

No. 105

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, October 23, 2008

The Speaker took the Chair at 1:00 p.m.

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Linnea Blum, Keenan Dennehy and Arbor Webster from F.H. Collins Secondary School, Kelsey Kabanak, Chantelle Rivest and Andrew Walchuk from Porter Creek Secondary School, and Miriam Ott and Daniella Raillard from Vanier Catholic Secondary School would be serving as Pages during the Fall Sitting. Kelsey Kabanak and Andrew Walchuk were introduced and welcomed to the House.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper- withdrawal of Motions)

Prior to proceeding with the Daily Routine, the Speaker made the following statement regarding changes made to the Order Paper.

"The following motions have been removed from the Order Paper because they are outdated: Motion #83 standing in the name of the Member for Kluane; Motion Nos. 115 and 138 standing in the name of the Member for Mayo-Tatchun; Motion #216 standing in the name of the Member for McIntyre-Takhini; Motion #302 standing in the name of the Member for Porter Creek South; Motion Nos. 322 and 431 standing in the name of the Leader of the Official Opposition; Motion #409 standing in the name of the Member for Mount Lorne; Motion Nos. 455, 456, 461 and 462 standing in the name of the Leader of the Third Party; and Motion #474 standing in the name of the Member for Vuntut Gwitchin.

The following motions have been removed from the Order Paper as the action requested in the motion has been fulfilled: Motion #76 standing in the name of the Member for Mayo-Tatchun; Motion #77 standing in the name of the Member for McIntyre-Takhini; Motion #108 standing in the name of the Member for Vuntut Gwitchin; Motion #169 standing in the name of the Minister of Health and Social Services; Motion #170 standing in the name of the Minister of Energy, Mines and Resources; and Motion Nos. 201 and 421 standing in the name of the Member for Mount Lorne.

The following motions have been removed from the Order Paper as they relate to a bill that is no longer on the Order Paper: Motion Nos. 72 and 186 standing in the name of the Member for Mount Lorne; Motion #324 standing in the name of the Member for Kluane; and Motion #407 standing in the name of the Leader of the Official Opposition.

The following motions have been removed from the Order Paper due to the dissolution of the 39th Parliament: Motion Nos. 250, 440 and 464 standing in the name of the Member for McIntyre-Takhini; and Motion #466 standing in the name of the Leader of the Third Party.

Motion #483, standing in the name of the Member for McIntyre-Takhini, was not placed on today's Notice Paper as it referred to a motion that is no longer on the Order Paper.

Motion #487, standing in the name of the Leader of the Third Party, was not placed on today's Notice Paper as it referred to a bill that is no longer on the Order Paper.

Finally, Motion #489, also standing in the name of the Leader of the Third Party, was not placed on today's Notice Paper as it is outdated."

INTRODUCTION OF BILLS

Bill #61 - Act to Amend the Municipal Act
-Hon. Mr. Lang

Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

Bill #54 - Electoral District Boundaries Act
-Hon. Mr. Fentie

Bill #60 - Act to Amend the Judicature Act
-Hon. Ms. Horne

UNANIMOUS CONSENT PURSUANT TO DEBATE A MOTION

Mr. Mitchell, Leader of the Official Opposition, requested unanimous consent to debate a motion regarding the appointment of members to the Public Accounts Committee, that he had given notice of earlier in the day.

Unanimous consent was denied.

The Assembly adjourned at 2:12 p.m. until 1:00 p.m., Monday, October 27, 2008.

No. 106

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, October 27, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Ted Staffen, Speaker

- Conflict of Interest Commission Annual Report for the period from April 1, 2007 to March 31, 2008 **(Sessional Paper #79)**
- Political Contributions 2007, Addendum to the 2007 Report of the Chief Electoral Officer of Yukon (October 2008) **(Sessional Paper #80)**
- Absence of Members from Sitzings of the Legislative Assembly and its Committees: Report of the Clerk of the Legislative Assembly (dated October 27, 2008) **(Sessional Paper #81)**

PRESENTING REPORTS OF COMMITTEES

Hon. Ms. Taylor, Chair, Standing Committee on Appointments to Major Government Boards and Committees

- Appointments to Major Government Boards and Committees, Standing Committee on: Sixth Report (dated July 25, 2008) **(Sessional Paper #82)**

INTRODUCTION OF BILLS

Bill #57 - Act to Amend the Miners Lien Act
-Hon. Mr. Lang

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

Bill #63 - Act to Amend the Seniors Income Supplement Act
-Hon. Mr. Hart

INTRODUCTION OF HOUSE AND COMMITTEE ASSISTANT - Sue MacDonald

The Speaker, on behalf of the House, welcomed Ms. Sue MacDonald as the House and Committee Assistant of the Yukon Legislative Assembly. Ms. MacDonald has worked in the Legislative Assembly Office since 1992 as Administrative Assistant, and with recent changes in the office, Ms. MacDonald is now House and Committee Assistant as well as Web site Administrator. All Members welcomed Ms. MacDonald.

GOVERNMENT BILLS (Second Reading)

The following bill was read a second time and referred to Committee of the Whole:

Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

The following bill was called for Second Reading:

Bill #61 - Act to Amend the Municipal Act
-Hon. Mr. Lang

Debate started on the motion for Second Reading of Bill #61, entitled Act to Amend the Municipal Act, and the time reaching 5:30 p.m., while the Hon. Mr. Cathers, Minister of Energy, Mines and Resources, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Tuesday, October 28, 2008, and debate on Second Reading was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, October 28, 2008.

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VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, October 28, 2008

The Speaker took the Chair at 1:00 p.m.

FILED DOCUMENT

During Question Period, Mr. Hardy, Leader of the Third Party, filed the following document:

- Watson Lake multi-level care facility, request for a forensic audit: letter dated October 16, 2008 to Sheila Fraser, Auditor General of Canada, from Todd Hardy, Leader of the Yukon NDP **(Filed Document #67)**

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #492 and Motion #501 as being the items to be called during Government Private Members' Business on Wednesday, October 29, 2008.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

- Bill #61 - Act to Amend the Municipal Act
-Hon. Mr. Lang

The debate continuing (from October 27, 2008) on the motion for Second Reading and the question being put, it was agreed to and Bill #61 was referred to Committee of the Whole.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

The following bill was reported without amendment:

- Bill #61 - Act to Amend the Municipal Act
-Hon. Mr. Lang

Progress was reported on the following bill:

- Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

The report of the Chair was adopted.



The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Wednesday, October 29, 2008.

No. 108

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, October 29, 2008

The Speaker took the Chair at 1:00 p.m.

