to take that additional step to

continue to backup the electronic system to avoid future risk to the electronic records due to anything from a computer virus to deliberate hacking and so on, and to prevent there being a situation where we lost all newer records entirely.

I appreciate the information the minister gave about the Kwanlin Dün First Nation land titles project. She did not indicate, though, whether government has been in discussion with other First Nations about the possibility of signing a similar agreement to that of Kwanlin Dün First Nation, and I mean in a substantive manner. I know the offer had been made in the past. During the time when I was Minister of Justice, we had provided that offer and I assume that the government has not rescinded the offer. I am asking whether there has been substantive work with any First Nations related to the possibility of them also entering into agreements similar to that of Kwanlin Dün First Nation as it pertains to the land titles registry.

With those questions related to land titles out there, I would just add one additional question related to the legislation and the legislative project — it is a different act, but linked to land titles in some ways — so could the minister provide an update on the status of developing regulations on the *Condominium Act, 2015*? When are those regulations expected to be developed? Will they be brought in all at once or in a phased approach? When is the expected date of proclaiming the act? As the minister knows, originally, additional drafting capacity had been dedicated to this area in 2016, and it had been anticipated that this project would have been completed quite a long time ago. We have not heard recent updates on this other than the mention the minister included in her speech regarding the *Technical Amendments Act, 2018*.

Hon. Ms. McPhee: I will address the questions from the member opposite as follows, which I hope is additional information. I don't think these are the questions being asked. We won't be operating two systems at the Land Titles Office — an electronic one and a paper one. In fact, the Yukon, as a jurisdiction, is slow to come to the modernization of land titles. Other jurisdictions have been there for a long time. In fact, electronic registration with the paper backup is the safer of the options.

We can and will, of course, generate paper for registrations or for anyone, upon request, because that can be done. The service contract that will be provided when this project is complete will, as a requirement of that, need mitigation of all risks to the best possible degree for this kind of system. I do not disagree with the Member for Lake Laberge that electronic-only makes citizens — makes Yukoners, makes probably everyone — a bit nervous, especially in a jurisdiction where — although, of course, there are backups — on occasion, we have some power outages or have some opportunities for systems, electronic and otherwise, to not work as we hope every day, all day.

That said, I should note that the system maintenance that we anticipate for this project will allow updates on a regular basis — as often as daily, if necessary or if requested — so

that will allow us to find or have indicated to us any problems with the system as immediately as on a daily basis.

With respect to the question about other First Nations — as the member opposite noted, we have encouraged other First Nations. There have been some discussions with respect to having them also entertain joining a land titles system or options for individual First Nations. Those conversations are continuing. We certainly hope and encourage them to partner with us so that progress on this matter can go forward, but there are no final agreements or final negotiations that have happened — or final decisions, I would say — on behalf of those First Nations. Not to speak for them, of course, but they may be having discussions internally and waiting to see how the system with the Kwanlin Dün First Nation actually works for them.

I think the other question was with respect to the regulations pursuant to the *Condominium Act, 2015*. We will be consulting with the stakeholder advisory committee, which has been long at work on this particular matter and piece of legislation. I can remind the House that it was passed in May of 2015, but that the regulations had not yet been completed. Further work with the stakeholder advisory committee and other stakeholders will be happening in the summer of 2018, with the target of proclaiming the act with completed regulations in early 2019.

With respect to the middle part of that question — the plan would be to proclaim the regulations all at one time rather than a phased-in approach.

Mr. Cathers: I appreciate the answers from the minister and appreciate that she seems to appreciate the importance of having a paper backup for the land titles system just to ensure security of this section of the records related to people's property ownership and the economy. I appreciate her answer about the *Condominium Act, 2015* as well.

I am going to move on to another area related to the relationship with the federal government. There has been some media publicity about the federal government apparently planning to introduce new legislation related to gun control. That, as the minister will know — the spectre of that does cause some concern from some Yukoners who remember the last time a federal Liberal government made changes and brought in the very expensive, unpopular and ineffective long-gun registry. I have also heard concerns from Yukon gun owners who are concerned about the potential infringement on existing rights of law-abiding gun owners and whether the legislation will infringe on their rights without effectively targeting those who are misusing firearms in a criminal manner.

I don't know how much information, if any, the minister may have about that, but the question is: What information has the federal government provided about their proposed legislation? Has there been any sharing of information or discussions about the content of that legislation? If there hasn't been, can the minister provide me and interested Yukoners with the information on whether they have a commitment from the federal government to consult with the

Yukon government, as well as other territories and provinces, on the legislation before finalizing it and passing it?

Hon. Ms. McPhee: I need to get on the pipeline that the Member for Lake Laberge is on, because this is not something that has come to my attention in any way, shape or form. I can confirm that it is not a topic that has been on any deputy minister's agenda with respect to the federal, provincial and territorial meetings. It is not on any minister's agenda with respect to federal, provincial and territorial meetings — which, of course, is primarily where that kind of information is discussed — at those tables.

I can also indicate that I have not had any specific information passed on to me from the Minister of Justice for the federal government or from the Minister of Public Safety and Emergency Preparedness, both of whom I have a good relationship with, as do all of the ministers across the country. It is simply not something that has been raised as an idea, and it is certainly not something that has been discussed with respect to potential legislation at the federal level. As a result of that, no, we do not have a commitment with the federal government to advise or consult with the provinces and territories because it simply has not been a topic discussed since I have held this position.

Mr. Cathers: I appreciate the minister's answer. I would just note at this point that we're largely relying on media coverage. If I'm not mistaken, I believe it was a story in *The Hill Times*. I read a lot of national media stories and so it is possible I might be mis-ascribing the source. There were reports that the federal government through, I believe, Minister Goodale, the Minister for Public Safety and Emergency Preparedness, has committed to tabling legislation. Some of the media reports that had concerned people whom I had heard from were that there were reports that members of the federal Liberal caucus from rural areas were unhappy with the content that was presented at a caucus retreat.

The minister obviously is not going to have more information on this. I would just encourage her to reach out to the federal government, to Minister Goodale, to find out if the federal government is planning to bring in legislation and to flag formally with them the importance of consulting with the provinces and territories prior to introducing new firearms legislation because of the concerns that this topic has for a number of law-abiding gun owners in Yukon. As well, I'm sure the minister will appreciate that the many, many Yukoners who hunt, fish, trap, and so on consider the ability to use a firearm lawfully to be a very important thing to them. It is important, as well, for First Nation people who have subsistence hunting rights pursuant to the final agreements. There are legal rights of theirs that may be infringed upon, depending on the details of proposed federal firearms legislation.

Just wrapping up my remarks on that point, I would just ask the minister to take the step of formally contacting the federal minister, asking if they are proposing firearms legislation, and formally requesting that, if the federal government does propose that legislation, they formally and

sincerely consult with provinces and territories on the content of that legislation before proceeding.

Moving on to another area related to the RCMP, I'm pleased to see in this budget that the government had allocated more money to the RCMP in the area of historical homicides and related to sexual assault, but there are additional concerns related to the rise in the drug trade here locally.

I am concerned about the potential impact on the RCMP of workload after the legalization of cannabis — and, particularly, the load that it may place on members related to areas such as traffic enforcement and to enforcement of the law in general — both territorially and federally. I would just ask the minister to indicate what additional resources are being provided to the RCMP outside of those targeted streams. I believe she mentioned a phased implementation plan for support the Whitehorse area. I would just ask her to repeat the additional supports in this area that are being provided to the RCMP and how many new members and how many new clerks, et cetera, this will result in for M Division.

Hon. Ms. McPhee: There is an increase of \$109,000 in this particular budget, which is an ongoing increase to the territorial police services budget to ensure appropriate front-line policing capacity and support for the Whitehorse detachment. I understand that this was the question — \$109,000 in the 2018-19 budget and the anticipation of \$31,000 in the 2019-20 budget — but that is a forecast, of course. The increase to the territorial police services budget for the RCMP resources is a continuation of a phased implementation of a four-year policing resource plan, which began in the 2016-17 fiscal year.

As I noted in my remarks earlier, the RCMP will see this increase for the continuation of that phased-in implementation each fiscal year for four years. It will ensure appropriate front-line policing capacity. The plan is for the addition of four police members added to the Whitehorse detachment and four clerks to support operations, along with a disclosure clerk.

