



# Yukon Legislative Assembly

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Number 95

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34th Legislature

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## HANSARD

Tuesday, October 9, 2018 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2018 Fall Sitting

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

### CABINET MINISTERS

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

### GOVERNMENT PRIVATE MEMBERS

#### Yukon Liberal Party

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

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

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

### LEGISLATIVE STAFF

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

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, October 9, 2018 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Streicker:** Mr. Speaker, in anticipation of several tributes to Fire Prevention Week, we have several visitors here in the gallery and I would like us to welcome them — first of all, Mr. Chris Reynolds, a firefighter with the Golden Horn Fire Department and a member of the special operations medical extraction team; Mr. Dave Welin, the Carcross fire chief; Mr. Jeff Boyd, the deputy fire chief for Mount Lorne; Allan Koprowsky who is the ADM of Protective Services; and welcome to Whitehorse's new fire chief, Mr. Michael Dine and also Mr. James Paterson, who is the Yukon fire marshal — if we can welcome them.

*Applause*

**Hon. Mr. Silver:** It gives me great pleasure to ask everybody in the Legislative Assembly to help me in welcoming a couple of SOVA alumni — we have Kerry Barber and we also have Rebecca Manias. Thank you very much for being here today.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Fire Prevention Week

**Hon. Mr. Streicker:** I'm honoured to rise to pay tribute on behalf of the Yukon Liberal government to Yukoners who are protecting their families and communities by making fire safety and prevention activities a priority.

It's Fire Prevention Week, Mr. Speaker. From October 7 to 13, Fire Prevention Week draws our attention every year to the basic but essential steps each of us must take to ensure the safety of our families in the event of fire.

Here are three simple calls to action for each of us to reduce the risk of fire and be prepared in the event of one: (1) look for places where fire can start — take a good look around your home, inside and out, identify potential fire hazards and take care of them — simple; (2) learn — learn two ways out of each room, make sure all doors and windows leading outside open easily and are free of clutter — easy; and (3) listen — listen for the sound of the smoke alarm. You could have only minutes to escape safely once the alarm sounds. Go outside a safe distance from your home or

building and where you have planned to meet with your family — no problem. Look, listen and learn — something we can all do to make our homes, families, schools, and work safe.

To all those folks participating in Fire Prevention Week, I want to say thank you: teachers and daycare providers and their students who practice fire drills and look, listen and learn and every Yukoner who tests their smoke and carbon monoxide alarms monthly, who keeps the chimneys clean, who makes an emergency plan to get out in case of fire and who tests that plan a couple times a year with everyone in their home.

Mr. Speaker, I would like to thank the Yukon fire service, which protects our lives and property from fire. This year we had a fire at the Whitehorse solid waste facility. It lasted just shy of 100 hours, and all of the surrounding community fire teams came in support.

This year, Lower Post was devastated by wildfire and the Watson Lake firefighters went and supported that community.

Our firefighters keep us safe, and they will be the first to tell all of us that fire prevention is what is critical — look, listen and learn. It is always best to prevent fires from starting. Our lives depend on it and on being alerted quickly to a fire and knowing how to get out fast. Thank you to everyone who is participating in Fire Prevention Week activities. Together we make our communities safer.

*Applause*

**Mr. Cathers:** I rise today on behalf of the Yukon Party Official Opposition during Fire Prevention Week to pay tribute to the hard-working men and women who make up our municipal and community firefighting departments across the territory as well as those in Wildland Fire Management. I would like to make a special mention of and welcome those who have joined us here in the gallery today.

I would like to thank each and every one of the full-time and volunteer firefighters across the territory for the work that they do to keep our communities, families and homes safe. They provide structural, vehicle and wildland firefighting as well as a broad range of other fire-suppression duties that are essential to our safety and also public information. Firefighters deal with hazards such as flammable liquid and compressed gas leaks, auto extraction at accident scenes — they rescue people in a variety of situations — and also assist in other rescue operations and hazardous materials incidents as required.

I would like to thank and acknowledge the work of the Yukon Fire Marshal's Office for their role in fire safety in the Yukon and would like to mention specifically the work that they have done in the Ember Fire Academy offered by Protective Services. This is their fourth year offering the program, which offers an intensive program to women to allow them to experience firefighting. Not only does it provide the opportunity to gain new skills, but it promotes an interest in firefighting to all.

Another initiative is the work that has been done with the fire scenario trailer, which allows trainees and volunteers to

experience what it is like to be inside a structural fire and be better prepared in the event that they must one day deal with the real thing. The trailer operates on propane and has a series of obstacles and stairs to help firefighters practise navigation through a fire situation. It can be towed to Yukon communities and provides hands-on training and experience with fires in small, enclosed spaces with, of course, important safety controls in place.

Fire personnel in Whitehorse and the communities continue to provide fire safety education as well to Yukon students and the general public. The theme of the 2018 campaign, as the Minister of Community Services noted, is: "Look. Listen. Learn. Be aware. Fire can happen anywhere." Fire prevention is a great opportunity for Yukoners to take some time to make sure they are fully knowledgeable in fire safety and to make sure they are fully equipped to deal with a fire.

Make a plan, check your fire extinguishers, talk to your kids to make sure they are aware of what to do in the case of an emergency and plan for an emergency escape route. Know that, when it comes to fire in the home, there is often little time to act.

Thank you again to all of our municipal and community firefighters, both past and present, for the work that they do to keep us safe in our homes and our communities.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP to acknowledge this, the 22<sup>nd</sup> annual Fire Prevention Week in Canada. Today we wish to pay special tribute to municipal and community firefighters in fire halls across the Yukon.

A number of weeks ago, there was a fire truck parked at the Takhini arena, and I am not an expert, but it looked like it was emptying its tank across the parking lot. If you have never seen this before, it's impressive. The spray easily went the length of the building and the mist in the air was creating small rainbows, but what was even more striking was the small human standing off to the side with eyes the size of dinner plates, talking to the firefighters. I cannot imagine how this small person's life path has now been affected. I feel like, on this day, the fire crew was guaranteeing that they would have a new recruit in 20 years' time or so.

Whether we talk about the oldest department in the City of Whitehorse or one of the 16 community volunteer fire departments with nearly 225 volunteers, we know that the staff and volunteers who have taken on the task of keeping the neighbours safe each and every day deserve our thanks.

Thank you to those special people — the firefighters — who run toward danger when most of us run from it, saving both hearts and homes through their efforts.

Thank you very much.

*Applause*

### **In recognition of Yukon School of Visual Arts**

**Hon. Mr. Silver:** I rise today on behalf of all of my colleagues here in the Legislative Assembly to pay tribute to

the alumni artists from the Yukon School of Visual Arts in Dawson City, commonly referred to as SOVA.

A retrospective exhibit of artwork created by 28 of SOVA's alumni is currently on display at the Yukon Arts Centre public gallery. These works were not created when the artists were studying at SOVA but they were made since they've moved on into their practices. The exhibition is open until October 13. If you haven't had a chance to see it, I highly recommend that you do so.

Congratulations to each and every one of the 28 artists who have been included in the exhibit. You are a demonstration of the success of SOVA.

As you know, Mr. Speaker, art is profoundly important and integral to both our culture and our society. It adds vibrancy to our lives and to public spaces and gives form to ideas and to opinions about the world around us. Art has been a part of our way of living and is deeply connected to the human experience. It allows us to learn about ourselves and about others.

Art is meant to move people. Whether it be inspirational or a question of something, an excitement, a contemplation or even an anger, art moves us and connects us and connects our hearts and our minds. Of course, art cannot exist without the artist who created it. To have an exhibition of art on display that was created by a group of individuals who studied art here in the Yukon is truly an exceptional thing.

Dawson City is a special place and it is a unique location to learn and to study. SOVA is a result of a visionary partnership between Dawson City Arts Society, the Tr'ondëk Hwëch'in First Nation and Yukon College. This collaboration has resulted in over 10 years of students coming from all across the country to learn and to be inspired about our landscape, our culture, our history and our people. This inspiration has been given form through a wide variety of disciplines and media, and the works in the exhibition showcase a different set of techniques, ideas and subjects.

The artwork in the show is not all there is. All sorts of great work is being made by SOVA alumni locally, nationally and also internationally. It is wonderful to see so many students who have studied at SOVA for their foundational year in arts training to have continued on with their field of study and, in many cases, are now professionals in the field they have chosen. Many in the show recently completed their arts degree, several are pursuing their masters and one individual is working on her PhD. The impact of the SOVA programming on the territory is impressive.

The Government of Yukon is fortunate to have two SOVA students with us in the gallery today. We're lucky to have two who work for us in the government as well.

Kerry Barber is a multimedia producer, and we also have Tamika Knutson, who was just appointed as an arts advisor for the Government of Yukon. A former student of SOVA, Aubyn O'Grady, is now the new program director at SOVA. Congratulations to Aubyn. How incredibly awesome it is to have an alumni right now running the program. She is also one heck of a wrestler as well.

SOVA and the students who study there enhance Dawson's reputation as an innovator in our cultural field. I would like to acknowledge the dedication, innovation and hard work of SOVA's governance council and all of the teachers and the administrative staff. They provide guidance and the space where creativity can be explored and experimented with. I am truly inspired by all of the alumni artists and look forward to seeing what new experiences, passions and talent all SOVA graduates will share next.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Mostyn:** I have for tabling a legislative return responding to questions from the Member for Lake Laberge during Committee of the Whole general debate on October 2, 2018.

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

Are there any reports of committees?

### REPORTS OF COMMITTEES

**Mr. Adel:** I have for tabling the 10<sup>th</sup> report of the Standing Committee on Appointments to Major Government Boards and Committees, dated October 9, 2018.

**Speaker:** Are there any further reports of committees?  
Are there any petitions?  
Are there any bills to be introduced?

### INTRODUCTION OF BILLS

#### **Bill No. 25: *Act to Amend the Legislative Assembly Act (2018)* — Introduction and First Reading**

**Hon. Ms. McPhee:** I move that Bill No. 25, entitled *Act to Amend the Legislative Assembly Act (2018)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Government House Leader that Bill No. 25, entitled *Act to Amend the Legislative Assembly Act (2018)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 25 agreed to*

#### **Bill No. 26: *Technical Amendments Act (No. 2), 2018* — Introduction and First Reading**

**Hon. Ms. McPhee:** I move that Bill No. 26, entitled *Technical Amendments Act (No. 2), 2018*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 26, entitled *Technical Amendments Act (No. 2), 2018*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 26 agreed to*

**Speaker:** Are there any further bills to be introduced?

Are there any notices of motions?

### NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to host community workshops in every Yukon community to explain changes to the *Societies Act* and how they will affect local societies and associations.

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

THAT the chair and CEO of the Yukon Hospital Corporation do appear as witnesses during Committee of the Whole prior to the end of the current Fall Sitting.

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

THAT this House supports economic reconciliation with Yukon First Nations as a means of achieving a more prosperous and economically vibrant territory for all.

**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: Fiscal management**

**Mr. Kent:** Last week, the CBC made public a leaked document indicating that the Liberals wanted departments to make two-percent cuts to their operating budgets across each and every department. As we mentioned, that would mean a \$3.6-million cut to Education. When we asked the Premier for specifics about where he is going to cut this \$3.6 million from Education, he was quite cagey about it and actually dodged the question, so we will give him another chance to tell us exactly what cuts are being contemplated by the Liberals for the Department of Education.

**Hon. Mr. Silver:** I would encourage the members opposite to read the leaked document that they keep referencing. In that document, we spoke about how the departments themselves are looking for efficiencies internally to support a whole-of-government approach — but then again, the woeful inaccuracies that we're hearing in this Legislative Assembly — well, they are truly troubling, to say the least.

Let me explain to members opposite what "efficiency" really is. It is about looking at reducing government waste and duplication. It's about curbing government inefficiencies and reducing unnecessary steps that make it difficult for Yukoners to get the services that they need. It is about removing frustrations that get in the way of delivering services to taxpayers and it is about considering the possibility that there are government activities right now that may not be providing the value to Yukoners that it needs to.

As the members opposite talk doom and gloom about cuts to services, we are looking at efficiencies and we continue to challenge the opposition. What we're hearing is: Good — it's

good that government is taking a look at efficiencies and it's good that the departments are looking to see how they can curb the expenses that are occurring in this Yukon government. As we do know, we spend more money than we earn and we need to wrangle that in.

**Mr. Kent:** Last week, we heard from a source that, as part of the Liberal cuts to Education, they are slashing the budget for substitute teachers. Substitutes play an important role in the day-to-day operations of a school. They cover teachers in a multitude of circumstances and schools depend on them. We have heard Holy Family has been asked to cut their budget for substitute teachers in half.

Does the Premier believe that cutting the substitute teacher budget is appropriate?

**Hon. Mr. Silver:** I'm not going to speculate as to the sources the members opposite are speaking about but, again, from this internal document and from any presentations that we have done, these are not the words of the territorial government. They are the words of the Yukon Party. They keep on talking about cuts. Now they're talking about cuts to substitute teachers. This is not something that is being contemplated right now by this government.

What are being contemplated are efficiencies. We're trying to find efficiencies and we want to manage differently from the previous government. The previous government had a trend of spending more than it earned, and that was very concerning to Yukoners. So Yukoners are not interested in this irresponsible approach to running the territory and we are looking for efficiencies.

The Financial Advisory Panel said to act quickly and you won't have to cut programs. If you act quickly, you can actually find efficiencies, and so that's what we're doing. We're looking for those efficiencies. Think about the human hours put into processes, the duplication of services, the overtime required for a government to use politically motivated decisions as opposed to evidence-based decisions. That's extremely costly, Mr. Speaker. That's what we're doing, and it's through the improved capital planning — it's just one example — as one of the main reasons why the government was able to table a fiscal plan that included only a small deficit this year, much smaller than what was forecast in 2017.

I would ask the Yukon Party: Did that come with cuts? The answer is no, it came with efficiencies.

**Mr. Kent:** So the CBC made public a leaked document that shows the government is looking for two-percent cuts in each department. The Premier claims he is looking for efficiencies and we all know "efficiencies" is just another word for cuts. If the Premier was truly looking for efficiencies, then maybe he shouldn't have spent over \$500,000 on a new logo that nobody was asking for or over \$120,000 to spray mist into the air in Dawson City or \$160,000 in sole-source contracts to a Liberal lobbying firm based out of Toronto.

Does the Premier really think that it was appropriate to spend money on those things while he was looking for

\$3.6 million in cuts in Education, starting with cutting the substitute teacher budget?

**Hon. Mr. Silver:** The opposition can continue to bring speculation into the Legislative Assembly and we will work on facts. We will work on evidence-based decision-making. I can just see their Twitter feeds right now — something about a confirmation or something. It's uncanny how this media has become a digital stain in the Yukon.

Mr. Speaker, we're going to continue to make the efficiencies that we need to curtail the spending that's happening. Imagine the pressure applied to Department of Health and Social Services when, out of the blue, they found in the news that they were to build a 300-bed facility. Imagine the redrafting of a new Peel plan because the political wing didn't like the report, or having a gutted financial department and decisions being made outside of Management Board. These are the things that we're trying to curtail. It's the efficiencies of a whole-of-government approach that we're working on, on this side of the government — decisions being made on evidence and planning, projected O&M and capital expenses over a five-year schedule as opposed to one year at a time, keeping all major budgets to the mains and leaving supplementary budgets for unforeseen expenses.

I will just do a little math for the members opposite. If a government department is growing at 10 percent and if it is asked to look for a one-percent efficiency, that government is now growing at nine percent. A cut would mean about 12 percent. Just for the record: efficiencies are not necessarily cuts. It's quite a different narrative from what the Yukon Party would have you believe.

#### **Question re: Fiscal management**

**Mr. Cathers:** We've heard that Yukoners are already feeling the effects of the Liberal cuts that the Premier denies. As my colleague noted, the Premier asked to find \$3.6 million in cuts at Education. We've heard that at least one school has already seen its substitute-teacher budget. We know from a leaked Cabinet memo that they've asked Health and Social Services to reduce its budget by two percent.

I think everyone realizes that government can be more efficient in some areas, but governing is about making choices. The Premier chose to spend \$3 million of taxpayers' money on a new cannabis Crown corporation instead of allowing the private sector to take the lead. Meanwhile, he has told the Department of Health and Social Services to find two-percent cuts in their budget, which means a cut of over \$8 million in health spending.

Will the Premier at least tell us what is on the chopping block in Health and Social Services?