INTRODUCTION OF BILLS

- Bill #62 - Act to Amend the Animal Protection Act
-Hon. Mr. Lang
- Bill #55 - Act to Amend the Social Assistance Act
-Hon. Mr. Hart
- Bill #56 - Act to Amend the Territorial Lands (Yukon) Act
-Hon. Mr. Cathers

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Parliament of Canada to review the effects of recent changes to the *Canada Elections Act* regarding information voters are required to present to prove identity, to determine if identification requirements need to be adjusted to prevent Northern residents from being deprived of the ability to exercise their democratic right to vote. **(Motion #492)**

A debate arising on the motion, and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Lang	McRobb
Cathers	Horne	Fairclough
Taylor	Hart	Inverarity
Kenyon	Nordick	Cardiff
Rouble	Mitchell	Edzerza

NAY

0

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to work cooperatively with the business community, labour groups, industry, educational institutions, non-government organizations, First Nation governments and others to develop a Labour Market Framework that includes the following:

- (1) Comprehensive Skills and Trades Training Strategy,
- (2) Immigration Strategy,
- (3) National Recruitment Strategy
- (4) Employee Retention Strategy; and
- (5) Labour Market Information Strategy

(Motion #501)

A debate arising on the motion and the time reaching 5:30 p.m., while Mr. Cardiff, Member for Mount Lorne, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1 p.m. on Thursday, October 30, 2008, and debate on Motion #501 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, October 30, 2008.

No. 109

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, October 30, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motions)

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion #517, which the Member for Klondike gave notice of on October 29, 2008, was not placed on today's Notice Paper as it was not in order.

IN REMEMBRANCE OF JEAN GORDON

The Hon. Ted Staffen, Speaker, of behalf of all Members, paid tribute to former Council Member, Jean Gordon, who passed away on September 5, 2008. Mrs. Gordon was the first woman elected to Yukon Territorial Council and served the people of Mayo from 1967 to 1970. Mrs. Gordon was a member of a group of seven elected Members who went to Ottawa to make a case for more responsible government for Yukon.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier

- Public Accounts 2007-2008 of the Government of Yukon for the year ended
March 31, 2008 **(Sessional Paper #83)**

INTRODUCTION OF BILLS

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

Bill #109 - Young Worker Protection Act
-Mr. Cardiff

MONEY MESSAGE

Bill #12, Second Appropriation Act, 2008-09, was accompanied by a money message.

UNANIMOUS CONSENT TO PROCEED WITH MOTION #518

The Hon. Mr. Cathers, Government House Leader, requested and received, unanimous consent to call Motion #518 for debate.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Cathers, Government House Leader:

THAT this House shall stand adjourned from its rising on Thursday, November 6, 2008, until 1:00 p.m. on Wednesday, November 12, 2008. **(Motion #518)**

A debate arising on the motion and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Monday, November 3, 2008.

No. 110

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, November 3, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motions)

Prior to proceeding with the Daily Routine, the Speaker informed the House of changes that had been made to the Order Paper. Motion #238, standing in the name of the Leader of the Third Party, was removed from the Order Paper as it was outdated. Motion #515, also standing in the name of the Leader of the Third Party, was removed from the Order Paper as the action requested in the motion had been taken. Motion #193, standing in the name of the Member for Klondike, was removed from the Order Paper as it was similar to Motion #492, which the House adopted on October 29, 2008. Also, Motion #386, standing in the name of the Member for the Klondike, was removed from the Order Paper as it was outdated.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Kenyon, Minister responsible for Yukon Development Corporation and Yukon Energy Corporation

- Yukon Development Corporation 2007 Annual Report and Audited Financial Statements **(Sessional Paper #84)**
- Yukon Energy Corporation 2007 Annual Report and Audited Financial Statements **(Sessional Paper #85)**

Mr. Hardy, Leader of the Third Party

- Forest Resources Act (Bill #59), letter (dated October 31, 2008) re: from Drew Mildon, Woodward & Company, Barristers & Solicitors to the Hon. Brad Cathers, Minister of Energy, Mines and Resources **(Filed Document #68)**

RECESS

During Question Period, the Speaker recessed the House at 1:42 p.m. due to a technical problem with the sound system. The House was called to order at 1:50 p.m.

GOVERNMENT BILLS (Second Reading)

The following bill was read a second time and referred to Committee of the Whole.

Bill #62 - Act to Amend the Animal Protection Act
-Hon. Mr. Lang

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #62 - Act to Amend the Animal Protection Act
-Hon. Mr. Lang

The report of the Chair was adopted.

The Assembly adjourned at 5:21 p.m. until 1:00 p.m., Tuesday, November 4, 2008.

No. 111

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, November 4, 2008

The Speaker took the Chair at 1:00 p.m.

PETITIONS

Mr. Hardy, Leader of the Third Party, presented the following Petition:

- Adequate and affordable housing and supported independent living
(Petition #6)

SPEAKER'S RULING (Re: Relationship between main and supplementary questions)

Prior to proceeding with Question Period, the Speaker made the following statement:

"Yesterday, during Question Period, the Government House Leader raised a Point of Order regarding questions posed by the Leader of the Official Opposition. The Government House Leader said the Leader of the Official Opposition was 'attempting to draw varied questions in together, but they are on different topics. It is House principles and rules that of course the supplementary questions must be relevant to the first question.'

In response, the Official Opposition House Leader said 'the Leader of the Official Opposition said from the outset that his questions pertained to the theme of 'unfinished business' and he would be allocating them to different Ministers. We have the right, I believe, to ask a question on a particular theme, even though it doesn't apply strictly to one of the Ministers.'

In reviewing yesterday's Blues the Chair notes that the Leader of the Official Opposition put his questions to the Minister responsible for the Yukon Liquor Corporation, the Minister of Highways and Public Works, and the Deputy Premier. The three questions addressed *Liquor Act* regulations, health facilities in Watson Lake, and the state of a number of government projects. These questions were, according to the Leader of the Official Opposition, linked by the theme of 'unfinished business.'

The issue for the Chair, then, is whether it is in order for supplementary questions to be linked to the main question by a theme, rather than by subject matter.

House of Commons Procedure and Practice says a supplementary question 'is meant to flow from or be based upon the information given to the House in the response of the Minister or Parliamentary Secretary to the initial or preceding question.' Such questions are to be constructed as 'a follow-up device flowing from the response and ought to be a precise question put directly and immediately to the Minister, without any further statement.' This Assembly

has never followed such a restrictive practice regarding supplementary questions. Nonetheless, this statement provides some direction regarding the nature of a supplementary question.

This Assembly's Guidelines for Oral Question Period are silent on the question of themes and subjects as the basis of supplementary questions. The Guidelines say a question ought to address a matter of public importance or a matter within the administrative responsibility of the Government of Yukon. So, therefore, should supplementary questions.

However, if we look at the actual conduct of Question Period it is clear that the practice of this House is that main and supplementary questions are addressed to the same Minister and are on the same subject. The form of questioning pursued by the Leader of the Official Opposition was not in keeping with this practice.

