



# Yukon Legislative Assembly

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## BLUES

Tuesday, October 16, 2018 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

### NOTE

This document, referred to as the "Blues", is the preliminary issue of the Hansard of the Yukon Legislative Assembly and has not been edited fully for errors, omissions or accuracy. It may be used as a reference only with the understanding that it will be superseded by the final, edited version, entitled "Hansard", at a later time.



**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Tuesday, October 16, 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

**Mr. Gallina:** We have some special guests in the gallery today as we raise awareness for Poverty and Homelessness Action Week. We have a grade 6 class from Holy Family, and I will introduce the students in a moment. We have representatives from the Whitehorse Food Bank and parents and other volunteers whom I would like to make note of this afternoon.

From Holy Family, the grade 6 students with us today are Gage Albertini, Sylvana Allain, Damon and Maddison Andrews, Elsa Gleason, Maria Hernandez, Teja LaLonde, Savvas Lantzou, Britney Lajeau, Demis Matteaux-Sotil, Seth Ninehearns, Geanna Austre, Cal Sacramento, Konrad Simpson and Rayland Stemberg. Parents who have joined us today are Tammy Ninehearns, Aurora Baccudo, Stephanie Robertson, Astra Albertini, and Susan Simpson, a parent of Konrad.

From the Whitehorse Food Bank, we have board members Mike Thomas, Debbie Gohl, Tina Woodland, Krista Prochazka, Helen Slama, Jeremy Norton, Laura and Mae Cabott, and we have the executive director, Tristan Newsome. We also have food bank volunteer extraordinaire Myke McPhee. Brenda Dion, who is retired as a health promotion coordinator and is a Whistle Bend resident, has joined us today. There were a number of other Health Promotion unit employees who wanted to be here but were not able to attend today.

Welcome to the gallery. It's very nice to see you.

*Applause*

**Mr. Adel:** Mr. Speaker, I would like the House to join me in welcoming representatives here for the Yukon Anti-Poverty Coalition and Voices Influencing Change — always nice to see faces in the gallery. We have Executive Director of the Yukon Anti-Poverty Coalition, Kristina Craig and one of the co-chairs, Mr. Bill Thomas, and for Voices Influencing Change, Ulrike Wohlfarth-Levins, Jason Charlie, Maureen Johnstone and Kerry Nolan. For those who can't be here, we know that they're supporting us. I would like everybody to welcome them in gallery.

*Applause*

**Mr. Kent:** Mr. Speaker, Joining us once again is a constituent of mine, Kim Beacon and her friend, a former constituent of mine, May Blysak.

*Applause*

**Hon. Mr. Pillai:** Mr. Speaker, may I also ask the Assembly to help welcome two of my constituents who are here today: Connie Gleason, who is here with her daughter on her school trip, as well as Mike Thomas. Please help me in welcoming them to the gallery today.

*Applause*

**Hon. Mr. Mostyn:** I would just like the House to take a second to welcome Ted Hupe. He is a constituent of mine and a principal at the school and I would like the House to recognize him this afternoon. Please welcome him to the House.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Whitehorse Food Bank

**Mr. Gallina:** On behalf of the Yukon Liberal government, I am pleased to rise in this House today to pay tribute to the Whitehorse Food Bank and the many volunteers and supporters who take the time to care for fellow citizens as we here in this Assembly raise awareness of Poverty and Homeless Action Week.

During the introduction of visitors, I recognized a number of people here in the gallery today, including those from the Whitehorse Food Bank, along with students from the Holy Family School and those who give unselfishly to serve the needs of others. The students were invited here today because they, along with many classrooms across Whitehorse, recently participated in a successful Whitehorse Food Bank food drive.

These grade 6 students at Holy Family School walked around to hundreds of homes throughout the riding of Porter Creek Centre distributing bags to households, which were later picked up by volunteers and students from the school community and delivered directly to the food bank. In total, approximately 3,500 bags of food were donated through this initiative. I'm paying tribute to these students today because it is important to recognize these individuals. These children are our future leaders, and with this service they are taking positive steps to create a healthy and vibrant community filled with love and encouragement.

Mr. Speaker, food donations to the Whitehorse Food Bank help 1,300 people every month. Between 50 and 80 regular volunteers collectively donate 500 hours of labour every month. Over time, the food bank program has expanded to provide more fresh produce and meat and they recently began distributing wild game to families in need, which is a special source of nourishment for many.

The Whitehorse Food Bank food drive benefits greatly from the support of schools, students and volunteers who

distribute and collect bags of non-perishable food for donation to the food bank.

Mr. Speaker, this tribute also recognizes the good work from many students for their participation in the yearly From the Ground Up fundraiser that also just wrapped up. From the Ground Up is a healthy choice fundraiser where students from Yukon schools and daycares sell boxes of Yukon grown vegetables. Those who purchase them have the option of buying boxes for direct donation to the Whitehorse Food Bank to give directly to a family in need or enjoy themselves. Each box contains 20 pounds of potatoes, carrots, beets and one cabbage, along with a book of recipes to prepare and enjoy this fresh Yukon produce. Schools and daycares receive 40 percent of the profits for every box of vegetables sold and the other 60 percent goes to local famers.

This initiative began in 2012 with two schools participating, and in only six years, the number of schools involved has risen to 21. To date over 375,000 pounds of local veggies have been sold and almost 50,000 pounds have been donated — that's over \$450,000 that the kids have been able to keep for their use in school programs and projects.

Trying out new recipes and enjoying new taste experiments encourages healthy eating, which is one of the goals of this fundraiser. It is such a benefit that this program can be sourced by 100-percent Yukon grown produce. We know the demand for locally sourced produce is on the rise.

In closing, please join me in applauding the visitors in the gallery here today — the students, the dedicated teachers, the Whitehorse Food Bank executive director, board members and volunteers who make the food bank a welcoming place.

I'm proud to stand with these individuals who are giving their time, their attention and themselves for the benefit of those in need. Thank you.

*Applause*

**Mr. Cathers:** I rise today on behalf of the Yukon Party Official Opposition to recognize the Whitehorse Food Bank during Poverty and Homeless Action Week as they've completed their annual fall food drive in partnership with volunteers from local schools and individuals from across the community. The food bank has been busy filling their shelves with donated goods.

Demands on the food bank continue to rise. A report released in 2017 noted that food bank usage had increased by 44 percent over the five years covered previously. That's a heavy increase over that time period.

I would like to recognize that there are a large number of private businesses and organizations that contribute to fundraising and donate to the food bank as well as many individuals who volunteer their time. The organization makes a contribution to the fight against hunger in the community and it could not be done without the help of the volunteers and donations.

