

No. 1

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Thursday, December 1, 2011

This being the day appointed for the opening of the First Session of the Thirty-third Wholly-Elected Legislative Assembly of Yukon for the dispatch of business and the oaths having been already administered to the Members of the Legislative Assembly, the Members took their seats in the House.

Proclamation

The Clerk of the Legislative Assembly, Floyd McCormick, read the Proclamation as follows:

“TO ALL Members of the Legislative Assembly of Yukon, and to all others whom this may concern

GREETINGS

A PROCLAMATION

“KNOW YE THAT under and by virtue of the power and authority vested in the Commissioner of Yukon under the *Yukon Act* (Canada), the Legislative Assembly of Yukon is summoned to meet for dispatch of business in the Legislative Assembly Chamber, Yukon Government Administration Building, Whitehorse, Yukon on Thursday, the 1st day of December, A.D., 2011, at the hour of three o'clock in the afternoon all of which all persons concerned are required to take notice and to govern themselves accordingly.

GIVEN UNDER my hand and seal of Yukon, at Whitehorse this 16th day of November, A.D., 2011.

Doug Phillips
Commissioner of Yukon”

Report on Members Elected

The Clerk of the Legislative Assembly reported on the Members elected to the Yukon Legislative Assembly as follows:

“Honourable members, the following letter, dated October 17, 2011, was sent by the Chief Electoral Officer to the Commissioner of Yukon, the Hon. Doug Phillips:

'Dear Mr. Phillips:

As required by section 308 of the *Elections Act*, I am pleased to advise you that the returns to the writs for the general election of Members to the Yukon Legislative Assembly held October 11th, 2011, have been received. The returning officers state in their returns that the following candidates have been elected:

Copperbelt North	Currie Dixon
Copperbelt South	Lois Moorcroft
Klondike	Sandy Silver
Kluane	Wade Istchenko
Lake Laberge	Brad Cathers
Mayo-Tatchun	Jim Tredger
Mount Lorne-Southern Lakes	Kevin Barr
Mountainview	Darrell Pasloski
Pelly-Nisutlin	Stacey Hassard
Porter Creek Centre	David Laxton
Porter Creek North	Doug Graham
Porter Creek South	Mike Nixon
Riverdale North	Scott Kent
Riverdale South	Jan Stick
Takhini-Kopper King	Kate White
Vuntut Gwitchin	Darius Elias
Watson Lake	Patti McLeod
Whitehorse Centre	Liz Hanson
Whitehorse West	Elaine Taylor

Sincerely,
Jo-Ann Waugh
Chief Electoral Officer"

Clerk advises House that Commissioner will not deliver Speech from the Throne until Speaker is elected

The Commissioner, the Hon. Doug Phillips, entered the Chamber and took the Chair.

The Clerk of the Legislative Assembly then stated:

"I am commanded by the Commissioner, in his capacity as Lieutenant Governor, to state that he does not see fit to declare the causes of the summoning of the present Assembly of this territory until a Speaker of this Assembly shall have been chosen according to law, but today at a subsequent hour he will declare the causes of the calling of this Assembly."

The Commissioner then retired from the Chamber.

ELECTION OF SPEAKER

The Clerk addressed the House:

"Honourable Members, nominations are invited for the Office of Speaker of this Assembly."

Motion #1

It was moved by the Hon. Mr. Pasloski, Premier, and seconded by Liz Hanson, Leader of the Official Opposition, and Mr. Elias, Leader of the Third Party:

“THAT David Laxton, Member for Porter Creek Centre, do take the Chair of this Assembly as Speaker.”

The Clerk, having scanned the House for further nominations, repeated the motion and called for a vote. He then stated:

“The ayes have it, and David Laxton, Member for Porter Creek Centre, is, by direction of this Assembly, duly elected as Speaker of the Yukon Legislative Assembly.”

SPEAKER'S ADDRESS TO THE ASSEMBLY

The Speaker retired from the Chamber, donned his robe and re-entered the Chamber.

The Premier, the Leader of the Official Opposition and the Leader of the Third Party, shook hands with the newly-elected Speaker and offered their congratulations.

Standing on the Dais, the Speaker thanked the Assembly as follows:

“Commissioner Phillips, Premier Pasloski, Members of the Legislature, colleagues and visitors, I am truly humbled by the faith you have placed in me today. It has been a long road to this place — something I couldn't have done without the help of my partner Leslie, my family, my friends and those many people who have also placed their highest trust in me: my constituents and the members here. I'm a veteran, and as such, I know how important it is to have and maintain this trust. Today you have made me Speaker of the Yukon Legislative Assembly. It's truly humbling. When William Lenthall became Speaker of the British House of Commons in 1640, he politely reminded the King of three fundamental things needed by Parliament: access to the Sovereign, privilege from arrest and freedom of speech. In return, he promised, on behalf of Parliament, fidelity and fiscal responsibility. Two years later, when the King entered the House looking for five disruptive members and demanding their whereabouts, Lenthall, with good sense, told him that the Speaker has neither eyes to see, nor tongue to speak, but only as members direct. Through these two events, Lenthall reinforced the Speaker as Parliament's spokesperson for conveying its resolutions to the Sovereign and, equally important, the Speaker as a neutral servant of the House.

This remains true some 370 years later. There is historic folklore that some Speakers in centuries past have taken on this role at their personal peril. That's why we don't go to the Speaker's chair willingly, in case the King's executioner is waiting in the wings.

But when we do accept, we do so with a humility for those gone before and with a single determination: to leave this Chamber a better place. The position of Speaker is the third highest in our parliamentary democracy. First is the Queen's representative, in our case the Commissioner; next is the Premier, and then comes the Speaker. This hierarchy shows how central the Yukon Legislative Assembly is in the everyday governance of our fellow citizens, and it underscores the

importance of having a Speaker who must ensure that the business of the Legislature is conducted in a fair, disciplined and respectful manner.

To that end, it's my duty to be impartial, to treat all members equally and without favour. It is also necessary for a Speaker to be independent from the executive side of government, to issue rulings and orders with the neutrality required of this office. That's the heritage and the task, and that is why I have to be a worthy successor to the Speakers who have discharged their responsibility with dignity, wisdom and patience. You see, nothing else is acceptable. Such is the weight of maintaining both the confidence and respect of the Legislature.

In return for this, I ask that you conduct yourselves in debate, not only with vigour befitting your basic political values, beliefs and vision, but also with the decorum befitting the special office you have been given by our fellow citizens. How you treat each other will in large measure determine the worth that Yukoners convey upon you.

This is a chamber of debate, the highest in our territory. Young and old will look to you for leadership, inspiration, and most importantly, assurance – assurance that your first care is to the well-being of our citizens. While putting much effort into crafting clever questions designed to embarrass, and evading answers to that same end, may seem like the smart thing to do, putting effort into eliciting reasonable and useful information on both sides is perhaps the courageous thing to do. In asking this of you, I will certainly do my part in the thoughtful application of the rules governing matters of procedure in this Assembly.

Finally, there is a public trust that we have all undertaken ourselves, and personal awareness of this trust is something we must never forget. Even in the heavy mix of debate and interest, we are its guardians. We are its servants.

You have just given me the greatest honour in my professional life, next to being a member of this Legislature. In return, I pledge concentration, focus and clarity in my new role, and it reflects my belief and basic honesty and decency of my fellow colleagues. I will do my utmost to serve both faithfully and effectively in the discharge of that trust. Thank you."

The Speaker then took his seat and addressed the Clerk as follows:

"Mr. Clerk, will you please advise the Commissioner, in his capacity as Lieutenant Governor, that the Assembly is now prepared to hear the Speech from the Throne."

The Commissioner returned to the Chamber and took the Chair.

