

JOURNALS

YUKON LEGISLATIVE ASSEMBLY

SECOND SESSION
(Continuation)



28TH LEGISLATURE

February 15, 1996 – April 25/26, 1996

Speaker: The Honourable John Devries

No. 77

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, February 15, 1996

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

MOMENT OF SILENCE

The House observed a moment of silence in memory of the late Johnny Abel, former Member for Vuntut Gwitchin.

TRIBUTES TO TWO FORMER MEMBERS

Johnny Abel, former Member for Vuntut Gwitchin

The Hon. John Ostashek, Government Leader, Piers McDonald, Leader of the Official Opposition, Jack Cable, Member for Riverside, and Danny Joe, Member for Mayo-Tatchun, paid tribute to the late Johnny Abel, former Member for Vuntut Gwitchin and Deputy Speaker of the House. Mr. Abel drowned in a canoeing accident on Friday, October 13, 1995.

Tony Penikett, former Member for Whitehorse West

Piers McDonald, Leader of the Official Opposition, the Hon. John Ostashek, Government Leader, and Jack Cable, Member for Riverside, paid tribute to Tony Penikett, former Member for Whitehorse West, former Premier, and former Leader of the Official Opposition. Mr. Penikett resigned his seat in the Legislature effective October 1, 1995.

IN REMEMBRANCE OF ROY MINTER, YUKON HISTORIAN

The Hon. Doug Phillips, Minister of Tourism, and Lois Moorcroft, Opposition House Leader, paid tribute to Roy Minter, a Yukon historian and writer, who passed away on February 8, 1996, in Vancouver.

RECOGNITION OF FLAG DAY

The Hon. John Ostashek, Government Leader, recognized Flag Day and the thirty-first anniversary of the national flag of Canada, the red maple leaf.

INTRODUCTION OF VISITORS - MEMBERS-ELECT IN THE GALLERY

The Hon. John Devries, Speaker, introduced Dave Sloan, Member-elect for Whitehorse West, and Esau Schafer, Member-elect for Vuntut Gwitchin, who were both seated in the Gallery, and extended a warm welcome to them.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Devries, Speaker

- Letter (dated September 25, 1995) from Tony Penikett, Member for Whitehorse West, advising of his intention to resign as an MLA
(Sessional Paper #78)
- Warrant (dated September 25, 1995) issued by Speaker Devries pursuant to Section 15 of the Legislative Assembly Act, respecting the resignation of Mr. Penikett
(Sessional Paper #79)
- Notice (dated October 18, 1995) respecting the vacancy in the Electoral District of Vuntut Gwitchin caused by the death of Johnny Abel
(Sessional Paper #80)
- Vacancy in Electoral District of Whitehorse West: copy of letter dated September 25, 1995 from the Clerk of the Legislative Assembly to Commissioner Gingell
(Sessional Paper #81)
- Vacancy in Electoral District of Vuntut Gwitchin: copy of letter dated October 18, 1995 from the Clerk of the Legislative Assembly to Commissioner Gingell
(Sessional Paper #82)

- Auditor General: Report on the audit of the accounts and financial statements of the Government of the Yukon Territory for the year ended March 31, 1995
(Sessional Paper #83)
- Yukon Human Rights Commission Annual Report: year ended March 31, 1995
(Sessional Paper #84)
- Deductions from the indemnities of Members of the Legislative Assembly made pursuant to subsection 39(6) of the Legislative Assembly Act: Report of the Clerk of the Legislative Assembly
(Sessional Paper #85)

Hon. Mr. Fisher, Minister of Economic Development

- Yukon Short-Term Economic Outlook, 1996 (dated February 15, 1996)
(Sessional Paper #86)

INTRODUCTION OF BILLS (First Reading)

- Bill #8 - Fourth Appropriation Act, 1994-95
-Hon. Mr. Ostashek
- Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek
- Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek
- Bill #73 - Taxpayer Protection Act
-Hon. Mr. Ostashek

MONEY MESSAGE

Bill #8, Fourth Appropriation Act, 1994-95, Bill #9, Third Appropriation Act, 1995-96, and Bill #10, First Appropriation Act, 1996-97, were accompanied by a money message.

WITHDRAWAL OF MOTIONS FROM THE ORDER PAPER

The Speaker informed the Assembly that all items standing in the names of the former Members for Whitehorse West and Vuntut Gwitchin had been removed from the Order Paper.

Having had discussions with the Members in whose names the following Motions were standing, the Hon. Mr. Fisher, Government

House Leader, requested and was granted unanimous consent to withdraw the following Motion for the Production of Papers and Motions from the Order Paper:

M.P.P. #1;

Motions #4, #5, #6, #7, #8, #9, #10, #13, #19, #20, #21, #25, #26, #28, #29, #32, #33, #35, #38, #43, and #44.

The Speaker asked the Clerk to drop those Motions from the Order Paper.

ELECTION OF DEPUTY SPEAKER

On motion of the Hon. Mr. Fisher, Government House Leader:

RESOLVED THAT David Millar, Member for Klondike, be appointed Deputy Speaker and Chair of Committee of the Whole.

(Motion #81)

GOVERNMENT BILLS - BUDGET SPEECH

Pursuant to Standing Order 55(3), the following Bill was called for Second Reading:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

Thereupon, the Hon. Mr. Ostashek delivered the Budget Speech on the 1996-97 Capital and Operation and Maintenance Estimates.

Moved by Mr. McDonald:

THAT debate be now adjourned.

The question being put on the motion to adjourn debate, it was agreed to.

The Assembly adjourned at 3:37 p.m. until 1:30 p.m., Monday, February 19, 1996.

No. 78

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, February 19, 1996

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

The Speaker read a letter from the Chief Electoral Officer as follows:

"February 19, 1996

Hon. John Devries
Speaker of the Legislative Assembly
Yukon Legislative Assembly
Box 2703
Whitehorse, Yukon

Dear Sir:

The resignation on September 30, 1995, of Tony Penikett, the Member for the Electoral District of Whitehorse West, and the death on October 13, 1995, of Johnny Abel, the Member for the Electoral District of Vuntut Gwich'in, caused vacancies to occur in the Legislative Assembly.

Writs for by-elections to fill those vacancies were issued on January 5, 1996, with polling day being February 5, 1996.

I hereby advise that: (1) the returning officer for the electoral district of Whitehorse West has certified in the return to the writ that Dave Sloan has been elected as the member to represent that electoral district in the Legislative Assembly, and (2) the returning officer for

the electoral district of Vuntut Gwich'in has certified in the return to the writ that Esau Schafer has been elected as the member to represent that electoral district in the Legislative Assembly.

Yours sincerely,
Patrick L. Michael
Chief Electoral Officer"

(Sessional Paper #87)

NEW MEMBERS TAKE SEATS

Mr. Dave Sloan and Mr. Esau Schafer, both having taken the Oath of Allegiance and the Oath of Office, were introduced respectively by Mr. Piers McDonald, Leader of the Official Opposition, and the Hon. John Ostashek, Government Leader, and took their seats.

RECOGNITION OF ARCTIC WINTER GAMES AND GOLD RUSH GAMES

The Hon. Mr. Brewster, Minister of Community and Transportation Services and Ms. Moorcroft, Member for Mount Lorne, extended best wishes to the athletes soon to be participating in the Arctic Winter Games and the Gold Rush Games.

RECOGNITION OF HERITAGE DAY

The Hon. Mr. Phillips, Minister of Tourism, and Mr. Sloan, Member for Whitehorse West, recognized Heritage Day.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Motor Transport Board Annual Report 1994/95 dated May, 1995

(Sessional Paper #88)

- Yukon Driver Control Board Report dated November 30, 1995

(Sessional Paper #89)

Hon. Mr. Ostashek, Government Leader

- Public Accounts of the Government of Yukon for the year ended March 31, 1995

(Sessional Paper #90)

- Yukon Development Corporation 1994 Annual Report
(Sessional Paper #91)

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

A debate continuing on the motion for Second Reading and the time reaching 9:30 p.m. while the Hon. Mr. Phillips was speaking to it, the Speaker, pursuant to Standing Order 2(6), adjourned the House and debate on the motion for Second Reading of Bill #10 was accordingly adjourned.

The Assembly adjourned at 9:30 p.m. until 1:30 p.m., Tuesday, February 20, 1996.

No. 79

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, February 20, 1996

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

TABLING RETURNS AND DOCUMENTS

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

- Yukon Liquor Corporation: Annual Report for the year ended March 31, 1995

(Sessional Paper #92)

- Yukon Lottery Commission Annual Report and audited financial statements for the 1994/95 fiscal year

(Sessional Paper #93)

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Fisher, Government House Leader, identified the items to be called during Government Private Members' Business on Wednesday, February 21, 1996.

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #10 - First Appropriation Act, 1996-97

-Hon. Mr. Ostashek

A debate continuing on the motion for Second Reading and the

time reaching 5:30 p.m. while Mrs. Firth, Member for Riverdale South, was speaking to it, the Speaker, pursuant to Standing Order 2(6), adjourned the House and debate on the motion for Second Reading of Bill #10 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Wednesday, February 21, 1996.

No. 80

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, February 21, 1996

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

INTRODUCTION OF PAGES

The Speaker informed the House that the following would be serving as Pages for the Spring Session: Ilona Dougherty, Chris Fozard, Alexandra Gesheva, Leanne Kormos, Theresa Mundell, Jennifer Racz, Amylee Snider and Leigha Wald, from Christ the King Secondary School in Whitehorse and Adrienne Nassiopoulos and Rudy Walton from St. Elias Community School in Haines Junction. Leanne Kormos and Theresa Mundell were introduced and welcomed to the House.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Memorandum of Understanding dated February 12, 1996 and signed by the Government Leader, Leader of the Official Opposition and the Leader of the Liberal party in the House regarding commitments to expedite House business
(Sessional Paper #94)

Hon. Mr. Fisher, Minister of Economic Development

- Electric heating costs: baseboard heater replacement
(Legislative Return #88)

- Loki Gold: responses to questions raised May 2, 1995 during debate on the Second Appropriation Act, 1995-96 (Loki Gold Contribution)

(Legislative Return #89)

Hon. Mr. Phelps, Minister of Education

- Department of Education Annual Report 1994-95

(Sessional Paper #95)

PETITIONS

Ms. Moorcroft, Member for Mount Lorne, presented the following petition:

- re funding for Victoria Faulkner's Women's Centre to enable purchase of house

(Petition #5)

ELECTION OF DEPUTY CHAIR

On motion of the Hon. Mr. Fisher, Government House Leader:

RESOLVED THAT Esau Schafer, Member for Vuntut Gwitchin, be appointed Deputy Chair of Committee of the Whole.