I would also like to particularly recognize another special fundraising initiative in our community that provides families with nutritious, locally grown vegetables, raises money for local schools and daycares and provides community members

with the opportunity to purchase fresh vegetables that originate from the local farms. From the Ground Up began six years ago in 2012 with just two local schools selling vegetables. Since that time, it has expanded to 17 schools and eight daycares, all of which keep 40 percent of the profits from the box sales.

I would like to thank the Yukon Grain Farm here in the Lake Laberge Whitehorse area and Vogt Enterprises in Dawson City which both provide a large amount of cabbages, carrots, beets, potatoes and produce to be enjoyed by families and individuals across the Yukon.

As I close, I would like to thank the Whitehorse Food Bank and its volunteers, as well as all of the organizers and farmers in From the Ground Up and the volunteers who contribute to the success of each.

I would like to close by particularly recognizing the significant contributions of produce that Yukon Grain Farm, owned by Steve and Bonnie MacKenzie-Grieve, has made over the period of the operations of the From the Ground Up program. They have been very generous with their donations as well to this program.

Thank you to everyone and keep up the good work.

*Applause*

**Ms. Hanson:** I rise on behalf of the Yukon New Democratic Party to recognize the important role that food banks and the people behind them play here in Yukon, in Whitehorse and in the communities of Dawson City and Watson Lake.

When we talk about food banks, I think it is important to recognize the harsh reality that, in a rich society like Yukon, there is a need to assist people with the very basics of life — with food — and the fact that, in the absence of serious, coordinated government policies to alleviate poverty, we have so many generous people willing to volunteer both time and money to make sure that there is at least a bare minimum of food available to members of our communities.

In Whitehorse, we are talking about 1,300 people a month — a third of whom are children or youth. Think about that. Think about the fact that since the Whitehorse Food Bank opened in 2009, 7,300 different people — almost 24 percent of Whitehorse's population — have accessed the three-day supply of food and basic necessities provided by the food bank.

You know, Mr. Speaker, it has become almost a cliché that, when food banks were established in the 1980s in response to a serious recession and inadequate social assistance and EI rates of the day, food banks were to be a temporary solution to a temporary problem. They have instead become a normal feature of our social landscape. Governments of all stripes at all levels have talked around and about the need to seriously tackle the root causes of poverty and income inequity in this country. While they talk, their inaction puts more pressure on the generosity of spirit and the action of ordinary citizens to try to alleviate some of the worst aspects of poverty through our food banks.

Governments have been happy to applaud the good work of the many volunteers and hard-working staff of our food banks because they shelter us from the harsh reality that governments have failed to address poverty. To be clear, I am not blaming food banks for the government's lack of coordinated and effective response. The staff and volunteers are caring and dedicated, and they work hard to reduce the indignities of charity for those who receive it. Mr. Speaker, if you have ever been on the receiving end, you know what I'm talking about.

Food banks do allow some people to experience less hunger; however, as Elaine Power, a researcher on food security, poverty and a long-time volunteer with food banks, said in a recent article — and I quote: "Food banks also let governments off the hook from their obligation to ensure income security for all Canadians... Giving food to those who are hungry is a simple response that everyone supports. Tackling poverty means wrestling with diverse ideas about causes and solutions."

As we celebrate the many Yukoners who have so generously supported our food banks, we, as legislators, are charged with tackling the political conversation to collectively find ways to eliminate the need for food banks in our time.

*Applause*

### In recognition of the Yukon Anti-Poverty Coalition

**Mr. Adel:** Today I rise on behalf of the Yukon Liberal government to pay tribute to the Yukon Anti-Poverty Coalition on the occasion of Poverty and Homelessness Action Week. The Yukon Anti-Poverty Coalition is a volunteer organization that works to promote and improve the well-being of Yukoners.

Mr. Speaker, before I talk about this organization and the good work that it does, I would like to say that one of the challenges about poverty in Canada is that there is no official definition of poverty or consistent indicators of poverty; therefore, it is difficult to capture the full picture when it comes to poverty because of the diversity of experiences for people living in poverty. When we estimate that one in seven Canadians — 4.8 million people — currently live in conditions of poverty, it means 4.8 million experiences. It means that these individuals struggle to meet their most basic needs every day and have to make challenging decisions — for example, should they pay the electric bill or buy nutritious food or buy a transit pass? These are things that we take for granted.

Poverty is, at its core, a violation of the most fundamental human rights and the Yukon Anti-Poverty Coalition has been voicing this violation for Yukoners living in poverty for the past 12 years. They are working with Yukon communities to facilitate the elimination of poverty in Yukon through awareness, advocacy and action.

One of the most impressive strengths of the coalition is that they have formed positive relationships that allow them to pull a large number of organizations, businesses, governments and volunteers together to work toward the same goal. The coalition has more than 400 members, including individuals,

politicians, non-governmental agencies, business people, representatives from the faith community and people with lived experience.

The Yukon Anti-Poverty Coalition is the true example of the Yukon way of doing things — coming up with solutions. When they saw a need, they initiated the downtown garden, the Whitehorse Food Bank and the Mental Health Association of Yukon, just to name a few. We are a small jurisdiction and poverty affects each of us in some way and this is why we all need to be part of the solution.

This week, one of the Yukon Anti-Poverty Coalition's key programs that will be in the forefront is the Voices Influencing Change program that gives participants who want to seek change in their community the skills needed to share with others and to advocate based on their own personal experiences.

I would like to invite all Yukoners to take some action during the Poverty and Homelessness Action Week, October 15 to 19. The theme this year is: "Lived experience — what's your story?" Events this year are listed in the *Yukon News* and *What's Up Yukon*. They include a sock drive, a bake sale, the "Chew on This!" campaign, a CBC book panel on CBC *Airplay* and many more. To get the full calendar, visit the Yukon Anti-Poverty Coalition website.

In closing, I would like to thank the staff and the volunteers at the coalition for their dedication to eliminating poverty in Yukon through awareness, advocacy and action.

*Applause*

**Ms. McLeod:** I rise today on behalf of the Yukon Party Official Opposition to recognize the Yukon Anti-Poverty Coalition's Poverty and Homelessness Action Week. This is a homegrown event taking place each October since 2005. The intent of Poverty and Homelessness Action Week is to raise awareness and encourage Yukoners to take action to end poverty and homelessness in the territory.

This week is aligned very conveniently to include two important global dates: World Food Day on October 16 and the International Day for the Eradication of Poverty on October 17.

World Food Day has been recognized since 1981 to increase awareness of world hunger and poverty and encourages discussion on these issues on a global scale.

The International Day for the Eradication of Poverty has been observed since 1992. The theme for this year is: "Coming together with those furthest behind to build an inclusive world of universal respect for human rights and dignity."