Members have, on occasion, put questions that were linked by a theme rather than subject matter. If Members consult *Hansard* they will see that the Chair has, on occasion, expressed his discomfort with this practice and in one case ruled a supplementary question not in order.

It is the Chair's ruling therefore, that Members should continue to follow the practice of this House: They should address their main and supplementary questions to the same Minister and the questions should be linked by subject matter, not a theme.

In making this ruling the Chair is trying to balance two things. On the one hand the Chair wants to ensure that Members can exercise their freedom of speech in the House, including the right to question Ministers during Question Period. However, the Chair is concerned that themes can be so general that supplementary questions may become supplementary in name only and come to bear little resemblance to the main question. The Chair does not believe that would be in keeping with the nature of a supplementary question, the intent of the Guidelines for Oral Question Period, or the practice of this House.

The Chair also believes that it is beyond his authority to authorize what would be a substantial change in practice. In making this ruling, the Chair makes no judgement as to the value of questions joined by a theme, compared to those joined by subject matter. However, Members have heard the Chair say that he is a servant of the Standing Orders and the House. The Chair therefore believes that if thematically-linked questions are going to be accepted during Question Period then the direction for this change should come from the House, not from the Chair.

We will now proceed with Question Period."

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Hardy, Leader of the Third Party, identified Bill #109 and Motion #496 as being the items to be called during Opposition Private Members' Business on Wednesday, November 5, 2008.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #503 and Motion #130 as being the items to be called during Opposition Private Members' Business on Wednesday, November 5, 2008.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:23 p.m. until 1:00 p.m., Wednesday, November 5, 2008.

No. 112

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, November 5, 2008

The Speaker took the Chair at 1:00 p.m.

PETITIONS

Report of the Clerk

The Clerk reported on Petition #6 as follows:

“Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #6 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Whitehorse Centre on November 4, 2008.

This petition meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Floyd McCormick, Clerk
Yukon Legislative Assembly”

The Speaker ruled that, accordingly, Petition #6 was deemed to have been read and received.

OPPOSITION PRIVATE MEMBERS' BUSINESS

The following bill was called for Second Reading:

Bill #109 - Young Worker Protection Act
-Mr. Cardiff

A debate having started on Second Reading of Bill #109, entitled Young Worker Protection Act, it was moved by the Hon. Mr. Cathers, Minister of Energy, Mines and Resources, to adjourn debate. The question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Kenyon	Horne	
Cathers	Rouble	Hart	9
Taylor	Lang	Nordick	

NAY

Mitchell	Inverarity	Cardiff	
McRobb	Hardy	Edzerza	7
Fairclough			

Moved by Mr. Mitchell, Member for Copperbelt:

THAT this House urges the Yukon Government to:

- (1) establish an appropriate, safe and secure mental health facility within the confines of Whitehorse General Hospital for those persons diagnosed with mental health issues; and
- (2) create a streamlined system for admitting patients to this secure facility to allow these people to receive the appropriate treatment as soon as they are diagnosed with a mental health issue. **(Motion #503)**

A debate having started on the motion, it was moved by the Hon. Mr. Cathers, Minister of Energy, Mines and Resources, in amendment thereto:

THAT Motion #503 be amended by inserting after the words "THAT this House urges" the phrase "the Yukon Hospital Corporation to utilize funding provided by".

A debate arising on the amendment to the motion and the time reaching 5:30 p.m., while the Hon. Mr. Cathers, Minister of Energy, Mines and Resources, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1 p.m. on Thursday, November 6, 2008, and debate on the amendment and Motion #503 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, November 6, 2008.

No. 113

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, November 6, 2008

The Speaker took the Chair at 1:00 p.m.

MOMENT OF SILENCE - In Recognition of Remembrance Day Observance

The Speaker and the House observed Remembrance Day as follows:

“Before the House proceeds to the Daily Routine, I’d ask the Members to remain standing, while we pause to honour those who have served and continue to serve in Canada's Armed Forces. Tuesday, November 11, is Remembrance Day. Remembrance Day marks the end of Veterans' Week and is a time for Yukoners and other Canadians to honour the men and women who have defended Canada during times of war and have brought peace to troubled parts of the world. The freedom we enjoy today is due in large measure to their sacrifice. 2008 marks the 90th anniversary of the end of the First World War. At the beginning of Veterans Week the Vigil 1914-1918 project debuted at Trafalgar Square in London. In the presence of Queen Elizabeth II, Prince Philip, the Canadian High Commissioner to Britain and war veterans, the names of the 68,000 Canadian soldiers killed in the First World War were projected on to Canada House. Every night during Veterans Week this display will be projected first onto Canada House and then on major public buildings in Canada, including the National War Memorial in Ottawa. At this time of year we wear poppies, we pause for two minutes of silent tribute and attend ceremonies to honour our veterans. Two minutes is scarcely enough time to fully appreciate those who gave their lives for ours. As this is the last sitting day before Remembrance Day, it is appropriate for Members to observe a moment of silence. I would ask, therefore, that Members and all others present rise, bow their heads and reflect on the sacrifices of those who have served, and continue to serve, Canada in times of war, military conflict and peace.”

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Hart, Minister responsible for Yukon Workers’ Compensation Health and Safety Board

- Yukon Workers’ Compensation Health and Safety Board 2007 Annual Report and Audited Financial Statements **(Sessional Paper #86)**

NOTICE OF GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #542 and Motion #366 as being the items to be called during Government Private Members' Business on Wednesday, November 12, 2008.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

The following bills were reported without amendment:

Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

Bill #62 - Act to Amend the Animal Protection Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:20 p.m. until 1:00 p.m., Wednesday, November 12, 2008.

No. 114

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, November 12, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motion)

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion #546, standing in the name of the Leader of the Third Party, would not be transferred from the Notice paper to the Order Paper as it was now outdated.

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to request the Employment Standards Board, in conjunction with the Yukon Workers' Compensation, Health and Safety Board, to:

- (1) conduct a thorough review and assessment of the current situation involving the employment of children and young people in the Yukon workforce to ensure their protection from hazardous environments, substances and occupations,
- (2) identify gaps in current employment standards, occupational health and safety, and education legislation in Yukon governing the employment of children and young people, including consultations with parents and employers; and
- (3) present a report on their findings to the Yukon Legislative Assembly within the first 10 days of the next sitting. **(Motion #542)**

A debate arising on the motion, it was moved by Mr. Fairclough, Member for Mayo-Tatchun, in amendment thereto:

THAT Motion #542 be amended by inserting immediately after the words "Health and Safety Board: the following:
"and the Human Rights Commission,"

A debate started on the amendment.

[At 3:30 p.m., the Speaker recessed the House due to a power outage. The House was called to order at 4:16 p.m.]