**Hon. Mr. Silver:** It's an interesting narrative. If we take a look at the leaked document, it was asking for one percent, and at the end, it said possibly two percent, but of course, the Yukon Party, in their wisdom, decided to go right for two percent and that means cuts.

Really, it's only the Yukon Party that's talking about cuts right now. It's interesting because it was the Yukon Party that presided over the largest growth in government in history. It's

interesting to hear that they do not see any way in which this government can get more efficient. To hear the suggestion that the government is running perfectly and at perfect capacity and that there's no room for improvement — well, I don't understand that.

I simply refuse to agree with the members opposite. I believe that it's our job to consider how the government could be working better — better for the people it serves — for the people of Yukon and we will continue to do that.

Again, the woeful inaccuracies that we're hearing in the Legislative Assembly are truly troubling, to say the least.

**Mr. Cathers:** The Premier's talking points are contradicted by their own Financial Advisory Panel when it comes to the situation that this government inherited on taking office.

Again, we're referring to the leaked memo that came from the Premier's own department, the Department of Finance, which asked for two-percent reductions — i.e. cuts.

Another area of questionable spending by the Premier was spending over \$500,000 to create a new logo and website. Who in the Yukon was asking for that? At the time, we pointed out that Yukoners would rather that taxpayers' money be spent on their priorities, including health care, highway safety and so on. That's still the case today now that the government is looking for cuts in health. It appears that for every one dollar that the Liberals spent on a new logo and website, they're looking to cut \$16 from Health and Social Services — again, according to the leaked memo from the Premier's own department.

Will the Premier go back to the drawing board and abandon the very idea of cutting the budget of Health and Social Services by \$8 million?

**Hon. Mr. Silver:** It's so interesting that the member opposite uses an example that shows efficiencies by doing a whole-of-government approach when it comes to our visual identity and our website and focusing on Yukoners as opposed to on government. This is a cost-saving in the long run, Mr. Speaker. Every single department working on a departmental level to do logo and branding — that's a big expense. Having a one-government approach with an identified logo that works internationally, nationally and locally — that's smart and that is a cost-saving, Mr. Speaker.

I don't hear a lot of people complaining about the fact that we're looking for efficiencies. What I'm getting in my e-mail and on my phone and from just talking to Yukoners on the streets is: "Good — this is taxpayers' money; we want to make sure that you're spending it as efficiently as possible." Right now, we are spending more money than we are earning, and that trend has been going on for years. Now, the Yukon Party does not like that, but it's true. They don't like the fact that we can find efficiencies where they couldn't and therefore they assume that we're going to make cuts everywhere, but again, this is a narrative. We love this conversation in the Legislative Assembly because it allows us to talk about a whole-of-government approach. It allows us to talk about the efficiencies that we're working on, and it's great to have an opportunity to talk about getting rid of inefficiencies, reducing

unnecessary steps and removing frustration that gets in the way of delivering services to the taxpayers of the Yukon.

**Mr. Cathers:** Again, I have to point out to members that, when you look at the facts, including the report compiled by the Premier's own Financial Advisory Panel, their talking points fall apart. The fact of the matter is that the Premier is making choices here. He has chosen to spend \$3 million of taxpayers' money on a new cannabis Crown corporation that we could have done without. They have chosen to spend \$500,000 on a new logo and website, but they still haven't fully disclosed the costs of things such as new vehicle signs and personalized memo pads, so the cost is, in fact, probably higher than that. The Premier chose to spend \$120,000 literally spraying water in the air, hoping for ice in Dawson City. We have seen the sole-sourcing of \$160,000 in contracts to a Liberal lobbying firm in Toronto, and the Premier chose to spend over \$100,000 on new luxuries at the Cabinet office, such as iPads and cellphones that didn't need replacing.

Why is the Premier telling Yukoners to tighten their belts and looking for cuts in Health and Social Services, but seems to have no shortage of money for Liberal perks and pet projects?

**Hon. Mr. Silver:** The inaccuracies, Mr. Speaker — first of all, not my Financial Advisory Panel, an independent Financial Advisory Panel — and \$300 million in marijuana had to be purchased. It wouldn't matter if it was through our government or a private sector. New computers for a new administration happen every time there is a new administration — so keep it coming. I'm saying to the members opposite, "Keep it coming." We will put our record up against a botched F.H. Collins build where the private sector had to spend hundreds of thousands of dollars doing tendering for a project that the members opposite knew they were going to scrap anyway.

We don't hear people pining for the old ways of divisiveness in the mining industry. We have a booming economy. We have the lowest unemployment rate in Canada and we are looking for efficiencies. Pass the bar nuts, Mr. Speaker.

#### **Question re: Salvation Army programming**

**Ms. Hanson:** The Salvation Army Centre for Hope has been open for nearly a year. The Yukon government signed an agreement with the Salvation Army covering the period from September 2017 to March 2020 that will see the Yukon government paying the Salvation Army over \$3 million. In that agreement, the Salvation Army commits to providing emergency shelter, meals, transitional housing and a safe drop-in space and programming environment. The agreement speaks to the fact that the Salvation Army is the only community emergency shelter and drop-in space. Because of this, it states that programming will be accessible to all community members.

Can the minister explain what has happened to the drop-in programming that was to be provided for individuals using the Salvation Army?

**Hon. Ms. Frost:** I would like to thank the member opposite for the great question. Certainly we had high hopes for our relationship with the Salvation Army. The objective of the Salvation Army and the build of the Salvation Army was something that this government didn't really have a lot of control over. What we did have control over was the programming, and we attempted to tie into the operation and maintenance transfer payment agreement with the Salvation Army some critical outcomes and some timelines, along with some deliverables. In doing that, we have provided some pretty clear instructions and direction with the Salvation Army — and some check-ins as well — to ensure that they are meeting the obligations of the agreement that we signed in good faith.

We are certainly having some concerns around service delivery. We are working with the Salvation Army and, of course, our stakeholder community to ensure that the services that we had hoped would be delivered under the Salvation Army are delivered on time, with the supports as identified: emergency shelter, transition and day programming.

We committed to seconding a staff person on-site at the Salvation Army for six months and I would be happy to respond to the supplementary.

**Ms. Hanson:** I too, as MLA for downtown Whitehorse, have heard concerns from nearby residents, businesses and concerned citizens that a lack of programming and lack of access to the new building during the day leaves individuals with nowhere to go and no meaningful activities to participate in. By now, we would have expected that community organizations and groups would have been invited to actively collaborate with the Salvation Army on a range of services to offer programming, activities or classes, to name a few.

Instead, we hear from neighbours and citizens who see a beautiful, new building being underutilized, individuals being required to leave between meals and scant programming.

Mr. Speaker, what exactly has the minister done to make sure the Salvation Army is delivering on their commitment to offer meaningful programming, as agreed to in the \$3-million contract signed by the Minister responsible for Health and Social Services?

**Hon. Ms. Frost:** With respect to the Salvation Army and the agreement — as indicated by the member opposite, we have some commitments — some major commitments. We have some pretty clear concerns raised from the community that have been brought to my attention, as well as the member opposite. While hearing the concerns that are being brought forward, we are working with the Salvation Army.

We will continue to work with our partners to address the concerns that are brought to our attention. We have looked at the contribution agreement, and we obviously have some terms within the agreement that gives us flexibility, and that's what we're working with.

If for some reason the commitments are not met, then we have some obligations there as well to ensure that Yukoners are given the best possible service. The Salvation Army, as it was designed and built by the previous government, was

there, and we have one shelter in the city and we cannot afford two shelters. So we really have to work hard with our stakeholders to make it as efficient and as effective as possible. We're having a bit of growing pains there and will continue to work with our partners and look at reducing some of the concerns that are brought to our attention.

**Ms. Hanson:** I appreciate the minister's response in this instance. When I raised this question in the summertime, I was told did I want to get involved in offering programming. I don't want to get involved in offering programming; I don't want to be volunteering at the Salvation Army when I know that the government is spending \$3 million to have the Sally Ann deliver those programs on behalf of all Yukoners and to do so with respect — to respect the individuals and work with the individuals who present themselves at the Salvation Army.

Some people want to be engaged, but individuals should have a choice on whether they want to leave the building for the day or to participate in meaningful activities or to access other services. The only choice now is to leave the building. Instead of seeing a real "Centre of Hope", neighbours and businesses are seeing more conflict and social problems. The community wants to be supportive, but many feel the government has washed its hands by simply writing a cheque to the Sally Ann.

At what point is this government going to insist that the Sally Ann deliver on the expectations set out in that contribution agreement?

**Hon. Ms. Frost:** To the point the member opposite makes, we are insisting that the Salvation Army delivers. That's exactly what we have written into the contribution agreement. I would like to note that concerns have been brought to our attention, exactly as they have been described. I'm not shying away from that, nor is this government. We are working with our partners and, if for some reason they are not delivering, we will ensure that they are held up to the highest standard possible, and that's to deliver the services to the clients the building was built for.

With regard to the funding arrangement, the language that was written into the contribution agreement is pretty explicit and clear that they must deliver the services. If they choose not to do so, then we have a problem on our hands, and that is to look and review efficiencies of service delivery for Yukoners.

I will hold the Salvation Army to the standard that we have set for them. Those are the tools we have in our toolkit. We will work with our community partners. I would commit to the member opposite that we will ensure the Salvation Army delivers, as we require. If not, we will look at some alternatives for service delivery for our clients.

#### **Question re: Francophone high school**

**Mr. Hassard:** Regarding the design/build tender for the francophone high school, the government issued an addendum on September 27, which is just 19 days before the tender closes. In the addendum, the government added three companies as restricted parties, essentially meaning they were

no longer eligible to be part of the process to bid on the school.

Included on this list was Kobayashi and Zedda Architects, or KZA, of Whitehorse. KZA stopped working as the YG agent on this project back in the early spring. Highways and Public Works officials told the CBC in late August that KZA would be able to bid on this tender. We are curious: Why did the minister decide to eliminate KZA from contention, and why did he wait until the 11<sup>th</sup> hour to do so?

**Hon. Mr. Mostyn:** I really thank the member opposite for the question. As the member opposite knows, the government has taken a step back from awarding — we had an issue with the standing offer agreement. We have taken action on that front. We have also taken a look at how the contract was going forward and made a decision that a contractor who worked on the initial design on the contract was not eligible to be part of the evaluation team going forward. That was a commitment that I made to the industry at the very outset of this contract. I am following through on that. It is an industry standard. They were the initial designers, and they are not entitled to bid on the actual construction of the job.

#### **Question re: School replacement**

**Mr. Hassard:** Mr. Speaker, last week, the Minister of Education said that the department is shopping for as many as five school portables throughout western Canada. The Liberals promised during the 2016 campaign to support local businesses and contractors, but now we see another job potentially going to an Outside firm. Why are the Liberals shopping outside of the territory instead of focusing on having those portables built locally?

**Hon. Ms. McPhee:** The information that I have been provided is that there are no local manufacturers of portables. These are items that you generally purchase complete, and there are no local manufacturers. In the event that I am incorrect about that and there are local manufacturers, clearly we will speak to them.

**Mr. Hassard:** I am not sure that the minister understands, but I know that at École Émilie Tremblay they were built locally. The tender for a portable to be built at Golden Horn Elementary School received no bids earlier this year when it was put out. We have heard of a number of different reasons from local contractors why this was the case. I am curious if the minister has asked for an analysis as to why no bids were received. If so, how many contractors were contacted as part of that analysis?

**Hon. Ms. McPhee:** Unfortunately, there appears to be a lot of speculation about that. If the member opposite is aware of a company that builds school portables that we can entertain or discuss that with, then absolutely — I wish they would come forward with that information. It is not something that I have at my fingertips. It is certainly something that I will ask the department to investigate — if they are aware. They will presumably contact your office for that information.

**Mr. Hassard:** It has been done in the Yukon in the past, so I am pretty sure that if the government was willing to

look at the contract registry or speak to a few local contractors here in the Yukon, they would certainly find someone willing and able to do it.

Mr. Speaker, would the government consider using the CFTA exemptions to ensure that this work is done by local contractors rather than purchasing the portables from Outside firms as suggested earlier by the Minister of Education?

**Hon. Ms. McPhee:** I am pretty sure that the member opposite is aware of our one-government approach and of the conversations that happen between departments in trying to resolve and solve these issues on behalf of Yukoners — and in particular, four Yukoners.

I will also take the opportunity to remind the members opposite and all local contractors that a tender was put out in April 2018 for portables — for the building of portables or the purchasing of portables — here in the territory. I certainly hope that if they have information that will assist us in this endeavour, they would provide it to us.

#### **Question re: Francophone high school**

**Mr. Kent:** The francophone high school tender is currently on the tender management system. The minister first mentioned that the school would be ready in 2019 for students. However, the five-year capital concept suggests that the school will now be completed in the 2020-21 fiscal year.

Can the minister tell us what month and year the building will be ready for students and teachers to move in?

**Hon. Mr. Mostyn:** As the member opposite certainly knows, there is an awful lot of planning and a lot of work to be had on the French language school. At the current time, our timeline has not shifted, and we're going to work very hard to make sure that we meet the deadlines we have said that we would meet. We're working with the French community. We don't even have a designer/builder yet. I'm sure that once all of these pieces are in place, we'll have a much better occupation date, but at the moment, we have every intention to work very hard to meet the deadlines that we have imposed upon ourselves.

**Mr. Kent:** Hopefully when the minister is on his feet to answer this next question, he can tell us what that timeline is and reaffirm for Yukoners what month and year the building will be ready for students and teachers to move in.

When the budget was originally set for this project, it was \$27.5 million. Obviously a number of factors, including steel and aluminum tariffs as well as inflation, will have driven these costs up during the delays in getting the building built.

Can the minister tell us what the revised budget is for the francophone high school?

**Hon. Mr. Mostyn:** I will remind the member opposite that we're currently in the midst of a tendering process, and I'm not going to prejudge what that tender comes in at. I'm going to wait for the experts who are bidding on this project to come up with the best price for the Yukon people and then we'll take a look at the budget at that point.

**Mr. Kent:** The Minister of Education and perhaps even the Minister of Highways and Public Works have suggested on the floor that the total budget for this project is

\$27.5 million. What I asked in my previous question was if that budget has been increased as a result of inflationary pressures or new steel and aluminum tariffs driving the cost of those building materials up.

Can the minister tell us if there are design changes, given those inflationary pressures? Will Canada increase their portion of the funding to meet any revised budget if the design remains the same?

**Hon. Mr. Mostyn:** I'm very happy to address this issue on the floor of the House today. As the member knows, we have put a contract out to build the francophone school and those bids have not yet come in. I'm very glad he recognizes that we're in a very interesting environment right now. With steel tariffs, we have a trade war going on between one of the largest economies on the planet and just about everybody else. I have no idea what impact that's going to have on our local construction projects — and there are a lot of them. We're doing an awful lot with the budget we have been provided. We have a \$280-million capital budget that has been set for the next five years and we're going to make that money go as far as we possibly can.

In this erratic trade environment we are in, things happen, so we are going to handle the money as best we can. We're going to give as much money to local contractors as we possibly can through our tendering improvements we're making, and we're going to make sure that we get value for the Yukon taxpayer. We're going to do all those things and, at the moment, Mr. Speaker, the budget for the school is \$27 million. We have contingencies in there and we will see in the coming months whether or not those contingencies are enough to handle this erratic trade environment we find ourselves in.

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

Notice of government private members' business.

### Notice of government private members' business

**Hon. Ms. McPhee:** Pursuant to Standing Order 14.2(7), I would like to identify the items standing in the name of government private members to be called on Wednesday, October 10, 2018. They are Motion No. 91, standing in the name of the Member for Copperbelt North; Motion No. 315, standing in the name of the Member for Mayo-Tatchun; and Motion No. 319, standing in the name of the Member for Porter Creek Centre.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 20: *Societies Act* — Second Reading

**Clerk:** Second reading, Bill No. 20, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** I move that Bill No. 20, entitled *Societies Act*, be now read a second time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 20, entitled *Societies Act*, be now read a second time.

**Hon. Mr. Streicker:** It is my privilege and honour to speak to Bill No. 20, the new *Societies Act*, which will replace the current *Societies Act*. This bill will provide major improvements in governance and operational framework, making it clearer for societies. It supports this government's priorities to reduce red tape and to enhance the availability of online services. Currently, we have about 800 societies registered in the Yukon. Societies and their volunteers contribute greatly to what makes the Yukon such a wonderful place to live.

We have recognized for some time that the current *Societies Act*, which was created more than 30 years ago, is outdated. The current act met the social and business requirements of that time when the population of Yukon was smaller and most societies played a less significant role in the lives of Yukoners and Yukon communities. This bill has been developed with input we received during our very well-attended public engagement last fall that included two open houses and multiple conference calls with people from across the Yukon.