I would like to give my sincere thanks to the Yukon Anti-Poverty Coalition for the work that they do this week and indeed, every week of the year. The coalition goes above and beyond to provide outreach and education to the community through a variety of initiatives and related organizations, such as Sally & Sisters, Food Network Yukon and Whitehorse Connects. I would like to acknowledge the many non-profit organizations and individuals behind them who work

continuously to address poverty and homelessness in our territory.

The work done by an incredible network of people is immense and continues to make small and large differences in the lives of all of our community members.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP to pay tribute to the hard work done by the folks of the Yukon Anti-Poverty Coalition and acknowledge Poverty and Homelessness Action Week.

A story of lived experience is a powerful tool. It is the evolution of one's life, and when that story is shared, it can influence change. That's exactly what the Voices Influencing Change program aims to do. The program supports people who have experienced poverty or homelessness to advocate for themselves and for others by sharing their own experiences.

The initial storytelling leadership and advocacy pilot project ran last year for four weeks, with participants meeting twice a week. This year, the Yukon Anti-Poverty Coalition recognized the need for people with lived experience to help implement Safe at Home, so the program was tweaked and offered again. This time, the program was even more intense. It was longer, meeting twice a week for six weeks. There is an interview process for applicants, opening and closing interviews and ongoing hard work in a safe, judgment-free space.

Learning these skills isn't an easy process. It's unpacking what has been experienced, learning how to protect oneself when sharing those stories and learning how to share it with others. It can be emotional, it can be exhausting and full of triggers.

Mr. Speaker, the four graduates — including Ulrike Wohlfarth-Levins and Jason Charlie who are in the gallery with us today — deserve our congratulations on the completion of the program. They deserve our thanks as they use their new skills to help the community better understand the issues of poverty, addiction and homelessness.

This year, with the support of those at the Yukon Anti-Poverty Coalition, it was the program graduates who have selected the theme: "Lived Experience: What's YOUR Story?" and planned and are executing this week's activities, from tea at YAPC, where those with lived experience shared their stories with would-be counsellors and mayoral candidates, to a sock drive, bake sale, book panel reviews and more.

Kerry Nolan, one of the co-facilitators who works alongside Maureen Johnstone, had this to say: "I believe that everyone has a story and a voice to tell that story. As a community, it's our responsibility to listen without assumptions or judgment, as these stories will help make change within ourselves, our loved ones and our community as a whole."

Mr. Speaker, I couldn't agree more. It's important that we listen to the stories being told around us and the stories shared with us. It's important that we listen to them as politicians, as

neighbours, as friends and, most importantly, as humans, because the stories shared with us become part of our understanding and, Mr. Speaker, that understanding can influence change.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Ms. Dendys:** Pursuant to section 7.7 of the *Historic Resources Act*, I have for tabling the Yukon Heritage Resources Board Annual Report for 2017-18.

**Hon. Mr. Silver:** Pursuant to section 9 of the *Public Service Group Insurance Benefit Plan Act*, I have for tabling the financial accounting report for the Public Service Group Insurance Benefit Plan for the fiscal year 2017-18.

**Hon. Mr. Streicker:** Today I have for tabling the *Canadian Substance Use Cost and Harms 2018* report and a one-page infographic produced by the Canadian Centre on Substance Use and Addiction and the Canadian Institute for Substance Use Research.

**Hon. Mr. Mostyn:** I have for tabling the Government of Yukon substance use and impairment policy.

**Hon. Ms. Frost:** I have for tabling public awareness material on Fentanyl.

**Mr. Cathers:** I have for tabling a written question to the Premier.

**Speaker:** It's a busy day for the pages. They're doing a great job.

Are there any further returns or documents for tabling?

Are there any reports of committees?

Petitions.

Are there any bills to be introduced?

Notices of motions.

## NOTICES OF MOTIONS

**Mr. Adel:** I rise in the House today to give notice of the following motion:

THAT this House urges the Government of Yukon to work with municipalities, First Nation governments, local advisory councils, businesses, non-governmental organizations and consumers to explore options to reduce the use of single-use plastic.

**Hanson:** I rise to give notice to the following motion:

THAT this House urges the Government of Yukon to follow the example set by the federal government in Bill C-83 by eliminating solitary confinement at the Whitehorse Correctional Centre.

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

THAT this House urges the Minister of Education to take action regarding the outstanding request by parents for school bus service in Grizzly Valley subdivision by:

(1) reviewing the information contained in the October 2, 2018, legislative return from the Minister of Community Services, which states: “The Grizzly Valley Subdivision was a project developed by the Land Development Branch of Community Services. The roads meet the necessary Transport Association of Canada geometric design guideline requirements for safe access to the subdivision for school buses, emergency response vehicles and other users”; and

(2) providing school bus service to families in Grizzly Valley subdivision without further delay.

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

## MINISTERIAL STATEMENT

### Cannabis legalization

**Hon. Mr. Streicker:** The legalization of cannabis tomorrow, October 17, represents a significant shift, not only in our legal framework but in the societal norms of our country. Tomorrow, the Yukon will be responsible for how cannabis is distributed and sold within the territory.

In 2016, Canadian Health minister, Jane Philpott, stated: “We will introduce legislation in spring 2017 that ensures we keep marijuana out of the hands of children and profits out of the hands of criminals.” Her statements set the guiding principles in developing legislation and regulations for federal cannabis, and those same principles have guided the development of our legislation — to protect public health and safety, to discourage young persons from accessing cannabis and to displace illicit activity.

A little under 70 percent of Canadians have said they are in favour of legalization. Here in the Yukon, that number is a little over 80 percent. Yukoners support legalization.

In April 2017, Canada introduced the *Cannabis Act* to legalize, strictly regulate and restrict access to cannabis. At the same time, it was announced that new offences would be added to the *Criminal Code* to enforce a zero-tolerance approach to those driving under the influence of cannabis and other drugs. The federal government gave the provinces and territories the ability to set rules around how cannabis can be sold, where stores may be located and how stores must be operated. Provinces and territories were also given the flexibility to set added restrictions, including lowering possession limits, increasing the minimum age, restricting where cannabis may be used in public and setting added requirements on personal cultivation.

Understanding the federal government would legalize cannabis in 2018, we set to work creating a new legal framework in order to be ready here in the Yukon for the sale and distribution of this product. The Yukon government undertook three phases of engagement to support the development of our *Cannabis Act*. Those engagement

activities with municipalities, First Nations and the public included a public survey, community meetings, engagement about a proposed framework for cannabis legislation and, finally, the circulation of a legislative summary document with the summary of draft cannabis legislation.