The debate continued on the amendment and the question being put, it was negatived on the following recorded Division:

YEA			
Mitchell	Fairclough	Cardiff	
McRobb	Inverarity	Edzerza	7
Elias			
NAY			
Fentie	Rouble	Hart	
Cathers	Lang	Nordick	8
Taylor	Horne		

The debate continuing on the motion, it was moved by Mr. Cardiff, Member for Mount Lorne, in amendment thereto:

THAT Motion #542 be amended by deleting from clause 2, the phrase "including consultation with parents and employers" and replacing it with the phrase: "by conducting consultations with parents, employers, youth and labour organizations using Bill #109, Young Worker Protection Act as a discussion document".

A debate arising on the amendment and the question being put, it was agreed to.

A debate arising on Motion #542 as amended and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Horne	Elias	
Cathers	Hart	Inverarity	
Taylor	Nordick	Cardiff	14
Rouble	Mitchell	Edzerza	
Lang	McRobb		
NAY			
			0

The Assembly adjourned at 5:27 p.m. until 1:00 p.m., Thursday, November 13, 2008.

No. 115

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, November 13, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motion)

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion Nos. 569 and 570, both standing in the name of Mr. Hardy, the Leader of the Third Party, were not placed on the Notice Paper as they were not in order.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Hart, Minister of Health and Social Services

- Yukon Health Care Review: Final Report (dated September 2008)
(Filed Document #69)

Mr. McRobb, Member for Kluane

- Forest Resources Act, Bill #59: letter to all MLAs (dated November 5, 2008) from Liard First Nation Chief Liard McMillan and Liard First Nation Position Paper (dated November 6, 2008)
(Filed Document #70)

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

- Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

A debate arising on the motion for Second Reading of Bill #59, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Rouble	Hart	
Cathers	Lang	Nordick	9
Taylor	Horne	Edzerza	

NAY

Mitchell	Elias	Inverarity	5
McRobb	Fairclough		

Bill #59, entitled Forest Resources Act, was accordingly, referred to Committee of the Whole.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Monday, November 17, 2008.

No. 116

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, November 17, 2008

The Speaker took the Chair at 1:00 p.m.

GOVERNMENT BILLS (Second Reading)

The following bill was read a second time and referred to Committee of the Whole.

Bill #63 - Act to Amend the Seniors Income Supplement Act
-Hon. Mr. Hart

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Tuesday, November 18, 2008.

No. 117

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, November 18, 2008

The Speaker took the Chair at 1:00 p.m.

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #590 and Motion #150 as being the items to be called during Opposition Private Members' Business on Wednesday, November 19, 2008.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #477 and Motion #41 as being the items to be called during Opposition Private Members' Business on Wednesday, November 19, 2008.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Hart, Member for Riverdale South

THAT this House urges the Government of Yukon to engage Yukoners in a dialogue on the findings and recommendations of The Yukon Health Care Review, a report that reviewed the current and long-term sustainability over the next ten years of the public health care system in Yukon,

THAT a Steering Committee on Health Care Sustainability comprised of health care and medical professionals, and finance and First Nation officials, be established to undertake this dialogue with Yukoners and prepare a report on "What They Heard"; and

THAT an Oversight Committee on Health Care Sustainability comprised of the Minister of Finance and the Minister of Health and Social Services be established with an invitation being extended for one representative from the Official Opposition, the Third Party, and Yukon First Nations to participate on the committee and oversee the work of the Steering Committee on Health Care Sustainability including receiving the report on "What They Heard" for ultimate presentation to the Yukon Legislative Assembly in the 2009 Spring Sitting.

(Motion #575)

Debate started on the motion.

Quorum Count

At 2:57 p.m. during debate on the motion, the Hon. Mr. Cathers, Government House Leader, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion.

Quorum Count

At 4:54 p.m. during debate on the motion, Mr. Edzerza, Member for McIntyre-Takhini, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

A debate continued on Motion #575 and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Horne	Elias
Cathers	Hart	Fairclough
Taylor	Nordick	Inverarity
Rouble	Mitchell	Cardiff
Lang	McRobb	

NAY		
Edzerza		1

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

It was moved by the Hon. Mr. Cathers, Government House Leader, that Committee of the Whole report progress on Bill #59, entitled Forest Resources Act. The motion to report progress was agreed to on a count of eight yea and seven nay.

The Assembly adjourned at 5:18 p.m. until 1:00 p.m., Wednesday, November 19, 2008.

No. 118

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, November 19, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Ombudsman 2007 Annual Report (Sessional Paper #87)
- Information and Privacy Commissioner 2007 Annual Report (Sessional Paper #88)

PETITIONS (Response to Petition #6)

The Hon. Mr. Hart, Minister of Health and Social Services, gave an oral response to Petition #6 (received by the House on November 5, 2008) with regard to adequate and affordable housing and supported independent living.

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Mitchell, Member for Copperbelt

THAT this House urges the Yukon Government to:

- (1) improve spending accountability on all capital projects currently under way and on those still in the planning process; and
- (2) explain the:
 - a) evaluation process used for the feasibility and priority of various large capital projects,
 - b) justification for which communities are receiving capital projects,
 - c) justification for the difference between original contracted bid amounts and actual costs on many projects,
 - d) justification of sole sourced contracts on some projects and how this saves money; and
 - e) guidelines used in determining when a project is deemed to be completed within budgeted amount. (Motion #590)

A debate having started on the motion, it was moved by the Hon. Mr. Lang, Minister of Highways and Public Works, in amendment thereto:

THAT Motion #590 be amended by:

- (1) adding after the phrase “urges the Yukon Government to” the words “continue to”,
- (2) in bullet number 1, by deleting the word “and” where it appears after the word “process” and replacing it with the words “by continuing to implement the recommendations in the forensic audit of the City of Dawson, and those made by the Auditor General of Canada in her reports on the Mayo-Dawson Transmission System, the Energy Solutions Centre, the Government of Yukon’s role in the 2007 Canada Winter Games, and on the Transportation Capital Program and Property Management Agency of the Department of Highways and Public Works”,
- (3) by deleting the words in 2(b) and replacing them with “manner in which government has responded to the justified needs of communities and citizens living outside communities by investing in capital projects that respond to the needs and requests of Yukon citizens”,
- (4) in 2(c), be deleting the words “many projects” and replacing them with “projects, where a difference occurs”,
- (5) deleting 2(d),
- (6) after the phrase “budgeted amount,” adding the word “and”,
- (7) adding as clause 3 the words “utilize sole source contracts only when it is in the best interests of Yukon citizens, or when no comparable Yukon supplier exists for products and services purchased outside the territory”.