We asked societies and other stakeholders to share their thoughts and perspectives on the existing *Societies Act*, its regulations and how the framework is implemented. We then asked them to consider examples of modern societies legislation from other jurisdictions. More than 90 people from a wide range of organizations participated in these sessions and we received 30 written submissions. People told us about their challenges with the existing act and what they would like to see in new legislation. They also offered ideas for streamlining processes while maintaining transparency and accountability. We used this feedback to develop policy options and then put them out for public comment.

After the thorough initial engagement, the second round of feedback was shorter. What we heard back was that we were on the right track. In addition to the input and feedback we received, this bill is informed by modern societies legislation elsewhere in Canada, including the new British Columbia *Societies Act*. We have arrived, however, at what is very much a Yukon product.

The new act will reduce red tape by enabling societies to take on the responsibility for incorporation, governance and operation of their organizations. Virtually all processes regarding the creation, governance and operation of societies are set out more clearly in the new act. Intervention by the government as the regulator will be limited to more serious matters, such as breaches of the act and regulations.

While at 166 pages, the bill is long, it provides clearer guidance to societies and covers many areas on which the old 23-page act was either silent or unclear. The proposed act will be more effective and easier to use. Wherever possible, it is written in plain language, making it easier for anyone to read and understand. This is important for our societies,

Mr. Speaker, because they come from such a wide cross-section of our community.

The regulations, when developed, will further provide clarity, certainty and a reduction of red tape for our societies. I would like to present some of the highlights of the proposed act. Mr. Speaker, member-funded societies are a new category under the proposed act. What we heard during the public engagement is that a one-size-fits-all model doesn't work. In the current act, the same rules apply to all societies, whether they are a social club with a few assets and little income or a large, non-profit corporation that provides significant goods and services to stakeholders. The new category of member-funded societies will not be able to receive government funding or public donations and will be much less regulated than regular or larger societies.

The society creation process remains unchanged for the most part; however, a society can now be created by just three people instead of five. We heard that, especially for small, member-funded societies, fewer founders are sufficient. The requirement for at least three directors, one of whom must live in the Yukon, will still help to ensure transparency. The new act will also help us to move toward using digital communication and, eventually, a completely digital registry.

Under the proposed new act, all directors must meet certain requirements, such as being at least the age of majority, not being bankrupt, following conflict-of-interest guidelines and acting with honesty, good faith and due diligence. This bill also allows the board of directors to appoint officers to whom operational decisions may be delegated.

With respect to dissolving a society and winding up its affairs, Mr. Speaker, the current act sets out different processes by which a society may end. It is short on specifics and lacks the clarity that this bill provides. The direction the bill provides will help societies dissolve. For example, it provides clear guidance on how to make sure that all debts are cleared and when to appoint a liquidator. This bill also lays out clear rules and processes for liquidating a society's assets when dissolving the society.

A society's circumstances may change, so it provides clear direction for how a dissolved society can be restored to active status. Under the proposed new act, the registrar will have a limited role in the dispute resolution process. As in many other jurisdictions with modern legislation, the registrar will focus only on complaints that relate to alleged violations of the act and regulations.

A society's members and directors will be responsible for handling disputes regarding its constitution, bylaws, governance and operations. Disputes of this nature will now be settled in court if all other alternative dispute-resolution options fail.

Mr. Speaker, as is the case with the existing legislation, the proposed act requires annual general meetings, annual financial statements and the election of directors. Of note, Mr. Speaker, this bill supports contemporary electronic communications and records systems. If societies permit it in their bylaws, they will be able to make sure of digital and

electronic forms of communication. This opens the possibility to participate in meetings remotely via telephone or through an online platform. The proposed act will fully support a digital registry once the technology is in place.

We heard from societies that paper documents are cumbersome to create and require filing and storage space. If they are lost or damaged, recovery of these documents may be difficult or impossible and any amendments require further paper forms.

Last year, we launched the first phase of the Yukon corporate online registry, commonly known as YCOR. This allows societies to access relevant information and print their certificates of compliance. We are now working on the next phase that will allow societies to file various reports online. To improve accountability and promote transparency, bylaws, constitutions and lists of directors and their contact addresses will be available to the public via the societies registry. Members of a society will have access to some society records kept at the societies' records office, including minutes of directors' meetings — unless bylaws state otherwise — as well as membership lists.

We heard during the public engagement that societies need clearer direction regarding finances, contracting and employment within societies. The bill sets out conflict of interest guidelines and requirements for clear documentation of payments made to directors, including any contract arrangements. It also allows regulations and bylaws to set limits on these payments.

In addition, there are now clear terms for appointing officers, their qualifications and guidelines on their activities. As is the case now, funders will be able to require financial statements and related information as a condition of funding. We know that the current legislation does not allow societies to easily make major changes to their governing structure, amalgamate with another society or settle legal disputes when they need to deal with complex matters. Societies will now be able to make these types of major changes, if approved by their membership and approved by the court, when required.

Under the proposed act, societies will have ownership of and be responsible for the documents filed in the registry. The proposed legislation provides clear rules on what must be in these documents.

As many societies can attest, with current legislation, the way to get government approval for new or revised bylaws can be long. Many delays have resulted from our outdated legislation, and the common law and legal requirements associated with it have been cumbersome. I know that some societies have been frustrated with these delays.

With the proposed legislation, societies will be responsible for the content of their constitutions and bylaws and file them in the registry. These documents will no longer require approval by the registrar. The registrar will continue to oversee the operation of the registry. This will include confirming whether societies have filed the documents that are required under legislation, but will not include commenting on their contents. However, as I noted earlier, these documents

will be available for viewing by the public, including the funders.

The standard bylaws in the existing regulations are not consistent with what is required in the current act. Regulations will contain a standard set of bylaws that comply with requirements of the new proposed act that can be adopted by societies, if they decide not to draft their own bylaws from scratch. We will assist societies in developing bylaws.

During the public engagement, we heard from a number of societies created in other jurisdictions that operate or wish to operate in the Yukon. Many of these are large national organizations. The current act contains requirements that may duplicate or add to the home jurisdiction's requirements for reports and reporting periods. This creates an unnecessary burden for these societies. The current requirement to provide bylaws separate from their umbrella organization is regarded as repetitive and unrealistic. We understand and are sympathetic to these views. As a result, we are moving governance of extraterritorial societies to the authority of the *Business Corporations Act*. With this change, we are also providing these organizations with flexibility regarding naming rules. They can register in the Yukon using an alternative if the name in their originating jurisdiction cannot be used in the Yukon.

I know that there have been discussions as to whether a new *Societies Act* would include the regulation of social enterprises, which are enterprises that have two goals: to achieve social, cultural, community, economic and/or environmental outcomes and to earn revenue.

The question of whether, or how, to formally recognize and regulate these unique organizations in the Yukon requires its own initiative. Our view is that social enterprises would be better regulated either through the *Business Corporations Act* or under separate legislation, so we have provided the opportunity for that — or indicated that under our act here. The same holds true for non-profit cooperatives. Our view is that these types of organizations would be best governed by the *Cooperative Associations Act* and regulations, changes to which would require a separate initiative. We anticipate that it will take at least another year before the new *Societies Act* can come into effect. During that time, regulations must be developed, receive public input and be approved, which will then allow for the proposed new *Societies Act* to be proclaimed. Once the regulations are in place and the act is proclaimed, we will provide societies and stakeholders with resources and training to assist with the transition to the new legislation. I heard a motion today in the Legislature discussing that, Mr. Speaker.

New societies legislation will provide modern-day governance that meets the needs of modern Yukon societies and the people they serve. I thank the officials from the Department of Community Services and the Department of Justice for their work in preparing this bill. I know it was a lot of work, and I appreciate all of the effort that they put in.

**Ms. Van Bibber:** I am pleased to rise to speak to Bill No. 20, entitled the *Societies Act*. This introduced piece of

legislation has expanded from a 23-page act to 166 pages to replace the existing *Societies Act* with a new framework. Apparently it is supposed to be simpler and quicker, but we will have to wait on the feedback from current societies that have to re-register and newly formed societies to adequately judge if this is so.

Although longer than the current act, this proposed new act is supposed to be easier to read for the average person. The technical language that largely makes up the current act will be replaced with plain language. My concern with this is that often people are not as quick to dig into longer legislation. In an effort to reduce red tape, it may seem the opposite to the average Yukoner.

I do agree that the actual changes within the act will, in fact, make it easier to follow, as it reduces a number of requirements of a society. According to department officials, it will reduce red tape and be clearer. Clearer processes are always welcome in any interaction with the general public and groups that have to register their actions with government.

The move to allow three people as opposed to five people to incorporate a society is new. These three people will now be the core of the set-up and only one has to reside in the Yukon. This alone will make it easier on groups to form a society. From this organized group, directors are elected by the members and make decisions. The need to provide a constitution, bylaws, physical addresses, a list of directors and their addresses, and the fiscal year-end financials is still required, and this information can be accessed by the public. But it now has lengthy wording to clarify any misunderstanding that might arise. In many cases, more information is good. My hope is that the lengthy wording will not be off-putting to the reader rather than being helpful.

The section on dispute resolution is being added to provide methods to address problems that may arise within an organization. This may be a helpful tool for those who may experience issues that are not easily settled. The registrar will only intervene on violations of the act and regulations as opposed to internal conflicts between members.

The portion on governance in operational matters remains largely unchanged — adding modern communication technology to a society's ability to do business if they so choose. Also, if they wish to add to their bylaws proxy voting and electronic participation in meetings, they can also do so.

One big change is the role of the registrar and access to information. It is still to oversee the operation of the registry of societies and ensures they are in compliance, but now societies will have ownership and responsibility for documents, constitutions and bylaws and ensure they are properly filed. The registrar will not review and will not need to approve filed documents.

I do wonder if this will quell some of the problems that individuals have when they attempt to register a society and their application is declined a number of times, often for simple reasons such as whiteout on a paper or an explanation of purpose being too vague. I suppose it will either alleviate some of the red tape and the wait or create further problems down the road without a final approval by a single designated

body. A template is available for those societies that do not want to write bylaws. A complete set of bylaws that meet the requirements of the legislation will be available. This is particularly helpful for the average Yukoner, who won't know the first thing to start in drafting bylaws.

Members of the public will be able to access the following information for each society via the registry: a society's constitution, including the name and the purpose; their bylaws; location of the registered office; the list of directors and their contact information. The public also has access to societies' financial records. Only members of a society can have access to the list of registered members, minutes of a meeting, copies of resolutions and accountant's reports regarding financial statements. There are defined areas that are not publicly available.

There is a new addition of member-funded societies. This is where a society is registered; however, it does not receive public or government funding grants or donations. They exist solely for the benefit of their own members and therefore have fewer restrictions.

There is a worry about special-interest groups such as hate groups. However, we were assured there are avenues to address these. By their purpose or bylaws, the society could be refused legitimacy or the Human Rights Commission could address issues should they arise. We were told there are safeguards in place to deal with adverse situations that might arise.

Under the heading finance, contracting and employment the new act sets out requirements for clear documentation of payments to directors and contracts issued by these directors.

Social enterprises and non-profit cooperatives cannot become societies under this registry, as a social enterprise by its nature is hoping to achieve social, cultural or community changes and earn revenue. These are best regulated by the *Business Corporations Act*. Non-profit organizations are best regulated by *Cooperative Associations Act* and regulations. The anticipated timeline for this act to pass is during the 2018 Fall Sitting and, at this time during the 2019 Sitting, the regulations will be introduced. The act is to receive assent in the Assembly; then regulations will follow a year hence. I look forward to seeing draft regulations.

The changes to the *Societies Act* did not lead to many questions or concerns. However, I am quite puzzled as to why consultation did not go out to the communities. I am told that communities did, in fact, ask to be consulted on this new legislation, but were told individuals would have to call in to provide their thoughts and input, and I'm not sure a call-in method would be the most efficient method of consultation for either party. Groups often have questions, and what better place to ask then in a group setting?

I would encourage the minister to ensure that communities and all other parties who identify their interest are properly consulted on the regulations. I look forward to seeing how these changes will, in fact, help those seeking to form a society in the future and perhaps help to guide those who may be currently finding the process daunting and hard to understand. I would encourage those interested to ensure that

the government is aware of your interest so you too can make your voice heard during consultations on the regulations.

I would also like to thank the officials who have worked and continue to work on the legislation and who took the time to give us a briefing on the *Societies Act*.

**Mr. Gallina:** I am pleased to rise today to speak to Bill No. 20, entitled *Societies Act*. This new societies legislation will provide a modern-day governance that meets the needs of Yukon societies and the people they serve. I am going to take some time today to touch upon some of my experience in the non-profit sector working with and for societies. I will reiterate some of the important points made by the minister responsible and highlight the key elements in this proposed act that I believe are important for Yukoners to understand, especially those working with a society here in the territory.

Currently, there are about 800 societies registered in Yukon. Societies are the lifeblood of this territory and support all Yukoners in one way or another. Yukon societies provide valuable programs that contribute to the territory's unparalleled quality of life. Whether through family and children's support services, special events, athlete development, industry representation, cultural celebration or lifelong learning, the societies list goes on.

Working for societies is where I first took steps to establish my career here in the territory. I volunteered with Yukon Sourdough Rendezvous, Whitehorse Chamber of Commerce and the Yukon Convention Bureau, and I gained employment with each of these non-profit societies. Societies afforded me the opportunity to provide a service to the community, gain invaluable experience and make lifelong friendships. I am aware firsthand of the challenges societies face in balancing the delivery of the mandate as set by their membership, coupled with the administrative considerations of fundraising, reporting and ensuring compliance with legislation. As the minister responsible has pointed out, the *Societies Act* being proposed and debated today will reduce red tape and allow societies to take on the responsibility of incorporation, governance and operation of their organizations. Almost all of the processes with respect to the creation, governance and operation of societies are set out more clearly in the new act.

The proposed act may seem long at 160 pages, and it does a very good job of clearly guiding societies and covers many of the areas on which the current act was not clear. I believe the proposed act will be easier to interpret and more effective as, wherever possible, it was written in plain language. In reply to the Member for Porter Creek North, technical language is being replaced with plain language, and this is an important element to assist Yukoners to understand and work with the new act. I also understand that the Department of Community Services is working on a plain language guide to help societies navigate the new act.

There are a number of considerations that I would like to touch upon in the proposed act. The creation of a society: this process is essentially unchanged, except that societies can now be created by just three people instead of five. The

creation of a society requires that incorporators submit the following to the registry: a constitution, including the name and purpose of the society; bylaws; physical address or registered office for the society; list of directors and their addresses, and the fiscal year-end of the society.

When we look at ending a society, the proposed act sets out clear rules and processes on how to liquidate a society's assets.

With matters of dispute resolution, the registrar has a limited role in the dispute resolution process and will focus on alleged violations of the statute and regulations. Most disputes, particularly those involving societies' bylaws and operational matters, must be settled by the disputants and can be done in courts if alternative dispute resolution options fail. The registrar or another complainant can apply to court for the appointment of an inspector to investigate alleged wrongdoing.

Looking at governance and operational matters, except for some updating of modern communications technology, governance matters and requirements for societies are largely unchanged. The legislation requires annual general meetings, annual financial statements and election of directors. Societies may, in their bylaws, allow proxy voting and electronic participation in meetings. Members will have access to society records, including — unless the bylaws specify otherwise — minutes of directors' meetings.

Now I will talk about the registry, the role of the registrar and access to information. Societies will have ownership and responsibility for documents filed in the registry, and the registrar will take a less intrusive role in the proposed legislation compared to that of the current act.

The registrar will not be inspecting or reviewing documents that are filed. The registrar's role will be to oversee the operation of the registry itself. Societies will be solely responsible for the content of the constitutions and bylaws they adopt. For societies that do not wish to write their own bylaws, a complete set of bylaws that meet the requirements of the legislation for the content of their constitutions and bylaws will be made available.

Members of the public will be able to access the following information of each society via the registry: a society's constitution, including the name and purpose of the society; the society's bylaws; the location of the registered office for the society and a list of directors and their contact addresses. The public will also, via the society's records, be able to access the society's financial statements. Members of a society, but not the public, will have access via the society's records to additional information, such as registered members, minutes of meetings and copies of resolutions and accountants' reports regarding financial statements.

