

YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
2001 Fall Sitting of the
continuation of the
Second Session of the
30th Legislative Assembly

October 18, 2001 – December 3, 2001

Note: The following is an unofficial consolidation of the substantive motions adopted during the time period noted above. If motions were amended before adoption, the amendment is incorporated in the text and a notation made that the motion was amended.

**Consolidation of Motions adopted during the
2001 Fall Sitting of the
continuation of the
Second Session of the
30th Legislative Assembly**

October 18, 2001 – December 3, 2001

INDEX

<u>SUBSTANTIVE MOTIONS (listed in chronological order)</u>	<u>Page</u>
<u>Subject Matter</u>	
1. Deputy Chair, Committee of the Whole (Cynthia Tucker) appointed (#139)	1
2. Rules, Elections and Privileges, Standing Committee on: Jim McLachlan replacing Cynthia Tucker (#140)	1
3. Whitehorse Trolley (expansion of) and White Pass & Yukon route locomotive repair shed: preservation of (#152)	1
4. Yukon Human Rights Commission: Mary Kane be re-appointed (#165)	2
5. Yukon Human Rights Panel of Adjudicators: Michael Dougherty, Barbara Evans, Claudia Lowry be appointed; re-appoint Erwin Ordonez de Leon; designate Barbara Evans as Chief Adjudicator (#166)	2
6. Amendment to Standing Orders resulting from Leader's November 8, 2001 agreement (#169)	2 - 4
 <u>COMMITTEE OF THE WHOLE MOTIONS</u>	
1. Witnesses: Yukon Workers' Compensation Health and Safety Board C/W #3)	5
 <u>COMMITTEE REPORT MOTIONS</u>	
1. Standing Committee of Rules, Elections and Privileges (CRM #1)	5

YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
2001 Fall Sitting of the
continuation of the
Second Session of the
30th Legislative Assembly

October 18, 2001 – December 3, 2001

Substantive Motions

1. Motion #139 – Mr. McLachlan, Government House Leader
Debated October 18, 2001
Carried October 18, 2001

THAT Cynthia Tucker, Member for Mount Lorne, be appointed Deputy Chair of Committee of the Whole.

2. Motion #140 – Hon. Mrs. Edelman, Minister of Tourism
Debated October 29, 2001
Carried October 29, 2001

THAT the membership of the Standing Committee on Rules, Elections and Privileges, as established by Motion #22 of the First Session of the 30th Legislative Assembly and as amended by Motion #29 and Motion #87 of the Second Session of the 30th Legislative Assembly, be further amended by:

- (1) rescinding the appointment of Cynthia Tucker, and
- (2) appointing Jim McLachlan to the Committee.

3. Motion #152 – Mr. Jenkins, Leader of the Third Party
Debated November 7, 2001
Carried November 7, 2001

THAT it is the opinion of this House that the Whitehorse Trolley has helped preserve the railway history of the Whitehorse waterfront because if it were not for the trolley the railway tracks would likely have been removed by now;

THAT this House recognizes that the White Pass & Yukon Route locomotive repair shed, which currently houses the Whitehorse Trolley, is now being threatened by demolition; and

THAT this House urges the Yukon Liberal Government to work with the City of Whitehorse and the Miles Canyon Historical Railway Society to preserve the White Pass & Yukon Route locomotive repair shed and to expand the trolley service from the Wal-Mart site to Schwatka Lake.

Amended

4. Motion #165 – Hon. Ms. Buckway, Minister of Justice
Debated November 19, 2001
Carried November 19, 2001

THAT the Yukon Legislative Assembly, pursuant to subsection 16(1) of the *Human Rights Act*, reappoint Mary Kane to the Yukon Human Rights Commission.

5. Motion #166 – Hon. Ms. Buckway, Minister of Justice
Debated November 19, 2001
Carried November 19, 2001

THAT the Yukon Legislative Assembly, pursuant to section 21 of the Human Rights Act, effective immediately:

- (1) appoint Michael Dougherty, Barbara Evans, Claudia Lowry and reappoint Erwin Ordonez de Leon to the Yukon Human Rights Panel of Adjudicators, and
- (2) designate Barbara Evans as Chief Adjudicator.

6. Motion #169 – Hon. Ms. Duncan, Premier
Debated November 19, 2001
Carried November 19, 2001

THAT the Standing Orders of the Yukon Legislative Assembly be amended, effective immediately prior to the adjournment of the Assembly on the final sitting day of the 2001 Fall Sitting, by:

(A) adding the following new Standing Orders:

"CHAPTER 14
[SPECIAL STANDING ORDERS RESULTING FROM
LEADERS' AGREEMENT OF
NOVEMBER 8, 2001]
SITTINGS OF THE ASSEMBLY

Giving two weeks notice of Assembly being called into session

- 73(1) Whenever the House stands adjourned for an indefinite or extended period of time and the Premier advises the Speaker that the public interest requires the House to meet or to meet at an earlier time than that established by motion of the House, the Speaker shall give notice that the House shall meet at that time and, thereupon, the House shall meet to transact its business as if it had been duly adjourned to that time.
- (2) The Premier shall advise the Speaker under this Standing Order in sufficient time to allow the Speaker opportunity to give a minimum of two weeks notice of the date on which the House shall meet.
 - (3) If the Premier advises that the House should meet due to a matter of urgent and pressing necessity without two weeks notice being provided, and the Speaker is satisfied that at least one of the other Leaders in the Assembly is in agreement as to the date of reconvening, the Speaker shall cause the House to meet with less than two weeks notice.