A debate arising on the amendment, it was moved in amendment by Mr. Mitchell, Member for Copperbelt:

THAT the amendment to Motion #590 be amended by inserting immediately after the words “her reports on the” in section (2) the following:
“Government of Yukon’s investment in Asset-backed Commercial Paper - Department of Finance,”

A debate arising on the sub-amendment and the question being put, it was negatived.

The debate continued on the amendment to Motion #590 and the time reaching 5:30 p.m., while Mr. Fairclough, Member for Mayo-Tatchun, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, November 20, 2008 and debate on the amendment and on Motion #590 were accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, November 20, 2008.

No. 119

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, November 20, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Yukon Human Rights Commission April 1, 2007-March 31, 2008 Annual Report **(Sessional Paper #89)**

Mr. Hardy, Member for Whitehorse Centre

- Report of the Audit of the Pharmacare and Extended Health Benefits Program: Prepared by Government Audit Services Branch, Government of Yukon and Approved by the Audit Committee on May 13, 2008 **(Filed Document #71)**
- Report on the Audit of Contracts: Prepared by Government Audit Service Branch, Government of Yukon and Approved by the Audit Committee on May 13, 2008 **(Filed Document #72)**

PRESENTING REPORTS OF COMMITTEES

Hon. Ms. Horne, Chair, Select Committee on Human Rights

- Human Rights, Select Committee on: Report (dated November 2008) **(Sessional Paper #90)**

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #58 - Act to Amend the Quartz Mining Act
-Hon. Mr. Cathers

The question being put on the motion for Third Reading of Bill #58, it was agreed to on the following recorded Division:

	YEA		
Fentie	Horne	Elias	
Cathers	Hart	Fairclough	
Taylor	Nordick	Inverarity	15
Rouble	Mitchell	Cardiff	
Lang	McRobb	Edzerza	

NAY

0

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, November 24, 2008.

No. 120

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, November 24, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Mr. McRobb, Member for Kluane

- Forest Resources Act consultation: letter (dated November 24, 2008) from Laberge Renewable Resources Council to Hon. Brad Cathers, Minister of Energy, Mines and Resources **(Filed Document #73)**

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The debate arising on the motion for Second Reading of Bill #12, entitled Second Appropriation Act, 2008-09, and the time reaching 5:30 p.m., the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Tuesday, November 25, 2008 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, November 25, 2008.

No. 121

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, November 25, 2008

The Speaker took the Chair at 1:00 p.m.

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, informed the House that the Government Private Member did not wish to identify any items to be called during Government Private Members' Business on Wednesday, November 26, 2008.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The debate continuing (from November 24, 2008) on the motion for Second Reading of Bill #12, entitled Second Appropriation Act, 2008-09, and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, November 26, 2008.

No. 122

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, November 26, 2008

The Speaker took the Chair at 1:00 p.m.

GOVERNMENT BILLS (Second Reading)

The following bill was read a second time and referred to Committee of the Whole:

Bill #57 - Act to Amend the Miners Lien Act
-Hon. Mr. Lang

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

The following bill was reported without amendment:

Bill #57 - Act to Amend the Miners Lien Act
-Hon. Mr. Lang

The report of the Chair was adopted.

UNANIMOUS CONSENT TO PROCEED WITH THIRD READING OF BILL #57

The Hon. Brad Cathers, Government House Leader, pursuant to Standing Order 14.3, requested the unanimous consent of the House to proceed with Third Reading of Bill #57, entitled Act to Amend the Miners Lien Act. Unanimous consent was granted.

GOVERNMENT BILLS (Third Reading)

The following bill was read a third time and passed:

Bill #57 - Act to Amend the Miners Lien Act
-Hon. Mr. Lang

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, November 27, 2008.

No. 123

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, November 27, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Order and decorum)

"Members, before the House proceeds to the Daily Routine the Chair would like to make a statement about order and decorum in this Assembly. After yesterday's sitting the Chair met with the three party leaders. At that time, the leaders informed the Chair that they had reached a consensus that they, and all members of their respective caucuses, will rededicate themselves to their commitment to raise the level of order and decorum in this House. It is a fundamental principle of parliamentary debate that Members should treat each other as honourable at all times. The Chair appreciates that this is not always easy for Members. They are committed to improving the lives of Yukoners. They are also committed to the positions they hold on the important issues that face this territory. Often these positions are in conflict, which can lead to unparliamentary behaviour as Members passionately and enthusiastically debate bills and motions before them. However, the passion and enthusiasm Members have for their own views cannot justify treating other Members, who hold differing views, with disrespect. The Chair appreciates the commitment that the party leaders are making. On behalf of the Deputy Speaker, the Chair can assure all Members that the presiding officers will do their best to apply the House rules knowledgeably, consistently and impartially. The Chair will do his part to ensure that all Members act in a manner that respects the institution in which we serve, and earns the respect of those we were elected to serve. The House will now proceed to the Daily Routine."

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister responsible for the Public Service Commission

- Yukon Public Service Labour Relations Board 2007-2008 Annual Report
(Sessional Paper #91)
- Yukon Teachers Labour Relations Board 2007-2008 Annual Report
(Sessional Paper #92)

ASSENT TO BILLS

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to certain Bills passed by the House.

The Commissioner, having entered the Chamber, took her seat in the Speaker's chair.

The Speaker, the Hon. Ted Staffen, addressed the Commissioner:

“Madam Commissioner, the Assembly has, at its present Session, passed certain Bills to which, in the name and on behalf of the Assembly, I respectfully request your Assent.”

The Clerk of the Assembly, Floyd McCormick, then read the title of the Bills which had been passed as follows:

Act to Amend the Quartz Mining Act
Act to Amend the Miners Lien Act

The Commissioner assented to the Bills:

“I hereby assent to the Bills as enumerated by the Clerk.”

UNANIMOUS CONSENT TO PROCEED WITH MOTION #628

The Hon. Mr. Cathers, Government House Leader, requested and received the unanimous consent of the House to call Motion #628, notice of which was given during the Daily Routine.

GOVERNMENT MOTIONS

Moved by the Hon. Ms. Horne, Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to section 22(3) of the *Human Rights Act*, remove John Wright and Darcy Tkachuk as members of the Panel of Adjudicators; and

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, appoint Michael Dougherty, Laura MacFeeters and Michelle Vainio to be members of the Panel of Adjudicators **(Motion #628)**

A debate arising on the motion, it was agreed to.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

The following Bill was reported without amendment:

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Monday, December 1, 2008.