I understand the disclosure clerk to be one of the four clerks who are in the plans for increased service. I should note that the disclosure clerk plays a critical role with respect to criminal cases. As members will likely know, the Jordan decision that came out from the Supreme Court of Canada before last year — I think it was in 2016 — required cases to proceed through the courts in a timely manner, and there are deadlines and timelines set out in those decisions — the approximation of 30 months, if my memory serves me.

Disclosure has always been a critical part of a criminal case. That is when the information about all of the evidence in a case is passed from the RCMP to the Crown, and from the Crown through to the defense counsel in a particular case. A disclosure clerk and the capacity to deliver that information, which, on occasion, can be a massive amount of evidence — boxes and boxes of files or other types of evidence. It's critical for that to happen in a timely manner so that the cases can proceed through the court in accordance with the Jordan decision.

In addition — and I anticipate it may be the next question, but it's certainly part of this answer — an increase

of \$525,000 for the implementation of Bill C-46 and the related changes to impaired driving laws has been granted. It appears in this budget. Canada has presented legislation that is known as Bill C-46 to change the laws in Canada with respect to impaired driving, in conjunction with Bill C-45, which is the legalization of cannabis.

Funding for that program, or for the support of Bill C-46, will support law enforcement in training and technical supports. The federal government has pledged this funding support to the provinces and territories to aid in these areas. \$525,000 is the Yukon Territory's portion of that funding from Canada.

Yukon has begun discussions with Canada to secure these funds and support Yukon law enforcement in acquiring the required training and technical supports.

Mr. Cathers: I appreciate that information from the minister. I would just like to ask for a little more information on that, as it relates to the concern that a number of people have about whether or not the legalization of cannabis will lead to more widespread use by people who previously were deterred from smoking by the fact that it was illegal — whether it will broaden the group of people who are consuming cannabis — and result in an increase in people driving while under the influence.

The specific question that I would ask related to that are whether the training and technical supports to which the minister referred include additional — I may have the term slightly wrong, but I believe the acronym is DRE, which I think stands for drug recognition enforcement. I may have the terminology wrong there. I am just relying on memory on the term, but it relates to the ability of RCMP members to meet a standard that would stand up in court of being able to determine whether someone is impaired by something that is not easily tested for. In the past, the most recent information I have heard is that the training was quite limited here in the territory and it may have only been — again, according to the reports I have heard on this — one member had training.

I would appreciate clarification on the number of RCMP members of M Division who currently have that training — whether there is other training that is being provided; whether the training of choice is changing in preparation for the implementation of cannabis legalization; and whether there are kits that allow for roadside testing, and whether those are now in a position where they are considered reliable. As the minister may recall, there has been some pilot testing of kits for cannabis roadside testing and I think there have also been some challenges reported on the accuracy of those tests.

Last but not least, the reference of this money appears to be support, largely within Justice. Has the government requested, or are they considering requesting additional resources from the federal government to pay for RCMP members related to the increased road safety services or traffic services — whatever the proper terminology is — as it relates to the RCMP performing that work and testing for impaired driving?

Secondly, is the RCMP adding increased resources to the federal policing portion of the RCMP members who are currently here in the territory?

Hon. Ms. McPhee: With respect to the impact of the legalization of cannabis here in the territory and in other jurisdictions, I think it is important to remind this Legislative Assembly that it is already an offence to drive while drug-impaired. It has always been an offence to do so. Impaired driving means, of course, impaired by alcohol, drugs, prescription drugs or anything or any combination of those that would cause a person not to be able to properly operate a motor vehicle.

That is not dismiss the concerns at all about what is going to be coming, but we have here a jurisdiction where cannabis use is relatively widespread by all accounts and all of the statistics, particularly with respect to young people. It is our approach and always has been in taking on this legalization of cannabis, as led in this case by the federal government, to be guided by two principles: to provide for legal, controlled access to cannabis that will displace illegal and criminal activity; and not secondly, but our joint key principle is to prioritize the public health and safety and harm reduction with a focus on protecting youth from the negative health effects. Guided by those principles, and having gone through this process to bring a bill before this House, that bill — as I think we will see when we have the opportunity to debate it — is, in fact, guided by those principles.

The \$525,000 that I noted in the budget with respect to the RCMP and the implementation of Bill C-46 is — exactly as the member has noted — for the technology that is coming with respect to the training that will be required for individual RCMP officers to receive the designation. That is much the same as with impaired driving. Only certain officers can administer the breathalyzer test, for instance. In fact, to make sure that the training and the technology is available, the services and tools are available for officers here in the territory to be able to do that work in a reliable and expedient way.

With respect to the increase of the RCMP officers who are designated under the federal policing formula — if I can say it that way — we don't have any information saying that this is intended to be increased at this time. Clearly, this is something in Canada that is a bit of an unknown. I assure Yukoners that we will be looking for further funding if we determine that, as the legalization of cannabis rolls out and becomes legal here in Canada, the effects of that on communities and on places throughout the Yukon and here in Whitehorse are such that we do require those policing resources to be increased. I don't think the Government of Canada will be surprised at all that the provinces and territories will want to discuss those options with them and further funding if needed.

With respect to the question regarding the traffic services at the RCMP — I assume that the Member for Lake Laberge means in Whitehorse because that is the only place where a separate traffic services unit exists. Again, those are trained individuals with respect to impaired driving of all kinds. We

expect that certainly those members will be trained. At this point, there is no indication from the RCMP that more resources will be needed in that unit, but as I say, as this evolves, we may well be having those discussions with them, which is why we continue our discussions with them — ongoing — with respect to the resources they need.

Mr. Cathers: I appreciate the answers from the minister. In the area of the RCMP resources, I would just note to the minister that there are already challenges that exist in terms of RCMP response as it relates to traffic services as well as to property crime. Even in the Whitehorse area, I certainly recognize that the increased members being provided this year through the four-year agreement and the phased-in implementation of the policing plan — I believe that is the term the minister used — will provide some benefits for local capacity of the Whitehorse detachment.

Even as it pertains to traffic services, I get complaints from my constituents about the incidents of suspected drinking and driving — what I'm referring to in particular. The most common concern I hear is of people who see the number of beer cans tossed into the ditch beside the Hot Springs Road and are concluding that, although they are not sure who is doing it, they really question why those cans are arriving there. I know also on the south side of town there have been concerns about response times to property crime incidents and I have heard those concerns from my constituents as well. I believe the same problems exist on the south Klondike Highway.

I want to note that, in saying that, I recognize that the RCMP members work hard, and especially within the last year and a bit, they have been dealing with an extremely high volume of calls and major crimes such as homicides, so I want to ensure that this is not interpreted as a criticism of them, but simply recognizing that there are pressures out there, which at times, the RCMP is already hard-pressed to respond to. That would appear to me to limit the resources that would be available to them for increased policing relating to impaired driving, which is a concern we have heard from many Yukoners who would like to see more enforcement related to that, especially right after cannabis rolls out.

I would just flag that to the minister and I would encourage the minister to request additional resources from the federal government, either through the federal policing stream or through the cost-share positions.

I would note as well that another concern that I have related to this is the potentially increased volume of court cases related to cannabis or cannabis infractions and driving under the influence thereof. I have a question as to whether the RCMP or the Department of Justice have any estimate on what they think is likely to be increased impaired offences due to cannabis legalization and cannabis infractions. I know that — as the minister herself noted — it's difficult to predict this area. I'm just wondering if any estimate exists of what is expected to occur.

Related to that, what are the associated pressures on RCMP member and staff time likely to be? I have already in the past had flagged to me — and I suspect the same concern

was flagged with the minister by the RCMP — the fact that for every impaired charge, even for alcohol, there is a substantial amount of time involved related to ensuring that the paperwork and everything else associated with it have all the i's dotted and the t's crossed. It takes literally hours of their time to deal with filing a charge related to that. I would appreciate that information if the minister could provide it.

Last but not least, a related matter — the RCMP auxiliary constable program had been effectively rendered inoperable. As a result of a change that had been made back in 2016 by RCMP at a national level following work by the Yukon government including a letter from me as the then-minister — and the work of other provinces and territories regarding this, as well as work by one of the Senate committees — including through the leadership of former Senator Dan Lang, who championed this cause on behalf of Yukon and other jurisdictions — there had been a change then made to the RCMP auxiliary policy that allowed more flexibility for provinces and territories that wish to operate the program. If I understand correctly, there were three different tiers under the program that could potentially be implemented. I would just ask the minister what the status is of the RCMP auxiliary constable program here in Yukon and how that relates as well to the government's ability to run the checkstop program and enforce traffic safety related to potential impairment.