SPEAKER'S ADDRESS TO THE COMMISIONER

The Speaker then said:

"Mr. Commissioner:

The Members of the Legislative Assembly have elected me to be their Speaker and I recognize the important duties now given to me. If, in the performance of those duties, I should at any time make a mistake, the fault is

mine and not that of the Assembly, whose servant I am. At this time, so that all Members of the Assembly can best carry out their duty to Yukon, to their country and to the Queen, I would claim for them their undoubted rights and privileges, especially freedom of speech in their debates, access to your person when necessary and your favourable consideration of their proceedings.”

RESPONSE BY THE COMMISSIONER

The Commissioner then said:

“Mr. Speaker:

I am pleased to declare to you that I believe in the duty of the Assembly and, not doubting the Assembly’s proceedings will be conducted with wisdom, temper and care, I grant and allow the Assembly’s constitutional privileges. I assure you that the Assembly shall have ready access to me and that the Assembly’s proceedings, words and actions will receive from me favourable consideration. ”

SPEECH FROM THE THRONE

The Commissioner then delivered the Speech from the Throne as follows:

“Mr. Speaker, Members of the Yukon Legislative Assembly, Yukoners, visitors and honoured guests, I welcome you in our Sovereign’s name to the First Session of the 33rd Legislative Assembly.

It is worthy to note that my government is the only government since the inception of party politics in 1978 to achieve a third mandate. This indeed is historic and clearly demonstrates that the people of the Yukon continue to want political stability, continuity and prosperity.

Prior to 2002, Yukon had experienced seven years of economic recession. Yukon’s population had been in decline for six consecutive years, following the closure of the Faro mine in 1997.

Yukon’s unemployment rate had been in the double-digit range for years. Yukon’s mining industry was nearly defunct, with exploration and development spending in the territory being less than \$10 million. Almost 3,000 Yukoners – our young people, our prime labour force – left the Yukon to find work Outside.

Rebuilding Yukon’s private sector economy was job one for the two previous Yukon governments elected in 2002 and re-elected in 2006. They put Yukon on the pathway to prosperity and my government, re-elected in 2011, wants to continue that journey.

My government’s vision, ‘Moving Forward Together’, continues to build upon the four pillars of the two previous Yukon governments: better quality of life, the environment, the economy and good governance. These pillars are the solid foundations upon which my government will continue to build the future. A growing, prosperous economy creates challenges. My government welcomes these challenges.

In relation to the quality of life, both housing and land availability have been identified as pressing challenges. With a strong economy and a housing demand exceeding supply, my government is committed to making a range of housing options available to Yukoners. For those most in need, my government is working with the Salvation Army to significantly increase the capacity of the shelter, which could mean a new shelter at a new location or a significant renovation to the existing shelter.

As part of its housing strategy, my government is proposing to implement a number of projects throughout the Yukon, including the following: a youth shelter in Whitehorse; the construction of a new seniors complex in Mayo; the replacement of McDonald Lodge in Dawson City with a new facility to be attached to the new Dawson Hospital; second-stage housing for Kaushee's Place in Whitehorse, the expansion from six to 24 units of the Options for Independent Living complex for adults with FASD; replacing double-wide trailers in Carmacks and Ross River with four stick-built units in each community; and other housing projects, including making land available to Yukon College to construct a new student residence.

My government will be working with the private sector to increase the supply of affordable rental units, which has been identified as another pressing need. It is proposed that the four-hectare parcel of land located between Range Road and Mountainview Drive in the Takhini area be sold to a private developer or developers on special terms and conditions with the caveat that the property will be used for the construction of affordable rental units.

My government also recently signed an agreement with the Kwanlin Dun First Nation to explore development opportunities in relation to residential land and housing for the general public, while providing economic development benefits to the Kwanlin Dun.

Yukon First Nations are key partners in our thriving economy. My government is also working in collaboration with the Teslin Tlingit Council to make land available and will be working with other interested First Nations to meet the territory's land availability and housing needs.

Yukon's growing prosperous economy has resulted in a substantial increase in population, which in turn is putting increased pressure on the territory's health and social services safety net. This is another challenge my government must meet. My government has proposed a variety of initiatives to meet these challenges, including putting more resources into addictions recovery, including the following: replacing the aging Sarah Steele Building with a larger, more modern facility that will provide space and resources to support an after-care program for people coming out of the 28-day program, as well as support for land-based treatment programs with Yukon First Nations; providing more resources toward youth alcohol and drug programming; adding more incentives to attract medical professionals, including family doctors; investing in health care infrastructure, such as the new MRI facility and the new emergency department at the Whitehorse General Hospital; providing support for families caring for seniors and children with disabilities through a new caregiver tax credit and other measures; and enhancing the home care program and helping seniors staying in their homes longer.

My government is committed to implementing its vision for supporting child care and early learning, including the following: expanding the 'Learning Together' initiative that assists parents and children with transitions to kindergarten in schools throughout the territory; providing additional support for children with disabilities and developmental challenges, including adjusting the direct operating grant to address the additional costs of helping children with special needs; strengthening the licensed child care system by helping to address the training and retention needs; and creating a new parenting and early development resource centre.

Yukon's growing and prosperous economy has created an increased demand for more educational facilities and training programs. My government is committed to meeting this challenge by educating and training Yukoners for Yukon opportunities. The aging F.H. Collins school will be replaced by a new modern school and my government is committed to

transforming Yukon College into a northern university in the longer term. Immediate priorities include providing land at Yukon College for the proposed centre for northern innovation in mining and increased opportunities to Yukon entrepreneurs by expanding programming delivered through the technology innovation fund and the cold climate innovation fund.

My government is committed to protecting, preserving and celebrating Yukon's pristine environment, sensitive ecosystems and wilderness landscapes. It will continue to take innovative steps to address climate change through the implementation of its *Climate Change Action Plan* and manage Yukon's air, land, water and wildlife resources for the benefit of present and future Yukon generations.

The new initiative will see the development of a Yukon water strategy to improve access to safe drinking water, and increase data collection and information sharing on water resources.

My government is committed to meeting its obligation to establish special management areas and habitat protection areas under the land claim settlements as well as a plan to manage a system of natural wilderness preserves, natural environmental parks and ecological reserves throughout the territory.

Implementation of a solid-waste action plan will ensure the creation of a state-of-the-art solid-waste management system that will adapt to the changing needs of future generations of Yukon communities.

Yukon today enjoys one of the best economies in Canada. My government is committed to the continued expansion and growth of the Yukon economy by promoting the Yukon Territory's economic mainstays, such as mining, both hardrock and placer, tourism, and oil and gas; promoting economic diversification in other sectors, such as arts and culture, film and sound, forestry, agriculture, wilderness tourism, outfitting, trapping, research and development, knowledge-based industries, and value-added manufacturing; maintaining Yukon's extremely favourable general tax environment that promotes investment in the territory; and providing access to land, regulatory certainty, business incentive and marketing programs, and the provision of necessary transportation, communication and energy infrastructure.

A growing and prosperous economy needs affordable access to energy if it's going to grow. This is one of Yukon's major challenges. Yukon energy needs are real and immediate and my government is committed to investing in short-, medium- and long-term solutions to ensure energy in Yukon remains clean and affordable. To this end, my government will ensure the completion of the Mayo B hydro project, the development of an independent power producer policy and net metering to provide power to Yukoners in the short term. My government is committed to the development of a natural gas industry, as well as geothermal, wind, solar, biomass and hydroelectric projects to meet medium- and long-term needs.

For longer-term energy needs, my government is committed to planning the construction of large-scale hydroelectric projects in one or more of the numerous areas of Yukon already identified as suitable for a hydro project. As part of its long-term vision, my government will also plan for the extension of Yukon's power grid to Alaska and British Columbia.

