

JOURNALS

YUKON
LEGISLATIVE ASSEMBLY

FIRST SESSION

25TH LEGISLATURE

JULY 12 - 14, 1982

YUKON TERRITORY
CANADA

WHITEHORSE, YUKON

TO ALL TO WHOM THESE PRESENTS SHALL COME OF WHOM THE
SAME MAY IN ANY WISE CONCERN

GREETINGS
A PROCLAMATION

KNOW YE THAT UNDER AND BY VIRTUE OF THE POWER AND AUTHORITY
VESTED IN THE COMMISSIONER OF THE YUKON TERRITORY, THE ASSEMBLY
OF THE SAID TERRITORY IS SUMMONED TO MEET FOR DISPATCH OF
BUSINESS IN THE YUKON LEGISLATIVE ASSEMBLY CHAMBERS, TERRITORIAL
ADMINISTRATION BUILDING, WHITEHORSE, YUKON TERRITORY, ON MONDAY,
THE TWELFTH DAY OF JULY A.D., 1982 AT THE HOUR OF THREE O'CLOCK
IN THE AFTERNOON.

ALL OF WHICH ALL PERSONS CONCERNED ARE REQUIRED TO TAKE
NOTICE AND GOVERN THEMSELVES ACCORDINGLY.

GIVEN UNDER MY HAND AND SEAL OF THE SAID TERRITORY, AT
WHITEHORSE, THIS 29TH DAY OF JUNE A.D., 1982.

DOUG BELL
COMMISSIONER OF YUKON



No. 1
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

25th Legislative Assembly

First Session

Monday, July 12, 1982

This being the first day of the first meeting of the 25th wholly-elected Legislative Assembly of Yukon for the dispatch of business and the members, having previously been duly sworn in by the Hon. Doug Bell, Commissioner of Yukon, having taken their seats in the House, the Clerk of the Legislative Assembly read the Proclamation as follows:

TO ALL TO WHOM these presents shall come of
whom the same may in any wise concern

GREETINGS

A PROCLAMATION

KNOW YE THAT under and by virtue of the power and authority vested in the Commissioner of the Yukon Territory, the Assembly of the said Territory is summoned to meet for dispatch of business in the Yukon Legislative Assembly Chambers, Territorial Administration Building, Whitehorse, Yukon Territory, on Monday, the twelfth day of July, A.D., 1982 at the hour of three o'clock in the afternoon.

ALL OF WHICH all persons concerned are required to take notice and govern themselves accordingly.

GIVEN UNDER my hand and seal of the said Territory, at Whitehorse, this 29th day of June A.D., 1982.

Doug Bell
Commissioner of Yukon

The Clerk of the Legislative Assembly read a report on the members elected as follows:

Pursuant to the provisions of the Elections Act the Commissioner has been informed of the receipt of Returns to Writs for the General Election conducted on the seventh day of June, 1982. These Returns show that the following members were duly elected:

Old Crow	Kathie Nukon
Klondike	Clarke Ashley
Mayo	Piers McDonald
Tatchun	Howard Tracey
Faro	Maurice Byblow
Kluane	Bill Brewster
Whitehorse Porter Creek West	Andy Philipsen
Whitehorse Porter Creek East	Dan Lang
Whitehorse North Centre	Margaret Joe
Whitehorse South Centre	Roger Kimmerly
Whitehorse West	Tony Penikett
Whitehorse Riverdale North	Chris Pearson
Whitehorse Riverdale South	Bea Firth
Hootalinqua	Al Falle
Campbell	David Porter
Watson Lake	Don Taylor

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Commissioner, the Hon. Doug Bell, 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:

Would you care to proceed at this time with the election of the Speaker?

It was moved by the Hon. Mr. Pearson, Government Leader, seconded by Mr. Penikett, Leader of the Official Opposition:

THAT Donald Taylor, member for Watson Lake, do take the Chair of this Assembly as Speaker.

(Motion #1)

The Clerk, having repeated the motion and called for a vote, stated:

I think the 'ayes' have it, and, by direction of this Assembly, declare that Don Taylor is duly elected as Speaker of this Assembly.

