

No. 226

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, September 21, 2010

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

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Aline Halliday, Fared Hrycan, Sian Mollay, Kieran Poile and William Thomson from F.H. Collins Secondary School and Shakiba Kazemi, Miaela Lane and Noah Sternbergh from Porter Creek Secondary School, would be serving as Pages during the Fall Sitting. Kieran Poile and William Thomson 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"The following motions have been removed from the Order Paper because they are outdated: Motions No. 640, 789, 790 and 891, standing in the name of the Leader of the Official Opposition; Motions No. 651, 865, 1030 and 1090 standing in the name of the Leader of the Third Party; Motions No. 738 and 846, standing in the name of the Member for Kluane; Motions No. 901 and 904, standing in the name of the Member for Lake Laberge; Motion # 907, standing in the name of the Member for Porter Creek South; and Motion #1095, standing in the name of the Member for Mayo-Tatchun.

The following motions have been removed from the Order Paper as the action requested in the motion has been fulfilled in whole or in part: Motions No. 89, 106, 244, 732 and 797, standing in the name of the Leader of the Third Party; Motions No. 500 and 532, standing in the name of the Member for Klondike; Motion #802, standing in the name of the Member for Porter Creek South; Motions No. 912 and 1025, standing in the name of the Member for Mayo-Tatchun; and Motions No. 978 and 1076, standing in the name of the Member for Kluane.

Motion for the Production of Papers #35, standing in the name of the Member for Kluane, has been removed from the Order Paper as the action requested in the motion has been fulfilled in part.

Finally, all motions and bills standing in the name of the former Member for Whitehorse Centre have been removed from the Order Paper."

UNANIMOUS CONSENT TO REINSTATE Bill #108, LEGISLATIVE RENEWAL ACT

Mr. Cardiff, Leader of the Third Party, requested and received the unanimous consent of the House to reinstate Bill #108, Legislative Renewal Act, to the Order Paper at Second Reading to stand in the name of the Member for Mount Lorne.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Notice (dated July 30, 2010) respecting the vacancy in the electoral district of Whitehorse Centre caused by the death of Todd Hardy **(Sessional Paper #173)**
- Vacancy in Electoral District of Whitehorse Centre: copy of letter dated August 9, 2010, from the Clerk of the Legislative Assembly to Commissioner Van Bibber **(Sessional Paper #174)**
- Conflict of Interest Commission Annual Report for the period from April 1, 2009 to March 31, 2010 **(Sessional Paper #175)**
- Absence of Members from Sittings of the Legislative Assembly and its Committees: Report from the Clerk of the Yukon Legislative Assembly (dated September 21, 2010) **(Sessional Paper #176)**

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: Fifteenth Report (dated July 16, 2010) **(Sessional Paper #177)**

Mr. Mitchell, Chair, Standing Committee on Public Accounts

- Public Accounts, Standing Committee on: Fifth Report (dated June, 2010) **(Sessional Paper #178)**

INTRODUCTION OF BILLS

Bill #21 - Fourth Appropriation Act, 2009-10
-Hon. Mr. Fentie

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

Bill #92 - Act to Amend the Income Tax Act (2010)
-Hon. Mr. Fentie

Bill #91 - Second Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

MONEY MESSAGE

Bill #21, Fourth Appropriation Act, 2009-10, and Bill #22, Second Appropriation Act, 2010-11, were each accompanied by a money message.

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Fairclough, Acting Official Opposition House Leader, identified Motion #1022 as being the item to be called during Opposition Private Members' Business on Wednesday, September 22, 2010.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #122 as being the item to be called during Opposition Private Members' Business on Wednesday, September 22, 2010.

UNANIMOUS CONSENT TO CALL MOTION #1036 FOR DEBATE

The Hon. Ms. Taylor, Government House Leader, pursuant to Standing Order 14.3, requested the unanimous consent of the House to call Motion #1036 for debate. Unanimous consent was denied.

The Assembly adjourned at 1:57 p.m. until 1:00 p.m. on Wednesday, September 22, 2010.

No. 227

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, September 22, 2010

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

INTRODUCTION OF BILLS

Bill #86 - Act to Amend the Business Corporations Act
-Hon. Mr. Lang

Bill #87 - Securities Transfer Act
-Hon. Mr. Lang

Bill #88 - Act to Amend the Partnership and Business Names Act
-Hon. Mr. Lang

Bill #89 - Act to Amend the Societies Act
-Hon. Mr. Lang

Bill #90 - Act to Amend the Cooperative Associations Act
-Hon. Mr. Lang

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Mitchell, Member for Copperbelt:

THAT this House urges the Government of Yukon to listen to what Yukoners have stated is one of their top issues and practice good governance. **(Motion #1022)**

A debate arising on the motion, and the time reaching 5:30 p.m. while the Hon. Mr. Kenyon, Minister of Economic Development, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Thursday, September 23, 2010, and debate on Motion #1022 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Thursday, September 23, 2010.

No. 228

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, September 23, 2010

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 made the following statement regarding changes made to the Order Paper.

"Motions No. 862, 1049 and 1130, standing in the name of the Member for Lake Laberge, and Motions No. 1036 and 1119, standing in the name of the Member for Klondike, have been removed from the Order Paper as they are outdated."

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier

- Yukon Hospital Corporation Board of Trustees, remuneration of members: letter (dated September 21, 2010) from Hon. Dennis Fentie, Premier of Yukon, to Craig Tuton, Chair, Yukon Hospital Corporation Board of Trustees

(Filed Document #156)

INTRODUCTION OF BILLS

Bill #93 - Miscellaneous Statute Law Amendment Act, 2010

-Hon. Ms. Horne

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #21 - Fourth Appropriation Act, 2009-10

-Hon. Mr. Fentie

A debate arising on the motion, and the time reaching 5:30 p.m. while Mr. Nordick, Member for Klondike, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Monday, September 27, 2010, and debate on Second Reading was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Monday, September 27, 2010.