Hon. Ms. McPhee: This particular exercise would probably be easier for all of us if I had a memory, but I need to make a note now and then. I appreciate the time to do that.

First of all, let me say this: Any impaired driving case is completely unacceptable. Any impaired driving at all in our community is unacceptable. We know that, over the last number of decades here in Canada, impaired driving has been the cause of too many deaths of our citizens. It is completely 100-percent preventable. Every person who decides to have a substance — a drink, drugs, prescriptions or otherwise, and have those things for whatever purpose — that's not the issue. The issue is when they determine that they can then get behind the wheel of a car.

I'm saying this because I have the opportunity to say it, because those people who know me personally know that I have virtually no tolerance whatsoever — that my family and others close to us have been affected by deaths in impaired driving cases — and it is simply unacceptable. I certainly know that the Yukon RCMP feel the same way and work diligently every day and every night here in the territory to make sure that those statistics are reduced, with a view to someday working themselves out of a job with respect to that portion of law enforcement — but we're not there yet.

I also want to take the opportunity — based on the comments from the Member for Lake Laberge, which are important comments with respect to our communities — to encourage all Yukoners who suspect an impaired driver or, maybe even more common now, a distracted driver who comes into their view or comes across their path, to report those things to the local RCMP immediately.

It is my experience and my knowledge, having worked with the RCMP, that those reports are acted upon as soon as

possible, often immediately, so that the safety of our communities can be maintained. If someone sees someone who is a suspected impaired driver — if it has crossed your mind, "Should I call?" make that call. It is the duty of us all to be able to help the RCMP in that way. I know they are encouraged and supported when that happens.

With respect to the additional officers who have been noted here today, that will assist the Yukon RCMP in taking care and expanding their services — or meeting their challenges, if I can say it that way. At this point, we have no estimate of increased cases with respect to impaired or drug-impaired driving. Maybe there's not enough information to do so but, in considering whether or not there will be increased — I'll say it this way — remember, of course, it's already an offence to drive while drug-impaired. That will not be changed.

There will be some changes to the provisions in the *Criminal Code*, but not specific to the fact — it is not like we are making this a criminal offence; it is currently a criminal offence. So we have not had any ability to estimate increases in that way, but we do anticipate decreases in simple possession charges, with respect to the legalization of cannabis or certain cases that are brought before the courts at this time. When the legalization of cannabis happens, they won't be brought before the court. We say they won't be a criminal offence.

Whether there is an estimate of increased impaired driving charges, we simply don't have it. Most of the information we have from across Canada is the idea that, in fact, it will decrease the general court cases that go through with respect to possession of cannabis.

I take the member opposite's point regarding the amount of time that is involved with respect to impaired driving cases, but my response to that is that many cases that involve RCMP investigation take a substantial amount of time. There are Charter requirements, there are evidence-gathering requirements, and there are witness statements that need to be taken. Some of those are with respect to impaired driving cases and some of those are with respect to property offenses, or thefts or assaults, or any of those things.

So I want to say that all of the time that it requires for an officer to investigate a case is important and does take them from driving down the streets of one of our towns or one of our cities, but it is all part of their duties. They are serving the Yukon community in every aspect of that work.

I do appreciate the comments are often with respect to how visible officers are, or how much time those cases take, but I would go back to my first set of comments, which are that any impaired driving case — despite the fact that it takes a lot of time — is making our community safer and we hope that eventually people will make the right decision and not get in a vehicle.

Mr. Cathers: The minister did miss answering my question about the auxiliary RCMP constable program in the territory. I would appreciate if she could provide that information when she rises.

I am pleased to see the addition of RCMP members through the additional resources provided. I am concerned about whether those resources will be sufficient due to what may be a spike in the number of people driving while under the influence of cannabis.

I would also just flag to the minister's attention the concern that as, potentially, people who haven't been consuming cannabis decide to choose to do so after it becomes legal — because again, I think it is fair to say that we don't really have a clear estimate of how many people there are who are deterred from consuming cannabis by the fact it is illegal. The consumption of cannabis in Yukon, as the minister noted, is widespread in proportion to the national average.

Unless the minister has information — if she has, I would welcome it — about how many more people are predicted to start consuming cannabis once it is legal, I think it is probably fair to say that no one has a clear sense of that increased number.

With regard to those people who have not had as much experience with it, one of my concerns is the issue of people knowing their limits. As it relates to alcohol, most people who consume alcohol have some idea of what their personal limit is and are probably relatively well aware of the fact that it is generally considered that you can have a drink or two and probably not be intoxicated. As it pertains to marijuana, the question that I think may be a problem for some people is that they may consume more marijuana or other cannabis products than they can do without becoming impaired. They may not realize that they are over the line unless government has effectively been able to do public education that gives people a sense of where the line is likely to be in terms of personal consumption.

I would just ask if the minister is able to provide any information about the public education campaigns they are rolling out or may be rolling out in this area. I would just flag that concern to the staff of Justice as well as Health and Social Services and any others involved. I hope that issue is front and centre in their minds — educating people so that they know what is likely to be safe behaviour and what may place them at risk.

I will just wrap up that section and give the minister the opportunity to respond.

I have one other matter that I meant to mention and that constituents had requested. I have referred to the pressures that already exist on the Whitehorse detachment's ability to respond and to conduct policing in the area of property crime and traffic. I would be remiss if I did not pass on the specific concern that I have heard from constituents about the Takhini River bridge on the Mayo Road and the speed at which vehicles often travel at that location. As the minister may know, the Department of Highways and Public Works also has statistics collected when they temporarily had a radar sign in place. The top speed — if memory serves — clocked by Highways and Public Works at the top of the hill down to the Takhini River was in excess of 150 kilometres an hour. It is somewhat blind at the top, so you cannot see the bottom or see the bridge. I just want to flag that specific concern. I know the

minister has no direct involvement in operations but, for RCMP members and staff at the Department of Justice who liaise with the RCMP, I wanted to place that concern and requests that I have heard from constituents on the radar screen.

I can't speak to the specific priorities south and west of town, but I know that there are issues as well in terms of response from time to time, largely due to the RCMP's capacity to respond.

I think I'll wrap up that section just to give the minister a chance to respond to the questions I have put on record.

Hon. Ms. McPhee: I apologize for not answering the RCMP auxiliary policing question — hence my requirement to write things down.

Yes, I can indicate that the Yukon absolutely supports the reintegration of the auxiliary policing program. In fact, Yukon benefits from the auxiliary constables, who are often seen as bridge-builders between the police and the community, and they bring local knowledge to assist with police operations. That reintegration is being led by the RCMP at a national level. We have conveyed our support to the local RCMP for the auxiliary policing program to occur here in the Yukon Territory through our various meetings, and we will be supporting that going forward.

I understand the question to be: Where are we in that process? The RCMP nationally are reviewing mandatory national training standards, and they are working those out. The Member for Lake Laberge is correct that the RCMP are moving toward a revised three-tiered auxiliary policing program, which will allow for different duties to be performed by different persons who are at different levels of auxiliary classification — if I could say that — based on their training and for each province and territory to select a tier that best suits their needs, or more than one. The RCMP are currently working on the mandatory national training standards and an online training module developed for all three tiers, and the revised policy will be published in the coming months. The department will, of course, review those and work with the RCMP here in the territory to determine what services will best suit our territory.

I think the next question was with respect to the public education campaign with respect to the implementation of the legalization of cannabis. The public education campaign has already begun at the federal level. In the territory, as we've heard in answers to certain questions and comments through the last number of days that we have been sitting, Health and Social Services is responsible for that campaign here in the territory. There will be a communications person tasked with that work. There will be partnerships with the other provinces and territories and with the federal government to make sure that the messages produced for young people — and most will be targeted at young people — about the health effects of the early use of cannabis and the implications will be consistent and will be plentiful so that they will have an effect on our young people in the community.

I can also indicate that our work here has been in conjunction with the one-government approach with the

Department of Health and Social Services, the Department of Justice and the Department of Community Services. We have also worked closely with the chief medical officer of health, who has been a great resource and has been speaking in schools and publicly with respect to the health implications of the use of cannabis. That work will continue. It is a major pillar of the process to legalize cannabis that we are very clear about the effects, the health implications and the medical effects, particularly for young people, but also for anyone who might choose to use cannabis.

