

JOURNALS

YUKON LEGISLATIVE ASSEMBLY



FIRST SESSION

31ST LEGISLATURE

**February 27, 2003 – May 1, 2003
and
June 12, 2003
(Special Sitting in Mayo, Yukon)**

Speaker: The Hon. Ted Staffen

No. 1
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, February 27, 2003

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

Proclamation

The Clerk of the Legislative Assembly, Patrick L. Michael, read the Proclamation as follows:

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

GREETINGS

A PROCLAMATION

KNOW YE THAT under and by virtue of the power and authority vested in the Commissioner of the Yukon Territory, the Assembly of the said Territory is summoned to meet for dispatch of business in the Yukon Legislative Assembly Chamber, Territorial Administration Building, Whitehorse, Yukon Territory, on Thursday, the twenty-seventh day of February, A.D., 2003 at the hour of three o'clock in the afternoon.

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

GIVEN UNDER my hand and seal of the said Territory, at Whitehorse, Yukon, this 6th day of February, A.D., 2003.

Jack Ivan Cable
Commissioner of the Yukon”

Clerk Reports on Members Elected

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

“Pursuant to the provisions of the *Elections Act* the Commissioner has been informed of the receipt of Returns to Writs for the General Election conducted on the fourth day of November, 2002. These Returns show that the following Members were duly elected:

Copperbelt	Haakon Arntzen
Klondike	Peter Jenkins
Kluane	Gary McRobb
Lake Laberge	Brad Cathers
McIntyre-Takhini	John Edzerza
Mayo-Tatchun	Eric Fairclough
Mount Lorne	Steve Cardiff
Pelly-Nisutlin	Dean Hassard
Porter Creek Centre	Archie Lang
Porter Creek North	Jim Kenyon
Porter Creek South	Pat Duncan
Riverdale North	Ted Staffen
Riverdale South	Glenn Hart
Southern Lakes	Patrick Rouble
Vuntut Gwitchin	Lorraine Peter
Watson Lake	Dennis Fentie
Whitehorse Centre	Todd Hardy
Whitehorse West	Elaine Taylor

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly”

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

The Commissioner, the Hon. Jack Cable, entered the Chamber and took the Chair.

The Clerk of the Legislative Assembly then stated:

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

The Commissioner then retired from the Chamber.

ELECTION OF SPEAKER

The Clerk addressed the House:

“Honourable Members, nominations are invited for the office of Speaker of this Assembly.”

It was moved by the Hon. Mr. Fentie, Premier, and seconded by Mr. McRobb, Official Opposition House Leader, and Ms. Duncan, Leader of the Third Party:

“THAT Ted Staffen, Member for Riverdale North, do take the Chair of this Assembly as Speaker.” **(Motion #1)**

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

“The ayes have it, and Ted Staffen, Member for Riverdale North, is, by direction of this Assembly, duly elected as Speaker of the Yukon Legislative Assembly.”

SPEAKER’S ADDRESS TO THE ASSEMBLY

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

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

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

“I would like to express my thanks to the Assembly for the great honour it has given me by electing me to be its 22nd Speaker.

I would also like to express my gratitude to my wife, Susan, our son, Jess, and our daughter, Bailey, who have been a continuous source of support to me. I’d also like to thank my constituents in the Electoral District of Riverdale North for the pleasure of serving them.”

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

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

The Commissioner returned to the Chamber and took the Chair.

SPEAKER’S ADDRESS TO THE COMMISSIONER

The Speaker then said:

“Mr. Commissioner:

The Members of the Legislative Assembly have elected me to be their Speaker and I recognize the important duties now given to me. If, in the performance of those duties, I should at any time make a mistake, the fault is mine and not that of the Assembly, whose servant I am. At this time, so that all Members of the Assembly can best carry out their duty to the Yukon, to their country and to the Queen, I would claim for them their undoubted rights and privileges, especially freedom of speech in their debates, access to your person when necessary, and your favourable consideration of their proceedings.”

RESPONSE BY THE COMMISSIONER

The Commissioner then said:

“Mr. Speaker:

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

SPEECH FROM THE THRONE

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

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

Working Together For A Better Future

As we come together on this 27th day of February, 2003, we reflect back on a time thirty years and thirteen days ago when a delegation representing Yukon First Nations presented their land claim *Together Today for Our Children Tomorrow* to the Government of Canada.

This presentation was a landmark event in the history of Yukon. While many of those who presented the claim are no longer with us, their spirit and their vision live on.

My government is committed to implementing that vision by working together today with Yukon First Nations and other Yukoners to provide for a better future for all of our children tomorrow.

These are challenging and uncertain times for the territory, the country and the world. The tragic events of 9/11 and its aftermath have clearly demonstrated that the Yukon is not isolated, insulated or immune from happenings on the world stage. Yukoners both at home and abroad have experienced the impact of these tragic events first hand.

These events have occurred at a time when the Yukon is in economic recession and they have added to our burden.

Since 1996, over three thousand Yukoners have chosen to leave the territory to seek their livelihoods elsewhere. Many of these Yukoners are in the 25 to 34 age group with young families. They are our future and they are leaving.

My government is committed to reversing this trend. On November 4, 2002, we received a mandate from the people of Yukon to bring about the necessary changes to rebuild the Yukon economy and create a better life for Yukoners both now and in the future.