Good governance is another important pillar of laying a solid foundation for Yukon's future. Yukon is coming of age through effective leadership, political stability, cooperative governments and strong fiscal management. My government will continue to implement cooperative governance and partnerships with Yukon First Nations, utilizing the Yukon Forum

and the intergovernmental forum with Canada, as well as promote mutual respect of each other's jurisdiction.

It will work cooperatively with Yukon communities to address the issues raised in the 'Our Towns, Our Future' report. It will utilize a pan-northern collaborative approach with the Northwest Territories and Nunavut to advance northern interests with the provinces and the Government of Canada and in the international community.

It will work cooperatively with neighbouring jurisdictions, such as the State of Alaska, British Columbia and Alberta, as well as members of the Pacific NorthWest Economic Region, to promote strategic alliances and regional economic development initiatives in which there are shared interests.

Canada north of 60 is coming of age. It is gratifying to see the Government of Canada increasingly appears to recognize that Canada's northern frontier holds Canada's promise for the future and that the three northern territories will play a very important role in Confederation.

My government remains committed to completing and implementing land claims and will continue to urge the Government of Canada, the White River First Nation, the Liard First Nation and the Ross River Dena Council to complete the unfinished business of settling claims in the Yukon. It will work individually with settled Yukon First Nations to implement their settlements on a government-to-government basis and fully honour the commitments set out in the treaties.

My government will continue to advance Yukon's constitutional position in relation to federal recognition of the Crown in right of Yukon, the resolution of in outstanding offshore northern boundary issues, and initiatives that support Arctic sovereignty.

My government remains committed to practising open, accountable, fiscally responsible government and to work constructively with all members of this House to improve the operation of its committees and the proceedings of the Legislature.

Of equal importance, my government will work with Yukon's professional public service to implement the commitments outlined in my government's vision for the future, 'Moving Forward Together', to turn this vision into reality and help all Yukon citizens reach their potential and realize their dream of a better tomorrow.

During this sitting, honourable members will be asked to consider Bill #2, Fourth Appropriation Act, 2010-11, and Bill #3, Second Appropriation Act, 2011-12.

May divine providence attend your deliberations. I thank you in our Sovereign's name.

God bless Yukon, God bless Canada and God save the Queen."

The Commissioner then retired from the Chamber.

The Speaker resumed the Chair and called the House to order and proceeded with prayers.

MOMENT OF SILENCE FOR RECENTLY DECEASED FORMER MEMBERS

The Hon. David Laxton, Speaker, asked all those present to remain standing and observe a moment of silence for Gordon McIntyre, Steve Cardiff and John Edzerza, former members of this House who had passed on since this Assembly last sat.

INTRODUCTION OF ACTING TABLE OFFICER

The Speaker introduced and welcomed Ms. Susan Sourial, who would be providing assistance at the Table during the 2011 Fall Sitting. Ms. Sourial is a Committee Clerk and a Clerk of Committee of the Whole at the Legislative Assembly of British Columbia.

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Ryan Burke, Adrienne Hynes and Teagyn Vallevand from F.H. Collins Secondary School; Zane Hansell, Deanna Klubi and Brittney Telep from Porter Creek Secondary School; and Liam Finnegan and Sruthee Govindaraj from Vanier Catholic Secondary School would be serving as Pages during the Fall Sitting. All Pages were welcomed to the House. Liam Finnegan and Sruthee Govindaraj assisted with the day's proceedings.

INTRODUCTION OF BILLS

Bill #1 - Act to Perpetuate a Certain Ancient Right
-Ms. McLeod

TABLING SPEECH FROM THE THRONE

The Speaker informed the Assembly that he had received a copy of the Speech from the Throne, which he tabled. (Sessional Paper 33-1-1)

SPEECH FROM THE THRONE CONSIDERED ON DAY FOLLOWING:

Ordered on motion of the Hon. Mr. Pasloski, Premier,

THAT the Speech from the Throne be considered on a day following.

Consideration of Speech from the Throne

The Hon. Mr. Cathers, Government House Leader, informed the House, pursuant to Standing Order 26(2), that consideration of a motion for an Address in Reply to the Speech from the Throne will take place on Monday, December 5, 2011.

MOTIONS RESPECTING APPOINTMENTS OF PRESIDING OFFICERS

Election of Deputy Speaker and Chair of Committee of the Whole

Motion #2

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader,

THAT Patti McLeod, the Member for Watson Lake, be appointed Deputy Speaker and Chair of Committee of the Whole.

Election of Deputy Chair of Committee of the Whole

Motion #3

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader,

THAT Stacey Hassard, the Member for Pelly Nisutlin, be appointed Deputy Chair of Committee of the Whole.

INTRODUCTION OF BILLS

- Bill #2 - Fourth Appropriation Act, 2010-11
-Hon. Mr. Pasloski
- Bill #3 - Second Appropriation Act, 2011-12
-Hon. Mr. Pasloski

MONEY MESSAGE

Bill #2, Fourth Appropriation Act, 2010-11, and Bill #3, Second Appropriation Act, 2011-12, were each accompanied by a money message.

INTRODUCTION OF VISITORS

Premier Pasloski introduced and welcomed former Speaker, Mr. Ted Staffen, to the Legislative Assembly. Mr. Staffen was the Speaker of the 31st and 32nd Legislative Assemblies.

NOTICES OF MOTIONS

Hon. Mr. Cathers, Government House Leader

- Re: Appointments to the Standing Committee on Appointments to Major Government Boards and Committees (Motion #4)
- Re: Appointments to the Members' Services Board (Motion #5)
- Re: Appointments to the Standing Committee on Rules, Elections and Privileges (Motion #6)
- Re: Appointments to the Standing Committee on Public Accounts (Motion #7)
- Re: Appointments to the Standing Committee on Statutory Instruments (Motion #8)

UNANIMOUS CONSENT RE: LENGTH OF 2011 FALL SITTING

The Hon. Mr. Cathers, Government House Leader, rose pursuant to Standing Order 14.3 to request the unanimous consent of the House regarding an agreement among the House Leaders regarding the length of the 2011 Fall Sitting of the House. The request was as follows:

- (1) that the 2011 Fall Sitting shall last nine sitting days,
- (2) that the final sitting day will be Thursday, December 15, 2011; and
- (3) that the provisions of Standing Order 76 shall apply on December 15, 2011 in the same fashion as if the day had been established as the final sitting day of the 2011 Fall Sitting, pursuant to Standing Order 75.

Unanimous consent was granted.

MOTION TO ADJOURN THE HOUSE

The Hon. Mr. Cathers, Government House Leader, moved:

“THAT the House do now adjourn.”

The question being put, it was agreed to.

The Assembly adjourned at 3:48 p.m. until 1:00 p.m., Monday, December 5, 2011.

No. 2

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Monday, December 5, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES (Steve Cardiff, former Member for Mount Lorne)

Ms. Moorcroft, Member for Copperbelt South, Mr. Elias, Leader of the Third Party, and the Hon. Mr. Cathers, Government House Leader, paid tribute to Steve Cardiff, former Member for Mount Lorne, who passed away in a tragic car accident on July 6, 2011. Mr. Cardiff was elected as a Member of the Legislative Assembly in 2002 and re-elected in 2006. Condolences were extended to his family and friends.