For finance, contracting and employment, the proposed act sets out the requirements for clear documentation of payments made to directors, including contracting arrangements, and allows regulations and bylaws to set limits on these payments, clear terms for appointing officers and their qualifications and guidelines regarding their activities. Financial statements will require clear documentation of any

financial activity not contemplated by the purposes of the society, as set out in the society's constitution. Financial statements will not be filed with the registrar but must be filed with the society and be available to members of the public for viewing, and funders will be able to require them as a condition of funding arrangements.

For entities other than societies, there have been discussions as to whether the new statute would include regulation for social enterprises. Societies' legislation is not targeted or suitable for such structures. Similarly, there have been discussions about non-profit cooperatives, as these types of organizations would be best regulated by cooperative association acts and regulations.

The last thing, Mr. Speaker — member-funded societies are, as other members have pointed out, a new category under the proposed act. The creation of new member-funded societies will not receive public donations or government funding.

These societies will focus on benefitting their own members. They will also be subject to fewer restrictions regarding organization and governance, records, access to information and distribution of assets.

Mr. Speaker, a final note that I would like to make before I close is about public engagement and how it shaped and created the guiding principles of this proposed act. Last fall saw two popular open houses take place, along with conference calls with multiple people across Yukon. More than 90 people from a wide range of organizations participated in these sessions, and 30 written submissions were also received. This feedback was used to develop policy options and then put out those options for public comments. After the initial round of engagement, a second and shorter round of engagement took place, and input from this engagement suggested the community was supportive of the policy options being proposed.

As I have stated earlier, societies are the lifeblood of this territory and support all Yukoners in one way or another. I am encouraged by the proposed act being presented today and feel as though the act will provide societies and their members with the necessary direction to operate effectively and more efficiently than within the current act. This will ultimately lead to better services and opportunities for Yukoners.

I would like to take an opportunity to thank the officials from the Department of Justice and the Department of Community Services for their work in preparing this act for debate here in the Legislature and in serving Yukoners.

Thank you very much.

**Ms. White:** To start off, I would also like to echo the thanks to department officials who gave us the briefing and for those who drafted the legislation.

To start off, we were told by the minister that 90 people had commented and there were 30 submissions received by the department. I will point out that on the [engageyukon.ca](http://engageyukon.ca) website, when you go to the "Summary of feedback for

improvement to societies legislation” and click, it goes to a dead page, so it’s not found.

Mr. Speaker, I have had problems initially with my ancient iPad and I thought maybe that was it, but I went to my government-issue computer and did the same search and went to the same dead website.

One of the reasons that I just highlight this is that there has been some mention from community members that there was no consultation out in the communities. I do appreciate that there has been mention of the ability to have conference calls. I get that, for some people, conference calls are effective but, speaking from my own personal experience, I can tell you that trying to have a complicated conversation over the telephone is not the most effective way for me to communicate. I would have liked to have seen the feedback and just what was there — both the first time and the second feedback — because we talked about how that was successful but there were no numbers included.

I do appreciate that my colleague over here from Porter Creek North did highlight one of the concerns and questions I had for the officials as we were getting the briefing, which is around member-funded societies. We were assured that hate groups would not fall within it because, if it contravened any other legislation — for example, the human rights legislation — they wouldn’t be — what my concern was — given credence of having the society. I would have concern that you can have a society even if we didn’t agree with it — in terms of hate speech — and that it could still exist. The good news is that it can’t.

I do appreciate that we’ve talked a lot about the example of bylaws that a society can follow. There is the example of bylaws that would meet the requirements. I’m going to flag my concerns, because the *Residential Landlord and Tenant Act* also has an example of applicable rental agreements that landlords can follow. I flag that concern because, although those exist, it does not mean that the agreements that have been written by landlords do actually need law.

One of the concerns I have is that this is complaint driven. So if there’s a concern, to know that a society will have to go to court to fund that is of concern.

I feel that there are times — we talk about the safety net of having government offices or someone who would know those things. You would hope that you would be able to go there prior to getting to that point.

To know that you would have to fund a court case is a bit worrisome because, really, it is going to be the worst-case scenario. I’m not talking about anything that would be vexatious. If that was the case, then, by all means, they should fund the court, but if it is a legitimate concern with a legitimate problem, then I think that there should be other means of being able to do that problem-solving.

I look forward to going through the debate with the minister when officials are on hand, because I’ll have more questions about how this is supposed to look. I appreciate the comments from the floor so far, and although we may have a different perspective, I don’t disagree as a whole.

I do think that the motion that was put forward today, also by the Member for Porter Creek North — there’s validity about making sure that people and communities understand how the new *Societies Act* will affect them.

I did also ask the question about whether cooperative housing would be included. It is not — although I did flag that there is an issue with cooperative housing because it seems that it is an entity on its own. When it possibly goes rogue, there will be problems.

Like times before, although the previous government, not the current government — when we were debating the *Condominium Act, 2015*, I flagged concerns based on the worst-case scenario because, having been a fly on the wall to those scenarios, those are some things that we have to think about. For example, how do you solve the problem if it’s the worst ever? How would you address this if it went completely off the rails?

One of the things with the *Condominium Act* — and I did actually ask this, and I’ll seek clarification when we have the officials here — is: How many proxy votes could one person submit? The reason I ask this is because, if one person can submit an unlimited number of proxy votes, there is then the ability to sway how things will go without members present. The reason why that’s a concern is that, worst-case scenario, a board can be overtaken whether or not the membership realizes it.

I’m not a conspiracy theorist by heart, Mr. Speaker, but I have seen some fairly wild things in the Yukon, so although the questions sound like they might be coming out of far field, they’re actually coming from lived experiences of people. I have questions about the number of proxies, and I don’t need the answer now. It can wait until the officials who know that answer are here.

Although we might have examples of bylaws that will meet the requirements, it’s going to be complaint-driven, so it’s making sure that people understand what their rights are under the new act and legislation. I look forward to conversations around the creation of regulations and what that’s going to look like in that timeline — as to whether or not we see the ability for government to reach out to communities to have those further discussions, in whatever way that communities highlight what is important to them.

With that, Mr. Speaker, I look forward to Committee of the Whole debate on it when the officials are present in the Legislative Assembly.

**Mr. Istchenko:** It is a privilege today to rise in the House to talk about the *Societies Act* a little bit. I was listening to the other speakers in the House today, and I want to thank the minister for his comments.

I had a chance to read through it. I have been an active member of societies in my community for 30 years or so, and I have seen legislation come and legislation go and legislation be changed. I know how difficult it is.

I did read through this legislation and it is simpler, with more pages, but this weekend when I was out, I brought it to the attention of many community members — that the

*Societies Act* has changed. It has gone from — “How many pages is it?” I said. They said 23 — some were 25, some were 24, but they knew what it was. I said it has gone to over 150 or 160. That’s just great — typical government. I’m like — well, hang on a second. I did have a chance to read through it and it does explain itself a little bit better and it’s a little easier to understand.

The question I have with this legislation, which is a valuable question, is what my fellow colleague brought up — that now this needs to be brought to the communities, it needs to be explained to the communities, and the communities need to understand this.

When they bring this legislation to the communities and hold community meetings and bring those — and I call them “volunteers”, because those people who are on these societies are just volunteers trying to make a difference in their community. When you bring them to this meeting, they are going to complain to you about a lot of things other than the *Societies Act*. They’ll say, “Well, that’s great that you did this, but do you know how hard it is to deal with the lotteries act or the liquor licences when we have a function?” There will be all this other stuff that will come into it.

I think we need to have a whole-hearted conversation in our communities with our societies and our volunteers in our communities — you know, this is great that this has been done and it explains it a little better, but I think sometimes the interpretation of the legislation and how it is put across by some of the staff who bring it out is not what the communities think it should be. I think this is probably a great opportunity. I know I have worked with the minister before to try to get out and have a conversation with some of our service organizations, but if you actually get out and listen to some of the service organizations, I think you would find there are a lot more issues. They will be satisfied with some of this, but you will find that there are other issues out there that maybe we can see.

I listened to the Premier talk about a whole-of-government approach, so maybe the different departments that hold things that apply to societies can get together and try to make it easier too.

On that note, I will thank the members opposite for listening, and I look forward to the future of this legislation.

**Hon. Ms. McPhee:** It is really my pleasure to rise today to speak to Bill No. 20, entitled *Societies Act*. I am very proud of all of the bills that our government has brought to the floor of this House to debate during this Fall Sitting. I am, however, perhaps most proud of the three more substantive acts. I know you are not supposed to have favourite children, but the three more substantive acts, through their drafting, debate and ultimate implementation, will improve the lives of Yukoners — in particular, in their interactions with government. The *Societies Act*, the *Access to Information and Protection of Privacy Act* and the *Coroners Act* have far-reaching impacts on the lives of Yukoners. They are modern, comprehensive, long-overdue pieces of legislation designed to provide clarity and modern practices for Yukoners. It has been my honour

and pleasure to work on all of these bills, having worked with each of our current laws through my former legal practice.

My experience with the current *Societies Act* is also extensive, and I am very fortunate to have had the opportunity to work on this bill to date. I have worked with our current act in many ways. Like many of us here, I have been a member of a society. I have been a member of a board of a society or a director of a society. I have worked on drafting bylaws and have even, on occasion, been counsel to the registrar of societies, to name but a few opportunities that I have had. I have come to this project with a critical eye. I have been most concerned — and I appreciate the minister responsible for his leadership on this particular project as well as his generosity of spirit in dealing with ideas that have come from every corner of the Yukon with respect to this. Pretty well all of us are involved with a society or are a member of a society or have been in the past, but I have been most concerned that our new legislation provide for certainty, clarity and modern processes for the Yukon public.

At first glance, Mr. Speaker, one might not think that the new *Societies Act* will reduce red tape, and we have heard a couple of those comments earlier today. Reducing red tape for Yukoners is a key goal here and for the groups that they regulate and join. One might think that because the act is considerably longer than the current act, but it is not about page numbers. Improved legislation is sometimes about certainty and often about writing everything down.

That is how Yukoners will have this certainty, so it did take more pages to write everything down to provide clear direction and help for those who join societies. This is the case here, of course. Our current act isn’t very long, but it also doesn’t provide the tools or the guidance or the direction that our new *Societies Act* does.

The new act is designed to meet the needs that were expressed by Yukoners and Yukon societies and others who participated in the extensive engagement phases. One of the common themes we heard was the request to streamline the process while maintaining accountability and transparency, and those are absolutely critical goals. Make it simpler, make it certain, make it so that people can understand it, but maintain accountability and transparency where necessary so that those who decide to form societies for particular purposes have a responsibility, understand what that responsibility is and take it on willingly.

There are key elements of this legislation, Mr. Speaker, and you have heard many of them, but I will take a quick opportunity to reiterate: more than one society or more than one kind of society will be permitted here under the new legislation; three people can form a society, as you have heard and the new act will permit digital communications and records systems — this is critical. We heard from individuals in societies — we all have that experience as well — where paper record-keeping is sometimes what often trips up a society or causes individuals perhaps to not want to take on certain roles because that can become an onerous task. This is designed to help the communication between societies and their members but also to help the record-keeping systems.

There is an opportunity to support a direct registry system, which will, of course, assist and reduce red tape. There are requirements for the appointment and qualifications of directors and officers to provide clarity and certainty — one of the three key goals along with modern practices.

There is clarity for how to wind up or dissolve a society. That is a critical issue now because we have all heard there are many, many societies. We also know of versions of societies here in the territory that do very similar things. There is an opportunity for them to amalgamate or an opportunity for one of them to wind up and the members to join another. For them to have those conversations with some certainty around how one might do that is something that is built in here.

The dispute resolution will be the responsibility of societies, members and directors — again, it's their responsibility to take on that role. There is significant change to promote transparency and accountability as the availability of societies' bylaws, constitutions and lists of directors can be and will be provided online on the societies registry — much clearer opportunities for all Yukoners to have access to that information, not just those who can walk into the office and make that request.

The new act will require better and specific financial record-keeping and contracting, the employment rules around who can have contracts, who the society can contract with and how their employees can be dealt with — all will provide guidance and certainty to societies.

There will also be the addition of specific rules and guidelines for conflict-of-interest behaviour by directors. This is not something that has been provided before and certainly something that societies will be supported with.

There is a clear opportunity for the conflict of interest to be set out so that later societies know how to deal with a particular matter that might arise. There is also accountability of societies by requiring financial information as a requirement for funding, which has been a problem in the past. The idea is to provide the certainty and clarity for what societies are required to do — in particular those that are seeking external funding, whether from government or other programs.

The act contains guidance and a process to permit the amalgamation, as I have noted, of societies. It provides clear direction for information that must be provided to the society's registry. Those of us who have been involved in societies in the past know that, even if we have clear bylaws and a clear constitution, there are many grey areas around what kind of information is needed to be provided to the societies registry. Nobody wants to be offside of that kind of information, so there is clear direction here.

Societies will be responsible for filing their bylaws and we have heard this, but it really bears repeating — filing their bylaws and their constitutions with the registrar — but the registrar does not need to approve those documents. The backlog of those, unfortunately for the registrar and for many societies in the territory, has been a times extensive, and that certainly holds up the work of the individual societies. They think they have passed a set of bylaws, but not until the

registrar has approved them are they in effect. So there is a real period of time with a real effect on societies about which rules they are operating under, and that is not fair to anyone. This process alone will significantly improve the work and the activities of societies and reduce red tape.

I just want to take a moment to take the opportunity to thank all those who informed this work by participating in the public engagement for this bill. They came to meetings and they provided feedback, comments and advice. I would also like to thank the minister for his leadership on this particular project. It was not a small undertaking by any description. I would like to thank all of the members of the Yukon public service, particularly those staff at the departments of Justice and Community Services, who worked truly tirelessly to bring Yukoners this new act through many versions. In the end, this act will, despite its page count, clarify and modernize the process for the initiation, the governance, the operation and the winding up of our many Yukon societies.

Thank you, Mr. Speaker, for the opportunity to speak to this. I look forward to further debate on Bill No. 20.

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

Does any other member wish to be heard on second reading of Bill No. 20, *Societies Act*?

**Hon. Mr. Streicker:** First of all, I would like to begin by thanking all the members who rose to speak to the act today and for their comments about the importance of this act and the importance of societies to the Yukon. I thank everyone that we were on the same page there.

I would like to thank the Member for Takhini-Kopper King. I will get a response regarding the proxy votes question. I know we had some healthy discussion around proxy votes and I look forward to that conversation.

Of course, it's always true within a society or any organization that the members come out as a group to vote in some new direction or some new executive. I have seen it happen as well. When it happens and it's done by the rules, I think of it as democracy in action. I think that's what we want to try to capture here — how not to unfairly empower one group over another.

Also, I apologize for that link being down. I went and checked it as we were speaking and then immediately contacted the department. I'm sure I will hear shortly. We obviously want to get the information back to Yukoners, especially now as people might look back to see how that public engagement unfolded.

Let me just talk about a few things. First of all, to the Member for Kluane, none of us are going to hide from the fact that it is a longer act. It definitely is. I remember when I first got it, my eyes went wide at that moment. I was like — wow, okay. I also started asking questions about how we will help people to navigate this longer act. When I first read it, I also agreed that it is written in plainer language. For those of us who are not conversant in legal terminology in acts, this will be an easier read. But I also asked the department to make

some efforts to provide tools to allow the public and everyone to navigate the act. They did provide a highlights document or a guide. I checked the link and at least that link is still active on the [engageyukon.ca](http://engageyukon.ca) site. That is the way that we are working to try to assist.

I think that it's also true that certain sections of the act will be applicable. For example, a member society is only applicable to those folks who create those sorts of things. I think it will be great for those groups who are getting together to form a book club and they want to be able to open a bank account. Now they can do it because it's enabling within the act. But I don't think that will have any impact on our societies that contribute so much to the fabric of the Yukon. They need not pay attention to that section. I just think: let that go.

I do agree that we need to get to our communities to talk to citizens. I will mention a couple of things. The first one is: I just went back quickly to try to add up. I know that I have personally made over 40 trips to our communities in our first couple of years here in this role. That's not counting beautiful Mount Lorne-Southern Lakes. I think that's sort of an unfair way to count. I'm sure if I added that in, I would be way over 100. I mean to communities outside of my own riding and outside of Whitehorse.

One of the things that I have taken to doing, which won't cover everybody, but I asked to take a list with me of the current engagements that are underway each time I go, for example, to an Association of Yukon Communities quarterly meeting.

I hand them that list — “Here are the items that we are engaging on right now” — and I say, “Anytime you would like to engage on any of these topics, please let me know. You can set the agenda about what your priorities are.” I do that just to make sure that everyone believes that they have an opportunity to raise questions and to contribute.