Our new legislation received assent this spring and provided the legal framework for the distribution, retail consumption, possession and personal cultivation of cannabis in Yukon.

Yukon undertook the development of regulations in support of our *Cannabis Act* in three phases: first, regulations required before legalization; next, regulations required upon legalization; and finally, currently, regulations for licensing and private sale. The information we gathered from our engagement effort for the development of the act informed and continues to inform the development of cannabis regulations.

The Yukon Liquor Corporation is striving to provide a high-quality experience to customers while at the same time being socially responsible. Our emphasis will be on responsible sales and distribution.

I want to encourage Yukoners who currently use marijuana to use our new services, either by visiting our retail store or visiting our e-commerce site. Yukoners who choose to purchase cannabis through our newly established legal avenues will have access to a product that is safe and a product that is sold at the lowest possible price. Adults 19 years or older will also have the option to grow their own cannabis — up to four plants per household.

One day, we will have local retailers and producers who will need to find a way to support their success in the same way that we have policies and practices that support local breweries and distillers.

Tomorrow, we are taking a step into a new era, a new time and a place for the territory in the country — a time when government members of the public and private industry work together to provide safe and legal access to a product while simultaneously displacing an illicit trade.

**Mr. Cathers:** As Official Opposition critic for Justice, I am pleased to respond to this ministerial statement.

The Liberal government has chosen to grow government through a new government-run cannabis corporation and retail store. This unfortunate choice is going to cost taxpayers more than \$3 million that did not need to be spent in this area. At a time when the government is going into deficit and telling departments, including Health and Social Services and Education, that they need to look for cuts of up to two percent, growing government to sell cannabis is the wrong approach.

As we have consistently said, the Official Opposition believes that government should leave retail and distribution of cannabis to the private sector, just like is being done in the Province of Saskatchewan. We believe that the private sector can do this cheaper, with no impact on the taxpayers and do it just as safely, if properly regulated. Pharmacies are privately run across the country and operate and dispense controlled substances and drugs in a safe manner. To be clear, we are not

suggesting a pharmacy retail model, but there are Yukon small businesses that are ready to enter the retail market, once given a chance to do so, and we believe they are capable of selling it just as safely as government.

Operation of pharmacies across the country has proven the private sector can manage, order, distribute and sell drugs and other controlled substances in a legal manner, just as safely as the private sector, if properly regulated.

If the Premier and his colleagues had wanted to not grow government and stay out of the business of doing business, they had a clear option. We also presented alternatives and even proposed legislative amendments that would help the government implement an alternate model, similar to that being used in the Province of Saskatchewan.

The Liberals have chosen to grow government by almost 500 full-time positions, by their own numbers, in their first two years of office. Instead of further growing government in areas like cannabis retail, which could be handled by the private sector, government's focus regarding cannabis should be on safety, enforcement of laws, and education. Unfortunately, the Liberal government chose not to accept the constructive suggestions that we made and chose instead to unnecessarily spend millions of dollars of taxpayers' money on growing government through a new retail store for cannabis.

We want to acknowledge the work done by staff in a number of departments and thank them for all of their efforts on this and acknowledge that the decision in this area — of which model to go with — was a Cabinet decision and not one made by those employees.

Yesterday, the Official Opposition asked a number of straightforward questions of the government regarding implementation. These are all questions that government should be able to provide clear and straightforward answers in response to.

We did not get answers then, so I will repeat some of those questions today. What are the responsibilities and liabilities for employers with respect to potential impairment from marijuana at the workplace? What help will the government provide to help employers determine impairment with regard to legal cannabis? In the case of workplace incident investigations, what tools will be used to determine whether cannabis impairment was a factor? What is the government's plan to ensure accurate, consistent and reliable roadside testing? What is the government doing to ensure the Yukon's RCMP have all the tools and resources they need to enforce the new cannabis laws? How many drug recognition experts are currently in the Yukon, and how many will be added over the next several months and over the next five years? What workplace roles and procedures are being put in place to ensure Yukon government employees operating machinery are not doing so under the influence of cannabis? Will government employees have to submit to a test if they are suspected of being under the influence? Has the government provided any training or information to public service employees about their obligations and rights once cannabis becomes legalized? These are all reasonable

questions and a number of them have come directly from employers.

In closing, we want to thank employees for their work on this and acknowledge that the issues that we have are with certain key decisions made by the Liberal government — where they could have chosen to save taxpayers' money and implement a more effective and cheaper model.

**Ms. White:** I thank the minister for his statement and the Yukon Party for their thoughts, however different they may be from ours.

The Yukon NDP has always supported and will continue to support the legalization of cannabis. We want to thank the many, many members of the public service at all levels of government who have put in hundreds, if not thousands, of hours to get us where we are today.

Just like alcohol or tobacco, cannabis isn't without health risks. What we believe legislation does is it allows us to have a mature conversation about these risks without criminalizing an activity that many are already pursuing.

As far as where we go from here, we have these concerns. First, we do agree that there is space for the private sector on the retail side. Dispensaries, as we see in other jurisdictions, have their place alongside the government in the distribution of cannabis, but this doesn't mean that it should be a free-for-all. If the model that this government has in mind is similar to the off-sales model Yukon has for alcohol, we will not support it. The lack of emphasis on social responsibility of that model is just not appropriate. We don't believe the current model works for alcohol, and we don't see how it would be any better for cannabis.

We still have concerns regarding the regulations of cannabis paraphernalia. I don't know that a gas station or a convenience store, for example, are the kinds of places where paraphernalia should be sold if we are to put an emphasis on social responsibility.

Secondly, while this is a federal responsibility, we hope that this government will put pressure on their federal counterparts to ensure that those who have been convicted of minor offences relating to cannabis will have their record cleared. It makes no sense to maintain a criminal record for possession of cannabis once this becomes legal — especially when we know that the most vulnerable in our communities were often the people most convicted of these offences.

Lastly, Mr. Speaker, we still have concerns around the location of outlets. Again, if the model follows that of alcohol off-sales, we don't believe that the final outcomes will be the best thing for any Yukon community.

**Hon. Mr. Streicker:** First of all, I would like to thank all members of this Legislature who spoke and said thank you to the public servants who have been working incredibly hard. I would like to thank them as well, so thank you for that. It has been a lot of hard work over the last couple of years. Tomorrow is the big day and so I know there is a sense of arrival.



I question whether the Official Opposition does support the legalization of cannabis. From their questions today and their comments, I'm left wondering whether they do support it. I note that 80 percent of Yukoners support legalization, and we are moving forward with this legislation, not only because we have to, but also because we want to.

The \$3 million of investment was in purchasing product — sorry, that would happen whether it was private retail or not. By the way, that money will be recouped on the sale of the product.