Business when session of Assembly opens or is reconvened

- 74 When a session of the Assembly has opened or been reconvened, the Government shall introduce all legislation, including Appropriation Bills, to be dealt with during that Sitting by the fifth sitting day.

Length of Sittings of the Assembly

- 75(1) There shall be a maximum of 60 sitting days per calendar year.
- (2) When the Government has introduced all legislation, including Appropriation Bills, to be dealt with during a Sitting, the House Leaders shall meet for the purpose of achieving agreement upon the number of sitting days for that Sitting. The minimum number of sitting days for any Sitting shall be 20. The maximum number of sitting days for any Sitting shall be 40.

- (3) When, pursuant to Standing Order 75(2), an agreement cannot be reached between the Government House Leader and at least one other House Leader representing a majority of the members of the Assembly, each of the Spring and Fall Sittings shall be a maximum of 30 sitting days.
- (4) The Government House Leader shall inform the Assembly of the results of the House Leaders' meetings, held pursuant to Standing Order 75(2), within two sitting days of all Government legislation having been introduced.
- (5) The Government House Leader, with notice, may move a motion to sit beyond the agreed upon number of sitting days in the Spring Sitting or the Fall Sitting. Such motion, which is subject to debate and amendment, shall specify the business to be dealt with during any additional sitting days.
- (6) Sitting days added pursuant to Standing Order 75(5) shall be in addition to the maximum number of sitting days stipulated in Standing Order 75(1).
- (7) The Standing Orders in this Chapter do not apply to Special Sittings of the Assembly that are called in addition to Spring and Fall Sittings.
- (8) The maximum number of sitting days per calendar year or per Sitting may be adjusted in any year in which a general election takes place. In the absence of an agreement between House Leaders, the maximum number of sitting days for any Sitting which takes place following a general election shall be 30 sitting days.
- (9) When there is agreement respecting the maximum number of days in any Sitting, these Standing Orders do not preclude the House from sitting fewer days than the maximum specified in the agreement.

Procedures at conclusion of a Sitting

- 76(1) On the day that the Assembly has reached the maximum number of days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:
- (a) put the question on any amendment then before the Committee,
 - (b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried,
 - (c) put the question on a motion moved by a Minister that the bill be reported to the Assembly, and
 - (d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.
- (2) On the day that the Assembly has reached the maximum number of days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the Committee of the Whole, shall:
- (a) call for the report from the Chair of the Committee of the Whole,
 - (b) put the question, in the usual fashion, on the motion to concur in the Chair's report on the proceedings of Committee of the Whole,
 - (c) with respect to each Government Bill on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading, and
 - (d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.

- (3) On the day that the Assembly has reached the maximum number of days allocated for that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, if in the Chair at the time, shall interrupt proceedings at 5:30 p.m. and shall:
 - (a) with respect to each Government Bill on which debate has been adjourned at the Second Reading stage and designated to be called by the Government House Leader, put the question, without further debate, on the motion that the bill be read a second time, and, if that motion is carried, order that the bill stand immediately ordered for Third Reading, and
 - (b) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
 - (i) receive a motion for Third Reading and passage of the bill, and
 - (ii) put the question, without debate or amendment, on that motion.
- (4) The Assembly shall then proceed with any routine business associated with the end of a Sitting including receiving the Commissioner to grant assent to bills and passing an end-of-Sitting adjournment motion.
- (5) The normal time of adjournment shall not apply if it is reached during the course of the proceedings identified in this Standing Order. Further, a motion to adjourn the House shall not be permitted on the last day of a Sitting until such time as all business identified in this Standing Order has been completed.
- (6) The provisions of this Standing Order shall apply in any situation in which this Standing Order may be found to be in conflict with any other Standing Order.

Miscellaneous

- 77(1) Any reference to a position or office such as House Leader shall, in these Standing Orders, be deemed, in the absence of the person occupying that position or office, to apply to the designate of the person holding that position or office.
- (2) In these Standing Orders, "sitting" refers to a sitting day and "Sitting" refers to a block of sitting days with the common Sittings being the Spring Sitting and the Fall Sitting."

(B) deleting Standing Orders 2(7) and 45(3.5); and

(C) deleting Standing Order 45(3.1) and substituting the following:

"45(3.1) A Standing Committee on Appointments to Major Government Boards and Committees may be appointed."

Committee of the Whole Motions

1. C/W Motion #3 – Mr. McLachlan, Government House Leader
Debated November 27, 2001
Carried November 27, 2001

THAT Arthur Mitchell, Alternate Chair of the Yukon Workers' Compensation Health and Safety Board, and Tony Armstrong, President and Chief Executive Officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses before Committee of the Whole from 5:00 p.m. to 6:00 p.m. on Wednesday, November 28, 2001, to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

Committee Report Motions

1. CRM #1 – Hon. Mr. Kent, Chair
Debated October 25, 2001
Carried October 25, 2001

THAT the Second Report of the Standing Committee on Rules, Elections and Privileges, presented to the House on October 23, 2001, be concurred with; and

THAT the amendments recommended by the Committee to Standing Orders 2, 11, 19, 42, 52 and 67 be adopted.