It's also true, though, that I think we're doing a lot of engagement. We have been seeing a lot of feedback from Yukoners. With that also comes that issue where not everybody is able to comment on everything, but I really do appreciate that there are folks who may want to get information. Regardless of what happens with the motion that was raised in the Legislature today, I do encourage all members of this Assembly that, if they know of a community or group that wants to get this information, by all means, please pass it across. We will do everything we can to try to make sure that we're getting the information out. What you really want in the territory is that everybody is engaged so that they can contribute as they wish. It's terribly important.

I think that our goal is to try noting that the act is longer than it previously was — which is not saying a lot, really, because the act was silent on so many things — in how it exists now. These things that we're trying to bring in are improvements. We want Yukoners to understand the act, to be able to know what's in there, so we are going to do our best to support that, as I said, through guides and other methodologies. I'm always open to talking to communities if there's information that they want.

Thanks also to the Member for Porter Creek North and her comments about — and for the Member for Takhini-Kopper King — for talking about bylaws. What I want to say is that I have asked that it isn't just one boiler plate — one set of bylaws that is prepared, but that there are several sets of bylaws that are prepared that cover a range of possibilities for our societies. That's not restrictive. In other words, those templates are there to support our societies, should they wish to use them, but they also have the empowerment to choose their own bylaws, should they wish.

We will also be providing them guidance on how to stay onside with respect to other laws, but this was the single biggest concern we heard from societies — that we were trying to tell them too much. It was too much big brother-ness, and we said, “Okay, let's step back from there.” Instead, what we're going to do is try to assist them so they are able to create bylaws that work for them and then they will stand on their own. If a member contests them, then they'll work through internal processes to try to sort that out and they will always have, as an ultimate recourse, the courts, if they wish to go that route.

Finally, the thing I want to say is that, even though it is longer, the main thrust that we are trying to provide here within this act is the ability to provide clarity — clarity for societies, clarity for members of the public, clarity for everyone in the territory — because there have been a lot of unanswered questions about how things will resolve if things do go, as the Member for Takhini-Kopper King mentioned, off the rails. It is that sense of clarity that will provide those assurances for societies about how we will navigate if things do not go well. We have built on best practices from across the country, including helping to identify where social enterprises should fit and including acknowledging where cooperatives should fit. There is still more work to be done, of course. There always is, Mr. Speaker, but it is a great step forward.

I would like to echo the comments of all of the members who spoke in thanking the departments. It was a lot of work. I know I got cornered at the Canada 55+ Games by our French drafter. He mentioned to me how long this act was, and I provided my condolences and thanked him for his hard work.

Thank you very much, Mr. Speaker. I look forward to Committee of the Whole and getting into further debate.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

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

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

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

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

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

**Mr. Gallina:** Agree.

**Mr. Adel:** Agree.

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

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

**Mr. Hutton:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Hanson:** Agree.

**Ms. White:** Agree.

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

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

*Motion for second reading of Bill No. 20 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

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

The matter now before the Committee is general debate on Bill No. 207, entitled *Second 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. 207: Second Appropriation Act, 2018-19 — continued**

**Chair:** The matter before the Committee is general debate on Bill No. 207, entitled *Second Appropriation Act, 2018-19*.

**Ms. Hanson:** Mr. Chair, I had just one other question that I wanted to ask the Minister of Finance — as the Minister of Finance, in terms of the overall budget — which was a question with respect to a matter I raised earlier in the Legislative Assembly this afternoon with regard to the Salvation Army. The question that has been asked of me a number of times is: Who owns the property and who owns the building the Salvation Army — the new building that was built and opened last year?

**Hon. Mr. Silver:** That deal was struck a couple of years ago. The property and building are under the ownership of the Salvation Army.

**Ms. Hanson:** One last aspect to that: Is there any reversionary interest if there's a lack of fulfillment of obligation with respect to contracts entered into with the Government of Yukon?

**Hon. Mr. Silver:** I appreciate the question from the member opposite. As far as I know, no, but the contract will be renegotiated on a one-to-three-year basis, based upon obligations of the services therein, and that conversation is as the minister responsible spoke to in the Legislative Assembly today during Question Period.

**Mr. Hassard:** I have some questions for the Premier as Minister of Finance. We'll start with some USMCA questions. Last Tuesday, the Premier stated that his department had read through most of the details of the new trade deal with the United States, Mexico and Canada.

I'm curious — since they have already gone through most of the details a week ago, can the Premier provide the opposition parties a briefing with officials on this new deal?

**Hon. Mr. Silver:** I am trying to come up with some interesting ways of saying the United States-Mexico-Canadian agreement, but if they would just change "United States" to "Yankee", we could just call it the YMCA, and that would probably be the easiest way of remembering the acronym.

On September 30, the Minister of Global Affairs Canada announced that Canada, United States and Mexico had reached an agreement — a modernization of the agreement formerly known as NAFTA — and now we have the new USMCA. We have been in direct contact — I believe the day that we were asked the question in the Legislative Assembly was the day that the Prime Minister phoned. Our officials have remained in close contact with Global Affairs Canada to review the new agreement and its significance to Yukon. As I was speaking in the Legislative Assembly, all of those reviews had already been completed, but we just weren't up to date with it in our briefing notes in the Legislative Assembly — just to correct the record.

In partnership with the other territories and provinces, we have been providing lots of input to Canada on the *North American Free Trade Agreement* renegotiations. We have provided representations at all negotiating rounds and remain in close contact with Global Affairs Canada to address issues of significance to Canadians but most specifically to Yukoners. We have shared relevant consultation information with the chamber of commerce to ensure that Yukon companies were aware of opportunities to voice their concerns on Canada's trade actions, including retaliatory tariffs and trade remedies. As all of this stuff was hitting the media, the message that we were sending to the business community and that was being sent from Ottawa to the premiers was that regional conversations are so extremely important. We have provided representation at all of the negotiating rounds, I am happy to report, not only on a new deal, but a modernization of that deal. The agreement includes a new digital chapter that governs important aspects of e-commerce and digital trade,

recognizing the economic growth opportunities of this important sector. The modernized intellectual property and telecommunications chapters incorporate industry and technologies like biologics and 5G services that didn't even exist 25 years ago. The agreements contained under a new customs administration and trade facilitation chapter standardize the customs procedures, compelling parties to digitize and simplify customs procedures for traders. A new small and medium enterprises chapter recognizes the fundamental role of SMEs in maintaining economic dynamism and competitiveness and compels robust cooperation between the parties to enhance commercial opportunities for those SMEs.

I think that is about all that we have for notes right now. If the members opposite would like a formalized briefing or a return, I can get something set up and give them an official legislative return to get us up to speed — if that is not enough information for the member opposite.

**Mr. Hassard:** I didn't realize I asked such a technical question. I asked if the opposition parties would be provided a briefing. We have received a briefing throughout the process, so I guess I will ask it again.

Will the opposition parties be offered a briefing?

**Hon. Mr. Silver:** Mr. Chair, certainly.

**Mr. Hassard:** I appreciate that. Are there any timelines on when that might take place? It is very easy to say "sure", but that might be seven years from now, and that is not really acceptable.

**Hon. Mr. Silver:** The thing is, it was just asked for now. I can't tell the member opposite when that would be, but I will talk to the officials and we'll set something up as soon as possible and we will contact the member opposite's caucus and also the Third Party, if they are so interested and it looks like they are.

**Mr. Hassard:** I thank the Premier for that.

Last week, the Premier talked about how he had received a report by the end of the day Monday from his department going through all the different components of the agreement. Would he be willing to provide the opposition with a copy of that report?

**Hon. Mr. Silver:** Like I said, we could do a legislative return. There was no official report, necessarily. It was a reporting of the department that we had, but again, if the briefing that we provide is not enough, then we can always do a legislative return. If that is not enough, we can sit down and talk and see what specific questions or unknowns the members opposite are looking for.

**Mr. Hassard:** I appreciate that, and I said "report", because your quote actually — what you said — and I quote: "I had a report by the end of the day yesterday from intergovernmental relations..." That is where I got that idea.

Moving on — the Premier also stated that the Prime Minister thanked him for reaching out to Alaska on behalf of Canada during the trade negotiations. Is the Premier able to provide us with a little bit more detail on what his efforts in reaching out to Alaska included — when they took place and what presentations were made?

**Hon. Mr. Silver:** We spoke in the Legislative Assembly a couple of times about our engagement. The NAFTA file specifically started with my role as the chair of the Council of the Federation, going to Washington with the other premiers and starting negotiations there. That is when we were basically asked by the federal government if we could reach out to other jurisdictions. I don't have a formal briefing on that right now, but I will say that we have spoken with lots of different representatives — all the representatives in Alaska — whether it be Sullivan, Congressman Young or Senator Murkowski. We have had those conversations. The topics of conversations that we talked about are no surprise to the Members of the Legislative Assembly.

We talked about getting our resources to market. We spoke about just the quality of roads, including the Shakwak project. There are lots of regional conversations about how we can better our engagement with communities like Juneau. When folks show up here from Juneau — the mayor and the representatives from that community — to talk about better tourism opportunities, we sit down and we speak about the importance of a better conversation with NAFTA as well.

The conversations are always ongoing. Our focus is on getting our resources to market. Our focus is on highways as well. I don't have a briefing on all of the different meetings, but we are always reaching out to our counterparts in Alaska. I think we need to do a better job of engaging with a large market to our west and the north. We have great opportunities to do more work with the Alaskans. I want to give a shout-out to Highways and Public Works for their engagement with our Alaskan neighbours. We don't pick up the phone and just say we're going to talk about one specific thing; it's usually a bigger conversation that encapsulates everything. You call about NAFTA and you end up talking about Shakwak specifically.

In this case, we were very successful in identifying pots of money that the American government — the Alaskan government — can access. Our Department of Highways and Public Works worked in partnership with Alaska to try to put some more money into Shakwak funding. We are always reaching out to our Alaskan counterparts. Our focus has been on commodities. We have had conversations about grocery routes, fuel distribution and different things like that. It's always a pleasure to be able to talk with all of the different representatives. It's an honour to sit down and have a conversation with Representative Young with his almost 70 years of experience in the political foray and also his connections within oil and gas. It's a real pleasure to be able to talk very frankly with that individual.

**Mr. Hassard:** The question was with regard to what the Premier said in the Legislature, that the Prime Minister phoned him and thanked him in particular with regard to dealing with Alaska. I don't think that highways and getting resources to port are necessarily parts of what would be considered in the NAFTA agreement or USMCA. Was there anything in particular that is specific to this agreement that you've spoken with Alaska about?

**Hon. Mr. Silver:** Again, getting our commodities to market is an extremely important part of trade conversations. Access to ports, access to highways — with what we do currently right now, which is commodities — only can help to solidify trade opportunities moving forward, so highways are an extremely important conversation of NAFTA. Our commodities and using the ports in the United States — that is an extremely important conversation as we talk about an overall theme of utilizing those borders more extensively.

When we speak to the House of Representatives or the Senate, our conversations are about how important Canadian trade is to the Americas, to identify the states with which we are — I believe it is 40 of the states — the number one trade partner, and we are in the top five of almost all of the other states.

Having a conversation about aerospace technology coming out of Prince Edward Island or the trade in vehicles moving back and forth between the American and Ontario border, and having conversations about softwood — whether it be in BC or in other jurisdictions — it is really important that we reach out to the jurisdictions that we talk to the most and have a conversation about how important trade with Canada is, to support Canada specifically. That's what we do.

The member opposite knows that we don't export a lot in the Yukon, as far as materials. We have had experiences with windows, we've had different smaller scale operations where we're involved in trade, but the most important thing is to reach out to the partners in our jurisdictions and have conversations with them about trade with Canada and how important it is.

The emphasis and focus when we were in Washington was — trading with Canada is like the insulation in the attic. You don't know it is there but, once it has gone, you will really realize it has gone. Be careful about what happens in those negotiations because a lot is at stake, a lot of trade is happening with Canada that people don't really realize.

Also, the members of the House of Representatives and the senators — they are key relationships for all of us premiers. For us particularly, I would say, Alaska is extremely important and so that's where we focus our attention.

**Mr. Hassard:** While I agree that highways and getting our goods to market is very important, I think it's important as well for people who are listening to understand — is the Premier saying that highways and getting goods to market were part of the free trade agreement?

**Hon. Mr. Silver:** When we speak to our counterparts in Alaska, we need to speak about things that are going on now. We have ongoing conversations about Shakwak funding. We have ongoing conversations in tourism when it comes to the ports of Skagway. We have conversations about getting our resources to different ports as well. These are starters. These are ways that we can start conversations. This is building up a rapport.

To say that this is our conversation about NAFTA — no, that's our foot in the door. The conversations are about every region in Canada, about us representing Canada and all the commodities, and about the free trade that we have between

countries and urging the representatives in the jurisdictions that we have partnerships with and that we have a good rapport with to have a better understanding of the importance of trading with their number one trade partner in Canada — conversations about the difference between trading with Canada and with Mexico and our options to go international. These types of conversations are going on in every region in every single jurisdiction — whether it is Nova Scotia talking about their number one export of blueberries or Prince Edward Island having a major share in aerospace technology. I don't think most Canadians would even know these are the number one trade exports. So just to increase the conversations about every jurisdiction and how important trade is between our two countries, that is what we were doing. Using our conversations on Shakwak, using our conversations on commodities, tourism and the things that we already have common goals on and common dialogue on — it's our foot in the door to have a bigger conversation about jurisdictions that do an awful lot more trade than the Yukon does and also maybe with a view toward how we can get involved more as a jurisdiction to have more trade opportunities with those jurisdictions.

**Mr. Hassard:** I'm not sure if the Premier is not understanding the question entirely or if he is just kind of dodging it. My original question was — the Premier stood in this Legislature and said that the Prime Minister had called him yesterday to thank him, in particular, on the conversations he had with Alaska in regard to the trade agreement, so I'm asking: What conversations were had with Alaska? What items were discussed that are directly related to this free trade agreement?

**Hon. Mr. Silver:** I believe I answered the question. I will reiterate to the member opposite that the conversation is about Canadian trade with America. When we're being thanked for going out to our regional partners to have the conversation about Canadian free trade with America, that's the conversation — about how important Canadian free trade is with America. That's the conversation. We start with conversations that we are both versed in, conversations of mutual concern and, from that, we talk about how important Canadian trade is to America — and, in this case, Alaska, because we were asked by Ottawa from the get-go, from the first Council of the Federation conversations where Yukon was chair, to please go out as a region and speak about the importance of Canadian trade with America. So when the Prime Minister thanks, not only me, but every other premier on the phone — it wasn't just me on the phone. That would have been interesting but, no, it was every premier. He thanked all of us for going out to our regions and having that conversation with our counterparts in the regions that we are closely aligned with. Free trade means a better standard of living on both sides of border. That's what the conversation is — it's about how we can make our standard of living better. When we talk about trade, that's what we're emphasizing.

I don't know how much clearer I can be than that. There are lots of different things that we can start conversations on and, from there, we pivot to the conversation about national

trade with another nation, but those conversations are happening at the regional level.

**Mr. Hassard:** I still don't think the Premier has answered the question about what is specific to the Yukon that has been discussed. He talked about trade with Canada and the US, but nothing specific to the Yukon. I guess we'll try asking that question to the staff when we get the briefing, and maybe we'll get a little more detail.

Last week, the president of the Yukon Chamber of Commerce raised concern about the fact that steel tariffs were not going away as a result of this new deal. I'm curious if the Premier has raised the concern with federal colleagues about these tariffs remaining in place.

**Hon. Mr. Silver:** I don't know if the member opposite is going to get any more conversations about specific trade with the Yukon to Alaska than what we have talked about here. The member opposite knows that we have very limited commodities and resources that we make in the Yukon to trade, so I'm not sure what he's looking for there. Again, to reiterate, I have been very clear that the conversation was on a national basis and we had a national conversation about the different jurisdictions, whether it be uranium in Saskatchewan, which does get traded to the United States, or softwood lumber, or the cars going back and forth across the border in Ontario — cars go back and forth upward of 25 different times per car — and how important that relationship is.

Those are the conversations that we are having with Ottawa. I am not sure what the member opposite is getting as far as what we talked about in specific trade between Yukon and Alaska. The member opposite knows that there are not a lot of commodities that are manufactured in the Yukon, so I am really not sure what he is getting at. If he could be clear about if there is a specific commodity that he wants to know if I talked about, please put it on the floor of the Legislative Assembly. Otherwise I am not really sure where he is going with this line of questioning.