I think the last part of the question asked in this group of questions involves a concern about speeding. I appreciate that the Member for Lake Laberge was primarily commenting on areas that he has been made aware of and that are of serious concern. I thank him for that, but I also say that speeding is a concern in every community. I think all of us have heard that. I know that MLAs who represent neighbourhoods here in Whitehorse have heard it, and MLAs who represent small communities across the territory — including, Mr. Chair, your community, or one of your communities — Mayo, Teslin — have all heard that speeding is a serious problem here in the territory. As a result, we are working closely with the RCMP to address that.

In conversations that we've had, there are planned discussions to go forward with provisions to perhaps change the *Motor Vehicles Act* with respect to fines that are available, and with respect to the way in which enforcement can happen. The RCMP have been clear about their ideas with respect to that, and it is work that we are continuing to do because it is an issue that must be addressed.

One of the projects that we are working on as well — if I quickly put on my other hat — is safety in and around schools. Requests have gone out to school councils with respect to what they can identify as specific traffic concerns around their schools. We might be able to address those to affect the safety of children in those areas, but the added benefit will be to affect the neighbourhoods in which those schools exist. That went to every school in the territory, because school zones in a small place like Pelly or Carmacks are central to the traffic safety.

I think I will end there. I hope I have answered all of those questions.

Mr. Cathers: I appreciate the answers from the minister. I would just ask about a couple of other areas related to the RCMP.

One is the Liard First Nation community tripartite policing agreement — I believe that is the term, and my apologies if I have made a word error here or there. If the minister could just provide information on the status of the funding received by the RCMP that allowed them to provide extra support through the Watson Lake detachment and what the current status of that is. There were some changes being made by the federal government to the policing programs they had related to aboriginal policing, including additional capacity in situations such as that. Could the minister please provide me with an update on it, especially as it pertains to Watson Lake?

Secondly, I will ask — as it relates to RCMP members and officer safety — the issue of how members are equipped. As the minister will know, in the wake of some of the tragedies that have occurred across the country related to RCMP member safety, there was the issue of the requirement to roll out the new carbines to members. There was also a significant cost to the Yukon government to assist with that.

Have the RCMP in the Yukon completed the rollout of the carbines to members everywhere they intend to roll them out to, or are required to?

Thirdly, with the pressures in Whitehorse, what is the current status of the ability of Whitehorse to provide support to rural RCMP detachments here in the Yukon?

Hon. Ms. McPhee: With respect to the first question regarding the Liard First Nation — as a bit of background, I should indicate that we are very pleased that the Government of Canada recently announced an additional investment of \$189.2 million, starting in 2018-19, as part of their commitment to effective and sustainable policing service for First Nations and Inuit communities.

The Government of Yukon is party to two intergovernmental agreements — one was referred to by the Member for Lake Laberge — that aim at providing enhanced, dedicated and culturally sensitive policing services to Yukon First Nation communities. These agreements include the First Nation community policing service framework agreement, which provides for 12 RCMP officers — a number we were thinking about earlier — to be dedicated to policing First Nation communities. The other agreement is the Liard First Nation community tripartite policing agreement, which provides for four RCMP officers to be dedicated to the Liard First Nation and for a community consultative group in that community — if I could come back to that.

That being said, my recollection is that the increase from the Government of Canada with respect to policing services for First Nation and Inuit communities has not yet been assessed. I think our first understanding was that it would help us continue to pay for the 16 officers I have mentioned, but there is still more analysis to be done as to whether or not that will have an impact on the ability for more officers. At this point, it will allow for us to continue those two agreements to which Yukon is party.

With respect to the questions regarding carbines, my response is simply that the specific equipment that is used and determined to be appropriate for the RCMP is a decision of the RCMP and that is made internally, but we can confirm that the local RCMP are equipped to the national standard and training is complete and is being maintained with respect to that national standard. I think that was the question.

Lastly, Whitehorse currently has the capacity and does provide support to all of the other RCMP detachments throughout the territory if it is required for things like vacation time, medical leave, other kinds of family leave, if officers are required to go out for training — those kinds of things. The national standard requires that three RCMP officers be available or assigned to a particular detachment, and as a result, coverage is required when one or more of them are

away for whatever reason, and that is often supported through the Whitehorse detachment — officers who are assigned here to the Whitehorse detachment. It can sometimes be supported by officers who come from other detachments — maybe one closer to them — that sort of thing. Watson Lake officers might cover Teslin or something like that. Primarily, it is Whitehorse staff who do that and those decisions are made on individual scheduling circumstances. Certainly, while it is a challenge with respect to having officers in the right place at the right time, it is certainly something the RCMP does as part of their daily work.

Chair: Would members like 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.

The matter before the Committee is Vote 8, Department of Justice, in Bill No. 206, entitled *First Appropriation Act 2018-19*.

Mr. Cathers: I would like to resume asking the minister some questions, continuing with the topic of the RCMP. The minister made reference to 12 other positions funded, in addition to the four that are in Watson Lake, related to the Liard First Nation and the First Nation community tripartite policing agreement — relevant to that area. Can the minister indicate from the other agreement involving the federal government where those 12-member positions are located within the Yukon?

Also related to the RCMP, I would ask the minister — in the area of capital projects — why the decision was made not to proceed with the construction of a Faro detachment immediately. Can the minister elaborate on the status of that project? It appears that it has been put on indefinite postponement or stopped. I see that there is an allocation in the budget for what the minister referred to as a “smoothed rate” contribution, but the puzzling thing about that — and the concerning thing I know for the constituents of my colleague, the Member for Pelly-Nisutlin, in the town of Faro — is that the detachment replacement project in Faro was ready to go. It was not in its conceptual stages. The Yukon government had allocated our money. It was a capital project that has actually been tendered and the only reason that the Yukon government did not award it was that we were told emphatically by the federal government that we could not award the project without them approving the increased cost to the federal government and getting Treasury Board approval.

The project was slightly over the estimate but, in fact, we had had the foresight to provide the discretion to the then-Minister of Justice — me — in Yukon to allow the project to be awarded without going back to Management Board, as long as we were within a certain amount over the target cost. The federal government had not done that in their structure.

I wrote to the federal Minister of Public Safety, Ralph Goodale. I noted to him the fact that the increased cost to the federal government, as a result of that project being slightly over-the-target estimate, was only a \$120,000-cost to the federal government. We asked the federal government to allow us to proceed with awarding the contract and for the minister to seek approval to cover that \$120,000 share that the federal government would be responsible for. The federal government didn’t agree and we were forced to not award the project because they emphatically told us that we could not and that they wouldn’t honour their commitment if we proceeded in that manner.

After that occurred, it was our expectation that, either through the Yukon government or the RCMP through their southern resources, the project would be reactivated, based on the same design that had been done and put out to tender again. Based on the minister’s statements about this, it seems that the Faro detachment replacement has either been cancelled or indefinitely postponed.

Could the minister clarify the status of this project and provide an update to this House and to the Town of Faro?

Hon. Ms. McPhee: With respect to the 12 First Nation community policing service framework agreement officers, the information I have is that — as I said, they are throughout the territory at different detachments in order for officers in all RCMP detachments to have proper access to issues around First Nation policing or issues around First Nation culture. Obviously, it is an important aspect of all of our communities here in the territory.

I can undertake to get a list of where those 12 individuals are. So far, that’s the one matter that could come back as either a legislative return or direct information to the Member for Lake Laberge. I don’t have a list of where they are at the moment — the information I have is that they are throughout the territory.

With respect to the discussion and questions around the Faro detachment — the issue of the Faro detachment being very outdated and needing repairs or replacement has not been cancelled and has not been indefinitely postponed. Discussions with respect to Faro are ongoing and also with respect to all the capital projects that are required for the RCMP detachment construction.

The Department of Justice and Canada, as noted by the member opposite, have negotiated an amendment to the territorial police service agreement that changes the manner in which capital construction of RCMP detachments is funded. Previously, the Yukon had agreed to a pay-as-you-go approach for the construction of RCMP detachments and ongoing renovations and maintenance. With the change, the accommodations program charge will now be a “smoothed rate”, with the total estimated capital cost divided, smoothing it over a five-year cycle. This resulted in the Department of Justice exploring what options were available after the situation occurred that the member opposite described in the preamble to his question. The change was prompted by challenges that were faced with the pay-as-you-go model which, as I said, was in the original territorial policing service

agreement that was signed in 2012. The Government of Yukon procurement processes did not mesh at all with the federal approval processes for federally owned assets, which RCMP detachments are. The resulting delays contributed to the result of no detachments being built between 2012 and 2017, the first five years of that territorial policing agreement.