(Motion #97)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Schafer:

THAT, it is the opinion of this House that the integrity of the Porcupine Caribou Herd and its habitat must be protected in order to preserve the way of life and cultural well being of the Gwitchin Nations in Alaska, Yukon and the Northwest Territories.

(Motion #94)

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

Moved by Mr. Schafer:

THAT this House urges the Government of Yukon to continue to work with Yukon First Nations, the Northwest Territories and with those provinces opposed to the federal government's gun control legislation in order to block its implementation until such time as changes are made to this unjust law to

recognize the needs and lifestyles of responsible firearms owners; and

THAT this House urges the Governments of Yukon and Canada to redirect the funds required to implement the firearms registration system to crime prevention initiatives.

(Motion #93)

A debate arising on the motion and the time reaching 5:30 p.m., the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #93 was accordingly adjourned.

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #10 - First Appropriation Act, 1996-97

-Hon. Mr. Ostashek

A debate continuing on the motion for Second Reading and the question being put, there were an equal number of votes on the following recorded Division:

YEA

Ostashek	Phelps	Millar	
Phillips	Fisher	Schafer	8
Brewster	Nordling		

NAY

McDonald	Joe	Cable	
Moorcroft	Sloan	Firth	8
Commodore	Harding		

CASTING VOTE

There being an equal number of votes, Speaker Devries stated:

"Our Standing Order 4(2) states that in the case of an equality of votes, the Speaker shall give a

casting vote. In general, the principle applied to motions and Bills is that the Chair should always vote for further discussion. Voting for a Bill at Second Reading provides the House with another opportunity to decide the question. I, therefore, vote for the motion and declare the motion for Second Reading of this Bill carried."

The motion for Second Reading of Bill #10, entitled First Appropriation Act, 1996-97, was agreed to and Bill #10 was, accordingly, referred to Committee of the Whole.

SPEAKER'S STATEMENT

"During the budget debate, the Chair noticed that there have been quite a few occasions when Members have referred to other Members by nicknames or in improper ways. I would ask that, in the future, Members ensure that they use the correct parliamentary form, which is to refer to other Members by either their ridings or positions. I will be calling Members on it from this point on. I would appreciate the Members' co-operation."

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Ostashek:

THAT the Standing Orders of the Yukon Legislative Assembly be amended by:

- (1) replacing Standing Order 11(1) and Standing Order 11(2) with the following:
 - 11 (1) The Speaker will offer prayers at the start of every sitting day.
 - (2) The ordinary Daily Routine in the Assembly shall be as follows:
 - Tributes
 - Introduction of Visitors
 - Tabling Returns and Documents
 - Presenting Reports of Committees
 - Petitions
 - Introduction of Bills
 - Notices of Motions
 - Ministerial Statements
 - Oral Question Period (not exceeding 30 minutes)
- (2) replacing Standing Order 20 with the following new Standing Order:
 - 20 (1) Unless otherwise provided for in these Standing Orders, when the Speaker is in the Chair, no

member, except a member moving a motion and the member speaking in reply immediately thereafter, shall speak for more than twenty minutes.

- (2) During debate on the motion for second reading of a main appropriation bill, the time limit for speakers following the member moving the motion and the member speaking in reply immediately thereafter shall be forty minutes.

- (3) adding the following new Standing Order:

44.1(1) When, in Committee of the Whole, a count is called for under Standing Order 44 at any stage of an appropriation or taxation bill, the Government House Leader or designate or the Official Opposition House Leader or designate may approach the Chair to request that the count be deferred.

- (2) Upon receiving a request that the count be deferred the Chair shall inform the Committee that the count has been deferred.

- (3) While an appropriation or taxation bill is being considered by the Committee, a count which has been deferred shall be taken immediately when the Assembly next resolves into Committee.

- (4) When Committee of the Whole has completed consideration of an appropriation or taxation bill and a count or counts remain to be taken, the Assembly shall, when it proceeds to Orders of the Day on the next sitting day following, be resolved, without motion, into Committee and all counts remaining to be taken shall be taken.

- (5) When a count is deferred pursuant to this Standing Order the Committee of the Whole shall continue with the business before it.

and

THAT the Memorandum of Understanding signed on February 12, 1996, by Hon. John Ostashek, Government Leader, Piers McDonald, Leader of the Official Opposition, and Jack Cable, Leader of the Liberal Party in the House, be appended to the Standing Orders of the Yukon Legislative Assembly.

(Motion #47)

A debate arising on the motion, it was moved by the Hon. Mr. Fisher, Government House Leader, in amendment thereto:

THAT Motion #47 be amended by adding the following:

"(2.1) adding the following new Standing Order:

26(1.2) During debate on the motion for an Address in Reply to the Speech from the Throne and on any amendments proposed, the time limit for speakers following the member moving the motion and the member speaking in reply immediately thereafter shall be forty minutes."

The question being put on the amendment, it was agreed to.

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

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

THAT Piers McDonald, Leader of the Official Opposition, be appointed to the Members' Services Board.

(Motion #89)

The question being put on the motion, it was agreed to.

The Assembly adjourned at 9:10 p.m. until 1:30 p.m., Thursday, February 22, 1996.

No. 81

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, February 22, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Letter dated February 20, 1996, signed by the staff at Yukon Housing Corporation to the Government Leader supporting the President of the Yukon Housing Corporation
(Sessional Paper #96)

PETITIONS

Presenting a Petition

Mr. Harding, Member for Faro, presented the following petition:

- re rental increases in Faro

(Petition #6)

Report on Petition #5

The Clerk reported on Petition #5 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #5 of the Second Session of the 28th Legislative Assembly, as presented by the honourable Member for Mount Lorne on February 21, 1996.

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

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Speaker ruled that, accordingly, Petition #5 was deemed to be read and received.

MINISTERIAL STATEMENTS

Hon. Mr. Fisher, Minister of Renewable Resources
- Chemical spill at Metafina plant in Faro

GOVERNMENT BILLS

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

Bill #8 - Fourth Appropriation Act, 1994-95
-Hon. Mr. Ostashek

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

TABLED DOCUMENT

During second reading debate on Bill #9, Third Appropriation Act, 1995-96, the Hon. Mr. Ostashek tabled the following document:

- Letter dated September 4, 1992 to John Devries, MLA for Watson Lake, from Hon. Maurice Byblow, Minister, regarding the Government's position on additional funding for the Curragh stripping project and additional funding for the Taga Ku project
(Sessional Paper #97)

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #8 - Fourth Appropriation Act, 1994-95
-Hon. Mr. Ostashek

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Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96

-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Monday,
February 26, 1996.

No. 82

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, February 26, 1996

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

TRIBUTES

Yukon Quest

The Hon. Mr. Phillips, Minister of Tourism and Mr. Sloan, Member for Whitehorse West, congratulated the participants in the twelfth annual Yukon Quest and thanked the many volunteers for their efforts.

Freedom to Read Week

Ms. Moorcroft, Member for Mount Lorne, acknowledged Freedom to Read Week in Canada.

Congratulations to Jarrett Deuling on his first NHL game

Mr. Harding, Member for Faro, and the Hon. Mr. Brewster, Minister of Community and Transportation Services, congratulated Jarrett Deuling on having played his first National Hockey League game on February 25, 1996, with the New York Islanders.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Nordling, Minister of Government Services

- Government Contracts Registry by Type - Interim Report
(April 1, 1995 - December 31, 1995)

(Sessional Paper #98)

- Government Contracts Registry by Department - Interim
Report (April 1, 1995 - December 31, 1995)

(Sessional Paper #99)

PETITIONS

The Clerk reported on Petition #6 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #6 of the Second Session of the 28th Legislative Assembly, as presented by the honourable Member for Faro on February 22, 1996.

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

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

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

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #73 - Taxpayer Protection Act

-Hon. Mr. Ostashek

A debate arising on the motion for Second Reading and the question being put, there were an equal number of votes on the following recorded Division:

YEA

Ostashek
Phillips
Brewster

Phelps
Fisher
Nordling

Millar
Schafer

8

NAY

McDonald
Moorcroft
Commodore

Joe
Sloan
Harding

Cable
Firth

8

CASTING VOTE

There being an equal number of votes, Speaker Devries stated:

"Standing Order 4(2) states that in the case of an equality of votes, the Speaker shall give the casting vote. In general, the principle applied to motions and Bills is that the Chair should always vote for further discussion. Voting for a Bill at Second Reading provides the House with another opportunity to decide the question. I therefore vote for the motion and declare the motion for Second Reading of this Bill carried."

The motion for Second Reading of Bill #73, entitled Taxpayer Protection Act, was agreed to and Bill #73 was, accordingly, referred to Committee of the Whole.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96

-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Tuesday, February 27, 1996.

No. 83

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, February 27, 1996

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

TRIBUTES

Congratulations to Pauline Frost - National Native Role Model Award

Mr. Schafer, Member for Vuntut Gwitchin, and Ms. Commodore, Member for Whitehorse Centre, congratulated Pauline Frost for being presented with the National Native Role Model Award.

Congratulations to Stanley Njootli for completing the Yukon Quest

Mr. Schafer, Member for Vuntut Gwitchin, and Ms. Commodore, Member for Whitehorse Centre, congratulated Stanley Njootli of Old Crow for completing the Yukon Quest.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Phillips, Minister of Justice

- Taga Ku lawsuit: legal costs (costs of counsel) and disbursements to date

(Legislative Return #90)

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Ms. Moorcroft, Opposition

House Leader, and Mr. Cable, Member for Riverside, identified the items to be called during Opposition Private Members' Business on Wednesday, February 28, 1996.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m.,
Wednesday, February 28, 1996.

No. 84

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, February 28, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fisher, Minister of Renewable Resources
- Yukon State of the Environment Report 1995
(Sessional Paper #100)

INTRODUCTION OF BILLS (First Reading)

Bill #46 - An Act to Amend the Elections Act
-Hon. Mr. Ostashek

Bill #66 - An Act to Amend the Controverted Elections Act
-Hon. Mr. Ostashek

MINISTERIAL STATEMENTS

Hon. Mr. Brewster, Minister of Community and Transportation
Services
- Chemical spill (Metafina) in Faro: progress report on
removal

Hon. Mr. Fisher, Minister of Renewable Resources
- Yukon State of the Environment Report (1995)

OPPOSITION PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Sloan:

THAT, in the best interests of the Yukon people and employee morale within the public service, it is the opinion of this House that the Government of Yukon should immediately disclose the full details of an RCMP investigation launched in February, 1995, into the public disclosure of a letter from a Yukon Energy Corporation official to a minister; and

THAT this disclosure should specifically indicate the purpose and nature of this investigation, how and by whom it was authorized, what RCMP members were involved, and any actions that resulted.