I do have a letter that was penned by the interim Leader of the Official Opposition back on June 11, 2018, where he asked the same question that he is asking today — and I quote: "Specifically I am requesting that, for government contracts that use steel, you implement provisions that would ensure contractors who bid on these jobs are protected from fluctuations in the price of steel resulting from the current trade war between the United States and Canada. Similar provisions are often used for the price of fuel and allow protection for the contractor from financial losses caused by volatile prices. Such a measure would send a strong signal of support to the local business community."

We did respond to the member opposite, and in responding we talked about how, on May 31, 2018, the United States announced the imposition of the tariffs on certain products like steel and aluminum. In response to these measures, Canada stated that it will impose reciprocal tariffs on the import of steel, aluminum and a range of other products totalling \$16.6 billion. The Government of Yukon notified the three chambers of commerce in Yukon of the public

consultation and encouraged Yukon businesses to provide feedback on proposed tariffs. We remain in close contact with Canada to receive updates and information where it can become available. I will quote from the letter: "We recognize the potential impact that tariffs may have on pricing of materials, particularly steel coming from the United States as a result of Canadian tariffs that may be applied by the federal government. Each tender let by Yukon government is examined on an individual basis and bidders have the ability to adjust their proposed costs based upon market conditions. I would like to assure you that Yukon government construction contracts include clauses from the Canadian Construction Documents Committee documents stating that taxes or tariffs added to materials prices at the point of entry will be paid by Yukon government. We will continue to include those clauses in our construction contracts. In the coming months, contractors submitting bids for Yukon government contracts will take market price into consideration when putting in bids."

Mr. Chair, as you know, NAFTA negotiations have concluded with a new deal, the USMCA. The hope is that these tariffs on steel and aluminium will be figured out next, and we are hoping that this does happen. I did respond to the members opposite's question in writing, and I hope that satisfies his question here today as well.

**Mr. Hassard:** The Premier says that there are very little exports from the Yukon. In fact, according to Statistics Canada, Yukon exports \$103 million worth of goods to the US and \$2.5 million to Mexico.

I think that would be significant enough that the government would know what those items are that are being exported. They would know what to talk to the US government about, particularly Alaska as our neighbour. The Premier has said that he wants more detail on what I'm asking. Well, I am asking about \$105 million worth of exports from the Yukon, which in my mind, is quite significant.

**Hon. Mr. Silver:** When you quote such a high number, that is one thing mostly and that is drilling in Mexico. We export drillers and drilling to Mexico. When we were asked as well at the Council of the Federation, "Where would you like to do the next international conversation?" The conversation was: Do we go to Mexico or do we go to Europe? Our biggest export is drilling and drilling technologies and it's right now in Mexico. That was our suggestion — that is where we would go. Out of that number, if the member opposite would like a bigger breakdown as to what exactly we do export in Canada, I would be happy to provide that for him.

As far as specific conversations with America, again, we get our commodities to their ports and that is really important for Canadians. It is really important for our economy. We do have conversations about our commodities, and when you take a look at the lion's share of what we do export, we're very proud of the drilling technologies and the drilling individuals who leave here and go to other countries and represent well the Yukon in those jurisdictions.

**Mr. Hassard:** So then maybe the Premier could tell us what are some of the bigger items that make up that \$103 million to the US?

**Hon. Mr. Silver:** Gold and copper.

**Mr. Hassard:** Here is a question then: Has the government done an economic analysis of what the impacts of this new USMCA deal will have on Yukoners?

**Hon. Mr. Silver:** I have already read through the modernization of the deal, which is a good benefit to everybody. Again, this first NAFTA deal was created before the Internet was — so lots of different modernizations we have spoken about at the table here. We don't expect any more tariffs passed on steel and aluminum, and, on the contrary, we are hoping to see those get dropped in the coming months, hopefully — not years, but months — and the retaliatory ones from the Canadian perspective being lifted as well.

That would be the next process. As both countries go through the agreements and take a look at the ramifications and implications therein, we will have a better understanding of what that means specifically for Yukon. But we don't expect any more tariffs. We expect this relationship to prosper and to move forward. One of the hard points that Canada had to take was in dairy. As the member opposite knows, we don't have a dairy industry here exporting to other jurisdictions. As far as any of the new trade deals, the implications of that will be felt as we move forward.

We expect the tariffs that the member opposite is worried about to hopefully be the next part of this process of seeing those become relaxed and allow trade to truly be free.

**Mr. Hassard:** Can the Premier tell us how much the retaliatory tariffs have cost Yukon or are there any ideas on that yet?

**Hon. Mr. Silver:** Can the member repeat the question?

**Mr. Hassard:** I asked if the Premier could provide us with some information on how much the retaliatory tariffs have cost Yukoners.

**Hon. Mr. Silver:** We don't have macro-level statistics on that now. We're taking things on a contract-by-contract basis, as I spoke to in one of my original answers here as far as the tendering process and how that works out and also through coding from the letter that the member opposite asked about.

As far as domestic exports, mineral production — when I said “mineral production”, the eyes got really big next door and I don't know why. That represents the lion's share of our total merchandise traded. I could get into the specifics of vegetable production, live animal and animal products if the member opposite wants. There is the production of chemicals, which is interesting, or plastics and articles therein, rubber and those types of things. But really, the next biggest thing is works of art. There are collectors in the Yukon of types of things like pieces of antiques. Optical, film and cinematography are up there, as well, at close to about \$1 million therein.

Again, the member opposite knows we don't have a huge amount of things that we export, but those are some of the

things that we do. The lion's share shouldn't be a surprise. It's about \$60 million, year to date, for domestic exports — again, gold and copper.

**Mr. Hassard:** I was talking about the retaliatory tariffs, which are tariffs that are put on goods coming into Canada — not things that we're exporting, but things that are actually getting imported.

Another question with imports: Can the Premier tell us what the dollar amount is on goods imported from both the US and Mexico into the Yukon?

**Hon. Mr. Silver:** I think I was clear in the messaging, of whether it be the original tariffs that have been put on the American people by the Americans of goods coming in from Canada, mostly for — I shouldn't say mostly for — and the retaliatory tariffs here in Canada to the tune of the number I quoted, which was \$16.6 billion. Both of those are the result of negotiating the new deal on NAFTA and, now that we have a new deal on NAFTA, that's the next conversation for the two countries: How do we relax both the retaliatory tariffs and the original tariffs that were escalated due to a negotiating process for a new deal? Now that we have a new deal, the hope is that these will get relaxed. Again, they were part of that negotiating process; they were happening in real time over what seemed to be years and years but turned out to be about a year and a half of those negotiations.

Whether it is the original tariffs put on the American people by the Americans or the retaliatory tariffs here in Canada, it is our hope — and we're hearing from Ottawa that negotiating a relaxation of those tariffs is the next step. That's what we're looking at right now.

In this world of protectionism, it's an interesting tactic to be putting these tariffs on, but the good news is that I think what it's doing is forcing the federal government to not be complacent, to look for new markets and to make sure we're getting our Canada-wide, or national, resources to other emerging markets and not be so reliant upon the American government and trade therein.

It's always good to have a good rapport there. It's also good to be able to sit down with our Mexican counterparts and talk about the trade that happens from here to Mexico. Again, people think about the tactile physical things of an actual commodity but, in the Yukon's case, when we're exporting services to different countries, that's a really important piece of it as well.

When we have a look at the trading partners of America — to answer the member opposite's question — and merchandise that is imported and exported between Yukon and the United States, we have numbers that are year-to-date right now, so the total amount of merchandise trade to date to Canada — one second, Mr. Chair, I'm just qualifying data. So the imports to date that are imported to Yukon in total merchandise is just over \$34 million — to be specific, \$34,219,816. Of that list, mostly it is live animals and animal products to the tune of about \$25.5 million.

Other than that, there are smaller items, including rawhides and skins, machinery and machinery appliances and electrical equipment to the tune of about \$4 million. In the

optical, photographic and cinematography category, we're actually importing a little bit more than we're exporting, so that's \$1.1 million. Those are pretty much the lion's share of those numbers.

But again, whether it is domestic imports or exports, I will be happy to give the comprehensive list to the member opposite.

**Mr. Hassard:** So we've heard that there may be some impacts with costs of pharmaceuticals. Can the Premier tell us if this is, in fact, the case — if this new trade agreement is going to impact the price of pharmaceuticals coming from the United States?

**Hon. Mr. Silver:** Pharmaceutical costs were definitely identified as an issue but haven't been quantified yet. There is not much more to tell the member opposite except that those numbers are not in.

**Mr. Hassard:** Can the Premier tell us how often he meets with the Governor of Alaska? When was the last meeting and does he anticipate when any future meetings may be with Governor Walker?

**Hon. Mr. Silver:** I would be happy to meet with Mr. Walker at any time.

**Mr. Hassard:** Unfortunately I'm not Governor Walker's secretary. I won't be setting those meetings up. The question was — okay, maybe this is a better question — when did the Premier last meet with Governor Walker? We'll start there.

**Hon. Mr. Silver:** I haven't met with Mr. Walker.

**Mr. Hassard:** It's interesting considering the Prime Minister is congratulating him and thanking him for talking with Alaska.

Anyway, another question — not in regard to Alaska — can the Premier tell us when the next First Ministers' meetings are to be held?

**Hon. Mr. Silver:** In the context of trade negotiations — governors don't negotiate those, by the way. But I will say that I haven't met with Mr. Walker. I would love to meet with him. That would be a fantastic meeting. I have met with all the other representatives, I believe — Sullivan, Young, Murkowski — as I mentioned here in the Legislative Assembly — again, under the auspices of conversations with the trade negotiations.

I'm not sure if the dates for the First Ministers' meetings are public yet. Suffice it to say they will be happening before the New Year.

**Mr. Hassard:** Mr. Chair, during the spring session, we spoke a little bit about the government's plan to add more value-driven contracts rather than using price-driven contracts. A Procurement Business Committee was struck in May of this year to help this process along and continue consultations with industry associations, First Nation development corporations.

As the minister stated that he expects the government to have the panel's recommendations implemented by the end of this year, can the Premier give us the status of the work being done by that committee and whether or not this work is on track to be completed by the end of 2018?

**Hon. Mr. Mostyn:** Mr. Chair, could the member opposite please repeat the question for me? I'm sorry, I missed it.

**Mr. Hassard:** Mr. Chair, it's a good thing I wrote these questions down. During the Spring Sitting, we spoke a little bit about the government's plan to add more value-driven contracts rather than using price-driven contracts. The Procurement Business Committee was struck in May. The minister stated he expected the government to have the panel's recommendations implemented by the end of the year. So can we get an update on the status of that work and is it on track to be completed by the end of 2018?

**Hon. Mr. Mostyn:** Thank you, Mr. Chair, and I thank the member opposite for the question this afternoon. There's no issue nearer and dearer to my heart these days than procurement.

I can assure the member opposite that, right now, we are in the process of finalizing our procurement improvements for the territory and implementing the recommendations of the Procurement Advisory Panel. We took action on all 11 Procurement Advisory Panel recommendations to improve procurement. As the member opposite has noted, we have standard clauses in our value-driven procurements that give points for First Nation participation and northern experience and knowledge. Since June 1, 2017, we have tendered 157 value-driven procurements with these mandatory clauses.

We are investing in ongoing skill development, with more than 100 employees enrolled in a professional procurement certification program. We have partnered with the Organizational Development branch to create a procurement training framework to ensure procurement is conducted by staff with appropriate expertise. We are examining how economic analysis can be used to improve our sourcing strategies and to understand our impact on the economy of the territory. We continue to meet regularly with local businesses and industry associations and host well-attended annual events that connect our staff with local vendors. Approximately 200 vendors attended each of the reverse trade shows and approximately 125 people register at the industry conference each year.

We have created a procurement business committee made up of industry representatives and met three times over the summer and will meet again in October. The member opposite referenced that himself and I thank him for that. The committee includes all First Nation development corporations and a half-dozen industry associations and chambers of commerce, and the discussions have provided a lot of valuable information to this government.

We are adding five more members of the private sector to the Bid Challenge Committee, which deals with dispute resolution. This will help the committee to respond more quickly to challenges.

We are doing an awful lot to improve procurement in the territory.

As I have said before, implementing all the recommendations of the Procurement Advisory Panel has not fixed procurement. This is going to be a subject that has to be

continually refined and improved over the coming years. This government is committed to doing that, and I am sure that the people of the territory have already seen those tangible improvements and will continue to see them over the coming months and years.

**Hon. Mr. Silver:** I was remiss to not include the Mexican import and export numbers for the member opposite, but I will share those with him and his team now.

When we're looking at Mexico, domestic exports — when we export to Mexico, to the tune of — and these numbers are year to date, so not a complete year. Total merchandise trade so far to Mexico is to the tune of \$613,180. That is just basically two numbers. We have \$1,750 worth of rawhides, skins, leathers and fur skins and articles therein that are heading down there. The rest of that is \$607,000 in base metals and articles of base metals.

When we are taking a look at what comes up here from Mexico, it is just one item and it's for \$9,464. That is for machinery and mechanical appliances, electrical equipment or parts therein, which could include sound recorders or reproducers or television imaging or sound orders, reproducers or such types of articles.

**Mr. Hassard:** The Premier previously stated that it was mostly drilling, but, in fact, now he's saying that it's \$607,000 year to date for base minerals. Is there no drilling in that?

**Hon. Mr. Silver:** Not this year.

**Mr. Hassard:** Back to the previous question — the Minister of Highways and Public Works talked about the committee that I talked about, but he didn't actually say whether or not they were on track to have this work completed by the end of 2018.

**Hon. Mr. Mostyn:** I thank the member opposite — I should have said earlier — for repeating his question. I'm sorry to make him go through that process. I won't make him do it again this time.

We are on track to make our commitment to implement those recommendations of the panel by the end of the year.

**Mr. Hassard:** With regard to adding more value-driven contracts rather than just price-driven contracts — and I'm not saying that one system is better than the other by any means. I certainly understand the rationale behind it.

Has the government done any analysis to determine if they expect to know how much extra this is going to cost on a yearly basis, to do contracts this way rather than being strictly price-driven?

**Hon. Mr. Mostyn:** I thank the member opposite for the question. I will endeavour to get him an answer to that question, as I don't have my officials here to guide me. This question is fairly technical. I'll find out and get back to him.

**Mr. Hassard:** For someone who preaches about evidence-based decision-making, I thought that would have been a pretty easy one. I thought he would have had that evidence.

Anyway, speaking of evidence-based decision-making, let's talk about the new government website for a few minutes. Can the Premier tell us how many pages still need to be migrated to the new website?

**Hon. Mr. Silver:** It is worth noting that we're now talking about line items in the first budget, not even this current budget. But I'm happy to continue on general debate here when it comes to questions from the members opposite.

The new website does improve access to government information and services for Yukoners throughout the territory, and the new mobile-enabled website focuses on the needs of the public and means that we can continue to expand online services for Yukoners. By creating a single website, Mr. Chair, we are providing a better experience for the public as well as decreasing costs, and we're also reducing the bureaucracy.

Since we have launched yukon.ca in February — with 180 pages at that time — we have added another 1,700 pages, including emergency and safety information, campground and recreational pages, government events listings and a directory of government buildings. All departments are working to migrate content to the new site, focusing in on pages that serve the needs of citizens. Not all of the 11,000 pages estimated in the spring will be migrated to the new site. As part of the launch of yukon.ca — it is to ensure that content is relevant, up-to-date and focused on meeting the needs of citizens who are increasingly looking for government to deliver more e-services online.

Since we launched yukon.ca, we have gathered more than 450 feedback forms and are continuing to adjust to meet the public's needs. I think those are the numbers that the member opposite is looking for, as far as migrating those pages. Again, there were 11,000 pages estimated in the spring that will be migrated to the new site.

**Chair:** Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

The matter before the Committee is general debate on Bill No. 207, entitled *Second Appropriation Act, 2018-19*.

**Mr. Hassard:** Would the Premier be able to provide us with some timelines on when he feels — or what the cost-recovery time is in regard to the new website?

**Hon. Mr. Silver:** I would assume that by the end of this year it would already be paid for by the cost-saving of having a whole-of-a-government approach when you take a look at the visual identity and the website together, but as far as a complete analysis of that, I don't have that available right now. I am assuming it's not years and years. This would be something that would be a cost-saving within the year, if not already.

**Mr. Hassard:** So then a quick question on that: Does the Premier feel that assumptions are evidence-based decision-making?

**Hon. Mr. Silver:** No.

**Mr. Hassard:** I would hope not.

Can the Premier tell us when the old site will be shut down?