The anticipated benefits from the pay-as-you-go model did not materialize, and there was no rationale for retaining it. In fact, an investigation occurred and moving to a “smoothed rate” was something the Yukon, again, was late to come to. Other jurisdictions in Canada had such agreements with the federal RCMP.

In the now “smoothed rate” part of this agreement and the plan going forward, the Yukon will benefit from an RCMP-led procurement process for detachments, which will result in more streamlined approval processes and, ultimately, greater certainty and flexibility in the building program. It will still enable the Yukon to have a say in how that will happen and what is best for each of our communities.

Using the model that is in place in other provinces and territories will also allow the Yukon to benefit from their experience in advancing RCMP capital construction. I note that the total annualized cost of capital replacement and ongoing maintenance of RCMP detachments over a five-year period, as the 20-year territorial policing service agreement — those are initially in the agreement. The territorial police service agreement was renegotiated, as I have noted, back in 2011-12, but this change was precipitated by the difficulties in having the RCMP process — the federal Canadian process — line up with the Yukon process for the purposes of going forward.

I can also note, anticipating what might be the next part of this question, that I have directed the department — and they are doing so — working with the RCMP to carry out a full review, now that the smoothed-rate process is in place, of the policing infrastructure, including building conditions, to ensure that we make smart capital investments. I can also indicate that, at almost the same time, I was given the honour of this position and the responsibilities thereunder. The RCMP also had a new chief superintendent appointed for M Division. Some of the very early discussions that took place with that individual, our department and me involved, of course, how we were going to meet this obligation for RCMP construction of new detachments or of renovation of those. This is ongoing. It took some time for the “smoothed rate” process to be negotiated and accepted by Canada.

The one thing I want to reiterate is that the issues of the Faro detachment — those that presented to the previous government and still present to us now have in fact — that project has not been cancelled and has not been indefinitely delayed. We are actively working on it.

I can return — now having a very speedy note-taker here with me today — and indicate that the First Nation policing program detachments here in the territory are as follows: Carcross, Haines Junction, Mayo, Whitehorse — with the Kwanlin Dün First Nation and the Ta’an Kwäch’än Council — Pelly Crossing, Carmacks, Ross River, Teslin, Dawson,

Old Crow and Beaver Creek, and the resulting First Nations in or near those communities.

No doubt somebody quicker than I this afternoon will be doing some math, so I should clarify that each of those communities has one individual, with the exception of the Kwanlin Dün First Nation, which has two assigned.

Mr. Cathers: I appreciate the information the minister has provided, but the explanation for the delay in Faro is, quite frankly, concerning and a little bit hard to swallow.

The Faro RCMP detachment had been tendered. It was near days from being awarded. As the previous government, when we were in office, we were prepared to award the contract and to even risk-manage whether the federal government would come in for that additional \$120,000 worth of share that made up their portion of being overbudget. The federal minister refused to allow us to do that. We were not allowed to proceed. We weren’t very happy about it, but we continued to work with the federal government and were committed to proceeding with the project.

But now what the minister said — the minister claims that Faro is not indefinitely delayed or cancelled, but she has given no timeline for its construction. She has given no confirmation that it even will be the next detachment constructed. We are hearing that there is yet a review going on. I do have to point out that this government seems to have a pattern in a number of areas of commissioning reviews to avoid making a decision or to avoid acting on priorities.

The minister talks about a new condition assessment. Well there was already a recent condition assessment that had been done and the RCMP had worked with officials to identify their priorities. What they had advised us was that the two highest priorities for detachment replacement were Faro and Carcross, and based on those discussions, ultimately Faro was chosen as the first detachment to be replaced, with Carcross next on the list.

I am not hearing any confirmation from the minister that either of those are top priorities. I am not hearing a good explanation for why this government, a quarter of the way through its mandate, has still not decided whether they are going to replace the RCMP detachment in Faro. The claim that the pay-as-you-go model for detachment construction wasn’t working fails to take into account that the problem was on the federal side. The Yukon government — the staff of the Department of Highways and Public Works and the staff of the Department of Justice — were prepared to go. Cabinet had approved the project. The federal government were the ones that created the problem and stalled the process.

I know that there are problems with the federal procurement model in a number of areas, and major issues with some of those service-delivery agencies such as Service Canada, where former RCMP Commissioner Paulson took the unusual step of publicly identifying that the delays in receiving services for the RCMP through the shared federal service delivery agency were actually causing major issues that were affecting member safety in rural communities in some of the provinces and in remote communities. So to suggest that, rather than continuing with the model of more

local involvement control, it is better to hand it all back to the federal government, who are the ones that were having the problem with their procurement process in the first place — it just doesn't have any logic to it.

It also seems like a step back in Yukon control and involvement. Too many governments of all political stripes and people before the establishment of party politics in the territory fought for increased local control, devolution of power, authority, responsibility and control of Yukoners in Yukon. To hear that the government has now handed this back to the federal government, that it is relying on a procurement process that doesn't work as well as ours, and has put this into an indefinite stall is quite concerning — not only to citizens of Faro, but I think other Yukoners would be concerned to hear that the government has effectively pressed “pause” on investing in RCMP detachments in need of replacement.

The minister has also identified this new term — the so-called “smoothed rate” contribution — but the \$2.2-million-plus that is in the budget as a so-called “smoothed rate” contribution — I would like some clarity on what that means. To us, it seems to mean one of two things: Either the territorial government is providing money to the federal government or to the RCMP nationally this year and not getting anything in return in terms of an actual capital project, or they are planning on lapsing the funding this fiscal year, which will effectively see \$2.2 million in capital lapsed. That will, of course, help the government magically make the finances look better at the end of this fiscal year than at the start. So which is it? Does the government plan to lapse this \$2.2 million or are they handing that \$2.2 million to the federal government without any solid plan of actually getting any capital investments in new RCMP detachments this fiscal year?

Hon. Ms. McPhee: Mr. Chair, I appreciate the opportunity to address the points brought by the Member for Lake Laberge. What I need to say is that I take issue with the characterization of what I am saying to this Legislative Assembly today as “claims”. I am telling you, the member, and all of my colleagues the information that I have with respect to this which are, of course, the facts.

We did not hand anything over to the federal government. What we did was renegotiate a way in which we pay for the capital projects on behalf of our work with the RCMP. Of course, we pay a portion and the federal government pays a portion on behalf of the federal RCMP. We have, if I can reiterate, changed the way in which we pay for it — being the “smoothed rate”.

In addition, I need to indicate that we are clearly working with the RCMP for the purposes of deciding how that obligation under the territorial policing act should be carried out with respect to providing the RCMP here in the territory with the proper facilities that they need in the communities in which they need them. The discussions may have gone a certain way when the member opposite had such responsibilities, but when I arrived and when the new chief superintendent arrived, those discussions were about how we can best use our imaginations and use options in order to

determine what is best for territorial policing and what is best for the detachments across the territory.

We have undertaken the change in the territorial policing act for the purposes of allowing the “smoothed rate”, which allows us to pay for projects over a period of time. We do not have any intention of lapsing. I should also note that we will still maintain, with respect to the characterization that we are passing something over to the federal government — the agreement requires that the Yukon government still maintains an approval on location, size and preliminary estimates and on the substantive approval of the entire project. That is why we're working so closely with the Yukon M Division RCMP and their leadership.

I should indicate, in closing these comments, that until now, the Yukon Territory has been the only jurisdiction using pay-as-you-go, and now we have joined the rest of Canada with the “smoothed rate” process for paying for these kinds of capital projects.

Mr. Cathers: The minister can somehow frame this as being a good thing, but effectively, we're hearing that the government is now going to pay \$2.2 million this fiscal year and get nothing in return. Why is that better for the Yukon government and the Yukon taxpayers than paying for our portion of a project in the fiscal year or fiscal years in which you construct it?

The minister can suggest that it is consistent with other jurisdictions. I haven't had time to check that information recently, but even if that is the case, why would this Liberal government deliberately seek to renegotiate an agreement that gave us a better deal than other jurisdictions so that we have less control and have to pay upfront for a project, whether it occurs or not?

Effectively, if the government isn't lapsing the money and they clearly have no plans to actually build something this year because they haven't even reached the stage of picking the priority — if we're not lapsing the money, the government is going to be paying \$2.2 million and getting nothing in return this fiscal year. So why is paying upfront better than paying our share of a project when it occurs? I would submit that it is not.

For the minister to use a change in leadership at the ministerial level and the RCMP as an excuse to do another study and duplicate work that was already done just doesn't make sense. The government is handing control back to the federal government. There is less local involvement. The work is being done at a federal level in this case, rather than here locally. There is less opportunity for applying Yukon procurement rules and, as the minister should know, some of the federal procurement rules are not structured in a way to allow for the same local benefit as Yukon procurement rules have.