No. 124

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, December 1, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Election-Related Matters (2008): Report of the Chief Electoral Officer of Yukon
on **(Sessional Paper #93)**

FILED DOCUMENT

During Question Period, Mr. Hardy, Member for Whitehorse Centre, filed the following document:

- "Working Without Boundaries, Final Report (dated May 20, 2004):
Interdepartmental Collaboration Project (Education, Health and Social
Services, Justice) "**(Filed Document #74)**

GOVERNMENT BILLS (Second Reading)

The following bills were read a second time and referred to Committee of the Whole:

- Bill #60 - Act to Amend the Judicature Act
-Hon. Ms. Horne
- Bill #54 - Electoral District Boundaries Act
-Hon. Ms. Taylor
- Bill #55 - Act to Amend the Social Assistance Act
-Hon. Mr. Hart

Recess

[At 2:34 p.m., during Second Reading of Bill #55, the Speaker recessed the House due to a power outage. The House was called to order at 3:35 p.m. and debate on Bill #55 resumed.]

- Bill #56 - Act to Amend the Territorial Lands (Yukon) Act
-Hon. Mr. Cathers

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #59 - Forest Resources Act
-Hon. Mr. Cathers

A debate arising on the motion for Third Reading of Bill #59, entitled Forest Resources Act, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Lang	McRobb	
Cathers	Horne	Fairclough	
Taylor	Hart	Inverarity	13
Kenyon	Nordick		
Rouble	Mitchell		
NAY			
Hardy	Edzerza		2

Bill #59, entitled Forest Resources Act, accordingly, passed the House.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Tuesday, December 2, 2008.

No. 125

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, December 2, 2008

The Speaker took the Chair at 1:00 p.m.

PRESENTING REPORTS OF COMMITTEES

Hon. Ms. Taylor, Chair, Standing Committee on Appointments to Major Government Boards and Committees

- Standing Committee on Appointments to Major Government Boards and Committees: Seventh Report (dated December 2, 2008) **(Sessional Paper #94)**

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Edzerza, Acting Third Party House Leader, identified Motion #637 and Motion #496 as being the items to be called during Opposition Private Members' Business on Wednesday, December 3, 2008.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, informed the House that the Official Opposition Members did not wish to identify any items to be called during Opposition Private Members' Business on Wednesday, December 3, 2008.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Wednesday, December 3, 2008.

No. 126

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, December 3, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Mr. Mitchell, Member for Copperbelt

- *Social Assistance Act* amendments re Appeal Board and Committee: letter (dated November 28, 2008) to Hon. Glenn Hart, Minister of Health and Social Services, from Patricia Bacon, Chair, Social Assistance Appeal Board
(Filed Document #75)

Mr. Hardy, Member for Whitehorse Centre

- Apology to Yukon aboriginal people for the wrongs perpetuated in residential schools: letter (dated June 24, 2008) to Hon. Dennis Fentie, Premier, from Todd Hardy, MLA, Whitehorse Centre
(Filed Document #76)

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Hardy, Member for Whitehorse Centre:

THAT this House supports the option of a progressive coalition made up of the majority of votes and seats in the most recent election to govern Canada **(Motion #637)**

A debate having started on the motion, it was moved by Mr. Mitchell, Member for Copperbelt, in amendment thereto:

THAT Motion #637 be amended by replacing all words immediately after the word "supports" with the following:

"the responsible resolution to the current national issue of who should govern Canada exclusively to the Governor General of Canada as our system of constitutional governance is designed and respect her decision."

A debate arising on the amendment and the question being put, it was agreed to.

The question being put on the motion as amended, it was agreed to on the following recorded Division:

YEA

Fentie	Horne	Elias	
Cathers	Hart	Fairclough	
Taylor	Nordick	Inverarity	16
Kenyon	Mitchell	Hardy	
Rouble	McRobb	Edzerza	
Lang			

NAY

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Moved by Mr. Hardy, Member for Whitehorse Centre:

THAT this House urges the Yukon Government to allow the House the opportunity to formally apologize to the Yukon's aboriginal people in the 2008 Fall Sitting of the Legislature for the great wrong perpetrated on them in the residential schools which were present in the Yukon, and further, to:

- (1) allow First Nations leaders in the legislature to hear and respond to the apology to help demonstrate our collective commitment to building a future based on fairness, equality and respect,
- (2) express our recognition of the fact that their children were stolen,
- (3) acknowledge the effect of residential schools on aboriginal culture, language and identity,
- (4) recognize the fact that we are losing our former residential school students at an alarming rate; and
- (5) start on this important process as soon as possible in order to move forward together in healing, reconciliation, and dignity. **(Motion #496)**

A debate having started on the motion, it was moved by the Hon. Mr. Fentie, Premier, in amendment thereto:

THAT Motion #496 be amended by deleting the words "allow the House the opportunity to formally apologize to the Yukon's aboriginal people in the 2008 Fall Sitting of the Legislature," and replacing them with the following:

"acknowledge and fully endorse the official apology to former students of Indian residential schools that was made by the prime Minister on behalf of the Government of Canada and all Canadians in the House of Commons on June 11, 2008"

and by deleting the following words in clause (1):

"allow First Nation leaders in the legislature to hear and respond to the apology to help"

A debate arising on the amendment and the question being put, it was agreed to.

The question being put on the motion as amended, it was agreed to on the following recorded Division:

YEA

Fentie	Lang	Elias	
Cathers	Horne	Inverarity	
Taylor	Hart	Hardy	14
Kenyon	Nordick	Edzerza	
Rouble	Mitchell		

NAY

0

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Thursday, December 4, 2008.

No. 127

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, December 4, 2008

The Speaker took the Chair at 1:00 p.m.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

At 2:01 p.m., Committee of the Whole passed the following motion:

THAT, Craig Tuton, Chair of the Yukon Workers' Compensation Health and Safety Board, and Valerie Royle, President and Chief Executive Officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses in Committee of the Whole on Thursday, December 4, 2008, from 3:30 p.m. to 5:30 p.m. to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board. **(C/W Motion #14)**

The following bill was reported without amendment:

Bill #63 - Act to Amend the Seniors Income Supplement Act
-Hon. Mr. Hart

The report of the Chair was adopted.

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #63 - Act to Amend the Seniors Income Supplement Act
-Hon. Mr. Hart

A debate arising on the motion for Third Reading of Bill #63, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Horne	Elias	
Cathers	Hart	Fairclough	
Taylor	Nordick	Inverarity	15
Rouble	Mitchell	Hardy	
Lang	McRobb	Edzerza	

NAY

0

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Pursuant to Committee of the Whole Motion #14 passed at 2:01 p.m. this day, Craig Tuton, Chair of the Yukon Workers' Compensation Health and Safety Board, and Valerie Royle, President and Chief Executive Officer of the Yukon Workers' Compensation Health and Safety Board, appeared as witnesses in Committee of the Whole from 3:33 p.m. to 5:30 p.m.

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Monday, December 8, 2008.