INTRODUCTION OF VISITORS

Mr. Elias, Leader of the Third Party, introduced and welcomed Ms. Lorraine Netro, a former MLA for Vuntut Gwitchin.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Laxton, Speaker

- Yukon Child and Youth Advocate 2011 Annual Report. (Sessional Paper 33-1-2)
- Conflict of Interest Commission Annual Report for the period from April 1, 2010 to March 31, 2011 (Sessional Paper 33-1-3)
- Election Financing and Political Contributions 2010, Report of the Chief Electoral Officer of Yukon (Sessional Paper 33-1-4)
- Information and Privacy Commissioner 2010 Annual Report (Sessional Paper 33-1-5)
- Ombudsman 2010 Annual Report (Sessional Paper 33-1-6)
- Yukon Human Rights Commission April 1, 2009 to March 31, 2010 Annual Report (Sessional Paper 33-1-7)

- Subsistence, Travel and Accommodations of Members of the Yukon Legislative Assembly, 2010-2011, Report on (dated April 2011) **(Sessional Paper 33-1-8)**
- Absence of Members from Sitzings of the Legislative Assembly and its Committees: Report of the Clerk of the Yukon Legislative Assembly (dated December 1, 2011) **(Sessional Paper 33-1-9)**

PRESENTING REPORTS OF COMMITTEES

The Hon. Mr. Laxton, Speaker

- Appointments to Major Government Boards and Committees, Standing Committee on: 32nd Legislative Assembly, Eighteenth Report (dated September 9, 2011) **(Sessional Paper 33-1-10)**

PETITIONS

No petitions were presented.

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Ms. Hanson, Leader of the Official Opposition

- Re: Good government and democratic reform to be a priority (Motion #9)

Ms. Moorcroft, Member for Copperbelt South

- Re: Housing as a human right (Motion #10)

Ms. White, Member for Takhini-Kopper King

- Re: Yukon Housing Strategy and policy framework (Motion #11)

Mr. Barr, Member for Mount Lorne-Southern Lakes

- Re: Residential Tenancy Act (Motion #12)

Mr. Tredger, Member for Mayo-Tatchun

- Re: Peel Watershed Land Use Plan (Motion #13)
- Re: Fracking, moratorium, review and consultation on (Motion #14)

Ms. Stick, Member for Riverdale South

- Re: Social Inclusion Strategy (Motion #15)

Mr. Elias, Leader of the Third Party

- Re: Family, child and property laws: review of (Motion #16)
- Re: Yukon Water Board: role and jurisdiction of (Motion #17)
- Re: Large-scale hydro-electric projects: commitment to for long-term needs (Motion #18)

Mr. Silver, Member for Klondike

- Re: Dawson City Hospital transition (Motion #19)
- Re: Election Act amendments re enumeration and voter identification (Motion #20)
- Re: Top of the World Golf Course settlement (Motion #21)
- Re: Dawson City recreation centre to be built (Motion #22)

Mr. Hassard, Member for Pelly-Nisutlin

- Re: Health and Human Resource Strategy (Motion #23)

Ms. McLeod, Member for Watson Lake

- Re: Sick and disabled family member support (Motion #24)

Hon. Mr. Cathers, Minister of Energy, Mines and Resources

- Re: Development of the agriculture sector (Motion #25)

MINISTERIAL STATEMENT

No ministerial statement was made.

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:32 p.m. to 2:01 p.m.

The House then proceeded to Orders of the Day.

CONSIDERATION OF SPEECH FROM THE THRONE

The Hon. Mr. Cathers, Government House Leader, informed the House, pursuant to Standing Order 26(2), that consideration of a motion for an Address in Reply to the Speech from the Throne, if not concluded today, would take place on Tuesday, December 6, 2011.

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Motion #26

Moved by Ms. McLeod, Member for Watson Lake:

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

MAY IT PLEASE THE COMMISSIONER: We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech which you have addressed to the House.

A debate arising on the motion and the time reaching 5:30 p.m. while the Hon. Mr. Nixon, Minister of Justice, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House, until Tuesday, December 6, 2011 and debate on Motion #26 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, December 6, 2011.

No. 3

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Tuesday, December 6, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES

See *Hansard* for Tributes.

INTRODUCTION OF VISITORS

No visitors were introduced.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Cathers, Minister of Energy, Mines and Resources

- Peel Planning, letter re: (dated November 21, 2011) from Eddie Taylor, Chief, Tr'ondëk Hwëch'in; Simon Mervyn, Chief, Na-Cho Nyak Dun; Norma Kassi, Chief, Vuntut Gwitchin; and Richard Nerysoo, President, Gwich'in Tribal Council; to Hon. Brad Cathers, Minister of Energy, Mines and Resources, and Hon. Currie Dixon, Minister of Environment
- Peel Planning, letter re: (dated December 2, 2011) from Hon. Brad Cathers, Minister of Energy, Mines and Resources, to Eddie Taylor, Chief, Tr'ondëk Hwëch'in; Simon Mervyn, Chief, Na-Cho Nyak Dun; Norma Kassi, Chief, Vuntut Gwitchin; and Richard Nerysoo, President, Gwich'in Tribal Council

(Filed Document 33-1-1)

(Filed Document 33-1-2)

PRESENTING REPORTS OF COMMITTEES

No committee reports were presented.

PETITIONS

No petitions were presented.

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Ms. Moorcroft, Member for Copperbelt South

- Re: Restorative Justice (Motion #27)
- Re: Yukon Police Force 2010 review: response to (Motion #28)

Ms. Stick, Member for Riverdale South

- Re: Whistleblower protection legislation (Motion #29)

Mr. Elias, Leader of the Third Party

- Re: Yukon College endowment lands (Motion #30)
- Re: Standing Committee on Rules, Elections and Privileges to work on legislative reform and House decorum (Motion #31)

Mr. Silver, Member for Klondike

- Re: New Correctional Centre additional expenditure explanation (Motion #32)
- Re: Development of a gasification facility to burn waste oil (Motion #33)
- Re: Midwifery regulations (Motion #34)

Mr. Hassard, Member for Pelly-Nisutlin

- Re: Yukon Water Strategy to be implemented (Motion #35)

MINISTERIAL STATEMENT

No ministerial statement was given.

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:30 p.m. to 2:04 p.m.

The House then proceeded to Orders of the Day.

CONSIDERATION OF SPEECH FROM THE THRONE

The Hon. Mr. Cathers, Government House Leader, informed the House, pursuant to Standing Order 26(2), that consideration of a motion for an Address in Reply to the Speech from the Throne, if not concluded on this day, would take place on Wednesday, December 7, 2011.

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Motion #26

Moved by Ms. McLeod, Member for Watson Lake:

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

MAY IT PLEASE THE COMMISSIONER: We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech which you have addressed to the House.

A debate continuing (from December 5, 2011) on the motion and the time reaching 5:30 p.m. while Mr. Silver, Member for Klondike was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House, until Wednesday, December 7, 2011 and debate on Motion #26 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, December 7, 2011.

No. 4

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Wednesday, December 7, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES

See *Hansard* for Tributes.

INTRODUCTION OF VISITORS

No visitors were introduced.

SPEAKER'S RULING Re: **Tabling of Documents**

"Prior to calling for the Tabling of Returns and Documents the Chair will rule on a Point of Order raised yesterday by the Government House Leader.

Yesterday, during Tabling Returns and Documents the Member for Riverdale South sent to the Table a document entitled 'Minority Report on Whistle-blower Protection.'

The Government House Leader rose on a Point of Order and informed the House that Members had attempted to table this document during the 32nd Legislative Assembly and that this attempt was ruled out of order by the Speaker, Hon. Ted Staffen.

The Government House Leader is correct.

In his ruling Speaker Staffen cited Standing Order 49(1) which 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 Members who originally attempted to table the report were not authorized by the Committee to present it to the House. The document was not, therefore, accepted as a tabled document and it was returned to the Members.

Pursuant to Standing Order 49(1), the Member for Riverdale South is also not authorized to table the report. Therefore, the Member's attempt to table it yesterday is also out of order.