Establishing Priorities

In order to fulfil its mandate, my government has established eight priorities that will guide its agenda in the coming years.

These priorities include:

- Rebuilding the economy.
- Completing and implementing land claims.
- Formalising government to government relationships with First Nations.
- Making First Nations full partners in the economic development of the territory.
- Implementing and improving devolution.

- Achieving a proper balance between the economy and the environment.
- Achieving a better quality of life.
- Practising good government.

Rebuilding The Economy

My government believes the Yukon can have a bright, vibrant economic future and rebuilding it is our top priority.

Traditionally, the Yukon has been known for its resource-based economy - dependent primarily upon hard rock and placer mining.

Unsettled land claims, a complex permitting regime controlled by the federal government and the process for creating protected areas have created uncertainty in the investment community.

The net result has been a serious decline in mining exploration and development in the territory.

The forest industry has suffered a similar fate in being denied long-term access to timber.

The oil and gas industry has considerable potential especially in southeast and north Yukon.

Gaining recognition as a unique destination, tourism is now the Yukon's leading industry. Building on past successes, new opportunities in niche markets are promising.

My government is committed to rejuvenating the resource sector, enhancing tourism and diversifying the economy by promoting the development of other industries such as film, culture and information technology.

This government has established a stand-alone Department of Economic Development and reinstated the Department of Tourism and Culture. Both departments will be tasked with strategically creating economic success.

Investment in the resource sector will be promoted through the creation of a resource permitting regime modeled on the successful regimes that are currently in use in other jurisdictions such as Manitoba, Quebec and Ontario.

Further, a regulation task force will be established to review government policies, regulations and legislation in order to eliminate duplication, and reduce administrative requirements and compliance costs.

There is a renewed sense of optimism in the resource sector. In December, at Resource Expo 2002 Conference on Aboriginal Energy and Resource Development in Calgary, there was considerable interest expressed by the oil and gas industry in the territory, particularly in the southeast Yukon. Similarly in January 2003 at the Cordilleran Roundup, a major mining event in Vancouver, mining companies were expressing a renewed interest in exploration in the Yukon. Obviously high gold prices and the recent emerald discovery are sparking this interest.

Programs such as FireSmart and the Community Development Fund have been reinstated and have been utilised this winter to put Yukoners to work.

Of the \$1.5 million allocated to FireSmart, \$1.2 million has already been approved and is funding applications from fourteen First Nation governments and thirteen communities.

As for the interim Community Development Fund, there have been \$7 million in applications by the February 7, 2003 deadline for this \$3.5 million fund, which shows the high degree of interest in this program.

My government is also committed to investing in energy and transportation infrastructure that will serve both tourism and the resource industries.

With the approval of the Kaska Nation and the Town of Watson Lake, the development of a resource access road in the southeast Yukon would open up this resource-rich area for mining, oil & gas and forestry.

The territory has been blessed with an abundance of natural resources that if developed in an environmentally responsible manner, should be able to promote and sustain a vibrant and healthy economy.

The challenge facing my government is to develop a sustainable economy that is based on the private sector rather than on transfer payments from the Government of Canada.

Completing And Implementing Land Claims

Completing and implementing land claims is another priority.

For thirty years the Government of Yukon and First Nations have been sitting across from one another at the land claims negotiating table.

At the present time, eight of the fourteen Yukon First Nations have finalised their land claims settlements.

If requested by First Nations, my government is prepared to assist in completing the unfinished business, whether it be helping with the ratification process for the four First Nations that have signed Memorandums of Understanding, or in re-engaging the federal government in negotiations with the two First Nations that have not reached final agreements.

The respective parties have invested years of negotiation in the land claims process and my government will do everything within its power to bring this process to a successful conclusion.

My government is committed to fully implementing the land claims agreements that have been reached and to make them living, working documents.

Formalising A Government To Government Relationship With First Nations

My government is committed as a priority to establishing a government to government relationship with First Nations based on mutual respect, consultation and collaboration for the better operation of all governments in the territory, with the objective of reducing barriers and providing more cost-effective services to all Yukon citizens.

This relationship will extend to all areas of governance including the economy, education, health, justice, social and community services.

Recently announced agreements with the Kwanlin Dun First Nation and the Vuntut Gwitchin First Nation are in keeping with this major commitment of my government.

Making First Nations Full Partners In The Economic Development Of The Territory

Making First Nations a full partner in the economic development of the territory is an important priority.

For far too long, Yukon First Nations have experienced the impact of development while experiencing few of the economic benefits.

The Klondike Gold Rush of 1898 and the construction of the Alaska Highway in 1942 are two major examples.

It is time for First Nations to receive their fair share of economic benefits from resource development within their traditional territories.

First Nations are being invited to share in the burdens of the decision-making process as well as share in the economic benefits resulting from these decisions.

My government is taking what it calls a "Team Yukon" approach to governance with First Nations in order to create a positive investment climate in the territory.

By working together, my government believes it is possible to align the economic interests of the First Nation governments with those of the Government of Yukon.

It is the objective of my government to develop a governance regime that will provide the certainty resource investors need to make positive decisions about investing in Yukon's resources. This will lead to jobs for all Yukoners.

Implementing And Improving Devolution

My government is committed to implementing and improving devolution.

On April 1, 2003, my government will assume the responsibility under the Devolution Transfer Agreement, for the control and management of the territory's mineral, land, forest and water resources.