No. 229

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, September 27, 2010

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

MOMENT OF SILENCE

The House observed a moment of silence in memory of the late Todd Hardy, former Member for Whitehorse Centre.

TRIBUTES (Todd Hardy, former Member for Whitehorse Centre)

Mr. Cardiff, Leader of the Third Party, the Hon. Mr. Fentie, Premier, Mr. Mitchell, Leader of the Official Opposition, and Mr. Cathers, Member for Lake Laberge, paid tribute to Todd Hardy, former Member for Whitehorse Centre, who passed away on July 28, 2010. Mr. Hardy was elected as a Member of the Legislative Assembly in 1996, and re-elected in 2002 and 2006. Condolences were expressed to his wife, Louise and family, and friends.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #21 - Fourth Appropriation Act, 2009-10
-Hon. Mr. Fentie

A debate continuing (from September 23, 2010) on the motion for Second Reading of Bill #21, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			

NAY

Mitchell	Elias	Cardiff	5
McRobb	Inverarity		

Bill #21, entitled Fourth Appropriation Act, 2009-10, was accordingly referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #22 - Second Appropriation Act, 2010-11

-Hon. Mr. Fentie

A debate arising on the motion, 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. on Tuesday, September 28, 2010, and debate on Second Reading of Bill #22, was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Tuesday, September 28, 2010.

No. 230

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, September 28, 2010

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. Ms. Taylor, Government House Leader, identified Motion #1138 and Motion #1137, as being the items to be called during Government Private Members' Business on Wednesday, September 29, 2010.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

A debate continuing (from September 27, 2010) on the motion for Second Reading of Bill #22, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			

NAY

Mitchell	Elias	Inverarity	6
McRobb	Fairclough	Cardiff	

Bill #22, entitled Second Appropriation Act, 2010-11, was accordingly referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #92 - Act to Amend the Income Tax Act (2010)
-Hon. Mr. Fentie

A debate arising on the motion, 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. on Wednesday, September 29, 2010, and debate on Second Reading of Bill #92, was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Wednesday, September 29, 2010.

No. 231

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, September 29, 2010

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

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House recognizes the record of accomplishments by the Government of Yukon in improving the quality of life for Yukoners. **(Motion #1138)**

Debate started on the motion.

Point of Personal Privilege (Re: clarification of comments)

During debate on Motion #1138, the Hon. Ms. Horne, Member for Pelly-Nisutlin, rose on a Point of Personal Privilege to clarify comments that she had made during debate on Motion #1138.

The debate continuing on the motion, and the time reaching 5:30 p.m., while the Hon. Mr. Lang, the Member for Porter Creek Centre, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Thursday, September 30, 2010, and debate on Motion #1138, was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Thursday, September 30, 2010.

No. 232

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, September 30, 2010

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

PETITIONS (Response to Petition #13)

The Hon. Mr. Lang, Minister of Highways and Public Works, gave an oral response to Petition #13 (received by the House on May 20, 2010) with regard to All Terrain Vehicles.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #92 - Act to Amend the Income Tax Act (2010)
-Hon. Mr. Fentie

A debate continuing (from September 28, 2010) on the motion for Second Reading of Bill #92, and the question being put, it was agreed to on the following recorded Division:

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

NAY

16

0

Bill #92, entitled Act to Amend the Income Tax Act (2010), was accordingly referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #91 - Second Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

A debate arising on the motion for Second Reading of Bill #91, and the question being put, it was agreed to on the following recorded Division:

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

Bill #91, entitled Second Act to Amend the Motor Vehicles Act, 2010, was accordingly referred to Committee of the Whole.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Monday, October 4, 2010.

No. 233

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, October 4, 2010

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

FILED DOCUMENTS

During Question Period, Mr. Inverarity, Member for Porter Creek South, filed the following document:

- Unsolved major crimes: correspondence (dated July 26, 2010 and August 19, 2010) between Don Inverarity, MLA, Porter Creek South and the Hon. Marian Horne, Minister of Justice **(Filed Document #157)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #21 - Fourth Appropriation Act, 2009-10
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m., until 1:00 p.m. on Tuesday, October 5, 2010.

No. 234

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, October 5, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Edzerza, Minister of Environment

- Fish and Wildlife Branch Highlights, 2009-2010; Department of Environment
(Filed Document #158)

SPEAKER'S RULING (Re: Point of Order raised on September 29, 2010 re Standing Order 19(h))

Prior to proceeding to Question Period the Chair ruled on a Point of Order raised on Wednesday, September 29.

"During debate on Motion #1138, the Minister of Justice said of opposition members, 'Their accusations are tired and simply not the truth.'

The Leader of the Official Opposition then rose on a Point of Order and said that the Minister's comment violated Standing Order 19(h) which says, 'A member shall be called to order by the Speaker if that member charges another member with uttering a deliberate falsehood.'

In response the Minister of Education said, 'Mr. Speaker, the Standing Orders prohibit identifying a specific member as stating an untruth. The Member for Pelly-Nisutlin certainly did not attribute that to a specific member in this Assembly.'

The Chair believes there is a Point of Order in this case.

There may be cases where a comment directed toward a group of Members is not out of order, even where a similar comment directed toward an individual Member would be.

However, an accusation of not telling the truth is not one of them. The Chair believes that allowing such a comment would violate a fundamental principle of parliamentary debate - that Members are to treat each other as honourable.

The Chair appreciates that all Members of this House hold their views with some conviction and disagree, sometimes quite strongly, with views expressed by other Members. However, to quote annotation 494 in the 6th edition of Beauchesne's Parliamentary Rules and Forms sometimes the House has to 'accept two contradictory accounts of the same incident.'

Members should at all times treat each other with respect when addressing the House. Accusing one another, individually or collectively, of not telling the truth does not meet that standard.”

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Leader of the Third Party, identified Motion #1126 as being the item to be called during Opposition Private Members' Business on Wednesday, October 6, 2010.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #1178 as being the item to be called during Opposition Private Members' Business on Wednesday, October 6, 2010.