We too are in support of a private sector model — in response to the Member for Takhini-Kopper King. It won't be a free-for-all. We have a cannabis licensing board that will be in place with lots of regulations. We have worked, and will continue to work, to promote social responsibility. We have never shirked on that.

Private sector stores are coming to the Yukon in the near future. It sounds like we will have our private stores at the same time that the Province of Ontario will have theirs. Mind you, they don't have a store right now.

I will also note that in the interim or temporary government store, which will be opening tomorrow, we have hired contractors and employees on temporary assignment. This is to be a temporary model. We have no intention of being in the cannabis business in the long term. We will always be on the side of displacing illicit trade, promoting health and safety and social responsibility.

I tabled a report today. In that report, it talked about the cost of harms due to substances and it notes that alcohol and tobacco make up nearly 70 percent of the cost of harms of drugs in the country. Cannabis is fourth, at seven percent.

We have had cannabis before now. It has been used illegally. Tomorrow, it will become legal. I encourage all Yukoners to move to purchase that cannabis through one of the legal outlets or to begin to grow their own.

Thank you, Mr. Speaker. I am very happy that we are seeing the legalization of cannabis tomorrow.

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

## QUESTION PERIOD

### Question re: RCMP auxiliary constable program

**Mr. Hassard:** The RCMP auxiliary constable program used to play an important role in keeping our highways and communities safe. As the Minister of Justice knows, in 2016, the program was effectively suspended by Ottawa. Work by the previous government, our senator and provincial governments resulted in the RCMP agreeing to give provinces and territories the ability to choose from three tiers, setting out the scope of the auxiliary program for their region.

Fully implementing all three tiers would enhance the Yukon's ability to keep our roads safe, including supporting the checkstop program. We have been asking the minister this question for close to a year and a half now and we're still waiting for action. In March, she told us that her government — and I quote: "... absolutely supports the reintegration of the auxiliary policing program." But two years into the Liberal

mandate, we still see no sign of action. Why is the minister being so slow to act on this issue?

**Hon. Ms. McPhee:** It's not quite two years. I hear the opposition saying "two years" all the time; it's actually not quite 22 months, but it will be two years soon enough, Mr. Speaker.

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

**Hon. Ms. McPhee:** Well, Mr. Speaker, accuracy is important to me and it's important to our government.

With respect to the auxiliary police program, I agree, as I've said before in this House, that it is a valuable program; it serves Yukon communities well. Our priority, of course, with respect to communities — including Whitehorse and all communities in the territory — is to provide public safety in the best possible way for our communities.

With respect to the auxiliary police program, I have recently requested an update with respect to how the RCMP intends to proceed with the options that are available from the federal government. I look forward to their review of that and to their report to me about how — and if, when — those auxiliary programs are going to be enhanced.

Safety — top priority — absolutely. The RCMP auxiliary officers, Mr. Speaker, play an important role in those functions in our communities.

**Mr. Hassard:** Mr. Speaker, again we hear ministers talk about top priorities — but it is 22 months rather than 24 months into their mandate and still no action.

The RCMP auxiliary constable program used to play an important role in keeping our highways and communities safe. One of the most important jobs that RCMP auxiliary constables did was to help regular members run the checkstop program, as I mentioned. The ability to do checkstops has been seriously impacted by the delay in re-establishing this program. In the spring of 2017, our Justice critic asked the minister why she has been slow on acting on this important issue. Mr. Speaker, it is now a year and half later and we're still waiting for this minister to take action.

With cannabis being legalized tomorrow, a re-established RCMP auxiliary constable program would be a big help in keeping our roads safe by checking for impaired drivers, so will the minister agree to make this priority actually a priority and immediately take action on this important issue?

**Hon. Ms. McPhee:** I appreciate the question. I know that Yukoners are concerned about this and have questions about it. As a matter of fact, I recently spoke about this program with some of my own constituents who have previously been involved, — again, supporting it and wanting to review what the conversation with the RCMP has been as far as moving this forward.

With respect to the checkstops, of course, the auxiliary police officers have limited abilities under the *Criminal Code*, but a lot of people help with checkstops. I know that MADD Yukon — Mothers Against Drunk Drivers — is an amazing community organization. The Minister of Highways and Public Works and I were out with them last year and intend to go out with them again to participate in checkstops. Those are important opportunities in the community to not only educate

people about drug and alcohol use and the operation of motor vehicles, but to keep our communities safe. Absolutely, that's one of our priorities.

**Mr. Hassard:** It is clear that the minister is certainly not on top of this file, as it has taken almost two years into the Liberal mandate now, so will the minister please take action today to reinstate the RCMP auxiliary constable program?

If she claims she is taking action, can she provide us a list of exactly what actions those are and provide us with a timeline for when the program will be re-implemented?

**Hon. Ms. McPhee:** It is not for me to direct what the RCMP should do with respect to auxiliary officers on an immediate or otherwise basis.

I certainly have reached out to them recently about what their plans are with respect to that. I will continue to do so. I look forward to their update and their plans going forward, and we will work with the RCMP in a cooperative way to make our communities safe — including what I hope in the future will be auxiliary officers.

#### **Question re: RCMP detachment upgrades**

**Mr. Cathers:** The previous government completed the design of a new RCMP detachment in Faro and the project had, in fact, even been tendered. It was only due to an issue with their own spending authorities that the federal government insisted on holding off on awarding a bid. The people of Faro wanted this new RCMP detachment. The design is complete and the project was ready. However, the Liberals have now decided to take away this important project from the Town of Faro and put a detachment in Carcross instead, and they did this without consulting the community of Faro.

What does the Premier have to say to Yukoners who look at this decision and see what appears to be a politically motivated decision — cancelling a project in the riding of the Leader of the Official Opposition and putting a similar project in a riding that is held by a Liberal Cabinet minister?

**Hon. Mr. Silver:** These inaccuracies that we hear from the opposition are truly troubling. To suggest that we are making politically motivated decisions on a build that was the responsibility of the Yukon Party — and they did not fulfill their obligation to that community when they were in power. That is an interesting call by the Member for Lake Laberge.

I am confident in my minister and the work that she is doing with the communities that are affected and in the fact that she has decided that the decisions made in rural Yukon — and even in Whitehorse — have to be made by the communities. I am confident that she is reaching out to all of the stakeholders in the communities to find solutions for builds that have been, in the past, not necessarily a priority.

**Mr. Cathers:** That is pretty rich coming from the Premier. He should recall that I not only wrote to the federal minister about this but that it was only due to the federal minister's refusal to move the project forward that it didn't happen. In fact, even the Yukon's Member of Parliament assisted us in making that request.