Devolution will allow my government to manage and develop the territory's resource wealth for the benefit of all Yukon people both now and in the future.

Devolution will allow my government to implement policies and regulatory regimes that will contribute to a prosperous and competitive economy.

Devolution can also serve as a useful tool to help restore investor confidence in the territory.

While my government is committed to implementing devolution, it also recognises that there are major problems with both the Devolution Transfer Agreement and the new *Yukon Act* that need to be addressed.

One major problem concerns devolution proceeding before the completion of the Liard First Nation's land claim, the settlement of the Ross River Dena Council and the Kaska Nation trans-boundary claims, as well as possibly before the ratification of the four First Nations that have signed memorandums of understanding.

The Kaska Nation plans to challenge devolution in the courts on May 13, 2003 and my government has employed a negotiator to seek an abeyance agreement prior to this date.

Outside land claims and the abeyance agreement, my government is developing an economic partnership with the Kaska with the objective of opening up southeast Yukon to mutually acceptable resource development.

Should my government be successful in reaching an agreement in southeast Yukon where land claims remain outstanding, the task should be made that much easier in reaching agreements with other First Nations that have land claim agreements or who are in the ratification process. By involving First Nations in the resource development decision-making process, my government believes devolution will provide the land and resource certainty that industry is seeking and will contribute positively in rebuilding the Yukon economy.

Other major problems with devolution concern the transfer of federal employees to the Government of Yukon, funding for forest fire suppression, environmental liability and mine site reclamations as well as issues relating to the Crown in Right of Yukon, and the recognition of the territory's northern offshore boundaries in the Beaufort Sea.

My government is committed to working to correct these deficiencies over the course of its mandate.

Achieving A Balance Between The Economy And The Environment

In order to rebuild the Yukon economy, there must be a proper balance between economic development and environmental protection.

My government is committed to achieving this priority while respecting the environment.

Towards balance, my government has discontinued the existing *Yukon Protected Areas Strategy* while continuing with the significant obligations under the land claims agreements for Special Management Areas.

The ultimate establishment of protected areas must be through a process of negotiation with all Yukon partners and stakeholders, which strikes a balance between environmental protection and responsible development.

On January 31, 2003, my government and the Vuntut Gwitchin signed an agreement that established the boundaries of the Fishing Branch Park and work will proceed on implementing the management plan.

The recent decision by the Minister of the Department of Fisheries and Oceans to phase out the Yukon Placer Authorisation that has been in place for a decade has once again demonstrated the need to reach a proper balance between the operational needs of the placer mining industry and the responsibility of DFO to protect fish habitat.

The Department of Indian Affairs and Northern Development has estimated that 56% of placer mining operations in the territory will have to shut down because of the new water quality standards.

My government is committed to working with the mining industry, First Nation governments and the federal minister to resolve the current impasse.

It must be recognised that many Yukon rivers such as the White River are naturally silty and still fish are found in them.

Clean drinking water is a resource Yukoners treasure and my government is committed to taking measures to ensure its safety.

It will also initiate measures to deal with hazardous waste such as waste oil as well as promote recycling in order to keep our environment clean.

In view of developing economic pressures, my government will continue to support the initiatives of the Vuntut Gwitchin to preserve and protect the Porcupine Caribou Herd.

In developing and diversifying the Yukon economy, my government honours its obligation to protect the Yukon's environment and its fish and wildlife.

Achieving A Better Quality Of Life

All of the foregoing priorities of my government will mean little if they do not lead to improving the quality of life of Yukon residents and create healthy, vibrant communities.

People are Yukon's most precious resource and how well a society cares for their citizens from the very young to the very old is of paramount importance.

The Yukon, like its two sister territories, is confronted with ever increasing health care costs that can no longer be sustained and the Canadian Health Services Transfer Program that provides federal funding for provincial health care is of little assistance to the northern territories because of their small populations, vast distances and high costs.

My government has joined with the Government of the Northwest Territories and the Government of Nunavut to seek an accord with the Government of Canada that will address the high cost of providing health care North of Sixty.

Alcohol and drug abuses are endemic Yukon problems.

As a consequence, Fetal Alcohol Spectrum Disorder is one of the most serious, all pervasive Yukon problems that is affecting our education, health care, justice and social service systems.

My government is committed to implementing a five-step action plan to deal with this FASD affliction.

My government must ensure that the right programs are being delivered to those in most need on a priority basis and that the best services possible are being delivered in the most cost-effective manner.

Yukon's public and advanced education system must provide Yukon students with the necessary skills to prepare them for the job market, responsible citizenship and lifelong learning.

My government is committed to promoting excellence in education and providing assistance to both students and teachers in achieving this goal. As well, appropriate training programs will exist so Yukoners can get jobs resulting from local economic opportunities.

The provision of affordable, quality childcare is also of concern to my government and is being examined, as are measures to promote the well being of the Yukon's elders and seniors such as increasing the Pioneer Utility Grant.

The territory has artistic, educational, health, social and recreational services and facilities that are second to none in Canada.

This government believes in our cultural and heritage resources and recognizes the value they bring to all Yukoners and the tourism industry.

The challenges facing my government in preserving and maintaining the quality of life in the Yukon are many and varied. My government is committed to meeting these challenges.

Practising Good Government

Practising good government is another important priority of my government.