(Motion #96)

A debate arising on the motion, it was moved by the Hon. Mr. Nordling in amendment thereto:

THAT Motion #96 be amended by adding the words "the government's role in" after the words "details of".

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

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

Moved by Mr. Cable:

THAT the Government does not have the confidence of this House and the people of the Yukon.

(Motion #60)

A debate arising on the motion and the time reaching 5:30 p.m. while Mr. Cable, Member for Riverside, was still speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #60 was accordingly adjourned.

COMMITTEE OF THE WHOLE

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

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Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96

-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday,
February 29, 1996.

No. 85

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, February 29, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Curragh Resources: allowance for bad debts and write-offs; details pertaining to certain recoveries
(Legislative Return #91)

- Yukon Public Service Staff Relations Board 25th Annual Report 1994-95
(Sessional Paper #101)

- Yukon Teachers' Staff Relations Board 21st Annual Report 1994-95
(Sessional Paper #102)

Hon. Mr. Fisher, Minister of Renewable Resources

- Making Progress: Yukon Government implementation of the Yukon Conservation Strategy 1990-1995 - Report of the Yukon Council on the Economy and the Environment (dated December, 1995)
(Sessional Paper #103)

- Staying on Track: Revisions to the Yukon Conservation Strategy (dated February, 1996)
(Sessional Paper #104)

MINISTERIAL STATEMENTS

Hon. Mr. Fisher, Minister of Renewable Resources

- Yukon Conservation Strategy: revision process

SPECIAL ADJOURNMENT MOTION

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

THAT the House, at its rising, do stand adjourned
until 1:30 p.m., Monday, March 11, 1996.

The question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

TABLED DOCUMENT

During general debate on Vote 7, Economic Development,
Bill #9, the Hon. Mr. Fisher tabled the following
document:

- Economic Development programs: Approved
amounts 1995/96 for the following: Yukon
Mining Incentives Program, Business
Development Fund, Centennial Events Program,
Mineral Development Agreement, Economic
Development Agreement. Also: BDF Loan
Guarantees to February 29, 1996; Status of
Economic Development Loans to October 31,
1995; Delinquent Loans as of October 31, 1995;
Loans Written off for fiscal year 1994/95
(Sessional Paper #105)

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Monday,
March 11, 1996.

No. 86

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, March 11, 1996

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

TRIBUTES

In remembrance of Peter Hager

Mr. Joe, Member for Mayo-Tatchun and the Hon. Mr. Phillips, Minister of Justice, acknowledged the passing of Peter Hager, a respected elder, who died on March 7, 1996.

Congratulations to Jerry Alfred and the Medicine Beat band on winning a Juno Award

The Hon. Mr. Phillips, Minister of Tourism and Mr. Sloan, Member for Whitehorse West, congratulated Jerry Alfred and the Medicine Beat band on winning a Juno Award for the best music of aboriginal Canadian recording. They were recognized as being the first Yukoners to win a Juno Award.

Congratulations to F.H. Collins High School

The Hon. Mr. Phelps, Minister of Education, and Ms. Moorcroft, Member for Mount Lorne, congratulated the students at F.H. Collins High School in Whitehorse for doing well on recent Grade 12 departmental examinations. The

teachers were also commended for the improvement made by the students.

Congratulations to participants in the Arctic Winter Games and the Special Olympics Gold Rush Games

The Hon. Mr. Brewster, Minister of Community and Transportation Services, and Ms. Moorcroft, Member for Mount Lorne, congratulated the athletes, mission staff and volunteers who participated in the Arctic Winter Games (held in Eagle River, Alaska) and the Special Olympics Gold Rush Games (held in Whitehorse).

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Dawson City highway yard: project still on budget (\$2.9 million over two fiscal years)
(Legislative Return #92)

PETITIONS

Response to Petition #6

The Hon. Mr. Nordling, Minister responsible for the Yukon Housing Corporation, gave an oral response to Petition #6 (received by the House on February 26, 1996) with regard to rental increases by Faro Real Estate Limited in Faro.

Response to Petition #5

The Hon. Mr. Nordling, Minister responsible for the Yukon Housing Corporation, gave an oral response to Petition #5 (received by the House on February 22, 1996) with regard to funding for the Victoria Faulkner's Women's Centre to enable the purchase of a house.

COMMITTEE OF THE WHOLE

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

- 210 -

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:26 p.m. until 1:30 p.m., Tuesday,
March 12, 1996.

No. 87

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, March 12, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Identification of ferry options for Yukon River crossing at Dawson City, Yukon: report by SHM Marine International Inc., Victoria, B.C. (prepared January 1995, updated October 1995)

(Sessional Paper #106)

PETITIONS

Response to Petition #3

The Hon. Mr. Brewster, Minister of Community and Transportation Services, gave an oral response to Petition #3 (received by the House on April 26, 1995) regarding street lighting for the McRae area.

Presenting a Petition

Mr. Harding, Member for Faro, presented the following petitions:

- re protecting the Tombstone Mountain area and the Blackstone Uplands

(Petition #7)

- re protecting the Tombstone Mountain area and the Blackstone Uplands

(Petition #8)

INTRODUCTION OF BILLS (First Reading)

Bill #53 - An Act to Amend the Dental Profession Act
-Hon. Mr. Phillips

MINISTERIAL STATEMENTS

Hon. Mr. Phelps, Minister of Health and Social Services
- Handy Bus service expanded

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Fisher, Government House Leader, identified the item to be called during Government Private Members' Business on Wednesday, March 13, 1996.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m.,
Wednesday, March 13, 1996.

No. 88

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, March 13, 1996

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

PETITIONS

The Clerk reported on Petition #7 and Petition #8 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review two petitions, being Petition #7 and Petition #8 of the Second Session of the 28th Legislative Assembly, as presented by the Member for Faro on March 12, 1996.

The rules and practices of the Assembly require that petitions must be addressed to the Legislative Assembly and that they must ask the Assembly to take some particular action. The model petition shown in Appendix 2 to the Standing Orders of the Legislative Assembly illustrates this point.

Petition #7 does not meet these requirements as to form because, although it is addressed to the Assembly, its request for action is directed to the Government of Yukon and not to the Legislative Assembly.

Petition #8 meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly."

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Speaker ruled that, accordingly, Petition #7 could not be received and that, accordingly, Petition #8 was deemed to be read and received.

INTRODUCTION OF BILLS (First Reading)

Bill #32 - An Act to Amend the Financial Administration Act
-Hon. Mr. Ostashek

Bill #45 - An Act to Amend the Income Tax Act
-Hon. Mr. Ostashek

Bill #68 - An Act to Amend the College Act
-Hon. Mr. Phelps

MINISTERIAL STATEMENTS

Hon. Mr. Ostashek, Government Leader

- Status of the implementation of the Ombudsman Act, the Access to Information and Protection of Privacy Act and the Conflict of Interest (Members and Ministers) Act

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Millar:

THAT it is the opinion of this House that Yukoners enjoy a quality of life that is second to none in Canada; and

THAT this House recognizes the following factors as contributing to a prosperous future for all Yukoners:

- (a) unlike other jurisdictions in Canada, the Government of Yukon does not have to contend with an accumulated deficit;
- (b) education, justice, health and social service programs are being maintained and improved while, in other jurisdictions in Canada, programs are being reduced or eliminated;
- (c) 600 more private jobs have been created in one year since February, 1995 due to the expansion of the Yukon economy (particularly in the mining and tourism sectors); and
- (d) Government of Yukon employees do not have to contend with massive public sector layoffs as are occurring within the federal government and many provincial governments.

(Motion #100)

A debate arising on the motion, it was moved by Mr. McDonald in amendment thereto:

THAT Motion #100 be amended by deleting paragraphs (a), (b), (c) and (d) and substituting the following:

"(a) people of the Yukon have the opportunity to evaluate the performance of the current government within the next 8 months."

A debate arising on the amendment and the question being put, there were an equal number of votes on the following recorded Division:

YEA

Ostashek	Phelps	Millar	
Phillips	Fisher	Schafer	8
Brewster	Nordling		

NAY

McDonald	Joe	Cable	
Moorcroft	Sloan	Firth	8
Commodore	Harding		

CASTING VOTE

There being an equal number of votes, Speaker Devries stated:

"Our Standing Order 4(2) states that in the case of an equality of votes the Speaker shall give a casting vote. In general, the principle applied to amendments is that decisions should not be taken except by a majority and that, where there is not majority, the main motion should be left in its existing form. I therefore, vote against the amendment and declare the amendment defeated."

The debate continuing on the main motion, it was moved by Mr. Sloan in amendment thereto:

THAT Motion #100 be amended by deleting paragraphs (a), (b), (c) and (d) and substituting the following:

"(a) people of Yukon continue to enjoy professional public service and educational

services despite the demoralizing effects of wage rollbacks imposed by the Yukon government."

A debate arising on the amendment and the time reaching 5:30 p.m. while Mr. Phelps was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on the amendment and on Motion #100 was accordingly adjourned.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, March 14, 1996.

No. 89

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, March 14, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Carcross Area Plan - Phase 1: executive summary (dated October, 1993); status

(Legislative Return #93)

- Land financing: Yukon Housing Corporation has authority to administer agreement-for-sale program for subdivision lots; listing of outstanding YHC land sales agreements as at January 31, 1996

(Legislative Return #94)

Hon. Mr. Fisher, Minister of Economic Development

- Government Leader's meetings in Japan and Taiwan, January, 1996

(Legislative Return #95)

MINISTERIAL STATEMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- CRTC hearing on March 15, 1996, on affordable local telephone service

SPEAKER'S RULING

"Before proceeding to Question Period, the Chair will make a ruling on the point of order that was raised by the honourable Minister responsible for the Workers' Compensation Board at the conclusion of yesterday's Question Period.

The Minister stated that the Member for Faro had violated Rule #8 of the Guidelines for Oral Question Period. This rule states:

'A question must adhere to the proprieties of the House in that it must not contain inferences, impute motives or cast aspersions upon persons within the House or out of it.'