**Hon. Mr. Silver:** We're definitely not pushing for the old website to be closed, because that would cost more money to have a team shut that down. We talked about the 11,000 pages that are being sent over. That will be done in a timely manner. It is worth noting as well that, not only is this a cost-saving, it is also better access for devices when you take a look at how we designed our new website. Therefore, more Yukoners can be engaged when we are doing our engagement processes.

**Mr. Hassard:** Moving on, can the Premier confirm the status of seismic upgrades to Yukon schools for us?

**Hon. Mr. Silver:** At this time, no, I cannot.

**Mr. Hassard:** We have seen the school revitalization list, and notably absent from that list, I think, is the Ross River School. Can the Premier confirm whether or not there are any plans for renovations or rebuilding of the Ross River School?

**Hon. Mr. Silver:** I believe the Minister of Education has answered this question in the Legislative Assembly previously. She talked about a plan for assets — not just schools, but RCMP buildings. I think this conversation has been had a few times in the Legislative Assembly, and I don't think we have anything more to add at this point. I will offer the Minister of Education an opportunity to have this conversation during general debate on the supplementary budget.

**Mr. Hassard:** I don't believe that we have confirmed whether or not there are any plans for renovations or the rebuilding of Ross River School, so maybe the Minister of Education can provide us with an update on that.

**Hon. Mr. Mostyn:** As I understand it, we are talking about the Ross River School and seismic mitigations to Yukon schools. I can assure the member opposite that, as far as the Ross River School is concerned, we are keeping a very close eye on that facility and making sure that it is safe for the staff and students of Ross River. The engineer was up there in February of this year to make sure that the school was safe, and I have been assured that it is and that we are keeping a close eye on it. That may put any fears the member opposite may harbour about the Ross River facility, which I am sure he is well aware of — that it is safe.

As he knows, it has been settling due to the freezing and thawing of the permafrost in the region for many years. A number of structural repairs have been done and interventions have been made over the years. We now are looking at what to do with this facility in the long term. As the member well knows, maintaining and managing this facility is fairly expensive, but we are willing to do that in the short term to make sure that the staff and students are safe.

As far as seismic mitigations in the school — that was an earlier question the member opposite was asking about and it is a good one too, Mr. Chair.

As the members opposite know — I'm sure they well know — in 2010, Highways and Public Works commissioned a seismic screening of 27 school buildings on behalf of

Education, and that report assigned hazard ratings to individual schools and identified eight buildings that were at medium or high risk in the event of an extreme seismic event. Then in 2013, Highways and Public Works commissioned a second, more in-depth analysis of the eight buildings identified in the screening report. Just last week, Mr. Chair, the members opposite asked about this report. It is on our website. They were asking what happened with that. I went and asked about what happened with those reports — it was 2013 they commissioned a second, more in-depth analysis. This was done and seismic repairs were completed by Education and Highways and Public Works in the summer of 2014. This work included the installation of seismic restraint anchors and cabling as well as the relocation of items that could fall from height and other similar measures. Structural work was also carried out in some schools, which included reinforcing structural elements, adding bracing and upgrading exterior entrances.

The report, though, also asked for a bunch of work to be done by the end of 2015 — November 2015. I asked what happened with that work and apparently nothing. I don't know why. We were looking into this and I was surprised — shocked — that the report would have asked for this work to have been done and for me to find that nothing had been done. Lo and behold, we took office and I am now, thanks to the questions from the members opposite, being made aware of this deficiency and this lack of work by November 2015, so I'm asking the department to resurrect their work and start to make some progress on the work that had languished for almost three years. I'm not sure why.

**Mr. Hassard:** So the third time's the charm here. I'm going to try this one more time: Can the minister or the Premier confirm whether there are any plans for renovations or rebuilding of the Ross River School?

**Hon. Mr. Silver:** The minister has been very clear that the school is safe and that the safety of our kids in all of the schools is a priority for this government. We will have to continue to work with Ross River Dena Council to identify future plans, but I believe the member opposite has had his answer from the minister when it comes to the Ross River School a couple of times here in the Legislative Assembly. I don't think there is anything new to report and I think that question was answered.

This is interesting with the seismic report and good information to come from the member opposite. It's really great to have all the ministers providing information here at general debate of a supplementary budget and having a conversation spilling out past that. Sometimes I feel bad that my Deputy Minister of Finance is here ready to answer questions on the supplementary budget, but I'm happy to have the team here answering all these questions.

**Mr. Hassard:** I can certainly remind the Premier that we could dig up some questions from a previous supplementary debate and I'm sure it would not be a whole lot different.

Can the Premier update the House on the status of negotiations and work plan for the Nisutlin Bay bridge?

**Hon. Mr. Silver:** I will allow, if it pleases the Chair, the Minister of Highways and Public Works to answer that question, but I would be happy to compare records on supplementary budgets.

I believe I have said this before in the Legislative Assembly — sometimes I would just list all of my questions for the sake of expediency and just have them all on the record, hopefully not having a minister that would have a 20-minute response each time, but that seemed to be the status quo before. I would relish an opportunity to compare my time in the supplementary debates to the tactics used by the Yukon Party.

I believe my minister is ready with an answer to that question.

**Mr. Hassard:** I think that my questions have all been very short and to the point, so I think that for the Premier to say that may be a little bit unrealistic.

**Hon. Mr. Mostyn:** I am more than happy to talk this afternoon about bridges. We have a lot of them, as the member opposite well knows, and they are expensive. In the interest of providing information to the members opposite, I'm sure — and to the public, because that is really who we are serving here this afternoon — the territorial government maintains 133 bridges in the territory. Last year, in 2017-18, we allocated \$15 million to bridges and bridge repairs out of a total transportation budget of \$72 million.

Investing in our bridges is exceedingly important. As we were saying about the Nares River bridge in Carcross, that bridge was a bottleneck to the provision of goods and services from port facilities in Skagway to the territory. Improving that infrastructure was vital to the provision of goods into the territory, and one of the problems we were having as a government was dealing with legacy treatment of First Nations in the territory. It took a lot of work with the Carcross/Tagish First Nation to build up enough trust to allow them to allow us to contract out that bridge contract in their traditional territory. We worked very closely with the First Nation and, I believe, got a really good result down there.

I know that this model is now playing out, and we are working with the Teslin Tlingit Council to find out how they see the bridge in Nares playing out and what we are learning from that. We will use all the knowledge we get as we move forward into the new bridge procurement in Teslin. We are working on that, and we are working with the First Nation in Teslin and, of course, the community as a whole. As those negotiations and talks progress, we will have more information for this House.

**Mr. Hassard:** I believe that is pretty much the same answer that we got last spring. Maybe in a shorter version, the minister or the Premier could update us on what progress has been made in these negotiations.

**Hon. Mr. Mostyn:** As I said in my answer just a few minutes ago, we are continuing to build a project in Carcross. It is vitally important to the territory and to the people of Carcross. That is, from all accounts that I've heard, going relatively smoothly. We're keeping an eye on it. We're seeing how it works for our government, for the Carcross/Tagish

First Nation and for the contractor involved. We will take the lessons learned from that project and use them to work with the community of Teslin in the next procurement of that major project in that community.

**Mr. Hassard:** It almost makes a person think that there hasn't been any progress made.

Since the Nisutlin bridge never made the five-year capital concept, can the minister or the Premier provide us a bit of an update on when the Nisutlin bridge may be considered for renovations, rebuilding or whatever the case may be?

**Hon. Mr. Mostyn:** I thank the member opposite for flagging the five-year capital plan. It's an important piece of our procurement improvement process that this government has implemented over the last two years.

It was introduced to make government's plans for construction and infrastructure projects more transparent for Yukoners and those in private industry. The five-year capital plan informs this government's priorities and will help Yukon businesses prepare for upcoming projects. That's exactly what the five-year capital plan aims to do. As projects get green lit for production, we'll add them to the capital plan.

We will continue to provide Yukoners with information on the government's planned capital investments over the next five years. The capital plan will continue to change as circumstances change over the years. We are updating the plan even now and we'll be tabling a refreshed capital plan in the spring session. I'm sure the members opposite are anxiously awaiting that next five-year capital plan. It's going to be a refinement on the early plan that we introduced just this last spring. We're going to add to it with more detail and put more "flesh on the bone", as the expression goes, and allow Yukoners to have a better look into the future to help them plan, forecast and time procurements and plan for projects coming forward.

I asked the member opposite to please stay tuned. He sounds like he appreciates the five-year capital planning that this relatively new Liberal government has undertaken. I can assure him that it will become much more robust and refined as the years go on.

**Mr. Hassard:** I'm happy to see that the minister understands the importance of planning, but when a community has a project as large as this, it's important that they have the opportunity to plan too. If the government is not willing to provide an update or give some idea of when this project is going to hit the five-year capital concept — or, in fact, even happen — it's very difficult for the community and the members of that community to plan as well. Again, I will ask: Are there any timelines on when this project may move forward?

**Hon. Mr. Silver:** I believe the minister answered the member's question. I can understand why this is of concern to the member opposite. I believe this went forward quite a bit when his government was in power and then was rolled back, so the community has been waiting for a long time — that is true. We are going to make sure that we get this right. We are engaging with the community, and I believe the question from the member opposite has been answered by the minister.

**Mr. Hassard:** It absolutely has not been answered, but anyway — so the Premier is saying that there has been consultation with the community. I would like to know when the last meeting with the community was regarding this project.

**Hon. Mr. Mostyn:** The last time my departmental officials, specifically the crew responsible for bridges, met with the community — I can find out when the last discussions on the Teslin project happened. I'll endeavour to get that information for the member.

I will tell the member opposite that we have had discussions with prominent members of the community on an ongoing basis and we will continue to do so. I know that the bridge contract has been mentioned in passing. We have had conversations on that and we will continue to do so.

There's a lot of work to be done on this file. It's a very large project; it's a very expensive project, as the member opposite well knows. It is an important project to this government and to this territory. That Teslin bridge is another bottleneck. It's a fairly small structure. Improving it and making it better will increase the capacity of the territory and its economy.

We will keep this House updated as to developments on the Teslin bridge as events unfold.

**Mr. Hassard:** I guess we're not going to get an answer to either of those questions. It is interesting, though, that the minister considers the Nisutlin Bay bridge a bottleneck. In all my years of living in Teslin, with the exception of when there was an accident on the bridge — that's the only time it has ever been a bottleneck. I don't think it has to be a bridge to create a bottleneck.

Since the Minister of Highways and Public Works is here and talking, let's ask a couple of questions about Ross River. Last spring, the Minister of Highways and Public Works stood in this Legislature and told the House that there would be paving taking place on the road between Faro and Ross River. I was up there last week or the week before, and I certainly didn't see any paving taking place; I didn't see any preparation for paving. Maybe we could get an update on where that is.

**Hon. Mr. Mostyn:** Since 2004 — let's go back and give a little bit of history, as it's good to provide some context — the Campbell Highway between Watson Lake Airport access at kilometre 10 and the Tuchitua highway maintenance camp at kilometre 114 has been under reconstruction to improve the overall safety of the highway.

Reconstruction this season focused on the stretch of road near Frances River, just south of Simpson Lake. That is from kilometre 73 to 79, and this is the final section of reconstruction from kilometre 10 to 114. Work to the final section should be completed this fall, with some bituminous surface treatment work to take place in 2019 from kilometre 73 to kilometre 78. This project is expected to expand the Yukon's gross domestic product by an estimated \$5.8 million and will potentially provide more than 58 jobs over the course of 2018-19.

Design work has also started for the stretch between Ross River and Faro. Design work has also started for the stretch of highway between kilometre 114 and kilometre 232, the BMC Minerals access road. Upgrades to the highway between Ross River and Faro are scheduled to begin in 2019-20.

**Mr. Hassard:** Since we are on history lessons, here is a little bit of history: The minister stood in this House this spring and said there would be paving going on this season on the section between Faro and Ross River. That is just a little history lesson for the minister there.

On brush and weed control, I was wondering if we could get a bit of an update on where the budget is with regard to brush and weed control for this year.

**Hon. Mr. Mostyn:** Brush and weed control — clover. This year, Mr. Chair, we have successfully tendered eight projects with a total value of \$1.2 million for weed and vegetation control in the territory. Our vegetation control program includes annual brush-clearing, tree removal and vegetation control within highway rights-of-way, as the member opposite well knows. Clearing brush and trees from the right-of-way increases drivers' lines of sight, facilitates safe passing and merging, enhances drivers' ability to see wildlife approaching or crossing highways and makes road signage more visible. I will tell you, after having travelled the highways and byways of the UK, you really come to appreciate all of the visibility and sightlines that we have in the territory through brush control because they certainly don't have much of it there.

Decisions regarding which portions of highways to target within the vegetation control program are made based on proximity to communities, traffic volumes, sight distances, sweet clover density, known wildlife corridors and vegetation conditions.

I will tell the member opposite that some of the vegetation control we have on the side of the highways has been erratic. I have been told that some of the vegetation we have in those corridors is 30 years old. In terms of a methodical approach to actually clearing away some of what are now large, maturing trees, it hasn't happened. I am working with the department to try to find a methodical approach to brush-clearing so that we can actually start talking to communities about when they are going to show up in the system so they can actually start to plan and know when brush-clearing is going to be happening in the territory.

That work is really in its very beginning stages, but it is one of the things I want to take a look at.

We're on roughly 5,000 kilometres worth of road. We have a budget this year that is \$1.2 million. We have a fairly good idea how much it costs to clear a kilometre of road and so I want to start to get more method to the actual clearing of brush in and around Yukon communities.

**Mr. Hassard:** So the minister said that he has a fairly good idea of how much it costs to do brush and weed control on a kilometre of highway. Can the minister provide us with that number?

**Hon. Mr. Mostyn:** Well, Mr. Chair, what I can say to the member opposite — I'm sorry if you misunderstood what

I had to say — is that every year we're going to clear X number of kilometres of highway.

We have a budget of \$1.2 million. The math may get a little bit more wrinkly depending on geographic location, but the fact is that if you divide the number of kilometres we did in a year by a number of millions we spend, we should get a fairly good idea over the course of several years how much it's costing per kilometre on sort of an average basis. Throw in a little bit of contingency for unexpected clover outbreaks and then we should be able to come up with a way to plan out our brush-clearing efforts so that it is a little bit more methodical and planned.

**Mr. Hassard:** Actually, it depends a lot more on whether they're doing three-metre, five-metre, or full-width mowing — but anyway, let's turn to the Dawson City runway for a minute.

We know that the lowest bid came in at almost \$9.4 million for paving of the runway. Last spring, the minister assured us that it wouldn't be over \$6.5 million, so I'm wondering if this is a case of the government's new way of estimating and budgeting not working or what the government's plan is to move forward on this project.

**Hon. Mr. Mostyn:** I think just earlier today we were talking about — and even earlier this afternoon in this debate — the strange days we're having with trade in a global context and how that is affecting our projects, so we have to keep all these things in mind when we're tendering and trying to get things done. I know the economy, as the Premier and Finance minister has noted — we have a very low unemployment rate right now. We have a very robust economy and unfortunately in the face of some of that, we put out contracts for tender and we get the bids back and we will have to make a determination about where we go from there.

I will say that to better support Yukoners and to maximize economic development in Yukon, the Dawson City Airport is slated to be paved in 2019. We want to make sure that this airport meets the needs of the Dawson and Klondike community as well as the Yukon and supports regional economic activities. We are working with our stakeholders to schedule the 2019 paving and we will ensure service interruptions are planned well in advance of this important development. The plan is still to go ahead with paving the Dawson City runway and, as the member opposite well knows, we will deal with procurement as it comes along.

**Mr. Hassard:** When the Premier was in the Third Party, he on more than one occasion mentioned that when a project was overbudget such as this, obviously the minister did not have control of their department.

Does the Premier feel that this is the case in this situation?

**Hon. Mr. Silver:** No, I do not.

**Mr. Hassard:** Interesting, Mr. Chair. I guess he had it right when he said that the view is different from over here. He seems to have changed his view on things.

North Canol — we know there were some issues with some bridges in the Ross River area. I'm wondering if we can get an update on what bridges have been upgraded and

repaired and how many more bridges there are that need repairs on the North Canol as well.

**Hon. Mr. Mostyn:** I can tell the member opposite that in 2018-19, we have allocated approximately \$17 million to bridge repair in the territory. Bridge inspection, rehabilitation, replacement projects and load rating reviews have allowed the North Canol bridge weight restrictions to be revised from five tonnes to 48 tonnes since 2016.