It is adopting an inclusive approach to governance based upon consensus, consultation, collaboration and where need be - compromise.

In the legislature, this approach means my government will be seeking support for an all-party committee on appointments to major boards and committees as well as an all-party agreement on a code of conduct and decorum in the legislature.

It will also lead to the establishment of a commission to examine electoral reform.

This approach means working with Yukoners and the Yukon public service to ensure government programs and services, as well as the structure of government, are designed to meet the needs of Yukoners.

I have already mentioned the reinstatement of the Departments of Economic Development and Tourism and Culture. In addition, the Department of Infrastructure is being renamed as the Department of Highways and Public Works and the Women's Directorate will be restored to its previous status.

This collaborative approach is also being utilised to develop a Pan-Northern co-operative relationship with the Northwest Territories and Nunavut as well as with the State of Alaska and the Province of British Columbia.

Health care, northern pipelines and a Pan-Northern Economic Agreement are all matters where the three territories can co-operate for their mutual benefit.

My government believes that the three northern territories working collectively together will be better able to achieve their objectives with the federal and provincial governments than by working in isolation.

During this sitting, honourable members will be asked to consider the 2003/04 Capital and Operation and Maintenance Budget, an *Act to Amend the Pioneer Utility Grant Act*, *Amendments to The Fuel Oil Tax Act*, *An Act to Amend the Supreme Court Act*, an *Act to Amend The Territorial Court Act* and an *Act to repeal The Government Accountability Act*.

In addition to these Bills, Members will be asked to consider mirror legislation that will give legislative force and effect to the Devolution Transfer Agreement effective April 1, 2003. The Mirror Legislation includes *The Placer Mining Act*, *The Quartz Mining Act*, *The Territorial Lands (Yukon) Act*, *The Waters Act* and *The Environmental Assessment Act*.

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

God Bless Yukon and God Bless Canada."

The Commissioner then retired from the Chamber.

The Speaker resumed the Chair and prior to calling the House to order, informed the House that former Speaker Sam Johnston, would be received to give the opening prayer and directed the Sergeant-at-Arms to escort Mr. Johnston to the Table.

At the conclusion of the opening prayer, the Speaker called the House to order.

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Jennifer Bergsma, Crystal Pratt, Ben Ryan and Helen Wale from Vanier Catholic Secondary School and Amanda Spencer, Lisa Beauchemin, Brooke Martel and Amy Ball from Porter Creek Secondary School would be serving as Pages during the Spring Sitting. Brooke Martel, Helen Wale, Lisa Beauchemin, Jennifer Bergsma, and Ben Ryan were welcomed to the House.

PRO FORMA BILL

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

TABLING SPEECH FROM THE THRONE

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

SPEECH FROM THE THRONE CONSIDERED ON DAY FOLLOWING:

On motion of the Hon. Mr. Fentie, Premier:

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

Consideration of Speech from the Throne

The Hon. Mr. Jenkins, Government House Leader, informed the House, pursuant to Standing Order 26(2), that consideration of a motion for an Address in Reply to the Speech from the Throne would take place on Monday, March 3, 2003.

The Assembly adjourned at 3:51 p.m. until 1:00 p.m., Monday, March 3, 2003.

No. 2

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, March 3, 2003

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

TRIBUTE TO RETIRING SERGEANT-AT-ARMS (Emery Shilleto)

The Speaker informed the House that Sergeant-at-Arms, Emery Shilleto, was retiring after serving the House as a dedicated and dignified officer, since November, 1991.

INTRODUCTION OF NEW SERGEANT-AT-ARMS (Rudy Couture)

The Speaker informed the House that Deputy Sergeant-at-Arms, Rudy Couture, would now be the Sergeant-at-Arms.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier

- Public Accounts of the Government of the Yukon Territory for the year ended March 31, 2002 **(Sessional Paper #2)**

Hon. Mr. Staffen, Speaker

- Auditor General: Report on the Consolidated Financial Statements of the Government of the Yukon Territory for the year ended March 31, 2002 **(Sessional Paper #3)**
- Election financing returns for the November 4, 2002 general election: Report of the Chief Electoral Officer **(Sessional Paper #4)**
- Deductions from the indemnities of Members of the Legislative Assembly made pursuant to section 39(6) of the *Legislative Assembly Act*: Report of the Clerk of the Yukon Legislative Assembly (dated February 27, 2003) **(Sessional Paper #5)**

Mr. Hardy, Leader of the Official Opposition

- "Together We Will Do Better": Election 2002 Yukon Party Platform and Commitments **(Sessional Paper #6)**

PETITIONS

Mr. Hassard, Member for Pelly-Nisutlin, presented the following petition:

- Funding of Yukon College **(Petition #1)**

INTRODUCTION OF BILLS (First Reading)

- Bill #22 - Placer Mining Act
-Hon. Mr. Fentie
- Bill #23 - Quartz Mining Act
-Hon. Mr. Fentie
- Bill #24 - Territorial Lands (Yukon) Act
-Hon. Mr. Fentie
- Bill #25 - Waters Act
-Hon. Mr. Fentie
- Bill #26 - Environmental Assessment Act
-Hon. Mr. Fentie
- Bill #101 - Act to Amend the Taxpayer Protection Act
-Ms. Duncan

MOTIONS RESPECTING APPOINTMENTS OF PRESIDING OFFICERS

Election of Deputy Speaker and Chair of Committee of the Whole

On motion of Mr. Jenkins, Government House Leader:

RESOLVED THAT Patrick Rouble, Member for Southern Lakes, be appointed Deputy Speaker and Chair of Committee of the Whole. **(Motion #16)**

Election of Deputy Chair of Committee of the Whole

On motion of Mr. Jenkins, Government House Leader:

RESOLVED THAT Dean Hassard, Member for Pelly-Nisutlin, be appointed Deputy Chair of Committee of the Whole. **(Motion #17)**

CONSIDERATION OF SPEECH FROM THE THRONE

The Hon. Mr. Jenkins, Government House Leader, informed the House, pursuant to Standing Order 26(2), that consideration of a motion for an Address in Reply to the Speech from the Throne would take place on Tuesday, March 4, 2003.