COMMITTEE OF THE WHOLE

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

The following bill was reported without amendment:

Bill #21 - Fourth Appropriation Act, 2009-10
-Hon. Mr. Fentie

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Wednesday, October 6, 2010.

No. 235

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, October 6, 2010

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

SPEAKER'S RULING (Re: Point of Order raised on October 5, 2010)

Prior to the end of Question Period, the Chair ruled on a Point of Order raised during Question Period on Tuesday, October 5, 2010.

“At that time, the Leader of the Official Opposition said of the Minister of Health and Social Services, ‘Perhaps it’s easy for the Minister to shirk his responsibility by saying this is not his problem.’ The Minister of Energy, Mines and Resources rose on a Point of Order regarding the remark made by the Leader of the Official Opposition. The Minister asserted that the remark was out of order. In speaking to the Point of Order, the Leader of the Official Opposition disagreed with this assessment.

The Chair took the matter under advisement. Having now considered the matter and done a search through the record of both the 31st and 32nd Legislative Assemblies, I find that the statement was not out of order in the context in which it was used yesterday.”

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Yukon Government to establish a Commission to review all processes and procedures regarding appointments to Government Boards and Committees, including the Major Government Boards and Committees listed in Standing Order 45(3.2), but excluding those established under the Umbrella Final Agreement,

THAT the Commission report its findings and recommendations to the House no later than the end of the 2011 Spring Sitting of the Legislative Assembly, and

THAT the review include, but is not limited in scope to, the processes for:

- (1) soliciting nominations,
- (2) receiving nominations,
- (3) reviewing nominations,
- (4) making merit-based appointments,
- (5) reducing patronage appointments,
- (6) setting honoraria and other remuneration,

- (7) setting the terms of these appointments,
- (8) determining reappointments,
- (9) reducing the potential for conflicts of interest,
- (10) determining the need for new boards and committees to address new issues and/or concerns, i.e., climate change; and
- (11) disbanding boards and committees that no longer serve any widely recognized public function or purpose. **(Motion #1126)**

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

THAT Motion #1126 be amended by:

- (1) deleting the words "establish a Commission to review all" and replacing them with the words: "conduct a comprehensive review of all the mandates, function",
- (2) deleting the words "but excluding" and replacing them with the word "including",
- (3) deleting the word "Commission" in the second clause and replacing it with the words "Yukon government",
- (4) deleting the words "and recommendations",
- (5) deleting the words "Spring" and replacing it with the word "Fall"; and
- (6) deleting all the words after the word "Assembly."

A debate arising on the amendment, it was moved in amendment by Mr. Cardiff, Member for Mount Lorne:

THAT the amendment to Motion #1126 be amended by:

- (1) deleting clause (1),
- (2) amending clause (2) by adding the words "processes for Yukon Government appointments to Boards and Committees" immediately after the word "including",
- (3) deleting clause (3); and
- (4) deleting clause (4).

A debate arising on the sub-amendment, and the question being put, it was negatived on the following recorded Division:

YEA			
Mitchell	Fairclough	Cardiff	
McRobb	Inverarity	Cathers	7
Elias			
NAY			
Fentie	Kenyon	Horne	
Taylor	Rouble	Edzerza	9
Hart	Lang	Nordick	

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

YEA			
Fentie	Kenyon	Horne	
Taylor	Rouble	Edzerza	9
Hart	Lang	Nordick	

NAY			
Mitchell	Fairclough	Cardiff	
McRobb	Inverarity	Cathers	7
Elias			

A debate arising on the motion as amended, and the question being put, it was negatived on the following recorded Division:

YEA			
Cathers			1
NAY			
Fentie	Lang	McRobb	
Taylor	Horne	Elias	
Hart	Edzerza	Fairclough	15
Kenyon	Nordick	Inverarity	
Rouble	Mitchell	Cardiff	

Moved by Mr. Elias, Member for Vuntut Gwitchin:

THAT this House urges the Government of Canada's Minister of Indian & Northern Affairs to ensure that the new Nutrition North Canada program delivers healthy foods to citizens living in Old Crow, Yukon by:

- (1) ensuring the Nutrition North Canada program includes a personal shipping transportation subsidy from Whitehorse to Old Crow of "nutritious perishable foods", "non-perishable foods", "non-food items" and "essential non-food items" by the residents of Old Crow via Air North; and
 - (2) maintaining a transportation subsidy that is administered by Air North with the company being accountable directly to the Department of Indian & Northern Affairs Canada.
- (Motion #1178)**

A debate arising on the motion, it was agreed to on the following recorded Division:

YEA			
Fentie	Horne	Elias	
Taylor	Edzerza	Fairclough	
Hart	Nordick	Inverarity	16
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang			
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 #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m., until 1:00 p.m. on Thursday, October 7, 2010.

No. 236

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, October 7, 2010

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

GOVERNMENT MOTIONS

Moved by the Hon. Ms. Taylor, Government House Leader

THAT the membership of the Members' Services Board, as established by Motion #7 and Motion #887 of the First Session of the 32nd Legislative Assembly, be amended by appointing Steve Cardiff to the Board. **(Motion #1172)**

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

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #86 - Act to Amend the Business Corporations Act
-Hon. Mr. Lang

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

YEA

Fentie	Horne	Fairclough	
Taylor	Nordick	Inverarity	
Kenyon	Mitchell	Cardiff	13
Rouble	McRobb	Cathers	
Lang			

NAY

0

Bill #86, entitled Act to Amend the Business Corporations Act, was accordingly, referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #87 - Securities Transfer Act
-Hon. Mr. Lang

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

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

Bill #87, entitled Securities Transfer Act, was accordingly, referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #88 - Act to Amend the Partnership and Business Names Act
-Hon. Mr. Lang

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

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

Bill #88, entitled Act to Amend the Partnership and Business Names Act, was accordingly, referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #89 - Act to Amend the Societies Act
-Hon. Mr. Lang