SPEAKER'S ADDRESS TO THE ASSEMBLY

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

The Government Leader and the Leader of the Official Opposition shook hands with the newly-elected Speaker and offered their congratulations.

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

I beg to express my grateful thanks and humble acknowledgement of the high honour the Assembly has been pleased to confer upon me.

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 COMMISSIONER

The Speaker then said:

Your Excellency:

The Legislative Assembly has elected me as their Speaker, although I am but little able to fulfill the important duties thus assigned me. If, in the performance of these duties, I should at any time fall into error, I pray the fault may be imputed to me and not to the Assembly, whose servant I am and who, through me, the better to enable them to discharge their duty to their Queen and country, hereby claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to your person at all seasonable times and that their proceedings may receive from you the most favourable construction.

STATEMENT BY THE COMMISSIONER

The Commissioner then said:

Mr. Speaker:

I am pleased to declare to you that I freely confide in the duty and attachment of the Assembly and not doubting that the Assembly's proceedings will be conducted with wisdom, temper and prudence, I grant, and upon all occasions will recognize and allow the Assembly's constitutional privileges. I assure you that the

Assembly shall have ready access to me upon all reasonable occasions, and that the Assembly's proceedings, words and actions will constantly receive from me the most favourable construction.

SPEECH FROM THE THRONE

The Commissioner then read the following Speech from the Throne:

Mr. Speaker, Members of the Legislative Assembly, I welcome you in the name of our sovereign to this opening of the First Session of the Twenty-Fifth Council.

As a consequence of the June 7th territorial election, there are some Members of this Assembly who were elected for the first time. I would like to give them a special welcome and to congratulate all Members of the Assembly for presenting themselves for public life.

The 78 percent turnout of the Yukon electorate at the polls on election day clearly shows that the democratic process is alive and well in Yukon. Yukoners continue to have a high degree of interest in their government and in the management of their affairs. As Members of the Assembly, it is your collective duty to ensure that this active interest is fostered and encouraged.

The recent territorial election also marks a significant step in Yukon's constitutional history. For the first time, Yukoners had the opportunity to vote for a government with a fully elected Executive Council. At the time of the 1978 election, the Executive Committee still included officials appointed by the federal government. Gradually, step by step, Yukoners are assuming the responsibility for managing their own affairs.

My Government is assuming office at a time when economic conditions in Canada and in Yukon continue to deteriorate. Although the Yukon Legislative Assembly has little control over present economic trends, my Government is determined to continue to introduce measures within its areas of responsibility to mitigate to the extent possible the grave economic situation confronting Yukoners especially for our more vulnerable citizens.

My Government is carrying out a thorough assessment of the Yukon's present economic circumstances and will report fully to the Assembly later in the year.

In the interim, you will be asked to deal expeditiously with business that is essential to the good administration of Yukon.

Specifically, you will be asked to approve two interim supply measures.

The first is a bill to ratify the spending of public funds since the dissolution of the Fifth Session of the Twenty-Fourth Council.

The second is a bill to provide funds from this date until November 30, 1982, before which time my Government will undertake to introduce a comprehensive budget statement.

You will be asked to approve the Financial Agreement Act. This Act provides for my government to enter into an agreement with the Government of Canada for operating and capital grants for the fiscal year 1982-83.

A further bill concerns amendments to the Students' Financial Assistance Act. The amendments will increase the size of the grants to Yukon students in order to enable them to meet the increased costs of living.

A fifth bill involves an amendment to the Municipal Act, 1980. The amendment will remove the September 1, 1982 proclamation date.

A sixth bill introduces an amendment to the Wildlife Act. The amendment is necessary to meet a commitment made in Yukon Indian Land Claim negotiations to establish a group trapping area for the Kluane Tribal Council within an area now in the Kluane Game Sanctuary.

At this time of economic hardship and turmoil in the world, there was also some good news. It was with considerable pleasure that my Government, on behalf of all Yukoners, sent congratulations to the Prince and Princess of Wales on the occasion of the birth of their son.

Yukon had the further pleasure of hosting a visit by Her Royal Highness, Princess Anne from July 5th to July 8th, and to express to her the affection and allegiance Yukoners bear The Royal Family and the Crown.