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Moved by Mr. Cathers, Member for Lake Laberge:

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

MAY IT PLEASE THE COMMISSIONER: We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech that you have addressed to the House. **(Motion #18)**

A debate arising on the motion and the time approaching 6:00 p.m., it was moved by Mrs. Peter, Member for Vuntut Gwitchin:

THAT debate be now adjourned.

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

The Assembly adjourned at 5:56 p.m. until 1:00 p.m., Tuesday, March 4, 2003.

No. 3

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, March 4, 2003

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

TRIBUTES

In Remembrance of Aron Senkpiel

Mr. Cardiff, Member for Mount Lorne, and the Hon. Mr. Edzerza, Minister of Education, paid tribute to Aron Senkpiel, who passed away on February 28, 2003. Mr. Senkpiel was Dean of the Arts and Science Division at Yukon College for over a decade and was instrumental in the establishment of the University of the Arctic and the Bachelor of Circumpolar Studies Program. Condolences were extended to the family.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Ombudsman and Information and Privacy Commissioner 2001 Annual Report
(Sessional Paper #7)

Hon. Mr. Lang, Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation

- Yukon Development Corporation/Yukon Energy Corporation 2001 Annual Report
(Sessional Paper #8)
- Energy Solutions Centre Inc. 2001 Annual Report
(Sessional Paper #9)

PETITIONS

The Clerk reported on Petition #1 as follows:

“Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #1 of the First Session of the Thirty-First Legislative Assembly, as presented by the Member for Pelly-Nisutlin on March 3, 2003.

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 #1 was deemed to have been read and received.

INTRODUCTION OF BILLS (First Reading)

Bill #32 - First Nation Indemnification (Fire Management) Act

-Hon. Mr. Fentie

Bill #21 - Act to Amend the Pioneer Utility Grant Act

-Hon. Mr. Jenkins

Bill #29 - Act to Amend the Territorial Court Act

-Hon. Ms. Taylor

Bill #30 - Act to Amend the Supreme Court Act

-Hon. Ms. Taylor

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader identified Motion #6 and Motion #10 as being the items to be called during Opposition Private Members' Business on Wednesday, March 5, 2003.

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #2 and Motion #8 as being the items to be called during Opposition Private Members' Business on Wednesday, March 5, 2003.

CONSIDERATION OF SPEECH FROM THE THRONE

The Hon. Mr. Jenkins, Government House Leader, informed the House, pursuant to Standing Order 26(2), that consideration of a motion for an Address in Reply to the Speech from the Throne would take place on Wednesday, March 5, 2003.

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Moved by Mr. Cathers, Member for Lake Laberge:

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

MAY IT PLEASE THE COMMISSIONER: We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech that you have addressed to the House. **(Motion #18)**

The debate continuing on the motion and the time approaching 6:00 p.m., it was moved by Ms. Duncan, Leader of the Third Party:

THAT debate be now adjourned.

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

The Assembly adjourned at 5:55 p.m. until 1:00 p.m., Wednesday, March 5, 2003.

No. 4

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, March 5, 2003

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

TRIBUTES

In Recognition of Frank Turner and to the Yukon Quest Dog Sled Race

The Hon. Ms. Taylor, Minister of Business, Tourism and Culture, Mr. McRobb, Member for Kluane, and Ms. Duncan, Leader of the Third Party welcomed and paid tribute to the accomplishments of long-time Yukoner and pioneer dog musher, Frank Turner and to the Yukon Quest dog sled race. Mr. Turner, Quest President, has raced in all 20 Yukon Quest races and has the record winning time.

TABLING RETURNS AND DOCUMENTS

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

- Yukon Heritage Resources Board 2001/02 Annual Report **(Sessional Paper #10)**

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

- Yukon Public Service Staff Relations Board 2001/02 Annual Report **(Sessional Paper #11)**
- Yukon Teachers Staff Relations Board 2001/02 Annual Report **(Sessional Paper #12)**

INTRODUCTION OF BILLS (First Reading)

Bill #27 - Act to Repeal the Government Accountability Act
-Hon. Mr. Fentie

Bill #28 - Act to Amend the Fuel Oil Tax Act
-Hon. Mr. Fentie

Bill #31 - Act to Amend the Income Tax Act
-Hon. Mr. Fentie

ADDRESS IN REPLY TO THE SPEECH FROM THE THRONE

Moved by Mr. Cathers, Member for Lake Laberge:

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

MAY IT PLEASE THE COMMISSIONER: We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious Speech that you have addressed to the House. **(Motion #18)**

The debate continuing on Address in Reply to the Speech from the Throne and the question being put, it was agreed to.