We are working to improve our bridges. We are spending a lot of money on that. There is a lot of work to be done. I did mention earlier that we have 133 bridges in the territory and 254 large structural culvert locations. There are a lot of bridges and they are expensive. Bridgework is always very expensive. A lot of our bridges are old. Many of them were put in 75 years ago. It's like a monoculture; they are all coming due at about the same time. We are going to prioritize and make sure that we get our bridges improved. These weight restrictions on bridges do throttle industry. They throttle the communities that they serve, and so we want to make sure that they are as robust and as useful as possible to the people of the territory and the businesses and resource companies that rely on them.

**Mr. Hassard:** In that answer, I certainly didn't hear how much money was being spent on bridges on the North Canol and how many bridges still need to be repaired, so maybe we can try that again, Mr. Chair.

**Hon. Mr. Mostyn:** This year, \$17 million on bridges — in 2017, we reviewed nine bridges on various major highways as having insufficient load-capacity ratings relative to current design standards — nine bridges right away, just last year in 2017. The Department of Highways and Public Works prioritized retrofit work on these nine bridges this year at a cost of approximately \$2 million. Some of that work — I can delve into the department with the experts in the department — and find out exactly where some of those bridges were, but some of those were on the North Canol.

**Mr. Hassard:** We are getting closer to an answer. Some of those nine bridges are on the North Canol. Can the Premier tell us how many more bridges there are on the North Canol that still need to be upgraded?

**Hon. Mr. Mostyn:** I can tell the member opposite, Mr. Chair, that we are funding \$1.8 million for the inspection of bridges and other drainage structures across the transportation network. That is throughout the whole territory, including significant upgrades to the bridge and culvert inspection program. I can tell the member opposite that this year we are doing almost \$2 million worth of work inspecting and making sure that we identify the most important bridges to fix, replace, upgrade and maintain.

**Mr. Hassard:** It is obvious that the minister doesn't know or doesn't have that information.

Would it be possible to get the Premier or the minister to commit to providing the House with a legislative return with that information?

**Hon. Mr. Mostyn:** This government strives to be open and transparent to provide information. The member opposite is asking for information on the number of bridges on the

North Canal that still require work. The department is currently doing almost \$2 million worth of work identifying bridges in the territory that will need work. I will go back to the department and see how much of that work has actually happened on the North Canal.

**Ms. White:** I appreciate that the supplementary budget has way fewer departments than what I had grown accustomed to in the previous government. I had already mentioned to the Premier that I had questions that were in relation to departments that do not have supplementary budgets. I know that for two of mine, the ministers are here, so I have questions for either Yukon Housing Corporation or Education.

I feel that maybe the Minister of Education is not feeling tiptop, so I wonder if the Minister responsible for Yukon Housing Corporation would be open to questions today and if the Premier would be interested in us going down that path.

**Hon. Mr. Silver:** Absolutely — I guess we're having a fundamental difference as to what the supplementary budget is for and what it has been used for in the past and how we can move forward in this legislative session and focus in on future debates as well.

The last thing that we want to do, as a government, is to limit conversation or dialogue.

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

**Hon. Mr. Silver:** I believe that's the Member for Watson Lake who has something to add to this conversation later. We'll let her stand when it's her turn, Mr. Chair.

The concept that I just want to float with the opposition is: If we do spend the general debate on the budgetary items, then we do get a chance to do more legislating. I know that's something the NDP is interested in. So again, we have all these different options to have conversations and questions to the ministers. We have casework, we have Question Period, we have legislative returns — there's access to information, and we're changing that legislation as well. Again, we are happy to maintain a status quo in general debate when it comes to asking questions specifically about their departments, if that's what pleases the opposition.

It is a lost opportunity to spend a lot of time legislating and having discussion about legislation as well, so it's just a balance. It's how we use our time in the Legislative Assembly effectively on both sides. We had criticism from the NDP during private members' day about going on, on some files. I think we have done a good job of curtailing that. You don't see us sitting up here for 20 minutes responding to answers from the members opposite. I would like to get a little bit of a confirmation that, yes, we are doing something differently here.

At the same time, it does take the whole of government and the whole of opposition to decide whether or not we want to use this time for what it's supposed to be for or if we want to continue with what we have traditionally used it for. That's up to all of us. Again, we are here to answer any questions, but I guess we, as a Legislature, will all be judged equally on how we spend our time in legislation and how much time we

spend legislating or using the time in Committee of the Whole to talk about specific debate.

With that being said, we are happy to continue to answer general questions on this supplementary in Committee of the Whole. I will give that opportunity to the Member for Takhini-Kopper King.

**Ms. White:** I don't know if I would use the term that I appreciate the Premier's "lecture". I'm going to use the word "lecture" because when I write a letter to a minister and it takes six weeks to respond when I'm doing the casework sometimes, this is the only opportunity to ask a direct question. If members opposite would like, I could start asking very direct relevant casework questions during Question Period, but I feel like that might not be the time.

My first question for the Minister responsible for Yukon Housing Corporation is: When a request comes from a tenant and we're talking about a tenant with a disability, what disability information does the Yukon Housing Corporation look at before they either approve or deny a request for a repair within a Yukon Housing Corporation unit?

**Hon. Ms. Frost:** I would be happy to provide the member opposite with the protocols — the schedule of details with respect to the requests when they come in. At this moment in time, I'm not able to respond to the specific questions around the policy directives within the department, but I would be happy to acquire and share that information.

**Ms. White:** I guess I take issue with that because that has been in direct communication where I have asked which policy, when we're dealing with disability issues and questions of repair, does Yukon Housing Corporation take. I have the consent form if we need it here now. In particular, I'm talking very specifically about a tenant with an amputation whose flooring was changed and a transition strip was placed in the middle of a floor. Typically when you have transition strips for able-bodied people, it's not an issue because you can feel through your legs. If you have a leg amputation, you can't actually feel the transition strip. When I started writing about this issue about two and a half months ago and I asked about what policies we followed when we were dealing with disability, I didn't get a response.

The reason I'm asking this question is: If we are causing issues or we are exacerbating issues with tenants in Yukon Housing Corporation spaces, I want to know how those decisions are made.

If a tenant has a specific concern around the safety of their unit and they address that concern to the department, what is the policy that the department then takes to either accept and say, yes, we're going to make those changes or they deny it and say it's fine the way it is? I'm asking how those decisions are based. I have, just to be clear, asked that in a letter to the minister. I have done that in e-mail communications so now I'm looking for clarification.

**Hon. Ms. Frost:** With respect to protocols around a Safe at Home policy, what the department has looked at and will continue to look at are improvements in efficiencies. I would like to thank the member opposite for bringing this forward. The concerns that have been raised have been

brought to the department. We look at efficiencies within the Yukon Housing Corporation around service delivery and home first as a good model where we work in partnership with Health and Social Services. If we have clients within the units that are owned by the government, then we ensure that the supports are there. If the client raises a concern, then certainly we would want to ensure that we provide the best possible care to the individual in question.

I'm not going to stand here and say that everything is addressed, but we do our best. When issues are brought to our attention, we raise it with the department and we ask them to please follow through, recognizing that we have 700 units.

We try to adjust our budgets accordingly and provide supports. In the event that the unit doesn't meet the needs of the client, then certainly adjustments have to be made to provide suitable accommodations. Where flexibility can be had, then that is what we focus on. If there are specific concerns, I would like to commit to the member opposite that we would follow through on that and, again, raise it with the department. If there are specific issues, then I am not prepared to have that discussion here in the Legislative Assembly, but I will talk about efficiencies and policies so that every tenant of Yukon Housing Corporation is in the right home that suits their needs.

**Ms. White:** I was actually asking about the policy that the Yukon Housing Corporation followed to make decisions as to whether or not repairs were done to a unit when they were requested. I guess I am asking now: If a policy exists, does it address accessibility? Does it address specific needs around those people with disabilities? Does the policy exist and, if it does, can we see a copy of it? If it doesn't exist, then I just need that as an answer.

**Hon. Ms. Frost:** We are working with the Department of Health and Social Services. With respect to the policy, we have attempted to make adjustments to the policy to ensure that we have a home first model and that a home first model, in conjunction with Yukon Housing Corporation, addresses the needs of the clients who have mobility or other challenges that have come to our attention.

**Ms. White:** For future reference and for me, can the minister make that policy available please?

**Hon. Ms. Frost:** I apologize. I didn't hear the last question. Maybe the member opposite can repeat the question and I will respond.

**Ms. White:** I was just asking for the policy that the minister referenced. Can I get a copy of it please?

**Hon. Ms. Frost:** I would be happy to provide the home first initiative project from Health and Social Services for the member opposite.

**Ms. White:** I was actually asking around the specific policy that would deal with renovations to existing Yukon Housing Corporation units if there was a problem as far as accessibility. If that is to be found in Safe at Home, then I will take that. In my communication with the minister and with the department around this issue, it seems to be something different. I am just looking for clarification on how to go about asking for this information.

**Hon. Ms. Frost:** Clearly, we have a number of units, and I want to make note that we are looking at modernizing and upgrading some of our affordable housing units. We have been doing that over the course of the last two years. The objective there is to ensure that we provide supports to those tenants who have mobility issues. As soon as it comes to our attention, then we try to address it.

The focus is really to try to put some energy and effort into rural Yukon as well, because we do have a lot of units in rural Yukon that have not had much attention paid to them. Our objective is to modernize and adjust our policies to meet the needs of all of our clients.

**Ms. White:** In trying to decide priorities for next fiscal year, one of the issues would be around wait-lists. Can I get an update on the number of people on the current wait-list? We can either talk about seniors, we can talk about in Whitehorse, we can talk about communities and we can talk about the whole list. I'm just looking for numbers on the current wait-list for Yukon Housing Corporation.

**Hon. Ms. Frost:** I thank the member opposite. Recognizing that the wait-list for Yukon Housing Corporation far exceeds the stock we have and recognizing also that historically we have the stocks that are aging out of the system, so we haven't accommodated or adjusted our budgets historically to meet the demands, we're trying to put some effort into retrofitting and adjusting our — I guess building standard — the codes. The buildings that existed 30 years ago that are still within our housing stocks don't meet current requirements and codes, so some efforts are put into energy efficiencies, but also really try to focus on working with the housing navigators and assisting those most in need with application processes, but modernizing more our social housing application forms, working with the clients and addressing the demands and putting a little more effort into rural Yukon communities as well. Just this last year, we put an additional \$200,000 for a rent supplement program, helping Yukoners access eligible units.

We will continue to work with the Yukon Housing Corporation and Health and Social Services to try to match the needs of all of our clients.

**Ms. White:** Can I get the numbers of people currently waiting for Yukon Housing Corporation units?

**Hon. Ms. Frost:** I believe I tabled that previously, but I would be happy to do that again. The following shows a wait-list for housing units in rural Yukon communities. As of August, we had 41 on the wait-list and 248 in Whitehorse. That includes seniors as well, so those who are on the social spectrum and then also the seniors wait-list.

**Ms. White:** Does the minister have the breakdown of the number of seniors out of the 248 in Whitehorse?

**Hon. Ms. Frost:** I don't have that at my fingertips, but I can certainly provide the member opposite the information.

**Ms. White:** The reason why I'm asking about the specific number of seniors on that wait-list is that, in the same way that I have been working on case work for about two months with the tripping hazard, I have been working with a local senior who has actually been couch surfing for eight

months. He's in his 80s. The reason why I ask this question is because I want to know if there are plans for the Yukon Housing Corporation to develop new units next year.

What I'm looking for is: Is there any intention? I appreciate that we have extended the grant program that allows people to access market rental housing, but what I want to know is: Is there any intention from the Yukon Housing Corporation to build new units in the near future?

**Hon. Ms. Frost:** In 2018-19, the housing program investment anticipates an increase in new units. We anticipate approximately 353 new units with the support and partnership initiatives and the funding as we budgeted. That includes some seniors units, affordable micro-units using the municipal matching grant. There are a couple of units going into Ross River. There are eight more units in Dawson City. We have a number of units through the municipal partnership arrangement through the housing initiative project. I am really excited about that.

In 2019-20, we'll have an additional \$3.6 million in our budget toward trying to seek further partnerships. As a note, the partnership initiative of \$3.6 million allowed us to work with our partners and bring in \$26 million in partnership initiatives on projects.

We'll continue to work with our partners and look at the housing initiatives fund, looking at the development of new lots as well as some key priorities for this government and some new initiatives in terms of accessibility, as noted, trying to ensure we have sufficient resources in place so that we look at the new construction and accessibility and some of the criteria.

With regard to seniors housing, that's a key priority for the government. Currently, we're in rural Yukon doing our aging-in-place conversations that are happening and engagement sessions. Those will give us some indication and some direction on what rural Yukon elders and seniors would like to see as priorities, and then we need to budget accordingly to ensure we meet the demand where the demand is most.

**Ms. White:** In the 353 new units the minister mentioned, how many of those are expected to have Yukon Housing Corporation wait-list people move into them? So of the 353, how many do you expect will be accessed by Yukon Housing Corporation clients?

**Hon. Ms. Frost:** The objective of the funding proposal is really to address those who are particularly hard to house. We want to make sure that we provide affordable housing, so the objective is to provide and eliminate the list that currently exists for Yukon Housing Corporation. Our goal is always to make sure that we provide opportunities for those who are currently challenged to find secure accommodation.

I want to make sure that we don't put up barriers and that we take down the barriers that have been there for years. We also know that we have a growing population and we're having some further pressures in the city that we have not seen historically. We're trying to focus our efforts on working with our partners in rural Yukon communities. I'm happy to say we have another project in Dawson City, working with the

municipality and the Na Cho Nyäk Dun First Nation to look at some priorities there.

Of course, we will continue to work in our larger municipal centres, as well as some of the communities.

**Ms. White:** What I had asked — the minister mentioned 353 new units for the 2018-19 budget year — is: Out of those 353 units, how many would have Yukon Housing clients? Could I just get clarification on that question?

**Hon. Ms. Frost:** I can say to the member opposite that all of the new construction projects that we have — that we are seeking partnerships on — are to give opportunities for Yukon Housing clients, or potential clients, to affordable housing through supports. At this point in time, I don't know what that is, but the objective is to create the opportunity, create the partnerships for low-barrier housing, to provide opportunities for those clients and citizens of Yukon who have a hard time finding accommodation. That is our goal and that is our objective, and we will continue to work with our partners to acknowledge the pressure and acknowledge that we want to take down the barriers and try to provide support. We are working through our housing navigators through the Housing Corporation and Health and Social Services, as well as looking at a lot of the work that was done historically through the Safe at Home plan and the housing action plan and focusing on partnerships as best we can and looking at supplementary supports as we need them.

**Ms. White:** Out of the 248 people on the Yukon Housing Corporation wait-list for Whitehorse, how many would the minister hazard a guess at are requiring low-barrier housing?

**Hon. Ms. Frost:** I don't have that answer at my fingertips. I would be happy to follow up. I do have the list and I will work with the departments, as I don't know specifically who are on the list. What we want to do is ensure that every door is the right door, no matter where the barriers are, and that we provide opportunities to the private sector or through our social housing. We have a number of clients who have — providing through private rent supplements and through private arrangements.

We want to explore options with our partners and look at providing assistance to those most vulnerable, ensuring that we work with our clients and work through the housing navigators and their case managers to ensure that their needs are being met.

**Ms. White:** The reason I ask that is that not everyone on the Yukon Housing Corporation wait-list will be accessing the corporation through a housing navigator. Many people — the low barrier that they're experiencing is that there's just no place to live. It's not that they require additional supports. It's not that they're looking for something like the Housing First model or the transitional units at the Salvation Army. What they are literally looking for is a place to live.

The reason I'm asking is because, when the minister responds and talks about the list of programs and removing barriers and low barriers and housing navigators, although I appreciate all those things, the real issue when it comes down to Yukon Housing Corporation is that there are just not

enough places. There are just not enough units, whether within the corporation or in our 3.4-percent availability in private market rentals. I am going to leave it at that.

Mr. Chair, seeing the time, I move that you report progress.

**Chair:** It has been moved by Ms. White 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. 207, entitled *Second 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.

**Hon. Ms. McPhee:** I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:27 p.m.*

**The following sessional paper was tabled October 9, 2018:**

34-2-72

*Standing Committee on Appointments to Major Government Boards and Committees Tenth Report* (October 9, 2018) (Adel)

**The following legislative return was tabled October 9, 2018:**

34-2-148

Response to matter outstanding with Mr. Cathers related to general debate on Bill No. 207, *Second Appropriation Act, 2018-19* — Government of Yukon staff on secondment (Mostyn)