In the absence of proof to the contrary, this looks like a political decision by the Premier and this government. Replacing the detachment in Carcross was in the former government's future plans, so we do not take issue with building a detachment in that community. We do take issue with the fact that the government scrapped plans to replace the detachment in Faro, which was tendered and ready to be built two years ago. The government made a decision not to go forward with an infrastructure project in a riding that happens to be held by the Leader of the Official Opposition, and we were told by the community that there was no meaningful consultation with them. We have been told that the only communication with the Town of Faro was to tell them that the decision had been made.

This government campaigned on the slogans of "Be heard" and "All communities matter". Can the minister tell us why the government didn't consult with the mayor and council of Faro before making the decision?

**Hon. Ms. McPhee:** The Yukon government and the RCMP, after careful assessments and engagement with the affected communities, have committed to a new operational model in Faro and Ross River in order to create a unified community policing approach and best utilize RCMP resources.

I dare say that it would never occur to me that the motivation described by the member opposite would influence any decision that I would make in this House, in this job or on behalf of Yukoners — apparently it would occur to him.

I would like to take the opportunity to point out that this politically motivated decision he has described resulted in an additional officer being sent to the Haines Junction area as a result of these smart decisions made on behalf of the RCMP, by the RCMP, with careful consideration and creativity to provide services to Yukoners.

**Mr. Cathers:** The minister, of course, will excuse us for asking that, if this wasn't a politically motivated decision, provide the proof of it.

As reported by the CBC yesterday, the Liberal decision to reduce RCMP service in Faro has become a municipal election issue. They're moving the service from that region to Ross River, making Faro just a satellite office. Meanwhile, the town, in fact, is actually increasing in size. This decision shouldn't be about Ross River versus Faro. We should be looking at how we can support all communities. If the community of Ross River needs enhanced RCMP service, then government should give them the resources they need; if Haines Junction needs service, the government should provide the resources they need, but they should not be cutting services in the Town of Faro.

We raised the issue of the Liberals not properly resourcing the RCMP as early as the spring of last year. This is about public safety and it's about the government following through on their commitments and being transparent.

Will they rethink their plans to reduce RCMP coverage in Faro, while also ensuring Ross River has the appropriate level of resources?

**Hon. Ms. McPhee:** As I think the former minister might know, the calls for service in Faro have been consistently the lowest in the territory, which is not at all to say that Faro doesn't have matters where they require excellent RCMP services — and they receive it. The new operational model will serve the policing needs of both communities out of the main hub detachment in Ross River. We have worked with the RCMP — it was an initiative brought forward in our discussions with them about creative solutions to provide RCMP services to all of Yukon. In fact, it has been undertaken since January 2018 — some months ago, as the opposition is clearly keen to count days and months. I should note that there has been no adverse effect on the service provided in Faro. As a matter of fact, one of the decisions made going forward was that the housing would be maintained in Faro so that RCMP officers that play a critical role in the communities that they serve would be residing in the Town of Faro as well as serving that town, that area and that region in their police service duties.

This situation is but one in a decision going forward to provide the best service possible to Yukoners by the RCMP.

#### **Question re: Opioid crisis**

**Ms. White:** Yesterday I asked the minister for the most up-to-date number of opioid deaths in Yukon because we haven't heard anything since January of this year. The minister agreed that there is a crisis in Yukon with opioid use and deaths. She acknowledged that we are third in Canada, but the minister refused to provide a number saying that, and I quote: "It's not for me, at this time, to make note of that".

Last January, the minister did provide numbers, and we all know that accurate information helps inform decision-making. A quick Google search allows anyone to find these critical statistics for Alberta and British Columbia, two of the jurisdictions most affected by opioid overdoses and deaths.

Mr. Speaker, why won't the minister provide reliable data on the tragic toll the opioid crisis is taking on Yukoners?

**Hon. Ms. Frost:** Just to clarify, we provided the numbers that we have from 2016-17 to the Legislative Assembly. There are concerns with, as noted yesterday, verification associated with fentanyl or opioid overdoses — they are to be confirmed and verified. Those are things that we cannot provide in time until that is provided to us by the medical authority.

We do know, of course, that there is a major crisis and I have noted that. We are doing our utmost within Health Services in the Department of Health and Social Services and with hospitals to address the opioid-related deaths. We also realize that we have a significant crisis on our hands and we need to work with the health professions and our partners to promote awareness and address the issue of prevention and preventive measures, working with the Department of Education to ensure that this happens for younger generations as well. We have not really focused on that historically.

Given that we have seen a spike in numbers, we are, of course, increasing our supports and our efforts across the Yukon and, in particular, with rural Yukon.

**Ms. White:** Mr. Speaker, it's the 10<sup>th</sup> month of 2018. Surely there must be information available. Yesterday, the minister spoke about partnerships, four opioid working groups and an action plan, but most citizens, including occasional and regular users, would suggest that word is not getting out. People need to know. Having timely information on the opioid crisis and overdoses is an important part of giving people the tools they need to make informed decisions and protect themselves.

When there are drug overdoses or deaths over a very short period of time, regardless of whether we know the exact drug, Yukoners hear nothing. There are no warnings of dangerous drugs being circulated and no suggestion to have your drugs tested. Again, we thank Blood Ties Four Directions and their drug-testing service that is available on a daily basis to any person.

Mr. Speaker, what is this government doing to give timely information about compromised drugs to Yukoners who might be occasional or regular users?

**Hon. Ms. Frost:** The Member for Takhini-Kopper King has raised some really significant points and those are things that we are certainly taking into consideration — whether it's one or 15. We know that it's a priority. Any life — we need to take into consideration individuals who choose to use recreational drugs, for example, and that they are aware of the major crises that we have on our hands.

Also, we know that the illicit trade of opioids in our communities, especially in rural Yukon communities, is compromised by some very, very dangerous drugs that are out there. We do try to provide support, and thank you to Blood Ties Four Directions, Kwanlin Dün Health Centre and to the medical community. We are working with our partners to address the concerns.

Just today, I tabled a document about fentanyl. As I indicated, we are working to create more awareness with our youth and get the information out about this new trend of mixing drugs and the concerns that we have with illegal drugs, particularly fentanyl. We will continue to do the drug-testing stations in our communities.

**Ms. White:** People continue to die and any number of deaths is too many deaths. I asked yesterday about the positions that were created by the department to address what was happening in our communities related to opioid deaths and overdoses. The department was to hire a part-time opioid overdose prevention coordinator, and a surveillance officer to collect detailed opioid-related information in the territory was also to be hired through the medical officer's office. Instead of answering the question, the minister spoke about naloxone kits. Mr. Speaker, naloxone kits are important, but they're only one piece of the puzzle.