This rule is backed by Standing Order 19 which states in paragraphs (h), (i) and (j) that a member is out of order if the member:

- (h) imputes false or unavowed motives to another member,
- (i) charges another member with uttering a deliberate falsehood, or
- (j) uses abusive or insulting language of a nature likely to create disorder.

The Chair has reviewed the Hansard for the past two days and has found a number of occasions on which direct accusations have been made that the Minister responsible for the Workers' Compensation Board has broken a law.

A Speaker's ruling on such a matter was given on May 5, 1992. On the previous day, the Leader of the Official Opposition, Dan Lang, asked the Minister of Health and Social Services, Hon. Joyce Hayden, a number of questions about events in which she was involved concerning two young offenders who had escaped from the Young Offenders Facility. During a preamble to one of those questions, Mr. Lang stated:

'I want to go on to another area, in view of the fact that the Minister has admitted that she aided and abetted the young people in question, which is contrary to the Criminal Code.'

In his ruling on this matter, the Speaker, the honourable Sam Johnston, said the following:

'Only courts of law make decisions as to whether or not someone has broken the law. It is not the place of Members of this House to make such judgements. Allegations or accusations that a

Member is guilty of breaking the law, therefore, must be viewed as being unparliamentary until such time as a court has reached a verdict finding that the law has been broken or a Member has openly admitted to breaking the law.'

The Chair regrets not bringing Speaker Johnston's ruling to the attention of Members at an earlier time. The ruling of Speaker Johnston provides clear direction that accusations should not be made in this House that any Member has broken a law. If such unparliamentary language is used in the future the Chair will call the Member using it to order.

On a related point, the Chair would remind Members that no Member should accuse another Member of deliberately misleading the House. There have been a number of times during the course of this session when this kind of unparliamentary language has been used. For example, on March 12, one Member said 'I think he is not being really straight'. Also, on March 13, one Member used the expression 'a government that plays fast and loose with the laws' and another made accusations, more than once, that a Member had 'distorted the truth'.

In conclusion, the Chair asks that all Members respect the rules of this House."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Monday, March 18, 1996.

No. 90

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, March 18, 1996

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

RESIGNATION OF WILLARD PHELPS FROM CABINET

The Hon. Mr. Ostashek, Government Leader, informed the House that Willard L. Phelps had advised him earlier that day that he would be stepping down from Cabinet effective immediately.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Devries, Speaker

- Report of the Chief Electoral Officer of the Yukon on Contributions to Political Parties during 1995
(Sessional Paper #107)

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Sport and Recreation: "Towards 2000" (Draft summary of findings and strategies for action dated March 14, 1996)
(Sessional Paper #108)

INTRODUCTION OF BILLS (First Reading)

Bill #17 - An Act to Amend the Dog Act
-Hon. Mr. Brewster

Bill #24 - Miscellaneous Statute Law Amendment Act, 1996
-Hon. Mr. Phillips

MINISTERIAL STATEMENTS

Hon. Mr. Brewster, Minister of Community and Transportation
Services

- Sport and Recreation: "Towards 2000"

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96

-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Tuesday,
March 19, 1996.

No. 91

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, March 19, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Nordling, Minister of Government Services

- Fleet Vehicle Agency: Charter (dated February 26, 1996)
(Sessional Paper #109)
- Fleet Vehicle Agency: 1996-97 Business Plan (dated February 14, 1996)
(Sessional Paper #110)
- Property Management Agency: Charter (dated February 26, 1996)
(Sessional Paper #111)
- Property Management Agency: 1996-97 Business Plan (dated February 26, 1996)
(Sessional Paper #112)

Hon. Mr. Fisher, Minister of Economic Development

- Centennial Anniversaries Program: status and project details by community (dated March 1996)
(Sessional Paper #113)

MINISTERIAL STATEMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Road transfer to Whitehorse; South Access reconstruction

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cable, Member for Riverside, and Ms. Moorcroft, Opposition House Leader, identified the items to be called during Opposition Private Members' Business on Wednesday March 20, 1996.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96

-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:30 p.m.,
Wednesday, March 20, 1996.

No. 92

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, March 20, 1996

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

TRIBUTES

Recognition of Yukon Learning Disabilities Association

Mr. McDonald, Leader of the Official Opposition, recognized the contributions of the Yukon Learning Disabilities Association.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Phillips, Minister of Justice

- Creating Safer Communities: Offender Management (March 1996)

(Sessional Paper #114)

MINISTERIAL STATEMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Transfer of Yukon Arctic 'A' airports

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

- Self-Reliance through Employment and Training Initiative

Hon. Mr. Phillips, Minister of Justice

- Creating Safer Communities (offender management)

OPPOSITION PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Cable:

THAT the Government does not have the confidence of this House and the people of the Yukon.

(Motion #60)

A debate continuing (from February 28, 1996) on the motion and the time reaching 5:30 p.m. while the Hon. Mr. Brewster was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #60 was accordingly adjourned.

FILED DOCUMENT

During debate on Motion #60, Mr. Phelps, Member for Ross River-Southern Lakes, filed the following document:

- Letter from Tony Penikett, then Leader of the Yukon New Democrats, soliciting members and funding (dated Fall, 1986)

(Filed Document #15)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:30 p.m. until 1:30 p.m., Thursday, March 21, 1996.

No. 93

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, March 21, 1996

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

TRIBUTES

Recognition of International Day for the Elimination of Racial Discrimination

The Hon. Mr. Phillips, Minister of Justice, Mr. Sloan, Member for Whitehorse West, and Mr. Cable, Member for Riverside, recognized "International Day for the Elimination of Racial Discrimination".

TABLING RETURNS AND DOCUMENTS

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

- Post-employment restrictions directive (effective April 1, 1996)
(Sessional Paper #115)

Hon. Mr. Nordling, Minister of Government Services

- Yukon Development Corporation: contracts current through December 31, 1995
(Sessional Paper #116)

MINISTERIAL STATEMENTS

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

- Post-employment restrictions directive

SPEAKER'S RULING

"Before proceeding to Question Period, the Chair said yesterday that the Chair would make a further ruling on the point of order which was raised during yesterday's Question Period. In fact, under our rules, there is no provision for a further ruling when a decision has been made on a point of order.

Standing Order 6(1) states that 'No debate shall be permitted on any such decision, and no decision shall be subject to an appeal to the Assembly.'

This means that Members may not immediately appeal a decision of the Chair. However, if a Member should disagree with a decision of the Chair, that Member may give notice of a substantive motion to deal with the matter."

GOVERNMENT MOTIONS

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

THAT Dave Sloan, the honourable Member for Whitehorse West, be appointed to the Standing Committee on Rules, Elections and Privileges.

(Motion #102)

The question being put, it was agreed to.

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

THAT Esau Schafer, the honourable Member for Vuntut Gwitchin, be appointed to the Standing Committee on Statutory Instruments.

(Motion #103)

The question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Monday,
March 25, 1996.

No. 94

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, March 25, 1996

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

TRIBUTES

Recognition of United Nations seminar on land claims

Mr. McDonald, Leader of the Official Opposition, recognized the United Nations seminar on land claims taking place in Whitehorse.

INTRODUCTION OF BILLS (First Reading)

Bill #11 - Interim Supply Appropriation Act, 1996-97
-Hon. Mr. Ostashek

MONEY MESSAGE

Bill #11, Interim Supply Appropriation Act, 1996-97, was accompanied by a money message.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- 230 -

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Tuesday,
March 26, 1996.

No. 95

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, March 26, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Delivering Good Government Committee: role and terms of reference; Service Improvement Program: approved and implemented suggestions

(Legislative Return #96)

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

- Yukon Hospital Corporation Annual Report 1994-95
- Yukon Hospital Corporation: financial statements as at March 31 for years 1992, 1993, 1994 and 1995

(Sessional Paper #117)

(Sessional Paper #118)

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Dawson City bridge: cost of studies
- Klondike Valley placer claim holders: application review policy re surface tenure

(Legislative Return #97)

(Legislative Return #98)

- Klondike Valley Placer-Occupant Review Policy (published by Indian Affairs and Northern Development)

(Sessional Paper #119)

PETITIONS (Response to Petition #8)

The Hon. Mr. Ostashek, Government Leader, gave an oral response to Petition #8 (received by the House on March 12, 1996) with regard to protecting the Tombstone Mountain area and the Blackstone Uplands.

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Fisher, Government House Leader, identified the item to be called during Government Private Members' Business on Wednesday, March 27, 1996.

GOVERNMENT BILLS

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

Bill #11 - Interim Supply Appropriation Act, 1996-97
-Hon. Mr. Ostashek

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:30 p.m.,
Wednesday, March 27, 1996.

No. 96

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, March 27, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fisher, Minister of Health and Social Services
- Health Status Report (Yukon, 1994)
(Sessional Paper #120)

PETITIONS

Ms. Moorcroft, Member for Mount Lorne, presented the following petition:

- regarding restoring caveat to ensure that a particular lot at M'Clintock Place be made available for public use
(Petition #9)

MINISTERIAL STATEMENTS

Hon. Mr. Fisher, Minister of Health and Social Services
- 1994 Yukon Health Status Report

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Phelps:

THAT this House recommends that the Commissioner in Executive Council establish a public inquiry, pursuant to

the Public Inquiries Act, for the purpose of investigating the apparent conflict of interest and apparent breach of the Executive Council Code of Conduct Regarding Conflict of Interest tabled in the Legislative Assembly on April 6, 1981 and the Code of Ethics for Members of the Executive Council (established by Schedule B of Order-in-Council 1981/085 under the Yukon Act), arising from:

- (a) the assembly and purchase of certain fee simple lots in Block "B", Plan 19005, in the City of Whitehorse in the Yukon Territory;
- (b) the involvement in this assembly and purchase by relatives, acquaintances and certain political staff of one Member of the Executive Council, namely Piers McDonald, during the terms of the 26th and 27th Legislative Assemblies;
- (c) the involvement in this assembly and purchase by Maurice Byblow, his relatives and acquaintances during the term of the 26th Legislative Assembly, when Mr. Byblow served as an executive assistant to Mr. McDonald, and during the term of the 27th Legislative Assembly, when Mr. Byblow was a Member of the Executive Council; and
- (d) the actions being taken by the Government of Yukon during the time of this assembly and purchase with respect to examining the feasibility of and options for acquiring and, later, negotiating the possible purchase of the White Pass and Yukon Railway right-of-way adjacent to the said fee simple lots;

and

THAT this House recommends that the Commissioner in Executive Council direct the board established to conduct the public inquiry to:

- (a) include in its report the following:
 - (i) decisions as to whether either or both Mr. McDonald and Mr. Byblow were in a conflict of interest; and
 - (ii) reasons for its decisions;and
- (b) transmit its report to:
 - (i) the Commissioner in Executive Council (pursuant to section 3 of the Public Inquiries Act), and
 - (ii) the Legislative Assembly (by delivery of the report to the Speaker of the Legislative Assembly who shall table the report in the Assembly as soon as practicable or, if the Assembly is not then sitting, who shall immediately transmit the report to all Members of the Assembly).