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

YEA			
Fentie	Lang	McRobb	
Taylor	Horne	Fairclough	
Hart	Edzerza	Inverarity	15
Kenyon	Nordick	Cardiff	
Rouble	Mitchell	Cathers	
NAY			
			0

Bill #89, entitled Act to Amend the Societies Act, was accordingly, referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #90 - Act to Amend the Cooperative Associations Act
-Hon. Mr. Lang

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

YEA			
Fentie	Lang	McRobb	
Taylor	Horne	Fairclough	
Hart	Edzerza	Inverarity	15
Kenyon	Nordick	Cardiff	
Rouble	Mitchell	Cathers	
NAY			
			0

Bill #90, entitled Act to Amend the Cooperative Associations Act, was accordingly, referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #93 - Miscellaneous Statute Law Amendment Act, 2010
-Hon. Ms. Horne

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

YEA			
Fentie	Lang	McRobb	
Taylor	Horne	Fairclough	
Hart	Edzerza	Inverarity	15
Kenyon	Nordick	Cardiff	
Rouble	Mitchell	Cathers	
NAY			
			0

Bill #93, entitled Miscellaneous Statute Law Amendment Act, 2010, 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 #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m., until 1:00 p.m. on Tuesday, October 12, 2010.

No. 237

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, October 12, 2010

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 made the following statement regarding a change made to the Order Paper:

"The Chair wishes to inform the House that Motion #1188, notice of which was given last Thursday by the Leader of the Third Party, was not placed on today's Notice Paper as the question raised in the Motion has already been decided in this session."

FILED DOCUMENTS

During Question Period, Mr. Elias, Member for Vuntut Gwitchin, filed the following documents:

- Energy drinks, regulation of: letter (dated October 12, 2010) from Darius Elias, MLA for Vuntut Gwitchin, to the Hon. Patrick Rouble, Minister of Education
(Filed Document #159)
- Energy drinks, regulation of: letter (dated October 12, 2010) from Darius Elias, MLA for Vuntut Gwitchin, to the Hon. Glenn Hart, Minister of Health and Social Services
(Filed Document #160)

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, identified Motion #1173 and Motion #1137, as being the items to be called during Government Private Members' Business on Wednesday, October 13, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Wednesday, October 13, 2010.

No. 238

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, October 13, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Kenyon, Minister responsible for the Yukon Housing Corporation:

- Yukon Housing Corporation Annual Report for the year ended March 31, 2009

(Sessional Paper #179)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House recognizes and supports the important work of projects like the Sisters in Spirit campaign in raising awareness of violence against women and addressing its devastating impact on communities. **(Motion #1173)**

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

	YEA			
Fentie	Lang	McRobb		
Taylor	Horne	Elias		
Hart	Edzerza	Inverarity	15	
Kenyon	Nordick	Cardiff		
Rouble	Mitchell	Cathers		
	NAY			
			0	

The Assembly adjourned at 5:25 p.m., until 1:00 p.m. on Thursday, October 14, 2010.

No. 239

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, October 14, 2010

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

TRIBUTES

In remembrance of Gordon and Bonnie Cameron

The Hon. Ted Staffen, Speaker, paid tribute on behalf of all Members to Gordon Cameron, who passed away on August 10, 2010 and his wife Bonnie Cameron, who passed away on November 1, 2009. Mr. Cameron was appointed Commissioner of Yukon in May of 1962 and served in this position until the spring of 1966. Mr. Cameron's wife, Bonnie, was recognized for her role as the "First Lady" of Whitehorse, when her husband was Mayor of Whitehorse, and Commissioner of Yukon, and for her involvement in many facets of life in Whitehorse.

SPEAKER'S STATEMENT (Re: Tabling Returns and Documents)

Prior to Tabling Returns and Documents in the Daily Routine, the Speaker made the following statement regarding an event that occurred on Wednesday, October 13, 2010, during Tabling Returns and Documents.

"At that time the Minister responsible for the Yukon Housing Corporation sent to the Table a box of black markers. That was not in order.

Members are aware that the only items that are acceptable for Tabling are paper documents and the Chair would ask all Members to resist the temptation to send anything else to the Table.

Also during Tabling Returns and Documents the Leader of the Official Opposition made remarks about the utility of the document which he sent to the Table. This is also out of order as there is no debate permitted at that time."

SPEAKER'S RULING (Re: Points of Order raised during Question Period on October 13, 2010)

Prior to proceeding with Question Period, the Speaker made the following ruling on the Points of Order raised during Question Period on October 13, 2010:

"In the interest of time the Chair will not repeat all that was said yesterday and will simply rule on the matter.

However, the Chair does thank all Members for their contributions to the Points of Order raised yesterday.

The Chair finds that neither of the phrases used yesterday by the Member for Kluane were out of order, in the context in which they were used.

Neither phrase attributed a false or unavowed motive to another member or accused another member of deliberately misleading the House.

As for the reference to Standing Order 23(4), that is relevant where the Speaker is called upon to name a Member of the House, which was not at issue yesterday.

The Chair appreciates that some Members may not be pleased with this ruling.

However the House is a forum for political debate and not all strong words are necessarily unparliamentary.

At the same time the Chair would remind all Members that strong words have a tendency to beget strong words and Members who use them may find themselves on the receiving end of similar comments in the future.

The Chair thanks all Members for their attention to this ruling."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Monday, October 18, 2010.

No. 240

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, October 18, 2010

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.

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Tuesday, October 19, 2010.

No. 241

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, October 19, 2010

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 #1123 as being the item to be called during Opposition Private Members' Business on Wednesday, October 20, 2010.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Leader of the Third Party, identified Motion #122 as being the item to be called during Opposition Private Members' Business on Wednesday, October 20, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The following bill was reported without amendment:

Bill #91 - Second Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

The report of the Chair was adopted.