Effectively, we are getting a worse deal and the minister is selling this as somehow being better because of this supposed new benefit of a smoothed rate approach.

The Faro detachment was literally days away from being awarded in December 2015. Clearly, the government made a political decision to stop that and not proceed with it. The

question, then, for the minister and her colleagues is: Why did this government — this minister — make a political decision to press “pause” or press “stop” on construction of the Faro RCMP detachment? Instead, over a quarter of the way into the mandate, we have no direction and no sense of priorities. All we have are some talking points about collaboration and “smoothed rates” and other things to justify handing back control to the federal government of something that previously the Yukon government had responsibility for and control over.

Hon. Ms. McPhee: I suppose all decisions are political decisions, but I don't agree that this is whatever is being characterized across the way.

I think I have already said this: The assumption being made by the Member for Lake Laberge is that there are no capital builds happening this year, that we're just going to be giving \$2.27 million to the RCMP, and that nothing will happen. That's not correct. We do have plans to address this. What I have explained here this afternoon is how that came about and why it came about. The description given by the member opposite is not an accurate description of what is occurring. I think I have given accurate information about what is occurring. He may not have made this decision, Mr. Chair, but there is neither here nor there at this point, quite frankly.

This is what has occurred. I'm not blaming anything; I'm just describing what happened. There was a change in leadership at the RCMP. There were options for us to look at changes to how the detachments would be paid for. It took some time for negotiation. That's what happened. At no point do we have no plans to address the issues with respect to the RCMP and RCMP detachments.

In fact, from 2012 to the end of 2016, with the exception of a design plan, there was virtually no action taken. I understand the member opposite to have explained that the former government was actually stopped from proceeding with that. What I have indicated here is that, because those processes did not line up — that of the federal government and that of the territorial government — which caused the difficulty that the Member for Lake Laberge has described, a new tack was taken, a new set of decisions was made, negotiation happened, and these projects will go ahead as soon as possible. The communities deserve to have these changes made to have the facilities that they need, and the RCMP do as well. I am very mindful, and our government is very mindful, that this has to happen.

I think that's all I can say with respect to the question. I appreciate that the Member for Lake Laberge doesn't like the description of what I have given today. I can't really do anything about that, Mr. Chair.

Mr. Cathers: The minister could have done something about it. Instead, the government chose to tell the people of Faro that the investment in a new detachment for the RCMP in the Town of Faro was not a priority for this Liberal government. I think they will be very disappointed by this decision.

For the minister to suggest that the problems in the federal procurement process, or the failure by Minister

Goodale to agree to allow us to award the project, are somehow the fault of the Yukon procurement process is a testament to the fact that the federal government was the source of the problem in this situation. Had we been authorized to proceed, the Faro detachment would have been constructed in the next fiscal year.

Clearly, I'm not going to get anything other than weak excuses from the minister in this area. The people of Faro hear what she's saying loud and clear.

Mr. Chair, I'm going to move on to the area of the performance plan that government issued as it pertains to the Department of Justice. That and the Financial Advisory Panel both raise the spectre of government increasing fees and fines to increase revenues.

We have heard the minister indicate that, under the *Motor Vehicles Act*, the government is looking at increasing fines under that area. Can the minister indicate what other fees and fines the government is currently contemplating raising within the Department of Justice?

Hon. Ms. McPhee: I thought this was going pretty well, but apparently it's not. We've reduced ourselves to name-calling and to alleging that the people of Faro have been told something. Frankly, they have not been. I take issue with that.

I can indicate that, in addition to the motor vehicle fees that are being reviewed, clearly all options with respect to the fees and services need to be reviewed as a result of the Yukon Financial Advisory Panel's recommendations. One example that comes to mind is that, once the land titles revitalization project and modernization project are completed, there might be fees with respect to the registration of property in that way and to other documents. We will be reviewing that, because they are currently the lowest in Canada and, once our system is more efficient, it would be something that should be looked at.

Mr. Cathers: I did not engage in name-calling with the minister, but I did point out that — from what is clearly a political decision by the Liberal government — the people of Faro effectively got shafted as a result of a decision that the government chose to make. That is one that they will have to explain to the people of Faro, because the sense that people there get is that their community is not on the priority list for government in this case. It is my obligation as Justice critic on behalf of the Official Opposition, as well as on behalf of the constituents of my colleague, the Leader of the Official Opposition, to bring forward this concern and to express in appropriately strong language our criticism of that decision.

I'm going to move on to another area. I have heard the minister's indication — in terms of the work that is being done — to look at increasing fines. We will, of course, look forward to hearing more about that later.

I'm going to move on to a few specific areas. One is the FASD action plan, which, I believe, the Department of Justice is a lead on, with Health and Social Services. I would appreciate hearing what they are doing in this regard and whether or not it builds on or in some ways changes the five-

step FASD action plan that was successfully implemented under the Yukon Party time in office.

I would appreciate hearing what resources have been, or are being, made available for the sexualized assault response team, or SART. As well, is the government committed to continuing to support the women's legal advocate as well as funding for Victoria Faulkner's A Safe Place program?

I will also add a question to that list. I understand that the federal government has established a youth gang prevention fund and a crime prevention action fund that are open for applications, and they have invited applications from provinces and territories. Can the minister advise me if the government plans to submit an application under one or both programs? If so, what they are looking at applying for?

The minister made reference to a system involving the Department of Justice and the Department of Health and Social Services related to a project. I believe she referred to it as case management for offenders. Could she indicate what that project is doing? Is this an expansion of the prolific offender management program, or is it some other approach? If it doesn't dovetail with the prolific offender management program, is government considering investing more resources in that area so that the POM program can manage more than the previous caseload of roughly 20 highest risk offenders?

Hon. Ms. McPhee: I have five items there. I will deal with them in turn.

First, I understand there to be questions regarding the 10-year FASD action plan. The Yukon government is committed to working together and engaging with the public, community agencies and other governments to better understand the fetal alcohol spectrum disorder and its impact on all of our communities. We held nine community engagement sessions on FASD between May and November 2017. I believe that information was provided earlier to this House — a few days ago. The information gathered is being used to develop a 10-year plan for FASD.

Is that absolutely on schedule with the past estimates? I don't think so, but the completion plan, at this point, is in the spring of 2018. We understand the seriousness of this matter and how important it is that we develop a 10-year plan, but it's also important for the 10-year plan to be relevant and enforceable — or implementable, if I can say that. We have also invested \$500,000 to support the key priorities identified by the FASD inter-agency advisory committee.

These resources will help to increase awareness of FASD, to work to support and reduce harm for women to have as healthy a pregnancy as possible, and to increase access to support services to individuals with FASD and their families. This is a matter of importance with respect to, primarily — with our Justice hats on — individuals who come in contact with the criminal justice system. The research and analysis done that has helped us when going to community engagement for the purposes of developing this plan is extensive and very informative. We look forward to introducing that plan as soon as possible.

The next question concerned the sexualized assault response team. There is a \$215,000 increase to Victim

Services for the creation of a sexualized assault response team, also known as SART, including the development and implementation of a victim support model. This has been included in this budget. The sexualized assault response team is a one-government approach to supporting victims of sexualized violence. This initiative supports the government's commitment to improving services for victims of sexual assault and violent assault. The SART will link existing systems. We have great services in many parts of the Department of Justice, the Department of Health and Social Services, and the Women's Directorate, but a coordinated approach is needed so that individuals are not running into a roadblock and they can get information that they need. What does it mean if I call the RCMP? What does it mean if I go to the hospital? What does it mean if I call Victim Services? No matter where they enter the process, they need to be respected and helped with a compassionate response to their situation. They need to receive all of those services in a coordinated way for the best possible outcome.

The Yukon government has formed and developed partnerships with respect to this particular topic with the Yukon RCMP, the Yukon Hospital Corporation, the Women's Directorate, the other two departments — Justice, and Health and Social Services — and Victim Services and groups that support victims, including women's groups across the territory. We look forward to having the implementation of SART provide better service to Yukoners, first in Whitehorse and then later in communities.

The third question was with respect to the women's legal advocate. I can indicate that the women's legal advocate is a funded position through the Women's Directorate, so I don't have any specific information.

I will undertake to provide information with respect to the federal youth gang funding and the application to programming that has been asked about here today. I do not have any information at this point that an application has been made by the Yukon, but I will confirm if that is correct.