My Government is honoured to serve the people of Yukon at this challenging time in their history.

May divine providence attend your deliberations.

I thank you in our sovereign's name. God Bless Canada.

The Commissioner then retired from the Chamber.

The Speaker resumed the Chair and called the House to order.

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Verena Hardtke and David Wallace would be Pages during the Session.

INTRODUCTION OF BILLS (FIRST READING)

Bill #1 - An Act to Perpetuate a Certain Ancient Right
- Hon. Mr. Pearson

TABLING OF DOCUMENTS

The Speaker informed the Assembly that, in order to prevent mistakes, he had obtained a copy of the Speech from the Throne, which was laid upon the Table.

(Sessional Paper #1)

GOVERNMENT MOTIONS

On motion of the Hon. Mr. Pearson, seconded by the Hon. Mr. Tracey:

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

(Motion #2)

On motion of the Hon. Mrs. Firth, seconded by Mr. Falle:

RESOLVED, THAT Andrew Philipsen, member for
Whitehorse Porter Creek West, be appointed
Deputy Speaker and Chairman of Committee of
the Whole.

(Motion #3)

On motion of the Hon. Mr. Ashley, seconded by Mrs. Nukon:

RESOLVED, THAT Al Falle, member for Hootalinqua, be appointed Deputy Chairman of Committee of the Whole.

(Motion #4)

INTRODUCTION OF BILLS (FIRST READING)

Bill #2 - Financial Agreement Act, 1982
- Hon. Mr. Pearson

Bill #3 - Interim Supply Appropriation Act, 1982-83
(No. 2)
- Hon. Mr. Pearson

Bill #4 - Interim Supply Appropriation Act, 1982-83
(No. 3)
- Hon. Mr. Pearson

Bill #5 - An Act to Amend the Students' Financial Assistance Act
- Hon. Mrs. Firth

Bill #6 - An Act to Amend the Municipal Act
- Hon. Mr. Lang

Bill #7 - An Act to Amend the Wildlife Act
- Hon. Mr. Tracey

MONEY MESSAGE

Bill #3, Interim Supply Appropriation Act, 1982-83 (No. 2), Bill #4, Interim Supply Appropriation Act, 1982-83 (No. 3), and Bill #5, An Act to Amend the Students' Financial Assistance Act, were accompanied by a money message.

The Assembly adjourned at 3:25 p.m. until Tuesday, July 13, 1982, at 1:30 p.m.

No. 2
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

25th Legislative Assembly

First Session

Tuesday, July 13, 1982

The Speaker took the Chair at 1:30 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ashley, Minister of Justice

- Annual Report: Yukon Transport Public Utilities Board 1981/1982

(Sessional Paper #2)

- Annual Report: Yukon Electrical Public Utilities Board 1981/1982

(Sessional Paper #3)

Hon. Mrs. Firth, Minister of Education

- Annual Report: Yukon Teachers' Staff Relations Board, 1981/82

(Sessional Paper #4)

Hon. Mr. Pearson, Government Leader

- Annual Report: Yukon Public Service Staff Relations Board 1981/82

(Sessional Paper #5)

MINISTERIAL STATEMENTS

Hon. Mr. Tracey, Minister of Health and Human Resources

- Extended health care plan for Senior Citizens effective July 1, 1982

Hon. Mr. Pearson, Government Leader

- Yukon Indian Land Claims negotiations: twenty sub-agreements reached

- Current economic recession: Yukon Government program of retrenchment to bring spending in line with financial resources available

Documents Tabled During Statement

- Budget dates in relation to announcements of mine closures, etc.

(Sessional Paper #6)

- Government of Yukon Revenue and Recoveries

(Sessional Paper #7)

- Government of Yukon financial situation as of July 9/82

(Sessional Paper #8)

ADDRESS IN REPLY TO SPEECH FROM THE THRONE

Moved by Mr. Philipsen, seconded by Mr. Brewster:

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.

(Motion #12)

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

Moved by the Hon. Mr. Pearson, seconded by the Hon. Mrs. Firth:

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

The question being put, it was agreed to.

GOVERNMENT BILLS AND ORDERS.