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #91 - Second Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

The question being put on the motion for Third Reading of Bill #91, it was agreed to on the following recorded Division:

YEA			
Fentie	Lang	McRobb	
Taylor	Horne	Elias	
Hart	Edzerza	Fairclough	15
Kenyon	Nordick	Inverarity	
Rouble	Mitchell	Cardiff	
NAY			
			0

Bill #91, entitled Second Act to Amend the Motor Vehicles Act, 2010, 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 #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m., until 1:00 p.m. on Wednesday, October 20, 2010.

No. 242

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, October 20, 2010

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 made the following statement regarding a change made to the Order Paper:

"The Chair wishes to inform the House that Motion #1189, standing in the name of the Member for Lake Laberge, has been removed from the Order Paper, as it is now outdated."

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Mitchell, Member for Copperbelt:

THAT this House urges the Yukon Government to support the efforts of the Northern City Supportive Housing Coalition to build supportive housing for the homeless population in Whitehorse in the following ways:

- (1) directing the Minister of Health and Social Services and the Minister responsible for the Yukon Housing Corporation to work together with the coalition, to ensure the project is approved and the budget is spent by March 31, 2011,
- (2) including in budgeting, operational funding of a predetermined amount annually for the purpose of providing supports for residents of the facility; and
- (3) working with all levels of government, non-government organizations, First Nations and stakeholder groups to support a Housing First approach to ending homelessness in Yukon. **(Motion #1123)**

A debate having started on the motion, it was moved by the Hon. Mr. Kenyon, Minister responsible for the Yukon Housing Corporation, in amendment thereto:

THAT Motion #1123 be amended by:

- (1) deleting the words "support the efforts of" and replacing them with the words "work with",
- (2) adding a comma and the following words after the word "Coalition": "the Options for Independence Society and other associations."
- (3) adding the words "and others with housing needs" after the word "population"; and
- (4) deleting all the words after the word "Whitehorse" and adding the following words: "and in other Yukon communities."

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

YEA			
Fentie	Kenyon	Edzerza	
Taylor	Rouble	Nordick	8
Hart	Horne		
NAY			
Mitchell	Inverarity	Cardiff	4
Fairclough			

The debate arising on Motion #1123 as amended, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Kenyon	Horne	
Taylor	Rouble	Edzerza	9
Hart	Lang	Nordick	
NAY			
Mitchell	Inverarity	Cardiff	4
Fairclough			

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Yukon Government to honour the commitment in the 2001 Yukon Literacy Strategy to make literacy programming accessible to all Yukon people, to develop partnerships with First Nation communities, and to provide multi-year funding that would be relevant and accessible for communities at levels consistent with Community Training Funds. **(Motion #122)**

A debate started 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 1:00 p.m., Thursday, October 21, 2010 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Thursday, October 21, 2010.

No. 243

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, October 21, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Edzerza, Minister of Environment:

- Yukon Fisheries, 2010, Status of, prepared by Environment Yukon, Fish and Wildlife Branch **(Filed Document #161)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

- Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Monday, October 25, 2010.

No. 244

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, October 25, 2010

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

SPEAKER'S RULING (Re: Point of Order raised during Question Period on October 21, 2010)

Prior to proceeding with Question Period the Chair made the following ruling on a Point of Order raised during Question Period on October 21, 2010, by the Minister responsible for the Yukon Housing Corporation.

"At that time the Member for Kluane posed a series of questions to the Minister regarding government accountability.

During the course of his final supplementary question the Member for Kluane said, 'The Minister should be mindful of the oath of office he swore in this Assembly.'

At that point the Minister rose on a Point of Order and said, 'the Member opposite is saying that someone abrogated an oath.'

The Leader of the Official Opposition intervened on the Point of Order and said the Member for Kluane 'did not accuse the Minister of abrogating his oath. He reminded him of his oath...'

The Chair concurs with the Leader of the Official Opposition. There is no Point of Order.

However, the Chair would ask all Members to remember that personal comments they make in the preamble to their question or response may lead to disorder even where the words themselves are not disorderly.

In closing, the Chair would remind all Members of the words of one of the prayers we use to open our proceedings:

May the deliberations in this House be characterized by temperance, understanding and reason, and may we, the elected members of this House, serve all Yukon citizens with dignity and honour.

I would ask all Members to keep those words in mind, and act in accordance with them as we conduct proceedings in this House."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Tuesday, October 26, 2010.

No. 245

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, October 26, 2010

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

INTRODUCTION OF BILLS

Bill #111 - Act to Amend the Elections Act
-Mr. Cardiff

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, identified Motion #1217 and Motion #1218, as being the items to be called during Government Private Members' Business on Wednesday, October 27, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Wednesday, October 27, 2010.

No. 246

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, October 27, 2010

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

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to develop a homeless shelter in downtown Whitehorse. **(Motion #1217)**

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

THAT Motion #1217 be amended by:

inserting immediately after the words "to develop a" the following words:

"permanent 24-hour"; and inserting after "Whitehorse" the following words:

"that would incorporate the following objectives:

- (1) provide access to a safe environment for more than one evening at a time,
- (2) provide healthy living alternatives and counselling,
- (3) provide specific programming to benefit youth and adults at risk; and
- (4) provide 24-hour support staff. "

A debate arising on the amendment, it was moved in amendment by the Hon. Mr. Hart, Minister of Health and Social Services, thereto:

THAT the amendment to Motion #1217 be amended by deleting all the words after the word "support" in clause 4.

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

YEA

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

NAY

0

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

YEA

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

NAY

0

A debate arising on Motion #1217 as amended, and the question being put, it was agreed to on the following recorded Division:

YEA

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

NAY

0

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to continue its initiatives to revitalize the City of Whitehorse's downtown core. **(Motion #1218)**

A debate started on the motion, and the time reaching 5:30 p.m., while Mr. Nordick, Member for Klondike, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, October 28, 2010 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Thursday, October 28, 2010.

No. 247

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, October 28, 2010

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 made the following statement regarding changes made to the Order Paper:

"The Chair wishes to inform the House of changes which have been made to the Order Paper. Motion #1219, standing in the name of the Member for Klondike, and Motion #1220, standing in the name of the Member for Mount Lorne, have been removed from the Order Paper as they are now outdated."