The document will not, therefore, be entered into the Assembly's working papers or distributed in the normal fashion for a tabled document. It will be returned to the Member."

TABLING RETURNS AND DOCUMENTS

No returns or documents were tabled.

PRESENTING REPORTS OF COMMITTEES

No committee reports were presented.

PETITIONS

Ms. White, Member for Takhini-Kopper King, presented the following Petition:

- Re: McIntyre Creek **(Petition #1)**

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Mr. Hassard, Member for Pelly-Nisutlin

- Re: Land titles process legislation to be modernized (Motion #36)

Mr. Elias, Leader of the Third Party

- Re: Whitehorse Food Bank, long-term funding to (Motion #37)
- Re: Status report on the Climate Change Action Plan actions taken (Motion #38)
- Re: Progress report on Climate Change Action Plan targets (Motion #39)
- Re: System for registering paid lobbyists (Motion #40)

Ms. White, Member for Takhini-Kopper King

- Re: Yukon Council on the Economy and the Environment (Motion #41)
- Re: Government of Canada's leadership re climate change and Kyoto Protocol (Motion #42)

Mr. Tredger, Member for Mayo-Tatchun

- Re: Water Strategy for Yukon (Motion #43)

Mr. Silver, Member for Klondike

- Re: Extended scope nurses, legislation and regulations needed (Motion #44)
- Re: Whistleblower Protection legislation (Motion #45)

Hon. Mr. Cathers, Government House Leader

- Re: Amending Standing Order 76 (Motion #46) (Written notice)

MINISTERIAL STATEMENT

No ministerial statement was given.

SPEAKER'S RULING Re: Unparliamentary language

Prior to proceeding with Question Period, the Speaker gave the following ruling pertaining to a Point of Order that was raised on Tuesday, December 6, 2011, during Question Period, by the Hon. Mr. Cathers, Government House Leader.

"During Question Period yesterday the Member for Copperbelt South referenced a government bill now before Canada's Parliament and said, 'I would point out, Mr. Speaker, that crime rates are decreasing without these vengeful actions'.

At that point the Government House Leader rose on a Point of Order and said, 'Mr. Speaker, I believe it's contrary to our Standing Orders and to past rulings for a Member of this House to refer to the actions of another government in Canada as being 'vengeful'.

In her defence, the Member for Copperbelt South argued that the term 'vengeful' was not an unparliamentary term.'

Freedom of speech during parliamentary proceedings is, perhaps, the fundamental privilege that Members enjoy as MLAs. The exercise of this right is subject only to the rules, practices and precedents of the House itself.

Members must appreciate that context is important in determining what language is or is not unparliamentary; it is not the words so much as how they are used that determines if they are appropriate or not.

If I may quote from the second edition of House of Commons Procedure and Practice, at page 619:

In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words at issue were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the following day.

Another point to consider is that when a Member chooses to use strong language in the House he or she must be aware that if certain words in a certain context may be used by them those same words, in a similar context, may be used against them.

In the context in which the word 'vengeful' was used yesterday the Chair does not believe there is a Point of Order.

However, Members should be aware that in future if the word is used persistently, or in a different context, in a manner likely to create disorder in the House, the Chair may rule differently."

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:26 p.m. to 1:57 p.m.

The House then proceeded to Orders of the Day.

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Motion #26

Moved by Ms. McLeod, Member for Watson Lake:

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

MAY IT PLEASE THE COMMISSIONER: We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech which you have addressed to the House.

The debate continuing (from December 5 and 6, 2011) on the Address in Reply to the Speech from the Throne and the question being put, it was agreed to on the following recorded Division:

YEA			
Pasloski	Kent	Istchenko	
Cathers	Nixon	Dixon	10
Taylor	McLeod	Hassard	
Graham			
NAY			
Hanson	White	Elias	
Tredger	Stick	Silver	8
Moorcroft	Barr		

Address in Reply to the Speech from the Throne Engrossed

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

THAT the Address in Reply to the Speech from the Throne be engrossed and presented to the Commissioner in his capacity as the Lieutenant Governor.

The question being put, it was agreed to.

GOVERNMENT MOTIONS

Motion #4

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

THAT the honourable Members Stacey Hassard, Hon. Brad Cathers, Hon. Currie Dixon, Patti McLeod, Jan Stick, Kate White and Darius Elias be appointed to the Standing Committee on Appointments to Major Government Boards and Committees, established pursuant to Standing Order 45; and

THAT the Committee elect its Chair from the Government Caucus Members appointed to it.

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

Motion #5

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

THAT the Honourable Speaker, pursuant to Standing Order 45(2), be appointed Chair of the Members' Services Board,

THAT Hon. Currie Dixon, Hon. Brad Cathers, Liz Hanson and Sandy Silver be appointed to the Members' Services Board,

THAT the Board have the power to call for persons, papers and records and to sit during intersessional periods,

THAT the Board consider:

(1) budget submissions for the following Votes:

- (a) Vote 01 - Yukon Legislative Assembly, including the Conflict of Interest Commission,
- (b) Vote 23 - Office of the Ombudsman, including Information and Privacy Commissioner,
- (c) Vote 24 - Elections Office, and
- (d) Vote 26 - Child & Youth Advocate Office;

and

(2) policy questions concerning matters such as:

- (a) space allocation,
- (b) staffing,
- (c) caucus funding,
- (d) Media Gallery House rules, and
- (e) Hansard;

and

THAT the Board fulfill its statutory responsibilities including those in the *Legislative Assembly Act*, the *Legislative Assembly Retirement Allowances Act, 2007*, the *Elections Act*, the *Conflict of Interest (Members and Ministers) Act*, the *Ombudsman Act*, the *Cabinet and Caucus Employees Act*, and the *Child and Youth Advocate Act*;

and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

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

Motion #6

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

THAT the honourable Members Patti McLeod, Hon. Scott Kent, Hon. Brad Cathers, Jim Tredger, Lois Moorcroft and Sandy Silver be appointed to the Standing Committee on Rules, Elections and Privileges established pursuant to Standing Order 45(1),

THAT the Committee elect its Chair from the government caucus members appointed to it,

THAT the Chair of the Committee be required to participate in all votes before the Committee,

THAT the Committee review, as necessary, such Standing Orders as it may decide upon,

THAT the said Committee, following the conduct of any review, report any recommendations for amendment to the Assembly,

THAT the said Committee have the power to call for persons, papers and records and to sit during intersessional periods; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

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

Motion #7

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

THAT the honourable Members Patti McLeod, Hon. Scott Kent, Hon. Mike Nixon, Stacey Hassard, Liz Hanson, Jan Stick and Darius Elias be appointed to the Standing Committee on Public Accounts established pursuant to Standing Order 45(3),

THAT the said Committee have the power to call for persons, papers and records and to sit during intersessional periods; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

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

Motion #8

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

THAT the honourable Members Patti McLeod, Stacey Hassard, Hon. Wade Istchenko, Hon. Elaine Taylor, Lois Moorcroft, Kevin Barr and Darius Elias be appointed to the Standing Committee on Statutory Instruments established pursuant to Standing Order 45(1),

THAT the said Committee have the power to call for persons, papers and records and to sit during intersessional periods,

THAT the said Committee review such regulations made following the date of its appointment as it may decide upon,

THAT the said Committee review such other existing or proposed regulations as are referred to it by the Legislative Assembly; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

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 #3 - Second Appropriation Act, 2011-12
-Hon. Mr. Pasloski

A debate arising on the motion for Second Reading of Bill #3, Second Appropriation Act, 2011-12, and the question being put, it was agreed to on the following recorded Division:

YEA

Pasloski	Kent	Istchenko	
Cathers	Nixon	Dixon	10
Taylor	McLeod	Hassard	
Graham			

NAY

Hanson	White	Elias	
Tredger	Stick	Silver	8
Moorcroft	Barr		

COMMITTEE OF THE WHOLE

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Committee of the Whole considered Bill #3, Second Appropriation Act, 2011-12 (Hon. Mr. Pasloski).