Perhaps lastly, with respect to the corrections case management system, this is an IT-based — or technology-based — system. It is the implementation of an adult and youth facility and case management system, so it is not a program like the prolific offender program.

This is a joint project between the Department of Justice and the Department of Health and Social Services. A jurisdictional scan and an expression of interest were completed to survey the market with respect to how to best provide this service. Based on the results and feedback of the jurisdictional scan and the expression of interest, we will form the framework for a negotiated request for proposals, or what is often known as an NRFP.

After analysis of the business requirements are completed for both youth and adult corrections, we will proceed to that process. There is, in the budget, a total of \$800,000 for the purpose of achieving that corrections case management system.

Mr. Cathers: I appreciate the answers. I suspect the minister just inadvertently missed it, but I had also asked her

about funding for the Victoria Faulkner Women's Centre's A Safe Place program and whether the government was committed to funding that as well.

I will just move on to a couple of other specific areas and would appreciate it if she could answer that question at the time. The work that has been done nationally on the National Inquiry into Missing and Murdered Indigenous Women and Girls — as the minister knows, the Yukon was leading in the country in having hearings, and there was a lot of work done by people here in the territory to bring those hearings together. I would like to specifically acknowledge the work of the founding co-chairs on this in Yukon — Chief Doris Bill, Doris Anderson and then-Minister Elaine Taylor. I would also like to note that there are many people within departments, as well as within the Yukon Aboriginal Women's Circle and First Nations, who were involved in bringing this together and supporting the families.

My question is: Is there work ongoing in the Yukon related to the national inquiry, or is that largely wrapped up? Could the minister just advise if there are any notable activities related to it that are anticipated here this fiscal year?

I will move on to a somewhat related area. As the minister knows, the Yukon put the issue on the table at the provincial-territorial discussions on improving access to justice for complainants in sexual assault matters. The Yukon and Ontario were co-leading those discussions. Are Yukon and Ontario still co-leads in this discussion? Can the minister advise what work is currently being done with provinces and territories in this area?

In the same general grouping, I would ask the minister as well about the Gladue pilot project that was announced. I was pleased to see an announcement related to it but, as the minister probably knows, the project had begun with discussions that occurred during my time with the Department of Justice between the federal government, CYFN and the Department of Justice.

At the time, the view we had was that funding Gladue reports was not the obligation of the territorial government. We felt it was incumbent upon us to be in the discussion about the model rather than beginning by arguing about who should pay a portion of that cost. The fact is that the *Criminal Code* and prosecutions, as well as the federal government's fiduciary duty to aboriginal Canadians, are all responsibilities of the federal government.

When we began the discussion, the position of the Yukon government at that time — although we really thought the federal government should be paying all the costs — was that, in the interest of moving forward, we wanted to begin the discussion and consider partnering on that. It appears from the recent announcement that the government is paying 100 percent of the cost for the area. Can the minister advise whether or not this is due to the federal government not being willing to provide additional funding? What is the reason for the Yukon being left, in this case, apparently bearing 100 percent of the cost for this initiative?

I do want to note that I recognize the value of the initiative; I'm just concerned about the question of whether it

was the federal government approach for funding. Why is there not federal funding involved in this mix? Why is it being left to the Yukon government?

Hon. Ms. McPhee: I understood the first question to be about the funding for Victoria Faulkner Women's Centre. It's my understanding that it is either — I don't want to guess — it's not the Department of Justice, which I have information about right now. It might be a combination of Health and Social Services and the Women's Directorate. I will have one of my colleagues respond to how that is funded.

With respect to the National Inquiry into Missing and Murdered Indigenous Women and Girls, it is the case that the Yukon was the first location with respect to hearings. There have been additional opportunities for families to tell their story in Watson Lake and Liard.

The work is in fact still ongoing with respect to the Yukon Territory. My colleague in charge of the Women's Directorate will be able to provide more information, but I can note two things.

It is my understanding that the inquiry will return to the Yukon Territory before they complete their work. At least that was initially a plan. Clearly their work is being guided by what comes before them across the country and by their plans going forward. Everyone here will know they have asked for an extension to complete that work, so we will wait and see.

My colleague in charge of the Women's Directorate might well have some more information, but I can indicate that the Family Information Liaison Unit received an increase in the amount of \$285,000 this year in this budget, which is 100-percent recoverable funding from Canada. It went to Victim Services for the purpose of establishing the Family Information Liaison Unit.

That Family Information Liaison Unit provides a centralized, coordinated mechanism for family members of missing and murdered indigenous women and girls to access information related to their loved one's case. As I said earlier today, the service is being funded by the federal government as a parallel investment to the National Inquiry on Missing and Murdered Indigenous Women and Girls and is located within the existing victim services branches across Canada.

The Family Information Liaison Unit coordinator is now in place and is working with Yukon families. I can also make reference to the fact that the historical case unit, which was announced last week with respect to providing additional funding to the RCMP for three officers to focus on historical cases of homicide here in the territory, has as a portion of their work to liaise with families in coordination with other services that are provided to families — but that's a natural connection with respect to that work as well.

With respect to the third question, which was with respect to whether or not Ontario is the lead on access to justice with respect to sexual assault victims — I understand that they are still. I think there was a co-lead, but Ontario is the lead with respect to that project at the provincial/territorial level. Currently that work is in the hands of the conference or a committee, with respect to senior officials. I understand them

to be focusing on guidelines for prosecutors, but that work is ongoing.

Lastly, I can indicate with respect to the Gladue project that yes, as Yukon government, we did ask the federal government for funding with respect to Gladue projects or Gladue report writing. The federal government did not fund it and it was simply time here in the territory for this project to be properly funded, so the territorial government, as noted across the way, made an announcement with respect to \$530,000 to fund this project over three years. It is a partnership between the CYFN, the territorial government, the federal Public Prosecution Service and Yukon Legal Aid, and it will be managed by Yukon Legal Aid.

Mr. Cathers: I appreciate the answers from the minister. I would just note, with regard to Victoria Faulkner Women's Centre's A Safe Place program, the reason I was asking is that, when we first funded it, it was with funding provided by the Department of Justice. I would appreciate it if the responsible department, whichever that currently is, would be able to provide us that information when their minister speaks to the House about their budget.

With Gladue reports — I appreciate the explanation from the minister. I would encourage her to continue to press the federal government to fund this in the future. As the minister and others will be aware, federal governments of all stripes have had a tendency of trying to sometimes off-load responsibilities and costs on to provinces and territories. This is an area where I would hope that it doesn't become a case of Yukon permanently shouldering the cost that should be paid by the federal government.

I am going to ask a few more specific questions as I wrap up my questions for the minister. I had written to her last year, as well as raised the issue in the House, suggesting that the government look at adding a second full-time coroner. Is the government considering doing so?

Secondly, the *Estate Administration Act* is a piece of legislation we had looked at updating to particularly address the concerns raised by common-law couples in that area. Is the *Estate Administration Act* on the government's legislative priority list?

Thirdly, while pleased to see that the funding for the Community Wellness Court has been extended, there has also been a reduction in funding of \$145,000. Can the minister please explain what that reduction is due to?

Last but not least on my list, could the minister advise what the acutely intoxicated working group is working on at the moment?

Hon. Ms. McPhee: Thank you very much, Mr. Chair, for your indulgence to answer these questions.

With respect to the question about a second coroner — that is a specific question. In my view, it's a question that is a little bit down the road. What this government has committed to do is conduct a thorough review of the existing act and its associated regulations. I don't think anyone here thinks an act that originated in the 1970s — and has not had substantial changes since then — is serving us well. As a result of that, I have initiated such a review. The goal would be to draft an

updated *Coroners Act*, which may or may not include a number of coroners, so I can't answer the specific question about a second coroner because this is the work that's being done for the Yukon.

I anticipate that coming forward to this Legislative Assembly, if there are no major issues, very soon — obviously not in this session, but within the next one or two. An engagement with stakeholders, such as the RCMP, Yukon First Nations and the medical and legal communities, the chief coroner and all the community coroners, and the general public is planned for the spring of 2018.

There is a general consensus that the *Coroners Act* is outdated. Current best practices have exceeded not only the concept of our act and the dates, but the current best practices have exceeded the technological and process provisions that are available to us as a community and to the coroners in our community. They are outdated and are not available under the current legislation — if I can say it that way. So it is the right time to look at amending this legislation.