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier:

- Audited Consolidated Financial Statements of the Government of Yukon for the year ended March 31, 2009 **(Sessional Paper #180)**
- Public Accounts 2009-2010 of the Government of Yukon for the year ended March 31, 2010 **(Sessional Paper #181)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Monday, November 1, 2010.

No. 248

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, November 1, 2010

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.

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Tuesday, November 2, 2010.

No. 249

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, November 2, 2010

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

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Leader of the Third Party, identified Bill #111 as being the item to be called during Opposition Private Members' Business on Wednesday, November 3, 2010.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #1179 as being the item to be called during Opposition Private Members' Business on Wednesday, November 3, 2010.

UNANIMOUS CONSENT REQUESTED TO DEBATE MOTION #1226

The Hon. Ms. Taylor, Government House Leader, pursuant to Standing Order 14.3, requested the unanimous consent of the House to call Motion #1226 for debate. Unanimous consent was granted.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Edzerza, Minister of Environment:

THAT the terms of reference of the Select Committee on the Safe Operation and Use of Off-road Vehicles, as established by Motion #834 of the 1st Session of the 32nd Legislative Assembly, be amended by changing the date of its reporting to the House from the 2010 Fall Sitting of the Legislative Assembly to the 2011 Spring Sitting of the Legislative Assembly. **(Motion #1226)**

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 #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Wednesday, November 3, 2010.

No. 250

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, November 3, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Taylor, Minister of Tourism and Culture:

- Yukon Arts Centre 2009-2010 Annual Report (Sessional Paper #182)
- Yukon Geographical Place Names Board 2009-2010 Annual Report (Filed Document #162)

MINISTERIAL STATEMENT

Hon. Mr. Ezderza, Minister of Environment

- Nordenskiöld (Tsâwnjik Chu) Habitat Protection Area Management Plan Signing

FILED DOCUMENT

During Question Period, Mr. Elias, Member for Vuntut Gwitchin, filed the following document:

- Arctic offshore drilling, National Energy Board public hearing in Yukon: letter (dated June 22, 2010) from Darius Elias, MLA, Vuntut Gwitchin, to Anne-Marie Erickson, Secretary of the Board, National Energy Board (Filed Document #163)

OPPOSITION PRIVATE MEMBERS' BUSINESS

The following bill was called for Second Reading:

Bill #111 - Act to Amend the Elections Act
-Mr. Cardiff

A debate arising on the motion for Second Reading of Bill #111, entitled Act to Amend the Elections Act, it was moved by the Hon. Mr. Fentie, Premier:

THAT the debate be now adjourned.

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

YEA			
Fentie	Kenyon	Horne	
Taylor	Rouble	Edzerza	9
Hart	Lang	Nordick	
NAY			
Mitchell	Elias	Inverarity	6
McRobb	Fairclough	Cardiff	

Debate on the motion for Second Reading of Bill #111 was accordingly, adjourned.

Moved by Mr. Elias, Member for Vuntut Gwitchin:

THAT this House urges the Government of Yukon to address the unknown health implications of the consumption of energy drinks on youth under the age of 18 by:

- (1) immediately prohibiting the consumption, distribution and possession of energy drinks in all Yukon schools and within their jurisdictional boundaries,
- (2) developing legislation to ensure only persons over the age of 18 can purchase energy drinks in Yukon; and
- (3) working with Health Canada to ensure the consumption of energy drinks by adults only is being properly regulated in Canada. **(Motion #1179)**

A debate having started on the motion, it was moved by the Hon. Mr. Rouble, Minister of Education, in amendment thereto:

THAT Motion #1179 be amended by deleting:

- (1) the colon after the words "18 by",
- (2) deleting clauses (1) and (2),
- (3) deleting the number "(3)" where it appears; and
- (4) deleting the words "by adults only".

A debate started on the amendment, and the time reaching 5:30 p.m., while Mr. McRobb, Member for Kluane, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, November 4, 2010, and debate on the amendment and Motion #1179, was accordingly adjourned.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Thursday, November 4, 2010.

No. 251

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, November 4, 2010

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

TABLING RETURNS AND DOCUMENTS

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

- Health Care Insurance Programs: Statement of Revenue and Expenditures for Fiscal Years 2000/01 to 2009/10 **(Filed Document #164)**

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: Sixteenth Report (dated November 4, 2010) **(Sessional Paper #183)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m., until 1:00 p.m. on Monday, November 8, 2010.

No. 252

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, November 8, 2010

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

TABLING RETURNS AND DOCUMENTS

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

- Queen's Printer Agency 2009-2010 Annual Report **(Filed Document #165)**
- Fleet Vehicle Agency 2009-2010 Annual Report **(Filed Document #166)**

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

- Yukon Health and Social Services Council 2009-2010 Annual Report
(Sessional Paper #184)

PETITIONS

Mr. Cathers, Member for Lake Laberge, presented the following Petition:

- Takhini Hot Springs Road zoning **(Petition #14)**

COMMITTEE OF THE WHOLE

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

At 1:59 p.m., Committee of the Whole passed the following motion:

THAT, Mark Pike, 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 before Committee of the Whole from 3:30 p.m. to 5:30 p.m. on Monday, November 8, 2010, to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

(C/W Motion #17)

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

Progress was reported on the following bill:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

Pursuant to Committee of the Whole Motion #17, passed at 1:59 p.m., this day, Mark Pike, 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 before Committee of the Whole from 3:30 p.m. to 5:30 p.m.

The report of the Chair was adopted.

The Assembly adjourned at 5:25 p.m., until 1:00 p.m. on Tuesday, November 9, 2010.