Address in Reply to the Speech from the Throne Engrossed

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

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

The question being put, it was agreed to.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Kenyon:

THAT it is the opinion of this House that:

- (1) the placer mining industry in the Yukon is of special significance to the territory having helped create the territory as a separate jurisdiction in Canada in 1898, and remains an economic mainstay to this day over 100 years later,
- (2) the Yukon Placer Authorization signed in 1993 has served to enable the placer mining industry to continue operations while protecting and preserving fish habitat for a decade,
- (3) the recent decision by the Department of Fisheries and Oceans to phase out the Yukon Placer Authorization and to replace it with a 25 mg/L sediment standard will effectively destroy the placer mining industry, and
- (4) this standard was proposed by the Department of Fisheries and Oceans without consultation with the industry and in contravention of the consultation requirements with First Nations governments as required by their land claims agreements; and

THAT this House urges the Minister of Fisheries and Oceans, the Honourable Robert Thibault, to consult with the placer industry, the Yukon Placer Committee, Government of Yukon, First Nations governments and other stakeholders to reinstate the Yukon Placer Authorization or replace it with a similar authorization. **(Motion #5)**

A debate arising on the motion, it was moved by Mr. McRobb, Member for Kluane, in amendment thereto:

THAT Motion #5 be amended by replacing the wording after the end of clause (2) with the following:

- (3) the recent decision by the Department of Fisheries and Oceans to phase out the Yukon Placer Authorization was made without the due consideration of the fact that the Yukon Government will inherit primary responsibility for environmental liabilities in the territory as of April 1, 2003,
- (4) this decision was made without proper consultation with industry and other stakeholders, and in contravention of the consultation requirements with Yukon First Nations governments as required by their land claim agreements,

- (5) the decision was made and communicated without proper study or due consideration of its economic and social impact on Yukon people and their families, or on the Yukon's economy as a whole; and

THAT this House urges the Minister of Fisheries and Oceans, in conjunction with the Government of Yukon, to commission a comprehensive and independent study of the true impacts of placer mining on fish habitat, prior to conducting an open consultation process that meets the highest standards of inclusiveness and fairness, with the aim of developing a Yukon-driven process of placer authorization that achieves the objectives of protecting fish habitat without imperiling the ability of responsible placer miners to conduct a legitimate and important economic activity.

A debate arising on the amendment to Motion #5 and the time approaching 6:00 p.m., the Hon. Mr. Fentie, Premier, moved that debate be now adjourned. The question being put, it was agreed to.

The Assembly adjourned at 5:59 p.m. until 1:00 p.m., Thursday, March 6, 2003.

No. 5

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, March 6, 2003

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

TRIBUTES

International Women's Day

The Hon. Mr. Fentie, Premier, Mrs. Peter, Member for Vuntut Gwitchin, and Ms. Duncan, Leader of the Third Party, recognized International Women's Day.

INTRODUCTION OF BILLS (First Reading)

- Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie
- Bill #3 - Fourth Appropriation Act, 2001-02
-Hon. Mr. Fentie
- Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie
- Bill #5 - Interim Supply Appropriation Act, 2003-04
-Hon. Mr. Fentie
- Bill #34 - Act to Amend the Municipal Act
-Hon. Mr. Hart
- Bill #33 - Act to Amend the Forest Protection Act
-Hon. Mr. Lang

MONEY MESSAGE

Bill #2, *Third Appropriation Act, 2002-03*, Bill #3, *Fourth Appropriation Act, 2001-02*, Bill #4, *First Appropriation Act, 2003-04*, and Bill #5, *Interim Supply Appropriation Act, 2003-04*, were accompanied by a money message.

SPEAKER'S STATEMENT (Comments made before Questions and Answers)

Prior to proceeding with Question Period, the Speaker made the following statement:

“The Chair has noticed the tendency for the opposition and the government side to bootleg comments in front of questions and in front of answers. I would ask that the Members keep that in mind while proceeding with the Orders.”

GOVERNMENT BILLS - BUDGET SPEECH

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

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

Thereupon, the Hon. Mr. Fentie delivered the 2003-04 Budget Speech.

Moved by Mr. Hardy, Leader of the Official Opposition:

THAT debate be now adjourned.

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

The Assembly adjourned at 3:05 p.m. until 1:00 p.m., Monday, March 10, 2003.

No. 6

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, March 10, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Kenyon, Minister of Environment

- Yukon State of the Environment Interim Report (2001): An Update of Environmental Indicators **(Sessional Paper #13)**

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The debate continuing on the motion for Second Reading of Bill #4 and the time approaching 6:00 p.m., it was moved by Mrs. Peter, Member for Vuntut Gwitchin:

THAT debate be now adjourned.

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

The Assembly adjourned at 5:57 p.m. until 1:00 p.m., Tuesday, March 11, 2003.

No. 7

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, March 11, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Edzerza, Minister of Education

- Department of Education, Public Schools Branch 2001-02 School Year Annual Report **(Sessional Paper #14)**

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader identified Motion #6 and Motion #37 as being the items to be called during Opposition Private Members' Business on Wednesday, March 12, 2003.

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #8 as being the item to be called during Opposition Private Members' Business on Wednesday, March 12, 2003.