ORDERED, on motion of the Hon. Mr. Pasloski, Premier:

THAT the Chair report progress.

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker now resume the Chair.

Chair's report to the House

According to Order, Ms. McLeod, Chair of Committee of the Whole, reported progress on Bill #3, entitled Second Appropriation Act, 2011-12. The report was carried.

ADJOURNMENT

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

THAT the House do now adjourn.

The question being put, it was agreed to.

The Assembly adjourned at 5:34 p.m. until 1:00 p.m., Thursday, December 8, 2011.

No. 5

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Thursday, December 8, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES (John Edzerza, former Member for McIntyre-Takhini)

The Hon. Mr. Pasloski, Premier; Mr. Barr, Member for Mount Lorne-Southern Lakes; and Mr. Elias, Leader of the Third Party, paid tribute to John Edzerza, former Member for McIntyre- Takhini, who passed away from leukemia on November 25, 2011. Mr. Edzerza was elected as a Member of the Legislative Assembly in 2002 and re-elected in 2006. Condolences were extended to his family and friends.

INTRODUCTION OF VISITORS

See *Hansard* for introduction of visitors.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Laxton, Speaker

- Yukon Human Rights Commission April 1, 2010 to
March 31, 2011 Annual Report

(Sessional Paper 33-1-11)

PRESENTING REPORTS OF COMMITTEES

No committee reports were presented.

PETITIONS

Report of the Clerk

“Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #1 of the First Session of the 33rd Legislative Assembly, as presented by the Member for Takhini-Kopper King on December 7, 2011.

The model petition, which is appended to the Standing Orders, indicates that to meet the requirements as to form, a petition must be addressed to the Legislative Assembly, must state a grievance, must contain original signatures and must ask the Legislative Assembly to take an action in response to that grievance.

The first version of the petition is addressed to the Legislative Assembly and does state a grievance. However, the request for action is directed at the Government of Yukon, not the Legislative Assembly.

The second version of the petition is not addressed to the Legislative Assembly and the request for action is directed at the Government of Yukon, not the Legislative Assembly.

The third version of the petition is not directed to the Legislative Assembly, does not contain original signatures and the request for action is directed at the Government of Yukon, not the Legislative Assembly.

Therefore, none of the versions of Petition #1 meet the requirements as to form of the Standing Orders of the Yukon Legislative Assembly. The petition will, therefore, be returned to the Member for Takhini-Kopper King.

Floyd McCormick, Clerk
Yukon Legislative Assembly"

The Speaker ruled that, accordingly, Petition #1 could not be received.

INTRODUCTION OF BILLS

Bill #101 - Disclosure Protection Act

-Mr. Elias

NOTICES OF MOTIONS

Ms. McLeod, Member for Watson Lake

- Re: Using natural gas for electrical power production (Motion #47)
- Re: Oil and Gas regulations to be developed (Motion #48)

Ms. Stick, Member for Riverdale South

- Re: Inclusion of persons with disabilities in the workplace (Motion #49)

Ms. Moorcroft, Member for Copperbelt South

- Re: *Human Rights Act* amendments (Motion #50)
- Re: Review Yukon legislation to ensure compliance with *Human Rights Act* (Motion #51)

Mr. Barr, Member for Mount Lorne-Southern Lakes

- Re: Post office and mailboxes in Tagish, Yukon (Motion #52)

Mr. Elias, Leader of the Third Party

- Re: Safety standards for oil and gas drilling in the Beaufort Sea (Motion #53)
- Re: Review of secondary schools students travel subsidy (Motion #54)
- Re: Health services in Old Crow for elders (Motion #55)
- Re: Dempster Highway upgrading and reconstructing strategy (Motion #56)

MINISTERIAL STATEMENT

No ministerial statement was given.

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:28 p.m. to 2:03 p.m.

The House then proceeded to Orders of the Day.

COMMITTEE OF THE WHOLE

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Committee of the Whole considered Bill #3, Second Appropriation Act, 2011-12 (Hon. Mr. Pasloski).

ORDERED, on motion of the Hon. Mr. Pasloski, Premier:

THAT the Chair report progress.

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker now resume the Chair.

Chair's report to the House

According to Order, Ms. McLeod, Chair of Committee of the Whole, reported progress on Bill #3, entitled Second Appropriation Act, 2011-12. The report was carried.

GOVERNMENT BILLS (Second Reading)

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

Bill #2 - Fourth Appropriation Act, 2010-11
-Hon. Mr. Pasloski

COMMITTEE OF THE WHOLE

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Committee of the Whole considered Bill #2, Fourth Appropriation Act, 2010-11 (Hon. Mr. Pasloski)

ORDERED, on motion of the Hon. Mr. Pasloski, Premier:

THAT the Chair report progress.

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker now resume the Chair.

Chair's report to the House

According to Order, Ms. McLeod, Chair of Committee of the Whole, reported progress on Bill #2, entitled Fourth Appropriation Act, 2010-11. The report was carried.

ADJOURNMENT

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

THAT the House do now adjourn.

The question being put, it was agreed to.

The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Monday, December 12, 2011.

No. 6

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Monday, December 12, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES

See *Hansard* for Tributes.

INTRODUCTION OF VISITORS

See *Hansard* for introduction of visitors.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Graham, Minister responsible for the Yukon Workers' Compensation Health and Safety Board

- Yukon Workers' Compensation Health and Safety Board 2010 Annual Report

(Sessional Paper 33-1-12)

PRESENTING REPORTS OF COMMITTEES

No committee reports were reported.

PETITIONS

No petitions were presented.

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Ms. Hanson, Leader of the Official Opposition

- Re: Standing Committee on Rules, Elections and Privileges (Motion #57)
- Re: Integrated health care system in Whitehorse (Motion #58)

Ms. White, Member for Riverdale South

- Re: Self-sufficiency and combating climate change awareness campaign (Motion #59)
- Re: Emission reduction targets in accordance to Kyoto Accord obligations (Motion #60)

Mr. Barr, Member for Mount Lorne-Southern Lakes

- Re: Temporary mineral staking ban within municipal boundaries and residential areas (Motion #61)

Mr. Silver, Member for Klondike

- Re: RCMP M Division funding to be dedicated to resolution of major crimes cases (Motion #62)
- Re: Grizzly Valley subdivision and construction deadlines (Motion #63)
- Re: Cell phone service in rural Yukon (Motion #64)

Ms. Hanson, Leader of the Official Opposition

- Re: Establishing a Select Committee on Legislative Reform (Motion #65) (Written notice)

MINISTERIAL STATEMENT

No ministerial statement was given.

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:29 p.m. to 2:01 p.m.

The House then proceeded to Orders of the Day.

COMMITTEE OF THE WHOLE

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Committee of the Whole considered Bill #3, Second Appropriation Act, 2011-12 (Hon. Mr. Pasloski)

ORDERED, on motion of the Hon. Mr. Pasloski, Premier:

THAT the Chair report progress.

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker now resume the Chair.

Chair's report to the House

According to Order, Ms. McLeod, Chair of Committee of the Whole, reported progress on Bill #2, entitled Second Appropriation Act, 2011-12. The report was carried.

ADJOURNMENT

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

THAT the House do now adjourn.

The question being put, it was agreed to.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Tuesday, December 13, 2011.

No. 7

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Tuesday, December 13, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES

See *Hansard* for Tributes.

INTRODUCTION OF VISITORS

See *Hansard* for introduction of visitors.