No. 253

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, November 9, 2010

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

MOMENT OF SILENCE - In Recognition of Remembrance Day

The Speaker and the House observed Remembrance Day as follows:

“Before the House proceeds to the Daily Routine, I would ask all Members to remain standing. We will take a few moments to honour those who have served, and continue to serve, in Canada’s Armed Forces. Thursday, November 11, is Remembrance Day. Remembrance Day marks the end of Veterans Week, and it 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 freedoms we cherish exist largely because of the sacrifices made by these brave individuals. At this time of the year we wear poppies; we pause for two minutes of silent tribute and attend ceremonies to honour their memory. As this is the last sitting day before Remembrance Day, it is appropriate for members to observe a moment of silence. I would ask that everyone present reflect on the extraordinary sacrifices of those Canadians who have served, and continue to serve, in times of war and turmoil. We will have a moment of silence, please.”

SPEAKER’S RULING (Re: Tabling a Draft Committee Report)

“Prior to calling for the tabling of returns and documents the Chair will rule on an event that occurred yesterday.

Yesterday, during Tabling Returns and Documents, the Member for Mount Lorne and the Member for Mayo-Tatchun tabled a document entitled ‘Minority Report on Whistle-blower Protection.’

Both Members are members of the Select Committee on Whistle-blower Protection and the report they tabled is the draft report that is currently before the Committee.

It is, therefore, the Committee’s report.

Standing Order 49(1) says, ‘A report from a Committee shall be signed by the Chair, on behalf of the Committee, and shall be presented to the Assembly by the Chair or by another member of the Committee authorized by the Chair or the Committee.’

The Standing Orders do not provide for members of a committee to present a minority report.

The document tabled by the Member for Mount Lorne and the Member for Mayo-Tatchun does not meet the criteria of the Standing Orders and its tabling is, therefore, not in order.

The document shall not be entered into the working papers of the Assembly and will be returned to the Member for Mount Lorne and the Member for Mayo-Tatchun.”

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister of Education

- Yukon Department of Education 2009-2010 Academic Year Annual Report
(Sessional Paper #185)

Hon. Mr. Edzerza, Minister responsible for the Environment

- 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 September 8, 2010
(Sessional Paper #186)

Hon. Ms. Horne, Minister of Justice

- Crime Prevention and Victim Services Trust Fund 2008/2009 Annual Report
(Sessional Paper #187)
- Crime Prevention and Victim Services Trust Fund 2009/2010 Annual Report
(Sessional Paper #188)

Hon. Ms. Taylor, Minister responsible for the Public Service Commission

- Yukon Public Service Labour Relations Board 2009-2010 Annual Report
(Sessional Paper #189)
- Yukon Teachers Labour Relations Board 2009-2010 Annual Report
(Sessional Paper #190)
- Yukon Heritage Resources Board April 1, 2009 – March 31, 2010 Annual Report
(Sessional Paper #191)

Hon. Mr. Fentie, Premier

- Yukon Development Corporation 2009 Annual Report and Audited Financial Statements
(Sessional Paper #192)
- Yukon Energy Corporation 2009 Annual Report and Audited Financial Statements
(Sessional Paper #193)

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

- Yukon Hospital Corporation 2009 -2010 Annual Report **(Sessional Paper #194)**

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

- Yukon Liquor Corporation April 1, 2009 – March 31, 2010 Annual Report and Audited Financial Statements
(Sessional Paper #195)

Mr. Cathers, Member for Lake Laberge

- Takhini Hotsprings Lots, Subdivision and Residential Development of: Legal opinion (dated November 9, 2010) from Stephen L. Walsh, Barrister and Solicitor, to Brad Cathers, MLA, Lake Laberge **(Filed Document #167)**

PRESENTING REPORTS OF COMMITTEES

Mr. Nordick, Chair, Select Committee on the *Landlord and Tenant Act*:

- *Landlord and Tenant Act*, Select Committee on the: Report (dated November 2010)
(Sessional Paper #196)

PETITIONS

Report of the Clerk

"Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #14 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Lake Laberge on November 8, 2010.

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, Petition #14 is, accordingly, deemed to be read and received.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Fentie, Premier:

THAT the following Address be presented to the Commissioner of Yukon:

MAY IT PLEASE THE COMMISSIONER:

WHEREAS section 35 of the *Ombudsman Act* states:

35(1) Subject to subsection (2), this Act shall continue in force for a period of five years from the day on which it came into force, and no longer.

(2) If at any time while this Act is in force, an address is presented to the Commissioner by the Legislative Assembly praying that this Act should be continued in force for a further period, not in any case exceeding five years, from the time at which it would otherwise expire and the Commissioner in Executive Council so orders, this act shall continue in force for that further period.

AND WHEREAS the *Ombudsman Act* came into force on July 1, 1996 and, pursuant to Order in Council 2001/04, was continued in force from July 1, 2001 to June 30, 2006; and, pursuant to Order in Council 2006/27 was continued in force from July 1, 2006 to June 30, 2011,

AND WHEREAS the Members of the Yukon Legislative Assembly believe it to be in the public interest to take action in a timely way respecting the continuance of the *Ombudsman Act*,

NOW THEREFORE this Legislative Assembly prays that the *Ombudsman Act* should be continued in force for a further period, being from July 1, 2011 to June 30, 2013.

(Motion #1236)

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

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

THAT the Yukon Legislative Assembly, pursuant to section 17(1) of the *Human Rights Act*, does appoint Fia Jampolsky and Juanita Wood as members of the Yukon Human Rights Commission for terms of three years effective December 10, 2010. **(Motion #1237)**

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

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

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, does appoint Joie Quarton as chief adjudicator to the panel of adjudicators for a term of three years effective December 10, 2010. **(Motion #1238)**

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

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

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, does appoint Kim Cholette as a member of the panel of adjudicators for a term of three years effective December 10, 2010. **(Motion #1239)**

A debate 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 #92 - Act to Amend the Income Tax Act (2010)
-Hon. Mr. Fentie
- Bill #86 - Act to Amend the Business Corporations Act
-Hon. Mr. Lang
- Bill #87 - Securities Transfer Act
-Hon. Mr. Lang
- Bill #88 - Act to Amend the Partnership and Business Names Act
-Hon. Mr. Lang
- Bill #89 - Act to Amend the Societies Act
-Hon. Mr. Lang
- Bill #90 - Act to Amend the Cooperative Associations Act
-Hon. Mr. Lang

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 2010 Fall Sitting. Standing Order 76(1) states: ‘On the sitting 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:

- (a) put the question on any amendment then before the Committee;
- (b) 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;
- (c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and
- (d) 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 the Government Bills now before the Committee of the Whole, which should be called."