HOUSE LEADERS REPORT (Length of Sitting)

The Hon. Mr. Jenkins, Government House Leader, rose pursuant to Standing Order 75(2) to inform the House that House Leaders meetings have been held for the purpose of reaching agreement on the number of sitting days for the current Sitting. Further, pursuant to Standing Order 75(4), the Hon. Mr. Jenkins informed the House that the House Leaders have agreed that the current sitting should be a maximum of 36 sitting days, with the 36th sitting day being May 1, 2003.

Based on the report of the Government House Leader, the Speaker informed the House that the current sitting would be a maximum of 36 sitting days, with the 36th sitting day being May 1, 2003.

UNANIMOUS CONSENT TO WAIVE NOTICE PROVISIONS

Pursuant to an agreement among the House Leaders, unanimous consent was requested by the Hon. Mr. Jenkins, Government House Leader, and granted to waive Standing Order 27(1) with regard to notice.

It was then moved by the Hon. Mr. Fentie, Premier:

THAT it is the opinion of this House that:

- (1) the placer mining industry in the Yukon is of special significance to the territory, having helped create the territory as a separate jurisdiction in Canada in 1898, and remains an economic mainstay to this day, over 100 years later,
- (2) the Yukon Placer Authorization signed in 1993 was established to enable the placer mining industry to continue operations while protecting and preserving fish habitat for a decade,
- (3) the recent decision by the Department of Fisheries and Oceans to phase out the Yukon Placer Authorization was made without proper consultation, and failed to meet the consultation requirements of Yukon First Nations land claims and self-government final agreements, and
- (4) the decision failed to give due consideration to all relevant information about the economic and social impact on Yukon people and their families, or on the Yukon's economy as a whole; and

THAT this House urges the Minister of Fisheries and Oceans to keep the existing Yukon Placer Authorization in place until proper consultation has taken place on a replacement authorization that achieves the objectives of protecting fish habitat without jeopardizing responsible placer mining. **(Motion #41)**

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

YEA

Fentie	Hart	McRobb	
Jenkins	Arntzen	Fairclough	
Taylor	Rouble	Cardiff	17
Kenyon	Hassard	Peter	
Edzerza	Cathers	Duncan	
Lang	Hardy		

NAY

0

WITHDRAWAL OF MOTION FROM THE ORDER PAPER

The Speaker informed the House that Motion #5, standing in the name of the Hon. Mr. Fentie, was similar in intent and subject matter to Motion #41, and had been ordered dropped from the Order Paper.

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The debate continuing (from March 10, 2003) on the motion for Second Reading of Bill #4 and the time approaching 6:00 p.m., it was moved by the Hon. Mr. Fentie, Premier:

THAT debate be now adjourned.

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

The Assembly adjourned at 5:58 p.m. until 1:00 p.m., Wednesday, March 12, 2003.

No. 8

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, March 12, 2003

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

INTRODUCTION OF PAGE

The Speaker informed the House that Kate Smolne from Porter Creek Secondary School would be serving the House as a Page. Kate was welcomed by the Members.

TRIBUTES

Yukon Placer Industry and "Black Wednesday" in Dawson City

Ms. Duncan, Leader of the Third Party, Mr. McRobb, Member for Kluane, and the Hon. Mr. Kenyon, Minister of Environment, paid tribute to the Placer Mining industry in the Yukon and support for Black Wednesday in Dawson City.

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hardy, Leader of the Official Opposition:

THAT it is the opinion of this House that:

- (1) neither the United States Administration nor the United Nations Security Council has provided any compelling evidence to justify a declaration of war on the people of Iraq, and
- (2) the integrity of Canada as a sovereign nation would be in jeopardy if this country allowed itself to be drawn into unjustified military adventures at the behest of the United States or any other military power; and

THAT this House urges the Government of Canada to adopt an independent foreign policy that includes restricting the use of Canadian military personnel and resources to the roles of peacekeeping, research, assistance in civil emergencies, and defence against direct threats to the Canadian nation or its people. **(Motion #6)**

A debate arising on the motion, it was moved by Mr. Rouble, Member for Southern Lakes, in amendment thereto:

THAT Motion #6 be amended by:

- (1) deleting clause (1),
- (2) renumbering clause (2) as clause (1),

- (3) replacing the words following the word "military" in the new clause (1) with the word "action",
- (4) new clause (2) as follows:
 "the use of force should be used only after all reasonable diplomatic avenues have been exhausted",
 and
- (5) replacing the words following the expression "independent foreign policy" with the following:
 "that takes into account the security needs of our allies, but first and foremost focuses on protection of Canada, its people and its interests;
 and
 THAT this House urges the Government of Canada to carefully and seriously consider all available information in determining whether military action in Iraq is justified at this time."

A debate arising on the amendment, and the time reaching 6:00 p.m., while the Hon. Mr. Kenyon, Minister of Environment, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. the following day, and debate on the amendment and Motion #6 was accordingly adjourned.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Thursday, March 13, 2003.

No. 9

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, March 13, 2003

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

TRIBUTES

Year 2003 - honouring Yukon First Nations

The Hon. Mr. Fentie, Premier, Mrs. Peter, Member for Vuntut Gwitchin, and Ms. Duncan, Leader of the Third Party, paid tribute to the year 2003 as the year honouring Yukon First Nations. The Premier, congratulated Yukon First Nations for their commitment and hard work towards a promising future. Many First Nations Chiefs were introduced to the House.