It was not clear from the minister's answers yesterday so I will ask again: Have the positions of an opioid overdose prevention coordinator and an opioid surveillance officer been filled and are they still in place?

**Hon. Ms. Frost:** With respect to the positions that have been created to assist the department under the leadership of the chief medical officer of health, my department has

established four opioid working groups focusing on harm reduction, public awareness, surveillance and Health and Social Services systems reform. We have created positions to help provide supports. We're now in the process of signing off on an agreement with the federal government to assist the Yukon with education and an education campaign.

We are certainly working with our departments as noted; we have an opioid strategy and we are working with our chief medical officer to implement our strategy. Certainly it's a priority and we are continuing to advance our services to Yukoners.

As well, given that we have had two years to address this and we are getting new information all the time, we will continue to reach out and build on education strategies around opioid and emergency treatment strategies, working with our health professionals and, in particular, our rural hospitals and our partners in rural Yukon.

#### **Question re: Cannabis regulation in Yukon**

**Ms. McLeod:** During a national media interview this past weekend, federal Minister Bill Blair mentioned that, when crossing the border, Canadians shouldn't lie to US customs personnel about their use of cannabis, if asked. He also said that Canadians don't have to incriminate themselves and, if they don't want to answer the questions, they can just turn around and come back to Canada.

Many Yukon businesses have commercial operations that cross the border regularly into Alaska. What would the Minister of Community Services tell those Yukon businesses and their staff?

**Hon. Mr. Streicker:** I will try to provide some information, but I'm not sure if I will get to the specifics. In a subsequent response, I will get up again.

Our government is concerned that individuals employed in Canada's legal cannabis industry may be refused entry in the United States — across the United States border. Yukon government is working with its partners in other provinces and territories as well as the federal government to understand how Yukoners crossing the border may be impacted. This is an issue for all Canadians working in the legal cannabis industry.

We're monitoring the situation and will keep Yukon government employees, businesses and citizens informed as more information becomes available.

It's important to remember that all Canadians travelling to the US are subject to US laws at the point of entry. Canadian laws do not apply. We recognize that this may be a particular concern for employees of the Yukon Liquor Corporation and the private sector as it gets involved in retail sales as distributors for legalized cannabis in the territory. We continue to work with employees, including the employees' union and the Public Service Commission, and to learn more about the situation.

**Ms. McLeod:** You know, Mr. Speaker, turning around is not an option for a number of these businesses, such as the trucking industry. However, we know that if a driver who smoked marijuana a few weeks or days ago, if they are asked

by US Customs and admit to it, they might be prevented from entering the United States. I'm sure the minister would not tell anyone to lie to US Customs.

Can the minister tell us: What should those companies whose employees may have used legalized cannabis and must cross the border as part of their work do? What is the government doing to support these companies?

**Hon. Mr. Streicker:** When I rose in the Legislature yesterday I tried to say — and I'll try to say it again — that up until now, cannabis is used in Canada and in the Yukon. There are people who have gone across the border who have used cannabis in the recent past and there will be tomorrow. I'm not advising anyone to lie.

I am working with the federal government. Through the Liquor Corporation, we are part of a national working group to try to address this issue. I know that I've been working with our own employees because they've raised concerns. In fact, what we've done with our own employees is say: Okay, who is comfortable? If they're not, we'll find them another position. We're not pressuring any employee to work in a field in which they don't wish to work.

I haven't taken the time yet to work with my colleague, the Minister of Economic Development, or others to reach out to the business community. I haven't heard from them yet. When we are talking to the federal government, we're certainly asking the questions about how we should speak to citizens, including employees, across the territory.

#### **Question re: Cannabis retail store**

**Mr. Hassard:** Mr. Speaker, can the Minister responsible for the Yukon Liquor Corporation tell us how much the government has spent on capital improvements and renovations to their government-run cannabis store?

**Hon. Mr. Streicker:** I will endeavour to get an exact number. Off the top of my head, I believe that the improvements were \$400,000. I will check on that number.

What we did, Mr. Speaker, is we told the president of the Liquor Corporation how that development was going to proceed — for example, we did things like say that, when they build the cabinetry, they should build the cabinetry so that it can be reused or repurposed. We made sure that the types of investments would be ones that we could either recoup or reuse. We used the three Rs, Mr. Speaker — reduce, reuse and recycle. That's how we approached it and we built those costs into our projection about the return on the investment for the territory.

I'll look forward to further questions so that I can follow up.

**Mr. Hassard:** This is money that is being spent at a time when the government is taking us further into deficit and telling Yukoners that they need to tighten their belts and even look at cuts for the Department of Health and Social Services. After the Liberals were heavily criticized for growing government and squeezing out the private sector, they caved slightly and agreed at some nondescript time in the future to allow private sales.

The minister stood here today and said that the government is in the business temporarily. If the government finally does allow the private sector to get involved, can the minister tell us if the government-run retail store will be shut down or will it be competing against the private sector?

**Hon. Mr. Streicker:** I will try to give a few responses. The first one is that when we first decided to introduce retail here in the territory, we knew that we were going to have it first. We had concerns about the supply of product. The city has put in zoning regulations where they have said they just wanted to begin in Marwell. We know from talking with the private sector that they are interested in opening downtown. That conversation is ongoing between the private sector and the municipality. I think that is one of the first orders of business that they will undertake after the election. Please vote, everybody, on the day after tomorrow.

We actually put out a bid for the private sector regarding the construction of a new retail space early in 2018. We didn't get good responses back, so we decided to repurpose an existing warehouse space that the government had already used.

Mr. Speaker, there are so many points about — we will certainly be shutting down our own business once the private retail of cannabis is established.

**Mr. Hassard:** We still don't know how long this government plans on taking to allow the private sector to become involved. The other concern, of course, is the fact that the minister keeps talking about "here in Whitehorse". There are several communities outside of Whitehorse that there has been no consideration directed toward.

I guess another question I would have for the minister is: How long is left on the lease of the building where the temporary cannabis retail store is currently being housed?

**Hon. Mr. Streicker:** I will get back to the member opposite on that very technical question about the length of the lease that is outstanding on the existing store.

When it comes to our communities, of course, we are considering them. I met with municipalities. We had lots of discussion around cannabis. This was the largest engagement that I have ever seen for the Yukon on any issue. I stand to be corrected; it was a very strong engagement.

We should note that tomorrow, e-commerce will go online and all of our communities will have access to e-commerce. The timing on private retail sales — we are getting the regulations in place this fall for Yukon Liquor Board licensing. We will take an intake early in the new year, as we have been talking with potential private retailers — the Minister of Economic Development and I. We have been saying to them all along that our expectation is that it should happen somewhere in spring 2019. I said today, through my ministerial statement, that I hope we are ahead of Ontario in getting private retail sales in place.