No. 128

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, December 8, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motion)

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion #499, standing in the name of Hon. Ms. Taylor, Minister of Environment, was removed from the Order Paper as the action requested had been fulfilled, and that Motion #611, standing in the name of Mr. Hardy, Leader of the Third Party, was removed from the Order Paper as it was outdated.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang, Minister of Highways and Public Works

- Fleet Vehicle Agency 2007-2008 Annual Report **(Filed Document #77)**
- Queen's Printer Agency 2007/2008 Annual Report **(Filed Document #78)**

SPEAKER'S RULING (Re: Standing Order 19)

Immediately following Question Period, the Speaker made the following ruling:

"Prior to proceeding to Orders of the Day the Chair will rule on a Point of Order raised last Thursday by the Leader of the Official Opposition. During Question Period on that day the Minister of Energy, Mines and Resources said, 'The Member for Kluane is bringing forward assertions that would tend to create a perception of the facts that does not line up with the facts.' The Leader of the Official Opposition said this statement violated Standing Order 19. Standing Order 19(h) says, 'A Member shall be called to order by the Speaker if that Member charges another Member with uttering a deliberate falsehood.' The Chair does not believe that the Minister accused the Member for Kluane of uttering a deliberate falsehood. The Chair believes this was a dispute about facts. There is, therefore, no Point of Order."

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

At 1:41 p.m., Committee of the Whole passed the following motion:

THAT, Willard Phelps, Chair of the Yukon Development Corporation Board of Directors and the Yukon Energy Corporation Board of Directors and David Morrison, Chief

Executive Officer of the Yukon Development Corporation, and President and Chief Executive Officer of the Yukon Energy Corporation, appear as witnesses in Committee of the Whole from 3:30 p.m. to 5:30 p.m. on Monday, December 8, 2008, to discuss matters relating to the Yukon Development Corporation and the Yukon Energy Corporation. **(C/W Motion #15)**

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09

-Hon. Mr. Fentie

Pursuant to Committee of the Whole Motion #15 passed at 1:41 p.m. this day, Willard Phelps, Chair of the Yukon Development Corporation board of directors and the Yukon Energy Corporation board of directors and David Morrison, chief executive officer of the Yukon Development Corporation, and president and chief executive officer of the Yukon Energy Corporation, appeared as witnesses in Committee of the Whole from 3:35 p.m. to 5:28 p.m.

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Tuesday, December 9, 2008.

No. 129

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, December 9, 2008

The Speaker took the Chair at 1:00 p.m.

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #647 as being the item to be called during Government Private Members' Business on Wednesday, December 10, 2008.

GOVERNMENT BILLS (Third Reading)

The following bills were read a third time and passed:

Bill #62 - Act to Amend the Animal Protection Act
-Hon. Mr. Lang

Bill #61 - Act to Amend the Municipal Act
-Hon. Mr. Lang

ASSENT TO BILLS

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to certain bills passed by the House.

The Commissioner, having entered the Chamber, took her seat in the Speaker's chair.

The Speaker, the Hon. Ted Staffen, addressed the Commissioner:

"Madam Commissioner, the Assembly has, at its present Session, passed certain bills to which, in the name and on behalf of the Assembly, I respectfully request your Assent."

The Clerk of the Assembly, Floyd McCormick, then read the title of the bills which had been passed as follows:

Forest Resources Act
Act to Amend the Seniors Income Supplement Act
Act to Amend the Animal Protection Act
Act to Amend the Municipal Act

The Commissioner assented to the bills:

"I hereby assent to the bills as enumerated by the Clerk."

COMMITTEE OF THE WHOLE

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Wednesday, December 10, 2008.

No. 130

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, December 10, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang, Minister of Highways and Public Works

- Property Management Agency 2007-2008 Annual Report

(Filed Document #79)

Hon. Mr. Cathers, Minister responsible for the Yukon Lottery Commission

- Yukon Lottery Commission 2007-2008 Annual Report

(Filed Document #80)

Hon. Ms. Horne, Minister of Justice

- Yukon Law Foundation: Annual Report and Audited Financial Statements for the fiscal year ending October 31, 2007

(Sessional Paper #95)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to initiate measures to manage the impacts of the global downturn by working:

- (1) at the national level with the provinces and territories through the Council of the Federation to present options to stimulate the economy to the Government of Canada at the First Ministers Meeting on the Economy scheduled to be held in Ottawa on January 16, 2009; and
- (2) at the local level to implement the following measures:
 - (a) continuing to maintain a prudent financial position so there is money available to invest where necessary,
 - (b) hosting roundtable discussions with key stakeholders within Yukon to collect advice and input to aid and inform decisions,
 - (c) focusing on key infrastructure investments to create jobs in the short term and provide an environment for long-term investment and growth,
 - (d) promoting research and development opportunities in Yukon, such as the Cold Climate Innovation Centre and the Climate Change Centre of Excellence,
 - (e) striking an internal committee of deputy ministers, chaired by the Premier, to monitor and assess economic trends and identify opportunities,
 - (f) implementing labour mobility initiatives,

- (g) expanding trade opportunities with foreign partners,
- (h) encouraging the federal government to continue to make strategic investments in Canada's North meeting its commitment to unlock the vast potential in Yukon; and
- (i) continuing to work with First Nation governments to ensure an appropriate federal mandate is renewed to adequately resource First Nation governments.

(Motion #647)

A debate arising on the motion and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Horne	Fairclough
Cathers	Hart	Inverarity
Kenyon	Nordick	Cardiff
Rouble	Mitchell	Edzerza
Lang	McRobb	

14

NAY		

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COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, December 11, 2008.

No. 131

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, December 11, 2008

The Speaker took the Chair at 1:00 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang, Minister of Highways and Public Works

- *Area Development Act Regulations: OIC 2008/129* (Sessional Paper #96)
- *Area Development Act Regulations: OIC 2008/130* (Sessional Paper #97)
- *Area Development Act Regulations: OIC 2008/131* (Sessional Paper #98)
- *Area Development Act Regulations: OIC 2008/132* (Sessional Paper #99)

Hon. Mr. Rouble, Minister of Education

- Yukon Department of Education 2007-08 Academic Year Annual Report (Sessional Paper #100)

Hon. Mr. Fentie, Premier

- Report on the Yukon Government's Performance under the *Environment Act*: Prepared by Government Audit Services Branch, Government of Yukon and Approved by the Audit Committee on June 24, 2008 (Sessional Paper #101)

Hon. Ms. Horne, Minister of Justice

- Yukon Judicial Council 2007 Annual Report (Sessional Paper #102)

GOVERNMENT MOTIONS

Moved by the Hon. Ms. Horne, Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to section 17(1) of the *Human Rights Act*, re-appoint Rick Goodfellow to be a member of the Yukon Human Rights Commission. (Motion #653)

A debate arising on the motion and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

The following bills were reported without amendment:

- Bill #54 - Electoral District Boundaries Act
-Hon. Ms. Taylor
- Bill #60 - Act to Amend the Judicature Act
-Hon. Ms. Horne
- Bill #56 - Act to Amend the Territorial Lands (Yukon) Act
-Hon. Mr. Cathers

GOVERNMENT BILLS (Third Reading)

The following bills were read a third time and passed:

- Bill #54 - Electoral District Boundaries Act
-Hon. Mr. Cathers
- Bill #60 - Act to Amend the Judicature Act
-Hon. Ms. Horne

The following bill was called for Third Reading:

- Bill #56 - Act to Amend the Territorial Lands (Yukon) Act
-Hon. Mr. Cathers

A debate arising on the motion for Third Reading of Bill #56, and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Progress was reported on the following bill:

- Bill #12 - Second Appropriation Act, 2008-09
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Monday, December 15, 2008.