TABLING RETURNS AND DOCUMENTS

No returns or documents were tabled.

PRESENTING REPORTS OF COMMITTEES

No committee reports were presented.

PETITIONS

No petitions were presented.

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Ms. McLeod, Member for Watson Lake

- Re: Improving existing on-line government services (Motion #66)

Hon. Mr. Nixon, Minister of Justice

- Re: Appointments to the Yukon Human Rights Panel of Adjudicators (Motion #67)

Mr. Silver, Member for Klondike

- Re: Process for making appointments to the Yukon Human Rights Panel of Adjudicators (Motion #68)

- Re: Circuit court in rural communities (Motion #69)
Ms. White, Member for Takhini-Kopper King
- Re: Government of Canada abandoning the Kyoto Protocol (Motion #70)
Mr. Tredger, Member for Mayo-Tatchun
- Re: Transportation of dangerous goods and public safety (Motion #71)

MINISTERIAL STATEMENT

No ministerial statement was given.

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:14 p.m. to 1:45 p.m.

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Tredger, Official Opposition House Leader, identified Motion #11 and Motion #65 as being the items to be called during Opposition Private Members' Business on Wednesday, December 14, 2011.

Pursuant to Standing Order 14.2(3), Mr. Silver, Third Party House Leader, identified Motion #22 and Motion #19 as being the items to be called during Opposition Private Members' Business on Wednesday, December 14, 2011.

The House then proceeded to Orders of the Day.

GOVERNMENT MOTIONS

Motion #46

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

THAT, the Standing Orders of the Yukon Legislative Assembly be amended by adding the following standing order:

76(7) The provisions of this Standing Order shall apply to an interim supply appropriation bill on the final sitting day prior to the end of the fiscal year in which the bill is introduced.

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

THAT Motion # 46 be amended by striking all of the words following "THAT", and substituting the following:

"(1) the matter of the application of the provisions of Standing Order 76 to an interim supply appropriation bill be referred to the Standing Committee on Rules, Elections and Privileges; and

"THAT the Standing Committee on Rules, Elections and Privileges meet within 60 days of the final sitting day of the 2011 Fall Sitting to consider this matter."

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

The debate continued on Motion #46, and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

C/W Motion #1

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

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 Tuesday, December 13, 2011, to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

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

Committee of the Whole considered Bill #3, Second Appropriation Act, 2011-12 (Hon. Mr. Pasloski)

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Chair report progress.

Pursuant to Committee of the Whole Motion #1, passed at 2:42 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 5:02 p.m.

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker now resume the Chair.

Chair's report to the House

According to Order, Ms. McLeod, Chair of Committee of the Whole, reported progress on Bill #3, entitled Second Appropriation Act, 2011-12, and also that pursuant to section 102 of the *Workers' Compensation Act*, and Committee of the Whole Motion #1, witnesses from the Yukon Workers' Compensation Health and Safety Board appeared before Committee of the Whole. The report was carried.

ADJOURNMENT

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

THAT the House do now adjourn.

The question being put, it was agreed to.

The Assembly adjourned at 5:15 p.m. until 1:00 p.m., Wednesday, December 14, 2011.

No. 8

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Wednesday, December 14, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES

No tributes were offered.

INTRODUCTION OF VISITORS

No visitors were introduced.

TABLING RETURNS AND DOCUMENTS

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

- Yukon Child Care Board April 1, 2010 - March 31, 2011 Annual Report (Sessional Paper 33-1-13)
- Health and health-related behaviours among young people in Yukon, by John G. Freeman, Hana Saab, Matt King and Kathleen Gropp, January 2011 (Sessional Paper 33-1-14)
- Yukon Hospital Corporation Annual Report for the year ended March 31, 2011 (Sessional Paper 33-1-15)
- Health Care Insurance Programs: Statement of Revenue and Expenditures for Fiscal Years 2000/01 to 2010/11 (Filed Document 33-1-3)
- Yukon Health and Social Services Council 2010 - 2011 Annual Report (Sessional Paper 33-1-16)

Hon. Mr. Kent, Minister responsible for the Yukon Housing Corporation and the Yukon Liquor Corporation

- Yukon Housing Corporation Annual Report for the year ended March 31, 2011 (Sessional Paper 33-1-17)
- Yukon Liquor Corporation Annual Report, April 1, 2010 - March 31, 2011 (Sessional Paper 33-1-18)

- Yukon Lottery Commission Annual Report 2009-2010 (Filed Document 33-1-4)
- Hon. Mr. Nixon, Minister of Tourism and Culture, and Minister of Justice
- Yukon Geographical Place Names Board Annual Report 2010-2011 (Filed Document 33-1-5)
 - Crime Prevention and Victim Services Trust Fund Annual Report 2010/2011 (Sessional Paper 33-1-19)
 - Yukon Heritage Resources Board Annual Report, April 1, 2010 – March 31, 2011 (Sessional Paper 33-1-20)
 - Yukon Arts Centre 2010/2011 Annual Report (Sessional Paper 33-1-21)
- Hon. Ms. Taylor, Minister responsible for the Public Service Commission
- Yukon Public Service Labour Relations Board Annual Report, 2010 – 2011 (Sessional Paper 33-1-22)
 - Yukon Teachers Labour Relations Board Annual Report 2010 – 2011 (Sessional Paper 33-1-23)

PRESENTING REPORTS OF COMMITTEES

No committee reports were presented.

PETITIONS

No petitions were presented.

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Ms. Hanson, Leader of the Official Opposition

- Re: Review of process and procedures for appointments to government boards and committees (Motion #72)

Mr. Barr, Member for Mount Lorne-Southern Lakes

- Re: Shelter for homeless youth (Motion #73)

Ms. McLeod, Member for Watson Lake

- Re: Expansion and improvements to community cell phone service (Motion #74)

Mr. Hassard, Member for Pelly-Nisutlin

- Re: Rural Electrification Program (Motion #75)
- Re: Effect of permafrost on transportation infrastructure (Motion #76)

Mr. Tredger, Member for Mayo-Tatchun

- Re: Renew Yukon's Literacy Strategy (Motion #77)

MINISTERIAL STATEMENT

No ministerial statement was given.

SPEAKER'S RULING (Re: Supplementary Questions)

Prior to proceeding with Question Period, the Speaker gave the following ruling pertaining to a Point of Order that was raised during Question Period on December 13, 2011 by the Hon. Mr. Cathers, Government House Leader.

“Yesterday, during Question Period, the Government House Leader raised a Point of Order regarding questions posed by the Member for Copperbelt South. The Government House Leader said that ‘Supplementary questions are supposed to be relevant to the first question, and I believe the Member’s question is a new question.’

In response, the Member for Copperbelt South said ‘I think the programming in the Correctional Centre is relevant to the cost of the facility and the nature of the planning that the government has done on this facility – or the lack of planning the government has done on the facility.’

In reviewing yesterday’s *Blues*, the Chair notes that the main and first supplementary questions of the Member for Copperbelt South addressed capital cost overruns at the new Whitehorse Correctional Centre and the final supplementary question addressed programming at the Correctional Centre.

The issue for the Chair, then, is whether it is in order for supplementary questions to be on a different subject matter than the main question.

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 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.

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 on the same matter or subject. The form of questioning pursued by the Member for Copperbelt South was not in keeping with this practice.

It is the Chair’s ruling therefore, that Members should continue to follow the practice of this House: Their questions should be linked by subject matter.

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 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.”

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:13 p.m. to 1:44 p.m.

The House then proceeded to Orders of the Day.