The next question was regarding the *Estate Administration Act*. It is on the radar. It has been brought to my attention by the department. I don't have details with respect to how that might go forward, but we understand that there are some concerns. Again, our process with respect to reviewing those kinds of concerns involves the concept of caucus and Cabinet decisions, and then ultimately looking to speak with Yukoners and engage with them as to their views.

With respect to the \$145,000 decrease regarding the Community Wellness Court and the Justice Wellness Centre, an ongoing decrease of \$145,000 for the Wellness Court and the Justice Wellness Centre is in this budget. \$100,000 was recoverable from Canada. The \$45,000 decrease therefore stems from a reduction of a 0.6 FTE that was not utilized at the Justice Wellness Centre — the location where individuals who proceed through the Wellness Court can go for services and assistance. The 0.6 FTE was to provide staffing to enable extended hours of operation at the Justice Wellness Centre — I understood maybe on weekends, if I have that right. Clients were not accessing the centre during those extended hours, however, so the position was deemed to be unnecessary.

The last question was about the acutely intoxicated working group. I have information that this may be part of the community safety working group. I don't have specifics, but we can get back to the member opposite on that.

Mr. Cathers: I appreciate the answers. I do just feel I should note in the area — the minister indicated that government is not adding a second full-time coroner at this point in time and is looking at an act review. I just would encourage the minister to reconsider that. I'm sure I am not going to get a commitment this afternoon.

In light of not only the increase in homicides, but of other fatalities due to population growth — in my opinion, from my understanding of the situation, there is quite a heavy load placed on a single full-time position. I would just encourage the minister to consider — even if a second full-time position is added on a term basis and not permanently — doing that before the act review is completed.

I would also just use the opportunity to mention — for staff and community coroners as well — the importance of government taking steps to improve the systemic supports, including mental health supports for staff in that area as well as within Victim Services and other parts of the department. I mean that in relation to critical incident stress management as it applies to staff. Of course, as the minister will know, I have expressed that concern and made that request pertaining as well to staff of other departments, including Health and Social Services and EMS, and notably paramedics and volunteer emergency responders in Community Services. I believe that is an important area.

As the minister will probably recall, during discussion of the government's legislation around post-traumatic stress disorder, there were a number of Yukoners who reached out to me — and I am sure they reached out to ministers as well — expressing their concerns about the systemic supports that were in place and providing suggestions on how to improve that.

I would hope the government would take that seriously and — to use their expression — take a whole-of-government approach to improve those supports for staff in the departments and focus on trying to ensure that we're supporting our staff and our volunteers and avoiding situations where someone has post-traumatic stress disorder or a serious mental health challenge as a result of not being supported as well as we could have supported them to prevent it.

In regard to the *Estate Administration Act* — I would just note for the minister, as she was not present for a previous discussion in the House, if memory serves — in debate on the Department of Justice with then-member Ms. Moorcroft, I had indicated that we had heard from people about the *Estate Administration Act* as it pertains to common-law couples. I had noted the suggestion at that point, which reflects what we had heard from Yukoners, that since Yukoners are not automatically assumed to be in a common-law relationship for the purposes of their estate, and if they die without a will — of course, we encourage everyone to have one, but not everyone does — people who, in some cases, had been in very long-term relationships of a common-law nature, found out that they were not automatically considered to be equivalent to married.

There is a widespread misconception because of legislation in other parts of the country that Yukoners are also assumed to be married after a certain point in time. I would suggest to the minister and her officials — and hope that they will give favourable consideration to what we had heard from Yukoners — the concept of consulting with the public, first of all, on what model they would like to see and then potentially include the option where, after a certain amount of time — whatever time the public saw as appropriate — a couple cohabiting in a common-law relationship would be considered by default to be married in the absence of a will — or equivalent to married. It would allow couples — particularly those perhaps later in life or in a second marriage who want to protect assets for their children or their families — to have the option of — for the lack of a better term — a “just friends”

declaration where they would not be assumed to be married if they were purposely choosing to just live together and not link their assets.

I will leave those suggestions there for the minister. In the interest of allowing the Leader of the Third Party an opportunity to ask questions — as we are nearing the tail end of the day — I will turn it over. I do have more questions that I would ask at a later date if we have the opportunity to do so. But, with laying that on the record there for the consideration of the minister and staff, I will just thank the minister for her answers and thank the officials here in the House and those no doubt listening and electronically providing support to these staff here for their answers and their help this afternoon.

Ms. Hanson: I think we have just seen evidence of even more reason why we should have a thorough debate at some point about all the dimensions of proportional representation and how we ensure that elected members of the Legislative Assembly are allowed the opportunity to reflect the interest of all Yukoners. With 33 percent of the popular vote, we have just effectively seen the Yukon Party occupy 100 percent of the available time on a particular department.

There are a couple of points that I would ask the minister about. I appreciate the minister delivering the requested organizational chart from the department. I would just ask if she could ask her officials to please give us a bit more description — a director of what? An assistant deputy minister of what? What is the number of FTEs under them? It's not very helpful in terms of functions.

Recognizing the time, I have a couple of questions I have. We have many questions, but we won't get to them today. I did ask the minister — I gave her a heads-up about a concern that has been raised by me, through health professionals in particular, with respect to the sexual assault kit used in the Yukon — concerns that the one I had seen on an otherwise very good video about dealing with sexual assault in the Yukon indicated that the Yukon was using an American kit that has caused serious problems in court. That was one.

Secondly, I would like to confirm — the previous speaker from Lake Laberge had indicated that further consultation on amendments that had been proposed over the years with respect to common law — well, if we go back to, I think, around 2006, same-sex couples have been asking for amendments to a number of pieces of legislation to avoid unintended consequences — basically discriminatory consequences around the *Land Titles Act*, the *Family Property and Support Act*, the *Marriage Act*, the *Married Women's Property Act*, the *Evidence Act*, and the *Spousal Compensation Act*. Twelve years later, we're just wondering what the status of those are and if we will see some proposed amendments in the near future.

Hon. Ms. McPhee: The member opposite is correct. She has brought to my attention the issue of the sexual assault kit for the evidence-gathering of sexual assault cases. We looked into it almost immediately, and I appreciate her bringing it to my attention. Obviously, we want to be using the appropriate evidence-gathering tools. Of course, part of

the discussion we had was around the fact that the RCMP had spent several years developing an appropriate tool.

At this point, we understand that the hospital is using the kit from the RCMP. We are double-checking, but our last confirmation from our conversation with the RCMP was they advised they thought so as well. We will check with the hospital; we will check with the medical professionals who do this kind of assisting in these investigations, and we'll clarify if that's the case. If it is not the case, I have already spoken to the department about ensuring that it is. Having been on the receiving end of using that evidence in a courtroom to try to proceed with a case, I certainly want all our prosecutors and courts to have access to the best possible evidence.

With respect to the concept of changes to legislation regarding same-sex couples, it is my information that the *Land Titles Act* has been changed and that the *Estate Administration Act* will be one in which same-sex and common law couples need to be addressed. I appreciate that there are some others. Some of the provisions to respect the LGBTQ2S community and enhanced rights for the members of that community will facilitate some of these changes — not in the act that's currently before us in this House, because those are other specific sections. I take the point that, this clean-up work — which I was advocating when I introduced the technical amendments bill — has not been done, it should be, and we will look into that for sure. Thank you very much for the question.

I appreciate that the member opposite seems to be out of time for questions, but I definitely look forward to answering more of her questions with respect to the Justice department's main estimates.

Mr. Chair, I move that you report progress.

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

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 Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Speaker's statement

Speaker: These are comments I had earlier that I neglected to provide, but just briefly, if you indulge me for a minute — for history buffs, a brief political tribute for the benefit of Yukon legislators before we break for the week.

Cast your mind back to March 15, 44 BC. The emperor Julius Caesar was walking toward the theatre of Pompeii, having been warned in a prophecy about the possibility of significant harm befalling him on that day.

The message was conveyed by a seer or soothsayer, known as a haruspex — put that in your conversation for the weekend — named Spurinna. It is said that he passed the seer on the road to the theatre and confronted the seer and remarked that “the Ides of March are come”, as if to declare that the fateful day had passed without incident. The seer is reported to have said: “Ay, Caesar, but not gone.” Soon thereafter, we know that Caesar met his untimely demise at the hands of a conspiracy that included up to 60 of his fellow senators, led by Brutus and Cassius. This, of course, provided us and William Shakespeare with the iconic phrases: “Et tu, Brute?” and “beware the Ides of March”.

With that, I wish you all a good weekend.

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

The House adjourned at 5:32 p.m.