(Motion #104)

A debate arising on the motion and the time reaching 5:30 p.m., while Mr. Phelps was speaking to it in closing debate, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #104 was accordingly adjourned.

TABLED DOCUMENTS

During debate on Motion #104, Mr. Phelps, Member for Ross River-Southern Lakes, tabled the following documents:

- Documents pertaining to Motion #104 regarding the call for a public inquiry
(Sessional Paper #121)
- Certificates of Title pertaining to the fee simple lots referred to in Motion #104
(Sessional Paper #122)

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #11 - Interim Supply Appropriation Act, 1996-97
-Hon. Mr. Ostashek

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, March 28, 1996.

No. 97

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, March 28, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Letter dated March 25, 1996 to Hon. Mr. Ostashek, Government Leader, from Stephen Markey, Vice-President, Canadian Airlines International Ltd., re continuation of youth standby fares

(Sessional Paper #123)

- Ministerial Council on Social Policy Reform and Renewal: A Report to Premiers (dated December, 1995)

(Sessional Paper #124)

PETITIONS

The Clerk reported on Petition #9 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #9 of the Second Session of the 28th Legislative Assembly, as presented by the honourable Member for Mount Lorne on March 27, 1996.

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

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Speaker ruled that, accordingly, Petition #9 was deemed to be read and received.

MINISTERIAL STATEMENTS

Hon. Mr. Ostashek, Government Leader
- Social policy reform and renewal

GOVERNMENT BILLS

The following Bills were read a third time and passed:

Bill #11 - Interim Supply Appropriation Act, 1996-97
-Hon. Mr. Ostashek

Bill #8 - Fourth Appropriation Act, 1994-95
-Hon. Mr. Ostashek

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

ASSENT TO BILLS

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

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

The Speaker addressed the Commissioner:

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

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

Bill #11 - Interim Supply Appropriation Act, 1996-97
-Hon. Mr. Ostashek

Bill #8 - Fourth Appropriation Act, 1994-95
-Hon. Mr. Ostashek

Bill #9 - Third Appropriation Act, 1995-96
-Hon. Mr. Ostashek

The Commissioner assented the Bills:

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

The Commissioner then retired from the Chamber.

The Assembly adjourned at 5:18 p.m. until 1:30 p.m., Monday, April 1, 1996.

No. 98

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, April 1, 1996

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

MINISTERIAL STATEMENTS

Hon. Mr. Ostashek, Government Leader
- Census year: 1996

MOTION TO CHANGE SPONSOR OF BILL #68

Moved by the Hon. Mr. Phillips, Acting Government House
Leader:

THAT the Hon. Mr. Nordling be substituted for Mr. Phelps as
the sponsor of Bill #68 entitled An Act to Amend the College
Act.

(Procedural Motion)

The question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bills:

Bill #73 - Taxpayer Protection Act
-Hon. Mr. Ostashek

- 240 -

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:27 p.m. until 1:30 p.m., Tuesday,
April 2, 1996.

No. 99

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, April 2, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Devries, Speaker

- Report of the Chief Electoral Officer of the Yukon on two by-elections held February 5, 1996

(Sessional Paper #125)

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Ms. Moorcroft, Opposition House Leader, identified the items to be called during Opposition Private Members' Business on Wednesday April 3, 1996.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97

-Hon. Mr. Ostashek

The report of the Chair was adopted.

TABLED DOCUMENT

During general debate on Vote 09, Community and Transportation Services, Bill #10, the Hon. Mr. Brewster tabled the following document:

- Transfer Agreement of Yukon Arctic A Airports from the Government of Canada to the Government of Yukon (effective March 20, 1996); Agreement Highlights; Backgrounder for Whitehorse and Watson Lake Airports
(Sessional Paper #126)

The Assembly adjourned at 5:29 p.m. until 1:30 p.m.,
Wednesday, April 3, 1996.

No. 100

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, April 3, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Devries, Speaker

- Report of the Chief Electoral Officer of the Yukon on Contributions to Candidates (February 5, 1996 by-elections)

(Sessional Paper #127)

FILED DOCUMENT

During Question Period, Ms. Moorcroft, Member for Mount Lorne, filed the following document:

- Legislative Calendar: Part 1 (scheduled for Fall 1995 Session); Part 2 (approved but unscheduled); Part 3 (departmental, planned but not approved) (dated June, 1995)
(Filed Document #16)

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. McDonald:

THAT it is the opinion of this House that:

- (a) the Government's current energy and environmental policies should be substantial, cohesive and compatible with each other;

- (b) the Government should adequately research alternative energy sources that prove their economic and environmental sustainability; and
- (c) the Government must identify and meet the needs of all Yukoners to provide sustained economic growth through reasonable energy costs and environmental protection.
(Motion #105)

A debate arising on the motion, it was moved by the Hon. Mr. Ostashek in amendment thereto:

THAT Motion #105 be amended by deleting paragraphs (a), (b), and (c) and substituting for them the following paragraphs:

- "(a) the Government's current energy and environmental policies are substantial, cohesive and compatible with each other;
- (b) the Government has adequately researched alternative energy sources that prove their economic and environmental sustainability; and
- (c) the Government has identified and met the needs of all Yukoners to provide sustained economic growth through reasonable energy costs and environmental protection."

A debate arising on the amendment and the time reaching 5:30 p.m. while Mr. Millar was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on the amendment and on Motion #105 was accordingly adjourned.

FILED DOCUMENT

During debate on the amendment to Motion #105, Mr. Cable, Member for Riverside, filed the following document:

- Carbon dioxide reductions: letter dated December 20, 1995, to the Member for Riverside, Jack Cable, from the Hon. Mickey Fisher, Minister of Renewable Resources
(Filed Document #17)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #73 - Taxpayer Protection Act
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:31 p.m. until 1:30 p.m., Thursday, April 4, 1996.

No. 101

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, April 4, 1996

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

TRIBUTES

Hundredth Birthday Greetings to Sarah Abel

Mr. Schafer, Member for Vuntut Gwitchin, and Mr. Joe, Member for Mayo-Tatchun, extended birthday greetings to Sarah Abel, a respected Old Crow elder, who would be celebrating her one hundredth birthday on Wednesday, April 10, 1996.

Eightieth Birthday Greetings to Alex VanBibber

The Hon. Mr. Brewster, Minister of Community and Transportation Services, extended birthday greetings to Alex VanBibber, who was celebrating his eightieth birthday on today's date.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Yukon Public Service Staff Relations Board 25th Annual Report 1993-94

(Sessional Paper #128)

- Yukon Teachers' Staff Relations Board 21st Annual Report 1993-94

(Sessional Paper #129)

INTRODUCTION OF BILLS (First Reading)

Bill #98 - An Act to Amend the Historic Resources Act
-Hon. Mr. Phillips

MINISTERIAL STATEMENTS

Hon. Mr. Nordling, Minister of Education
- Community employment fund for Ross River

COMMITTEE OF THE WHOLE

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

The following Bill was reported with amendment:

Bill #73 - Taxpayer Protection Act
-Hon. Mr. Ostashek

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Tuesday,
April 9, 1996.

No. 102

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, April 9, 1996

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

TRIBUTES

Congratulations to Yukon Women's Hockey Team

The Hon. Mr. Brewster, Minister of Community and Transportation Services, and Ms. Moorcroft, Member for Mount Lorne, congratulated the Yukon Women's Hockey Team on winning the Western Canadian Shield Senior B Women's Hockey Championship on April 7, 1996, in Winnipeg.

PETITIONS (Response to Petition #9)

The Hon. Mr. Brewster, Minister of Community and Transportation Services, gave an oral response to Petition #9 (received by the House on March 28, 1996) with regard to restoring a caveat to ensure that a particular lot at M'Clintock Place be made available for public use.

TABLED DOCUMENTS

During the response to Petition #9, the Hon. Mr. Brewster, Minister of Community and Transportation Services, tabled the following documents:

- M'Clintock Place: history of ownership and development
(Sessional Paper #130)
- M'Clintock Place: history of caveats on certain lots
(Sessional Paper #131)

MINISTERIAL STATEMENTS

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

- Social Policy Reform and Renewal in Canada: recent developments

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Fisher, Government House Leader, identified the item to be called during Government Private Members' Business on Wednesday, April 10, 1996.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m.,
Wednesday, April 10, 1996.

No. 103

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, April 10, 1996

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

TRIBUTES

Hundredth Birthday greetings to Sarah Abel

The Hon. Mr. Ostashek, Government Leader, extended birthday greetings to Sarah Abel, who was celebrating her one hundredth birthday on today's date.

Congratulations to Albert C. Rock on winning the National Aboriginal Achievement Award

Ms. Commodore, Member for Whitehorse Centre, and the Hon. Mr. Fisher, Minister of Economic Development, congratulated Albert C. Rock on his winning of the National Aboriginal Achievement Award in the science and technology category.

Anniversary Greetings to Danny and Betty Joe

Mr. Sloan, Member for Whitehorse West, and the Hon. Mr. Phillips, Minister of Tourism, congratulated Danny and Betty Joe on their forty-first wedding anniversary.

MINISTERIAL STATEMENTS

Hon. Mr. Ostashek, Minister responsible for the Yukon Energy Corporation

- Fish viewing facility expansion at Whitehorse Rapids dam

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Phelps:

THAT it is the opinion of this House that, in the period from the conception of the project to October 19, 1992, the tendering, awarding and subsequent negotiating of the office building, retail mall, convention centre and hotel complex contract with Dakwakada Development Corporation, Taga Ku Development Corporation and Taga Ku Development Group Inc. was mishandled.

(Motion #107)

A debate arising on the motion, it was moved by Mr. Harding in amendment thereto:

THAT Motion #107 be amended by deleting all the words after the second "that" and substituting for them the following:

- "1) the Yukon Party government mishandled the Taga Ku deal by breaking the agreement between the Government of Yukon and the Taga Ku Development Corp. on December 11, 1992; and
- 2) The Yukon Party government should immediately respect the two court decisions and undertake constructive action to negotiate and settle with the affected parties."