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

- Bill #2 - Financial Agreement Act, 1982
- Hon. Mr. Pearson

- Bill #3 - Interim Supply Appropriation Act,
1982-83 (No. 2)
- Hon. Mr. Pearson

- Bill #4 - Interim Supply Appropriation Act,
1982-83 (No. 3)
- Hon. Mr. Pearson

- Bill #5 - An Act to Amend the Students' Financial
Assistance Act
- Hon. Mrs. Firth

- Bill #6 - An Act to Amend the Municipal Act
- Hon. Mr. Lang

- Bill #7 - An Act to Amend the Wildlife Act
- Hon. Mr. Tracey

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #2 - Financial Agreement Act, 1982

- Hon. Mr. Pearson

Bill #3 - Interim Supply Appropriation Act,
1982-83 (No. 2)

- Hon. Mr. Pearson

Bill #4 - Interim Supply Appropriation Act,
1982-83 (No. 3)

- Hon. Mr. Pearson

The report of the Chairman was adopted.

The Assembly adjourned at 5:20 p.m. until 1:30 p.m.,
Wednesday, July 14, 1982.

No. 3
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

25th Legislative Assembly

First Session

Wednesday, July 14, 1982

The Speaker took the Chair at 1:30 p.m.

QUESTION OF PRIVILEGE

The Hon. Mr. Lang raised a question of privilege about the remark "personal, racist propaganda" which was used in the House by the Member for Campbell on July 13, 1982. The Speaker ruled the remark to be unparliamentary language and asked the Member for Campbell to withdraw it, which he did.

MINISTERIAL STATEMENTS

Hon. Mrs. Firth, Minister of Education

- Special Employment Assistance program:
good community support

GOVERNMENT MOTIONS

Moved by the Hon. Mrs. Firth, seconded by Mr. Brewster:

THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Tracey and Mr. Ashley be appointed to the Advisory Committee on Finance.

(Motion #5)

The question being put, it was agreed to.

Moved by the Hon. Mr. Ashley, seconded by Mrs. Nukon:

THAT the Honourable Members Mr. Lang, Mr. Philipsen, Mr. Falle, Mr. Porter and Mrs. Joe be appointed to the Standing Committee on Rules, Elections and Privileges;

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.

(Motion #6)

The question being put, it was agreed to.

Moved by the Hon. Mr. Tracey, seconded by Mr. Falle:

THAT the Honourable Members Mr. Brewster, Mrs. Nukon, and Mr. Kimmerly be appointed to the Standing Committee on Statutory Instruments;

THAT the said Committee be empowered to sit during intersessional periods;

THAT the said Committee review all new regulations as they are published;

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

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

(Motion #7)

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

Moved by the Hon. Mr. Lang, seconded by Mr. Philipsen:

THAT the Honourable Speaker, the Hon. Mr. Pearson and Mr. Penikett be appointed to the Members' Services Board;

THAT the Speaker be Chairman of the said Board; and

THAT the said Board assist the Speaker on matters of Assembly organization including:

- (1) Selection of the Clerk of Assembly,
- (2) Recommendation of appropriate salaries for the Clerk and Clerk Assistants in accordance with salaries of House officers in other jurisdictions,
- (3) Consideration of budget forecasts for the Legislative Assembly vote, and
- (4) Consideration of policy questions concerning matters of Assembly organization such as
 - (a) Assembly research services
 - (b) Space allocation
 - (c) Expansion or reduction of staffing
 - (d) Caucus funding
 - (e) Press Gallery House rules
 - (f) Seating in the Assembly
 - (g) Hansard.

(Motion #8)

The question being put, it was agreed to.

Moved by the Hon. Mr. Pearson, seconded by Mrs. Nukon:

THAT the Honourable Members Mr. Penikett, Mrs. Firth, Mr. Falle, Mr. Brewster, and Mr. Byblow be appointed to the Standing Committee on Public Accounts;

THAT the said Committee have the power to call for persons, papers and records; to sit during intersessional periods; and to print such papers and evidence as may be ordered; and

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

(Motion #9)

The question being put, it was agreed to.