OPPOSITION PRIVATE MEMBERS' BUSINESS

Motion #11

Moved by Ms. White, Member for Takhini-Kopper King:

THAT this House urges the Government of Yukon to work with all governments, including First Nations governments, as well as non-profit and private housing providers to develop a Yukon Housing Strategy and policy framework that will:

- (1) include all Yukon communities,
- (2) have performance and risk-management measures,
- (3) be comprehensive, innovative, practical and achievable,
- (4) increase the housing supply,
- (5) improve housing affordability; and
- (6) support individuals and families in greatest housing need.

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

THAT Motion #11 be amended by deleting the words “develop a” and replacing them with the words “implement its”.

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

A debate arising on Motion #11 as amended, and the question being put, it was agreed to on the following recorded Division:

YEA			
Pasloski	Kent	Istchenko	
Cathers	Nixon	Dixon	10
Taylor	McLeod	Hassard	
Graham			
NAY			
Hanson	White	Elias	
Tredger	Stick	Silver	8
Moorcroft	Barr		

Motion #65

Moved by Ms. Hanson, Leader of the Official Opposition:

THAT this House establish a Select Committee on Democratic Reform to meaningfully consult Yukoners during the spring and summer of 2012 for the purpose of receiving views and opinions of Yukoners and interest groups on means of improving our democracy, including, but not limited to:

- (1) reviewing electoral processes and amendments to the *Elections Act*,
- (2) consideration of fixed election dates,
- (3) consideration of proportional representation;

THAT the membership of the Committee be comprised of equal representation from the Government caucus, the Official Opposition caucus and the Third Party caucus to be determined by the Premier, the Leader of the Official Opposition and the Leader of the Third Party,

THAT the Select Committee on Democratic Reform report to the House its findings and recommendations no later than the 2013 Spring Sitting of the Legislative Assembly,

THAT the Committee have the power to call persons, papers and records and to sit during intersessional periods; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

A debate started on the motion, and the time reaching 5:30 p.m., the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., on Thursday, December 15, 2011.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, December 15, 2011.

No. 9
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

33rd Legislative Assembly

First Session

Thursday, December 15, 2011

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

PRAYERS

Pursuant to Standing Order 11(1), the Speaker offered a prayer.

Pursuant to Standing Order 11(2), the House proceeded with the Daily Routine.

TRIBUTES

See *Hansard* for tributes.

INTRODUCTION OF VISITORS

No visitors were introduced.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Cathers, Government House Leader

- Select Committee on Whistle-blower Protection:
letter (dated December 14, 2011) from Hon. Brad
Cathers, Government House Leader to Mr.
Tredger, MLA Mayo-Tatchun and Ms. Hanson,
MLA Whitehorse Centre **(Filed Document 33-1-6)**
- Yukon Development Corporation 2010 Annual
Report and Audited Financial Statements **(Sessional Paper 33-1-24)**
- Yukon Energy Corporation 2010 Annual Report
and Audited Financial Statements **(Sessional Paper 33-1-25)**

Hon. Mr. Pasloski, Premier

- Public Accounts 2010 - 2011 of the Government of
Yukon for the year ended March 31, 2011 **(Sessional Paper 33-1-26)**

PRESENTING REPORTS OF COMMITTEES

No committee reports were presented.

PETITIONS

Ms. White, Member for Takhini-Kopper King, presented the following Petition:

- Re: Protection of Middle McIntyre Creek **(Petition #2)**

INTRODUCTION OF BILLS

No bills were introduced.

NOTICES OF MOTIONS

Ms. Hanson, Leader of the Official Opposition

- Re: Food bank support and commitment to (Motion #78)

Ms. White, Member for Takhini-Kopper King

- Re: Food donor liability (Motion #79)
- Re: Housing strategy and policy framework (Motion for the Production of Papers #1)

Mr. Elias, Leader of the Third Party

- Re: Transportation subsidy for the Nutrition North Canada Program (Motion #80)

MINISTERIAL STATEMENT

No ministerial statement was given.

ORAL QUESTION PERIOD

The House conducted the Oral Question Period from 1:08 p.m. to 1:42 p.m.

The House then proceeded to Orders of the Day.

GOVERNMENT MOTIONS

Motion #67

Moved by the Hon. Mr. Nixon, Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, appoint Elaine Cairns, Michael Dougherty, Barbara Evans, and Suzanne Tremblay to be members of the Yukon Human Rights Panel of Adjudicators for a term of three years.

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

COMMITTEE OF THE WHOLE

ORDERED, on motion of the Hon. Mr. Cathers, Government House Leader:

THAT the Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Committee of the Whole considered Bill #3, Second Appropriation Act, 2011-12 (Hon. Mr. Pasloski) and Bill #2, Fourth Appropriation Act, 2010-11 (Hon. Mr. Pasloski).

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 9th day of the 2011 Fall Sitting. Members will be aware that the House gave unanimous consent on December 1, 2011, to this Fall Sitting closing on today's date. Also the House at that time agreed by unanimous consent that the provisions of Standing Order 76 should apply on this date in the same fashion as if this closing day had been established pursuant to Standing Order 75.

Standing Order 76(1) states: 'On the day that the Assembly has reached the maximum number of 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 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. Mr. Cathers, Government House Leader, directed that Bill #2, entitled Fourth Appropriation Act, 2010-11, and Bill #3, entitled Second Appropriation Act, 2011-12, be called at this time.

ORDERED, on motion of the Hon. Mr. Pasloski, Premier:

THAT the Chair report Bill #2, entitled Fourth Appropriation Act, 2010-11 without amendment.

ORDERED, on motion of the Hon. Mr. Pasloski, Premier:

THAT the Chair report Bill #3, entitled Second Appropriation Act, 2011-12 without amendment.

The Chair rose to report to the House and the Speaker resumed the Chair.

Chair's report to the House

According to Order, Ms. McLeod, Chair of Committee of the Whole, reported Bill #2, entitled Fourth Appropriation Act, 2010-11, without amendment, and Bill #3, entitled Second Appropriation Act, 2011-12, without amendment. The report was carried.

SPEAKER'S STATEMENT

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

"Members will be aware that the House gave unanimous consent on December 1, 2011 to this Fall Sitting closing on today's date. Also the House at that time agreed by unanimous consent that the provisions of Standing Order 76 shall apply on this date, in the same fashion as if this closing date had been established 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 indicate whether Bill #3 and Bill #2, the only Government Bills now standing at Third Reading, should be called."

The Hon. Mr. Cathers, Government House Leader, directed that Bill #2, entitled Fourth Appropriation Act, 2010-11, and Bill #3, entitled Second Appropriation Act, 2011-12, be called for Third Reading at this time.

GOVERNMENT BILLS (Third Reading)

The following bill was read a third time and passed:

Bill #2 - Fourth Appropriation Act, 2010-11
-Hon. Mr. Pasloski

The following bill was called for Third Reading:

Bill #3 - Second Appropriation Act, 2011-12
-Hon. Mr. Pasloski

The question being put on the motion for Third Reading of Bill #3, it was agreed to on the following recorded Division:

YEA		
Pasloski	Kent	Istchenko
Cathers	Nixon	Dixon
Taylor	McLeod	Hassard
Graham		
NAY		
Hanson	White	Elias
Tredger	Stick	Silver
Moorcroft	Barr	

Bill #3, entitled Second Appropriation Act, 2011-12, accordingly, passed the House.

ASSENT TO BILLS

The Assembly received the Administrator of Yukon, Mr. Bob Cameron, to give Assent to certain bills passed by the House.

The Administrator, having entered the Chamber, took his seat in the Speaker's chair.

The Speaker, the Hon. David Laxton, addressed the Administrator:

"Mr. Administrator, 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, 2010-11
Second Appropriation Act, 2011-12

The Administrator 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 this Fall Sitting, as established pursuant to unanimous consent of the House on December 1, 2011, 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 5:15 p.m.