A debate arising on the amendment and the time reaching 5:30 p.m. while Mr. Sloan was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on the amendment and on Motion #107 was accordingly adjourned.

TABLED DOCUMENTS

During debate on Motion #107, Mr. Phelps, Member for Ross River-Southern Lakes, tabled the following documents:

- Taga Ku project: information pertaining to Motion #107
(Sessional Paper #132)
- Taga Ku project: memo dated Sept. 21, 1992, from Megan Slobodin, Director of Policy and Planning, Government Services, to Janet Mann, Acting for Dan Odin, Deputy Minister of Government Services, regarding extending the occupancy date
(Sessional Paper #133)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:31 p.m. until 1:30 p.m., Thursday, April 11, 1996.

No. 104

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, April 11, 1996

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

GOVERNMENT BILLS

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

Bill #45 - An Act to Amend the Income Tax Act
-Hon. Mr. Ostashek

Bill #32 - An Act to Amend the Financial Administration Act
-Hon. Mr. Ostashek

Bill #24 - Miscellaneous Statute Law Amendment Act, 1996
-Hon. Mr. Phillips

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Monday,
April 15, 1996.

No. 105

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, April 15, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Phillips, Minister of Justice

- Allegations of perceived conflict of interest: letter dated April 10, 1996 from Neil McCrank, Q.C., Deputy Minister of Justice and Deputy Attorney General of Alberta to Stuart J. Whitley, Q.C., Deputy Minister of Justice, Government of Yukon, regarding options for examining allegations

(Sessional Paper #134)

- Employment/training initiatives in rural communities

(Legislative Return #99)

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

- Yukon Health and Social Services Council Annual Report 1994-95

(Sessional Paper #135)

MINISTERIAL STATEMENTS

Hon. Mr. Phillips, Minister of Justice

- Allegations of perceived conflict of interest: process

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Ostashek:

THAT the Yukon Legislative Assembly recommends that the Commissioner in Executive Council appoint the Ombudsman of

Alberta as the Ombudsman of Yukon, pursuant to the Ombudsman Act (Yukon), subject to a signed agreement between the Legislative Assemblies of Alberta and Yukon and to the Legislative Assembly of Alberta amending section 3(1) of the Ombudsman Act (Alberta) to permit the Ombudsman of Alberta to hold an office of trust or profit other than the Office of Ombudsman for Alberta.

(Motion #111)

A debate arising on the motion and the debate having been concluded, the Speaker informed the House that he would call for a recorded Division.

SPEAKER'S CALL FOR RECORDED DIVISION

"Before putting the question, the Chair must draw Members' attention to Section two of the Ombudsman Act. That Section requires that the recommendation of the Legislative Assembly to the Commissioner in Executive Council respecting the appointment of an Ombudsman be supported by at least two-thirds of the Members of the Assembly. The effect of Section two is that, for this motion to be carried, at least twelve Members must vote for it. In order to ensure that the requirements of Section two of the Ombudsman Act are met, the Chair will now call for a recorded Division."

The motion was agreed to on the following recorded Division:

YEA

Ostashek	Schafer	Commodore	
Fisher	Millar	Joe	
Phillips	Phelps	Sloan	15
Brewster	McDonald	Harding	
Nordling	Moorcroft	Cable	

NAY

Firth	1
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COMMITTEE OF THE WHOLE

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

- 257 -

Progress was reported on the following Bill:
Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Tues
April 16, 1996.

No. 106

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, April 16, 1996

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Phillips, Minister of Justice

- Conflict of Interest (Members and Ministers) Public Inquiry Regulations (Order-in-Council 1996/44 dated April 15, 1996)

(Sessional Paper #136)

- Appointment of Ted Hughes as Board of Inquiry respecting alleged conflicts of interest (Order-in-Council 1996/45 dated April 15, 1996)

(Sessional Paper #137)

MINISTERIAL STATEMENTS

Hon. Mr. Nordling, Minister of Education

- Apprenticeship Training Program of Yukon Government

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Ms. Moorcroft, Opposition House Leader, and Mr. Cable, Member for Riverside, identified the items to be called during Opposition Private Members' Business on Wednesday, April 17, 1996.

MOTION TO EXTEND SITTING HOURS

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

THAT Committee of the Whole and the Assembly be empowered to sit from 6:30 p.m. until 10:30 p.m. this evening for the purpose of continuing consideration of Bill #10 entitled First Appropriation Act, 1996-97.

(Procedural Motion)

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

YEA

Ostashek	Brewster	Millar	
Fisher	Nordling	Phelps	9
Phillips	Schafer	Cable	

NAY

McDonald	Joe	Firth	
Moorcroft	Sloan		7
Commodore	Harding		

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 10:30 p.m. until 1:30 p.m.
Wednesday, April 17, 1996.

No. 107

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, April 17, 1996

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

TRIBUTES

Condolences to Mary Jane Jim and family

The Hon. Mr. Ostashek, Government Leader, and Ms. Commodore, Member for Whitehorse Centre, extended condolences to Mary Jane Jim and her family on the death of fifteen-year-old Justin Jim.

Recognition of Law Day

The Hon. Mr. Phillips, Minister of Justice, and Mr. Sloan, Member for Whitehorse West, recognized Law Day.

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Harding:

THAT it is the opinion of this House that since their election to government, the Yukon Party government has not lived up to its commitments to the Yukon people as contained in the Yukon Party Four Year Plan.

(Motion #113)

Debate started on the motion.

QUORUM COUNT

At 2:25 p.m., during debate on Motion #113, Ms. Moorcroft, Opposition House Leader, rose on a Point of Order to state that a quorum was not present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion.

QUORUM COUNT

At 3:30 p.m., during debate on Motion #113, the Hon. Mr. Ostashek, Government Leader, rose on a Point of Order to state that a quorum was not present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion.

QUORUM COUNT

At 3:30 p.m., during debate on Motion #113, the Hon. Mr. Brewster, Minister of Community and Transportation Services, rose on a Point of Order to state that a quorum was not present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continuing on the motion and the time reaching 5:30 p.m. while the Hon. Mr. Ostashek was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #113 was accordingly adjourned.

GOVERNMENT MOTIONS

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

THAT the time for the meeting of the Assembly for Wednesday, April 17, 1996 shall be from 1:30 p.m. to 5:30 p.m. and from 7:30 p.m. to 10:30 p.m.;

THAT the time for the meeting of the Assembly for Thursday, April 18, Monday, April 22 and Tuesday, April 23, 1996 shall be from 1:30 p.m. to 5:30 p.m. and from 6:30 p.m. to 10:30 p.m.; and

THAT the time for the meeting of the Assembly for Wednesday, April 24, 1996 shall be from 1:30 p.m. to 5:30 p.m. and from 6:30 p.m. until such time as is necessary for the purpose of completing consideration of Bill #10, Bill #32 and Bill #45 in Committee of the Whole; for permitting the Assembly to consider Third Reading of the Bills which have reached that stage; and for receiving the Commissioner to give Assent to the Bills which have been passed by the House.

(Motion #114)

A debate arising on the motion, it was moved by Mr. Cable in amendment thereto:

THAT Motion #114 be amended by deleting the last two paragraphs and substituting the following:

"THAT the time for the meeting of the Assembly for Thursday, April 18, Monday, April 22, Tuesday, April 23, and Wednesday, April 24, 1996 shall be from 1:30 p.m. to 5:30 p.m. and from 6:30 p.m. to 10:30 p.m."

The question being put on the amendment, it was agreed to.

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

YEA

Ostashek	Brewster	Millar	
Fisher	Nordling	Phelps	9
Phillips	Schafer	Cable	

NAY

McDonald
Moorcroft

Commodore
Joe

Harding
Firth

6

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:
Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 10:28 p.m. until 1:30 p.m.
Thursday, April 18, 1996.

No. 108

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, April 18, 1996

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

TRIBUTES

Recognition of Earth Day

Mr. Harding, Member for Faro, recognized Earth Day (Monday, April 22, 1996).

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fisher, Minister of Economic Development

- Venture Partnership: the Yukon Venture Loan Guarantee Program

(Sessional Paper #138)

MINISTERIAL STATEMENTS

Hon. Mr. Fisher, Minister of Renewable Resources

- Recycling Club

SPEAKER'S STATEMENT

"Before proceeding to Question Period today the Chair wishes to emphasize the need for Members to pay much more attention to the language being used in this House.

If Members are looking for direction the best thing to do would be to read Standing Order 19. It provides

direction on what is in order during debate and what is not.

Members should pay particular attention to paragraphs (h), (i) and (j). They state that a member will be called to order if a member:

- '(h) imputes false or unavowed motives to another member;
- (i) charges another member with uttering a deliberate falsehood; or
- (j) uses abusive or insulting language of a nature likely to create disorder.'

Members will recognize that these rules are consistently being broken by some Members on both sides of the House. This violates the dignity of the House and should be a matter of concern to us all.

The Chair recognizes that this is a particularly difficult time and that, when emotions run high, Members tend to use unparliamentary language more often than is usual. However, even though Members may have deep feelings and may be very angry, it does not excuse the use of improper language. Members know that they must respect the rules and that they should demonstrate some discipline and control in choosing their words.

A particular problem has been that many Members have done their best to find ways to say that they feel that other Members are not telling the truth. It is out of order to say that another Member has uttered a deliberate falsehood no matter what words are used to say it. The obvious word that Members avoid is 'lie' but it is equally wrong to use words and phrases like 'untruth', 'not telling the truth', 'misrepresentation', and 'twisting the facts'.

Members have to realize that they may totally disagree with each other about the facts of a situation and about the interpretation put on those facts. However, it must be accepted that the other person believes what he or she is saying. As the rules state, Members may say that other Members haven't got the facts right. But they are not to accuse others of deliberately misleading the House. And they should not attack the motives of other Members.

Another problem is that there is too much use of abusive and insulting language. There is no need to come up with a list of the names that Members should or should not be allowed to call each other. Members certainly must realize that they should not be indulging in any kind of name calling.

In conclusion, the Chair is asking that all Members assist in this matter by respecting the rules which this House has provided for itself."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 10:27 p.m. until 1:30 p.m., Monday, April 22, 1996.

No. 109

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Monday, April 22, 1996

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

TRIBUTES

Condolences to Flo Whyard and family on the death of James H. Whyard

The Hon. Mr. Ostashek, Government Leader, Mr. Sloan, Member for Whitehorse West, and Mr. Cable, Member for Riverside, extended condolences to Flo Whyard and family on the death of James H. Whyard on Friday, April 19, 1996.