We'll see how it goes, but spring 2019 — there is the answer.

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

## Notice of opposition private members' business

**Ms. White:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Third Party to be called on Wednesday, October 17, 2018. They are Motion No. 328, standing in the name of the Member for Whitehorse Centre, and Motion No. 294, standing in the name of the Member for Takhini-Kopper King.

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, October 17, 2018. It is Motion No. 332, standing in the name of the Member for Copperbelt South.

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

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 27: *Coroners Act* — Second Reading

**Clerk:** Second reading, Bill No. 27, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** I move that Bill No. 27, entitled *Coroners Act*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 27, entitled *Coroners Act*, be now read a second time.

**Hon. Ms. McPhee:** The government is pleased to bring forward this bill to modernize the legislation governing the administration of the Yukon Coroner's Service.

In late 2017, I asked the Department of Justice and their Policy and Communications unit to perform a legislative review of Yukon's *Coroners Act* and compare it to legislation governing the coroner and medical examiner models found in other Canadian jurisdictions. The current Yukon *Coroners Act* is based on the Coroners Ordinance 1958. It has only seen minor amendments since that time.

I know that some members of this House were born before 1958; many were not. I'm just thinking back to what was happening in 1958 when this Coroners Ordinance was adopted here in the territory. I can tell you that the annual income in 1958 was about \$4,600 a year. Here is one that will probably surprise us: gas was 24 cents. I have a note that says "a litre" but I suspect that was maybe a gallon. At the time, bread cost about 19 cents a loaf. The Whitehorse General Hospital was still downtown. Mr. F.H. Collins himself, Frederick Howard Collins, was the Commissioner of the Yukon Territory. It was eight years after Whitehorse, as a city, was incorporated back in 1950.

All of this is to say that this piece of legislation and its outdated processes and tools for a Yukon coroner are long overdue.

The current act predates modern legislation such as the *Access to Information and Protection of Privacy Act*, also known as ATIPPA, and it predates, of course, the *Health Information Privacy and Management Act*, an act known as HIPMA.

The current act also has certain anachronisms in the legislation, such as section 16(3), which gives a special status to inquests into mining accidents and requires at least three employees of the mine, of whom at least one is familiar with the work in respect to which the accident arose, to be placed on the coroner's jury. Looked at today, this section is puzzling, but presumably it was an effort and was put there to ensure that the jury itself had sufficient expertise in mining procedures to determine what caused the accident leading to an accidental death in those circumstances.

Of course, this is not the practice in courts or other quasi-judicial settings in a modern context. Instead, witnesses and sometimes expert witnesses are brought in to provide information for the jury to assist the jury and help them to make their determinations. In the new *Coroners Act*, this rather specific provision has been removed, but what we have added is a provision that a presiding coroner could ask the sheriff to call a jury that is either representative of a specific ethnic or cultural group or that would have specific knowledge and expertise pertaining to the case at hand. This is an important change. The purpose of this provision is to ensure that any coroner's jury can be sufficiently representative and have the necessary expertise to be able to make a finding that will help prevent other similar deaths and provide the Yukon public with the information it requires.

The new *Coroners Act* defines three types of coroners, Mr. Deputy Speaker: the chief coroner, investigating coroners and presiding coroners. The chief coroner's powers and duties are set out in the act rather than mainly in regulation, as they are now. This is an important change.

Members will note that a chief coroner will have all of the powers at common law that a coroner has been bestowed over the centuries of law that governs coroners. It is centuries, Mr. Deputy Speaker — coroners were among the first legal entities involved in our constitutional democracy. In the new legislation, coroners will be bestowed with these common-law powers incorporated into the act, except as modified in this new act. They are historical powers.

The duties and the powers of the chief coroner have been further clarified under this act, as they were not clear enough under the old act, and they include the duty to administer the act to manage the manner in which investigating coroners carry out their investigations. It includes the requirement that the coroner have the power to establish policies and procedures to which investigating coroners must adhere and the power to establish a code of conduct for investigating coroners. These are all elements of this new legislation that were supported by the coroner's operation here in the territory and are supported by our research with respect to providing a modern piece of legislation — all tools that will assist the coroners.

A simple and essential matter that has not been clearly spelled out before which is in the new act is that there can be an acting chief coroner when the chief coroner is away. It seems like a pretty simple provision but something that has not been provided for in the past. Again, back in 1958, it may not have been needed and wasn't included in amendments

going forward, but it is certainly a practical matter that will assist the chief coroner's operations.

This is an important component of the act for a service that we call upon, without notice, 24 hours a day, for there is no rest for the coroners or the acting coroners in their work, and opportunity must be provided for, because what we ask coroners to do is extremely important and difficult work.

An investigating coroner is a coroner who does the initial death investigation that is prescribed for in the new act. A presiding coroner, in contrast, will preside at an inquest and is to be selected from a roster that the Minister of Justice will be required to maintain. That roster is made up of judges under the *Territorial Court Act* or a senior lawyer whose qualifications will be set out in the regulations.

There is also the opportunity to prescribe other persons who might preside over a coroner's inquiry, such as an experienced coroner or a medical practitioner from another jurisdiction. This is, in the recent past, a codification of the actual practice. We live in a small jurisdiction. The concept of conflict of interest must be respected. This is an opportunity for us to have experts in the area of law, and the complex situations that come before a coroner's inquest now will be well served by those individuals who will conduct inquiries on behalf of families and the Yukon public.

The reason for this modernization is to emphasize and take advantage of the specific expertise at each stage of a coroner's process. It is in the best interests of Yukoners that we ensure that the person carrying out each of the different stages — whether it be investigation, medical examination or presiding over an inquiry — has the specific professional skills required for the task.

I'm proud to say that the policy work and the details that have gone into this new piece of legislation were guided by those principles, which are supported by many Yukoners who engaged in this process and by the other partners — Justice, RCMP, the coroners, et cetera.

The new *Coroners Act* also has new requirements around the duty to report deaths. All child deaths will now be required to be reported to the coroner to bring our law into modern legal context. Such a requirement will trigger, at the very least, an initial investigation into the death.

All deaths that occur while a person is in custody must, of course, be reported. In addition, there is the expansion of the duty in this new legislation to report a death in custody that now includes youth facilities — again, a modernization that is long overdue here in the territory.

The act also provides that an inquest will be held whenever there is a death in custody at either an adult or youth correction or detention facility, or whenever a person dies while in the custody of a peace officer.

*[The complete transcript of the day's proceedings will appear online within eight hours of adjournment.]*