No. 132

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, December 15, 2008

The Speaker took the Chair at 1:00 p.m.

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motion)

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion #491, standing in the name of Steve Nordick, Member for Klondike, was removed from the Order Paper as it was similar to Motion #647, which was adopted by the House on December 10, 2008 .

TRIBUTES

In remembrance of Erik Nielsen, former Yukon Member of Parliament

The Hon. Dennis Fentie, Premier, paid tribute on behalf of all Members and Yukoners to Erik Nielsen who passed away on September 4, 2008. Mr. Nielsen represented Yukon in the House of Commons for 30 years.

In recognition of Dave Robertson - long service in Hansard

The Hon. Ted Staffen, Speaker recognized Dave Robertson for his long service in the production of Hansard for the Yukon Legislative Assembly.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Hart, Minister of Health and Social Services

- Yukon Child Care Board April 1, 2007-March 31, 2008 Annual Report
(Sessional Paper #103)
- Health Care Insurance Programs: Statement of Revenue and Expenditures for Fiscal Years 1997/98 to 2007/08
(Filed Document #81)

Hon. Mr. Lang, Minister of Highways and Public Works

- Contracting Summary Report for Yukon Government Departments (April 1, 2007 - March 31, 2008) and Yukon Government Corporations (YDC and YWCHSB: January 1, 2007 - December 31, 2007; YHC & YLC: April 1, 2007 - March 31, 2008)
(Filed Document #82)

Hon. Mr. Cathers, Minister responsible for the Yukon Liquor Corporation

- Yukon Liquor Corporation April 1, 2007-March 31, 2008 Annual Report
(Sessional Paper #104)

Hon. Ms. Taylor, Minister of Tourism and Culture

- Yukon Heritage Resources Board April 1, 2007-March 31, 2008 Annual Report
(Sessional Paper #105)

Mr. Fairclough, Member for Mayo-Tatchun

- Child and Youth Advocate Act (proposed): letter (dated December 15, 2008) from Chief Ruth Massie, Ta'an Kwach'an Council to Hon. Glenn Hart, Minister of Health and Social Services
(Filed Document #83)

Mr. Inverarity, Member for Porter Creek South

- To Assist with the Development of Terms of Reference for Special and Select Committees (Report dated Fall 2008) from Donald Inverarity, MLA, Porter Creek South and Steve Cardiff, MLA, Mount Lorne
(Filed Document #84)

PRESENTING REPORTS OF COMMITTEES

Hon. Ted Staffen, Chair, Select Committee on Whistle-blower Protection

- Select Committee on Whistle-blower Protection: Interim Report (dated December 2008)
(Sessional Paper #106)

Mr. Mitchell, Chair, Standing Committee on Public Accounts

- Public Accounts, Standing Committee on: Second Report (dated December 2008) (Vol. 18)
(Sessional Paper #107)

COMMITTEE OF THE WHOLE

According to Order, the Assembly resolved into Committee of the Whole.

Termination of Sitting as per Standing Order 76(1)

The Chair made the following statement:

"Order please. The time has reached 5:00 p.m. on this the 28th day of the 2008 Fall Sitting. Standing Order 76(1) states: 'On the day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

- put the question on any amendment then before the Committee;
- put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;
- put the question on a motion moved by a Minister that the Bill be reported to the Assembly; and
- when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee. '

It is the duty of the Chair to now conduct the business of the Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the Government House Leader to indicate whether Bill #12 and Bill #55, the only Government Bills now before the Committee of the Whole, should be called."

The Hon. Mr. Cathers, Government House Leader, directed that Bill #12, and Bill #55, be called.

The Committee agreed to report the following bills without amendment:

Bill #12 - Second Appropriation Act, 2008-09

-Hon. Mr. Fentie

Bill #55 - Act to Amend the Social Assistance Act

-Hon. Mr. Hart

The report of the Chair was adopted.

SPEAKER'S STATEMENT

THIRD READING OF BILLS AS PER STANDING ORDER 76(2)

“Standing Order 76(2) states: ‘On the sitting day that the Assembly has reached the maximum number of sitting days allocated for the Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall:

- (d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for a Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.’

I shall, therefore, ask the Government House Leader to identify which of the bills now standing at Third Reading should be called.”

The Hon. Mr. Cathers, Government House Leader, directed that Bill #12 and Bill #55 be called.

GOVERNMENT BILLS (Third Reading)

The following bill was read a third time and passed:

Bill #12 - Second Appropriation Act, 2008-09

-Hon. Mr. Fentie

The following bill was called for Third Reading:

Bill #55 - Act to Amend the Social Assistance Act

-Hon. Mr. Hart

The question being put on the motion for Third Reading of Bill #55, it was agreed to on the following recorded Division:

YEA

Fentie	Kenyon	Horne	
Cathers	Rouble	Hart	9
Taylor	Lang	Nordick	

NAY

Mitchell	Fairclough	Hardy	
McRobb	Inverarity	Cardiff	7
Elias			

Bill #55, entitled Act to Amend the Social Assistance Act, accordingly, passed the House.

ASSENT TO BILLS

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to certain bills passed by the House.

The Commissioner, having entered the Chamber, took her seat in the Speaker's chair.

The Speaker, the Hon. Ted Staffen, addressed the Commissioner:

"Madam Commissioner, the Assembly has, at its present Session, passed certain bills to which, in the name and on behalf of the Assembly, I respectfully request your Assent."

The Clerk of the Assembly, Floyd McCormick, then read the titles of the bills which had been passed severally as follows:

Second Appropriation Act, 2008-09

Electoral District Boundaries Act

Act to Amend the Social Assistance Act

Act to Amend the Territorial Lands (Yukon) Act

Act to Amend the Judicature Act

The Commissioner assented to the bills:

"I hereby Assent to the bills as enumerated by the Clerk."

ADJOURNMENT OF THE SITTING

The Speaker called the House to order and stated:

"As the House has reached the maximum number of days permitted for the 2008 Fall Sitting, as established pursuant to Standing Order 75, and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned."

The Assembly adjourned at 5:19 p.m.