Recognition of Earth Day: Canadian Biodiversity Strategy

The Hon. Mr. Fisher, Minister of Renewable Resources, Mr. Harding, Member for Faro, and Mr. Cable, Member for Riverside, recognized Earth Day.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Brewster, Minister of Community and Transportation Services

- Explanation of covenants and caveats on certain lots made on July 5, 1978 and on July 12, 1978
(Legislative Return #100)

Hon. Mr. Fisher, Minister of Renewable Resources

- Social assistance fraud: fraud investigator's job description; review of overpayment files for potential fraud

(Legislative Return #101)

- Certified Nursing Assistants at Whitehorse General Hospital: status
(Legislative Return #102)
- Biodiversity: poster respecting Canadian Biodiversity Strategy signed by Ministers of the Environment
(Sessional Paper #139)

GOVERNMENT BILLS

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

Bill #98 - An Act to Amend the Historic Resources Act
-Hon. Mr. Phillips

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 10:28 p.m. until 1:30 p.m., Tuesday, April 23, 1996.

No. 110

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Tuesday, April 23, 1996

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

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Fisher, Government House Leader, informed the House that the Government Private Members did not wish to identify any items standing under the heading "Government Private Members' Business" to be called on Wednesday, April 24, 1996.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 10:27 p.m. until 1:30 p.m.,
Wednesday, April 24, 1996.

No. 111

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Wednesday, April 24, 1996

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

TABLING RETURNS AND DOCUMENTS

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

- Fetal Alcohol Syndrome: programs available
(Legislative Return #103)

Hon. Mr. Nordling, Minister responsible for the Yukon Housing Corporation

- Yukon Housing Corporation Annual Report for the year ended March 31, 1994
(Sessional Paper #140)

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

- Grievances: number of, April 1, 1994 to March 15, 1996
(Legislative Return #104)
- Women in management positions: comparison between March, 1991 and January 31, 1996
(Legislative Return #105)
- Employment equity statistics: counselling services
(Legislative Return #106)
- Merit increases: anticipated amounts for one fiscal year
(Legislative Return #107)

PETITIONS

Ms. Moorcroft, Member for Mount Lorne, presented the following petition:

- re orderly development in Golden Horn area (Petition #10)

The Hon. Mr. Nordling presented the following petition:

- re chelation therapy (Petition #11)

INTRODUCTION OF BILLS (First Reading)

Bill #87 - Yukon Oil and Gas Act
-Hon. Mr. Fisher

MINISTERIAL STATEMENTS

Hon. Mr. Nordling, Minister responsible for the Yukon Housing Corporation
- Accessory suites: health and safety issues

GOVERNMENT BILLS

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

Bill #46 - An Act to Amend the Elections Act
-Hon. Mr. Ostashek

Bill #66 - An Act to Amend the Controverted Elections Act
-Hon. Mr. Ostashek

Bill #53 - An Act to Amend the Dental Profession Act
-Hon. Mr. Phillips

Bill #68 - An Act to Amend the College Act
-Hon. Mr. Nordling

Bill #17 - An Act to Amend the Dog Act
-Hon. Mr. Brewster

COMMITTEE OF THE WHOLE

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

- 272 -

Progress was reported on the following Bill:

Bill #10 - First Appropriation Act, 1996-97

-Hon. Mr. Ostashek

The report of the Chair was adopted.

The Assembly adjourned at 10:30 p.m. until 1:30 p.m.,
Thursday, April 25, 1996.

No. 112

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

28th Legislative Assembly

Second Session

Thursday, April 25, 1996 – Friday, April 26, 1996

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

TRIBUTES

Birthday Greetings to Danny Joe, Member for Mayo-Tatchun

Mr. McDonald, Leader of the Official Opposition, extended birthday greetings to Danny Joe, Member for Mayo-Tatchun, who was celebrating his sixty-sixth birthday on today's date.

Recognition of Book Day in Canada

Ms. Moorcroft, Member for Mount Lorne, recognized Book Day in Canada.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Ostashek, Government Leader

- Decentralization: positions by department decentralized since 1992-93
(Legislative Return #108)
- Surface Rights Board and Dispute Resolution Board: status
(Legislative Return #109)
- Land Claims Secretariat: role with boards and councils regarding implementation plans
(Legislative Return #110)

- Merit increases for Executive Council Office employees:
explanation
(Legislative Return #111)
- Yukon Council on the Economy and the Environment:
activities since October, 1992 and up to Fall, 1996
(Legislative Return #112)

PETITIONS

Report on Petition #10

The Clerk reported on Petition #10 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #10 of the Second Session of the 28th Legislative Assembly, as presented by the honourable Member for Mount Lorne on April 24, 1996.

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

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Speaker ruled that, accordingly, Petition #10 was deemed to be read and received.

Report on Petition #11

The Clerk reported on Petition #11 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #11 of the Second Session of the 28th Legislative Assembly, as presented by the Honourable Alan Nordling on April 24, 1996.

The petition opens in the proper form. It is addressed to the Yukon Legislative Assembly, contains an appropriate statement of the subject matter and concludes with a Prayer clearly expressing the particular object the petitioners have in view.

The petition is unusual in that it contains, following the Prayer, a statement explaining the subject matter of the

petition in greater detail than is found in the main body of the petition. Also, there are three documents appended to the petition. Annotation 1021 in **Beauchesne's Rules and Forms** (6th ed.) states that:

"Appendices may not be attached thereto, whether in the shape of letters, affidavits, certificates, statistical statements or documents of any character."

The statement and appended documents do not contain matter in breach of the privileges of the Assembly.

Petition #11, taking into account the aforementioned, meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly."

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Speaker ruled that, accordingly, Petition #11 was deemed to be read and received.

INTRODUCTION OF BILLS (First Reading)

Bill #56 - An Act to Amend the Conflict of Interest (Members and Ministers) Act
-Hon. Mr. Ostashek

MINISTERIAL STATEMENTS

Hon. Mr. Fisher, Minister of Economic Resources
- On Yukon Oil and Gas Act

MOTION TO EXTEND SITTING HOURS

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

THAT the time for the meeting of the Assembly for Thursday, April 25, 1996 shall be from 1:30 p.m. to 5:30 p.m. and from 6:30 p.m. to 10:30 p.m.;

THAT, if the Assembly has not then been adjourned for an extended period of time, the time for the meeting of the Assembly for Friday, April 26, 1996 shall be at 1:30 p.m.; and

THAT the Assembly shall adjourn on Friday, April 26, 1996 at such time as:

- (1) all Government Bills before the House on Thursday, April 25, 1996 excepting Bill #1 and Bill #87, have been called for Third Reading in accordance with the provisions of Standing Order 59; and
- (2) any other business which the Assembly has granted unanimous consent to be proceeded with has been called.

(Procedural Motion)

The question being put on the motion to extend sitting hours, it was agreed to.

GOVERNMENT BILLS

Unanimous consent was requested by the Hon. Mr. Fisher, Government House Leader, and granted to proceed with Second Reading of Bill #56 pursuant to Standing Order 55(2), allowing for a Bill to be advanced two or more stages on one day. The following Bill was read a second time and referred to Committee of the Whole:

Bill #56 - An Act to Amend the Conflict of Interest (Members and Ministers) Act
-Hon. Mr. Ostashek

GOVERNMENT MOTIONS

Unanimous consent having been requested by the Hon. Mr. Fisher, Government House Leader, and granted to waive the provisions of Standing Order 27(1) with regard to notice, it was moved by the Hon. Mr. Phillips:

THAT the Yukon Legislative Assembly, pursuant to section 16 of the Human Rights Act, appoint Dr. Richard D'Aeth to be a member of the Yukon Human Rights Commission.

(Motion #117)

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

Moved by the Hon. Mr. Phillips:

THAT the Yukon Legislative Assembly, pursuant to section 21 of the Human Rights Act, appoint Ms. Gail Edmunds and Mr. Timothy Vickery to the panel of adjudicators.

(Motion #118)

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

COMMITTEE OF THE WHOLE

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

Unanimous consent having being requested by the Hon. Mr. Fisher, Government House Leader, on behalf of the House Leaders, and granted to move the following motion, it was passed by Committee of the Whole at 10:22 p.m.:

THAT Committee of the Whole and the House continue to sit past 10:30 p.m. this evening in order to deal with the business identified in the motion respecting sitting times which was passed by the Assembly on April 25, 1996.
(Procedural Motion to further extend sitting hours)

The following Bills were reported without amendment:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

Bill #32 - An Act to Amend the Financial Administration Act
-Hon. Mr. Ostashek

Bill #45 - An Act to Amend the Income Tax Act
-Hon. Mr. Ostashek

Bill #24 - Miscellaneous Statute Law Amendment Act, 1996
-Hon. Mr. Phillips

Bill #98 - An Act to Amend the Historic Resources Act
-Hon. Mr. Phillips

Bill #46 - An Act to Amend the Elections Act
-Hon. Mr. Ostashek

Bill #66 - An Act to Amend the Controverted Elections Act
-Hon. Mr. Ostashek

Bill #53 - An Act to Amend the Dental Profession Act
-Hon. Mr. Phillips

Bill #68 - An Act to Amend the College Act
-Hon. Mr. Nordling

Bill #17 - An Act to Amend the Dog Act
-Hon. Mr. Brewster

Bill #56 - An Act to Amend the Conflict of Interest (Members
and Ministers) Act
-Hon. Mr. Ostashek

The report of the Chair was adopted.

GOVERNMENT BILLS

The following Bill was called for Third Reading:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

The question being put on the motion for Third Reading, there
were an equal number of votes on the following recorded Division:

YEA

Ostashek	Brewster	Millar	
Fisher	Nordling	Phelps	8
Phillips	Schafer		

NAY

McDonald	Joe	Cable	
Moorcroft	Sloan	Firth	8
Commodore	Harding		

CASTING VOTE

There being an equal number of votes, the Speaker stated:

"Our Standing Order 4(2) states that in the case of an equality of votes, the Speaker shall give a casting vote. In general, the principle applied to motions and Bills is that decisions should not be taken except by a majority. In this case, however, the Chair is aware that the passage of this Bill is a test of the confidence of the Assembly in the government. It is my view that questions of confidence are of such importance that an expression of non-confidence should be clearly stated by a majority. The Chair, therefore, votes for the motion.

The motion for Third Reading is carried and Bill #10 has passed this House."