The Hon. Ms. Taylor, Government House Leader, directed that Bills No. 22, and 93, be called.

The Committee agreed to report the following bills without amendment:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

Bill #93 - Miscellaneous Statute Law Amendment Act, 2010
-Hon. Ms. Horne

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 that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the 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 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. Ms. Taylor, Government House Leader, directed that Bills No. 21, 22, 86, 87, 88, 89, 90, 92, and 93 be called at this time.

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #21 - Fourth Appropriation Act, 2009-10
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #21, it was agreed to on the following recorded Division:

YEA

Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			

NAY

Mitchell	Elias	Inverarity	
McRobb	Fairclough	Cardiff	6

Bill #21, entitled Fourth Appropriation Act, 2009-10, accordingly, passed the House.

The following bill was called for Third Reading:

Bill #22 - Second Appropriation Act, 2010-11
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #22, it was agreed to on the following recorded Division:

YEA

Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			

NAY

Mitchell	Elias	Inverarity	
McRobb	Fairclough	Cardiff	6

Bill #22, entitled Second Appropriation Act, 2010-11, accordingly, passed the House.

The following bill was called for Third Reading:

Bill #86 - Act to Amend the Business Corporations Act
-Hon. Mr. Lang

The question being put on the motion for Third Reading of Bill #86, it was agreed to on the following recorded Division:

YEA

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

NAY

0

Bill #86, entitled Act to Amend the Business Corporations Act, accordingly, passed the House.

The following bills were read a third time and passed:

Bill #87 - Securities Transfer Act
-Hon. Mr. Lang

Bill #88 - Act to Amend the Partnership and Business Names Act
-Hon. Mr. Lang

Bill #89 - Act to Amend the Societies Act
-Hon. Mr. Lang

Bill #90 - Act to Amend the Cooperative Associations Act
-Hon. Mr. Lang

The following bill was called for Third Reading:

Bill #92 - Act to Amend the Income Tax Act (2010)
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #92, it was agreed to on the following recorded Division:

YEA

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

NAY

0

Bill #92, entitled Act to Amend the Income Tax Act (2010), 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:

Fourth Appropriation Act, 2009-10
Second Appropriation Act, 2010-11
Act to Amend the Business Corporations Act
Securities Transfer Act
Act to Amend the Partnership and Business Names Act
Act to Amend the Societies Act
Act to Amend the Cooperative Associations Act
Second Act to Amend the Motor Vehicles Act, 2010
Act to Amend the Income Tax Act (2010)
Miscellaneous Statute Law Amendment Act, 2010

The Commissioner assented to the bills:

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

Commissioner Van Bibber's Remarks

"Today, I appear for the final time as Commissioner of Yukon to close the fall sitting of the Legislative Assembly. I'm going to take this opportunity to impart a few thoughts and to say a proper thanks and goodbye. You may have noticed I've changed the format today. I will readily admit I love the formal part of my position. My aides-de-camp, RMCP and military, have been so helpful and outstanding in their service to me these past five years. Please help me welcome Staff Sergeant Major Al Hubleby and Captain Tad Nicol.

I have met many people in different venues in different levels of political involvement. It is inherent in us as a people to want to discuss politics, politicians and how decisions are affecting our lives. We cannot get away from it, whether it's First Nation, municipal, federal or territorial. The commissioners, lieutenant governors and Governor General of Canada are appointed non-political positions and should remain so. It is a safeguard for this unique group, as we are instructed to encourage, warn and advise.

Each Premier interacts with their viceregal or head representative differently. Some meet monthly, some quarterly and some only when required. I believe it depends on the personalities that are in place. I personally thank my First Minister, Premier Fentie, for having an open door with my office.

During my five years I have been very busy. When asked if I liked my job, I say, 'No, I don't like it – I love it.' It has given me an opportunity to see the wonderful things that Yukoners do for their communities. As I come closer to the date of November 30 and my five-year mandate is completed, I have two questions asked of me almost daily: 'What are you going to do next?' and 'Who is the next Commissioner?' I am now saying, before anyone can ask, that I don't know.

Most do not see what is entailed when one becomes a politician or understand what a difficult choice it must be to become the face of Yukon politics, but I now know a little bit of what it feels like to forego some of your private life. I commend you and your families for your contributions.

Throughout my mandate, I made sure that I said thank you every time I closed a session, and I again say thank you on behalf of all Yukoners.

To the Clerk of the Assembly, Floyd McCormick, and Deputy Clerk, Linda Kolody, the Sergeants-at-Arms, Rudy Couture and Doris McLean, the Legislative Assembly Office staff, the Hansard crew, and the pages, thanks to each of you. You have been so gracious to me each time I attend the House.

For those I might have missed, I express my appreciation for the support and kindness you have shown me as your Commissioner. Soon, we will welcome a new Commissioner to continue the work within this Chamber and for Yukoners. In a few days, on November 11, when we gather for Remembrance Day ceremonies throughout the territory, please take my regards to your communities on my behalf. Have a wonderful holiday season and all the best to you and your families."

Speaker Staffen's remarks

"I would ask the Members to remain standing.

Hon. Commissioner, on behalf of all Members of the Yukon Legislative Assembly, I want to thank you for your service to this House and to the Yukon. From our perspective, you went from Dawson's pride and joy to making all Yukoners proud of the job that you have done on our behalf. So, on behalf of all Members of the Yukon Legislative Assembly, I would like to thank you very much and say, job well done."

The Commissioner, accompanied by her aides-de-camp, then withdrew from the Chamber.

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 2010 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 5:29 p.m.