Moved by the Hon. Mr. Tracey, seconded by Mr. Falle:

THAT the Standing Orders of the Yukon Legislative Assembly be referred to the Standing Committee on Rules, Elections and Privileges for review;

THAT the Standing Committee report any recommendations for amendment to the Standing Orders; and

THAT the Standing Committee make a separate report on the rules and practices which should govern Question Period in the Yukon Legislative Assembly.

(Motion #10)

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

Moved by the Hon. Mr. Pearson, seconded by Mr. Byblow:

THAT the Yukon Legislative Assembly approves and supports the recommendations of the Standing Committee on Indian Affairs and Northern Development as found in its Fourth Report, and

THAT the Yukon Legislative Assembly urges the Government of Canada to act on these recommendations with all due haste.

(Motion #11)

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

YEAS

Pearson	Falle	Byblow	
Lang	Nukon	Kimmerly	
Firth	Philipsen	Porter	15
Ashley	Brewster	Joe	
Tracey	Penikett	McDonald	

GOVERNMENT BILLS AND ORDERS

The following Bills were read a third time and passed:

Bill #2 - Financial Agreement Act, 1982

- Hon. Mr. Pearson

Bill #3 - Interim Supply Appropriation Act,
1982-83 (No. 2)

- Hon. Mr. Pearson

Bill #4 - Interim Supply Appropriation Act,
1982-83 (No. 3)

- Hon. Mr. Pearson

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #5 - An Act to Amend the Students' Financial
Assistance Act

- Hon. Mrs. Firth

Bill #6 - An Act to Amend the Municipal Act

- Hon. Mr. Lang

Bill #7 - An Act to Amend the Wildlife Act
- Hon. Mr. Tracey

The report of the Chairman was adopted.

GOVERNMENT BILLS AND ORDERS

The following Bills were read a third time and passed:

Bill #5 - An Act to Amend the Students' Financial
Assistance Act
- Hon. Mrs. Firth

Bill #6 - An Act to Amend the Municipal Act
- Hon. Mr. Lang

Bill #7 - An Act to Amend the Wildlife Act
- Hon. Mr. Tracey

ASSENT TO BILLS

The Assembly received the Commissioner in his capacity as Lieutenant-Governor to give Assent to certain Bills passed by the House.

The Commissioner, having entered the Chamber, took his seat in the Speaker's Chair.

The Speaker addressed the Commissioner:

Mr. Commissioner, may it please Your Honour, the Assembly has at its present Session passed a number of Bills, to which in the name and on behalf of the Assembly, I respectfully request your Assent.

The Clerk of the Assembly then read the titles of the Bills that had been passed severally as follows:

Bill #2 - Financial Agreement Act, 1982

Bill #3 - Interim Supply Appropriation Act, 1982-83
(No. 2)

Bill #4 - Interim Supply Appropriation Act, 1982-83
(No. 3)

Bill #5 - An Act to Amend the Students' Financial Assistance Act

Bill #6 - An Act to Amend the Municipal Act

Bill #7 - An Act to Amend the Wildlife Act

The Commissioner assented the Bills:

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

PROROGATION

The Clerk of the Assembly read:

"It is the will and pleasure of the Commissioner, in his capacity as Lieutenant-Governor, that this House be now prorogued and this House is accordingly prorogued."

4:10 p.m.

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Twenty-Fifth Legislature

YUKON LEGISLATIVE ASSEMBLY

Abbreviations

1R - First Reading
 2R - Second Reading
 3R - Third Reading
 COMM - Committee of the Whole

P - Passed
 A - Assent

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Deputy Chairman, COMM Al Falle be appointed (4)	Ashley	10	Agreed
Deputy Speaker/Chairman COMM, Andy Philipsen be appointed (3)	Firth	9	Agreed
Members' Services Board; Speaker, Pearson and Penikett be appointed to (8)	Lang	16	Agreed
Public Accounts, Standing Committee on; Penikett, Firth, Falle, Brewster and Byblow be appointed to (9)	Pearson	17	Agreed
Rules, Elections and Privileges, Standing Committee on; Lang, Philipsen, Falle, Porter and Joe be appointed to (6)	Ashley	16	Agreed
Speaker, Donald Taylor take Chair as (1)	Pearson	3	Agreed
Speech from the Throne, be considered on a day following (2)	Pearson	9	Agreed
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