The following Bills were read a third time and passed:

Bill #32 - An Act to Amend the Financial Administration Act
-Hon. Mr. Ostashek

Bill #45 - An Act to Amend the Income Tax Act
-Hon. Mr. Ostashek

Bill #24 - Miscellaneous Statute Law Amendment Act, 1996
-Hon. Mr. Phillips

Bill #98 - An Act to Amend the Historic Resources Act
-Hon. Mr. Phillips

Bill #46 - An Act to Amend the Elections Act
-Hon. Mr. Ostashek

Bill #66 - An Act to Amend the Controverted Elections Act
-Hon. Mr. Ostashek

Bill #53 - An Act to Amend the Dental Profession Act
-Hon. Mr. Phillips

Bill #68 - An Act to Amend the College Act
-Hon. Mr. Nordling

Bill #17 - An Act to Amend the Dog Act
-Hon. Mr. Brewster

Unanimous consent was requested by the Hon. Mr. Fisher, Government House Leader, and granted to proceed with Third Reading of Bill #56 pursuant to Standing Order 55(2), allowing for a Bill to be advanced two or more stages in one day. The following Bill was read a third time and passed:

Bill #56 - An Act to Amend the Conflict of Interest (Members and Ministers) Act
-Hon. Mr. Ostashek

The following Bill was called for Third Reading on April 26, 1996:

Bill #73 - Taxpayer Protection Act
-Hon. Mr. Ostashek

The question being put on the motion for Third Reading, there were an equal number of votes on the following recorded Division:

YEA

Ostashek	Brewster	Millar	
Fisher	Nordling	Phelps	8
Phillips	Schafer		

NAY

McDonald	Joe	Cable	
Moorcroft	Sloan	Firth	8
Commodore	Harding		

CASTING VOTE

There being an equal number of votes, the Speaker stated:

"Our Standing Order 4(2) states that in the case of an equality of votes, the Speaker shall give the casting vote. In general, the principle applied to motions and Bills is that decisions should not be taken except by a majority. In this case, however, the Chair is aware that the passage of this Bill is a test of the confidence of the Assembly in the government. It is my view that questions of confidence are of such importance that an expression of non-confidence should be clearly stated by a majority. The Chair, therefore, votes for the motion.

The motion for Third Reading is carried and Bill #73 has passed this House."

GOVERNMENT MOTION

Unanimous consent having been requested by the Hon. Mr. Fisher, Government House Leader, and granted to waive the provisions of Standing Order 27(1) with regard to notice, it was moved by the Hon. Mr. Ostashek:

THAT pursuant to Section 18 of the Conflict of Interest (Members and Ministers) Act, the Legislative Assembly appoint Ted Hughes as a Member of the Conflict of Interest Commission for a three-year period from the date on which the Conflict of Interest (Members and Ministers) Act comes into force; and

THAT pursuant to Section 18 of the Conflict of Interest (Members and Ministers) Act, the Legislative Assembly appoint Harley Johnson as a Member of the Conflict of Interest Commission for a period ending March 31, 1997, subject to a signed agreement between the Legislative Assemblies of Alberta and Yukon and to the Legislative Assembly of Alberta amending

section 3(1) of the Ombudsman Act (Alberta) to allow the Ombudsman of Alberta to hold an office of trust or profit other than the Office of Ombudsman for Alberta.

(Motion #119)

A debate arising on the motion, it was moved by Mr. McDonald in amendment thereto:

THAT Motion #119 be amended by deleting all the words after "comes into force;".

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

A debate arising on the motion as amended and the debate having been concluded, the Speaker informed the House that he would call for a recorded Division.

SPEAKER'S CALL FOR RECORDED DIVISION

"Before putting the question, the Chair must draw Members' attention to Section eighteen of the Conflict of Interest (Members and Ministers) Act. That Section requires that the appointment of a member of the Conflicts Commission be supported by at least two-thirds of the Members of the Legislative Assembly present for the vote. In order to ensure that the requirements of Section eighteen of the Conflict of Interest (Members and Ministers) Act are met, the Chair will now call for a recorded vote."

The motion as amended was agreed to in the following recorded Division:

YEA

Ostashek	Millar	Joe	
Fisher	Phelps	Sloan	
Phillips	McDonald	Harding	16
Brewster	Moorcroft	Cable	
Nordling	Commodore	Firth	
Schafer			

NAY

Unanimous consent having been requested by the Hon. Mr. Fisher, Government House Leader, and granted to debate Motion #109 which was not included in the business agreed to earlier, it was moved by the Hon. Mr. Fisher:

THAT it is the opinion of this House that the closure of the game check stations at MacPass and Tungsten this year by the Government of the Northwest Territories will have a significant negative economic impact on the community of Watson lake and is contrary to the well-established tradition of intergovernmental co-operation between the two territories; and

THAT this House urges the Government of the Northwest Territories to reconsider the offer made by the Government of Yukon to issue permits at no cost to and on behalf of the Government of the Northwest Territories out of Yukon Government offices in Watson Lake and Ross River.

(Motion #109)

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

ASSENT TO BILLS

The Assembly received the Administrator 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 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 then read the titles of the Bills which had been passed severally as follows:

Bill #10 - First Appropriation Act, 1996-97
-Hon. Mr. Ostashek

Bill #32 - An Act to Amend the Financial Administration Act
-Hon. Mr. Ostashek

- Bill #45 - An Act to Amend the Income Tax Act
-Hon. Mr. Ostashek
- Bill #24 - Miscellaneous Statute Law Amendment Act, 1996
-Hon. Mr. Phillips
- Bill #98 - An Act to Amend the Historic Resources Act
-Hon. Mr. Phillips
- Bill #46 - An Act to Amend the Elections Act
-Hon. Mr. Ostashek
- Bill #66 - An Act to Amend the Controverted Elections Act
-Hon. Mr. Ostashek
- Bill #53 - An Act to Amend the Dental Profession Act
-Hon. Mr. Phillips
- Bill #68 - An Act to Amend the College Act
-Hon. Mr. Nordling
- Bill #17 - An Act to Amend the Dog Act
-Hon. Mr. Brewster
- Bill #56 - An Act to Amend the Conflict of Interest (Members
and Ministers) Act
-Hon. Mr. Ostashek
- Bill #73 - Taxpayer Protection Act
-Hon. Mr. Ostashek

The Administrator assented the Bills:

"I hereby assent to the Bills as enumerated by the
Clerk of the Legislature."

The Administrator then retired from the Chamber.

SPECIAL ADJOURNMENT MOTION

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

THAT the House, at its rising, do stand adjourned until
it appears to the satisfaction of the Speaker, after
consultation with the Government Leader, that the public
interest requires that the House shall meet;

THAT the Speaker give notice that he is so satisfied, and
thereupon the House shall meet at the time stated in such
notice and shall transact its business as if it had been
duly adjourned to that time; and

THAT, if the Speaker is unable to act owing to illness or other causes, the Deputy Speaker shall act in his stead for the purpose of this Order."

The question being put on the special adjournment motion, it was agreed to.

The Assembly adjourned at 00:40 a.m., Friday, April 26, 1996.

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(Continuation)**

Twenty-Eighth Legislature

February 15, 1996 – April 25/26, 1996

YUKON LEGISLATIVE ASSEMBLY

Abbreviations

1R – First Reading of Bill	C/W – (Reported out of) Committee of the Whole	P – Passed
2R – Second Reading		A – Assent
3R – Third Reading		

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ADMINISTRATOR (James McLachlan)

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68	College Act, An Act to Amend the	96-03-13	96-04-24	96-04-25	96-04-25	96-04-26
56	Conflict of Interest (Members and Ministers) Act, An Act to Amend the	96-04-25	96-04-25	96-04-25	96-04-25	96-04-26
66	Controverted Elections Act, An Act to Amend the	96-02-28	96-04-24	96-04-25	96-04-25	96-04-26
53	Dental Profession Act, An Act to Amend the	96-03-12	96-04-24	96-04-25	96-04-25	96-04-26
17	Dog Act, An Act to Amend the	96-03-18	96-04-24	96-05-25	96-04-25	96-04-26
46	Elections Act, An Act to Amend the	96-02-28	96-04-24	96-04-25	96-04-25	96-04-26
32	Financial Administration Act, An Act to Amend the	96-03-13	96-04-11	96-04-25	96-04-25	96-04-26
10	First Appropriation Act, 1996-97	96-02-15	96-02-21	96-04-25	96-04-25	96-04-26
8	Fourth Appropriation Act, 1994-95	96-02-15	96-02-22	96-02-22	96-03-28	96-03-28
98	Historic Resources Act, An Act to Amend the	96-04-04	96-04-22	96-04-25	96-04-25	96-04-26
45	Income Tax Act, An Act to Amend the	96-03-13	96-03-11	96-04-25	96-04-25	96-04-26
11	Interim Supply Appropriation Act, 1996-97	96-03-25	96-03-26	96-03-27	96-03-28	96-03-28
24	Miscellaneous Statute Law Amendment Act, 1996	96-03-18	96-04-11	96-04-25	96-04-25	96-04-26
73	Taxpayer Protection Act	96-02-15	96-02-26	*96-04-04	96-04-26	96-04-26
9	Third Appropriation Act, 1995-96	96-02-15	96-02-22	96-03-21	95-03-28	96-03-28
87	Yukon Oil and Gas Act	96-04-24				

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Yukon Human Rights Commission: Ms. Gail Edmunds, and Mr. Timothy Vickery be appointed to the panel of adjudicators pursuant to the Human Rights Act (#118)	Phillips	276–277		Carried
Yukon Human Rights Commission: Dr. Richard D'Aeth be appointed as a member (#117)	Phillips	276		Carried

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Confidence of the House in the Government (#60)	Cable	204 225		Adjourned debate
Gun control legislation: opposition to (#93)	Schafer	190–191		Adjourned debate
Integrity of the Porcupine Caribou Herd and protection of its habitat (#94)	Schafer	190		Carried
Public inquiry re perceived conflict of interest (#104)	Phelps	233–235		Adjourned debate
RCMP investigation of a leaked letter (Yukon Energy Corp.) (#96)	Sloan	204	204 Carried	Carried
Taga Ku project: mishandling of (#107)	Phelps	251	251 Adjourned debate	Adjourned debate
Yukon Energy Policy (#105)	McDonald	243–244	244 Adjourned debate	Adjourned debate
Yukon Party Four Year Plan: Government not living up to (#113)	Harding	260–261	Adjourned debate	
Yukon quality of life (#100)	Millar	214–216	#1 215 negated #2 215–216 Adjourned debate	Adjourned debate

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<u>MOTIONS--PROCEDURAL</u>	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
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