2003 Canada Winter Games Team Yukon and the 2003 Brier Yukon men's curling team

The Hon. Mr. Hart, Minister of Community Services, Ms. Duncan, Leader of the Third Party, and Mr. Hardy, Leader of the Official Opposition, paid tribute to the Yukon teams competing in the 2003 Canada Winter Games and the 2003 Curling Brier.

INTRODUCTION OF VISITORS - NWT Premier Kakfwi and MLA David Krutko

The Hon. Mr. Fentie, Premier, introduced and welcomed Northwest Territories Premier Stephen Kakfwi and Mackenzie Delta MLA David Krutko to the House.

TABLING RETURNS AND DOCUMENTS

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

- Women's Directorate status and composition effective April 1, 2003

(Legislative Return #1)

GOVERNMENT BILLS

The following Bill was called for Second Reading:

- Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The debate continuing (from March 11, 2003) on the motion for Second Reading of Bill #4, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Edzerza	Rouble	
Jenkins	Hart	Hassard	10
Taylor	Arntzen	Cathers	
Kenyon			

NAY			
Hardy	Fairclough	Peter	6
McRobb	Cardiff	Duncan	

Bill #4, entitled *First Appropriation Act, 2003-04*, was accordingly, referred to Committee of the Whole.

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

- Bill #22 - Placer Mining Act
-Hon. Mr. Fentie
- Bill #23 - Quartz Mining Act
-Hon. Mr. Fentie
- Bill #24 - Territorial Lands (Yukon) Act
-Hon. Mr. Fentie
- Bill #25 - Waters Act
-Hon. Mr. Fentie
- Bill #26 - Environmental Assessment Act
-Hon. Mr. Fentie
- Bill #5 - Interim Supply Appropriation Act, 2003-04
-Hon. Mr. Fentie
- Bill #21 - Act to Amend the Pioneer Utility Grant Act
-Hon. Mr. Jenkins
- Bill #29 - Act to Amend the Territorial Court Act
-Hon. Ms. Taylor
- Bill #30 - Act to Amend the Supreme Court Act
-Hon. Ms. Taylor

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #5 - Interim Supply Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:18 p.m. until 1:00 p.m., Monday, March 17, 2003.

No. 10

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, March 17, 2003

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

PETITIONS (Response to Petition #1)

The Hon. Mr. Edzerza, Minister of Education, gave an oral response to Petition #1 (received by the House on March 4, 2003) with regard to funding of Yukon College.

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #5 - Interim Supply Appropriation Act, 2003-04
-Hon. Mr. Fentie

Bill #22 - Placer Mining Act
-Hon. Mr. Fentie

Bill #23 - Quartz Mining Act
-Hon. Mr. Fentie

Progress was reported on the following Bill:

Bill #24 - Territorial Lands (Yukon) Act
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Tuesday, March 18, 2003.

No. 11

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, March 18, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Hart, Minister of Infrastructure

- Government Contracting Summary Report by Department (April 1, 2002 - December 31, 2002) **(Sessional Paper #15)**

Ms. Duncan, Leader of the Third Party

- *Public Service Act, Act to Amend the* (Bill #74) from the 2nd Session of the 30th Legislative Assembly **(Filed Document #1)**

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Jenkins, Government House Leader identified Motion #36 and Motion #32 as being the items to be called during Government Private Members' Business on Wednesday, March 19, 2003.

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #24 - Territorial Lands (Yukon) Act
-Hon. Mr. Fentie

Bill #25 - Waters Act
-Hon. Mr. Fentie

Progress was reported on the following Bill:

Bill #26 - Environmental Assessment Act
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:59 p.m. until 1:00 p.m., Wednesday, March 19, 2003.

No. 12
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, March 19, 2003

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

INTRODUCTION OF NEW DEPUTY SERGEANT-AT-ARMS (Gordon McIntyre)

The Speaker informed the House that the new Deputy Sergeant-at-Arms would be Gordon McIntyre. Mr. McIntyre was welcomed to the House.

TABLING RETURNS AND DOCUMENTS

Mrs. Peter, Member for Vuntut Gwitchin

- Arctic National Wildlife Refuge, drilling in the - FY2004 budget: letter to United States Senators (dated March 18, 2003) signed by the Hon. Dennis Fentie, Premier; Todd Hardy, New Democratic Party Leader; and Pat Duncan, Liberal Party Leader. **(Filed Document #2)**

MINISTERIAL STATEMENTS

Hon. Mr. Edzerza, Minister of Education

- Teacher staffing

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hassard, Member for Pelly-Nisutlin:

THAT it is the opinion of this House that there would be significant economic benefits for Yukon should a railroad be built connecting Alaska, through Yukon, to the southern United States;

THAT this House recognizes that:

- (1) the Alaska House of Representatives unanimously passed a bill setting aside land for a railroad right-of-way up to the Yukon border; and
- (2) Senator John Cowdery, of the Alaska State Legislature, has tabled a Bill entitled *An Act relating to a railroad utility corridor for extension of the Alaska Railroad to Canada and for the extension of the Alaska Railroad to connect with the North American Railroad system*; and

THAT this House urges the Government of Canada, the Government of Yukon and Yukon First Nations whose lands the railroad would cross to express their willingness to consider the Alaskan railroad proposal, including the setting aside of lands for a railroad right-of-way through Yukon; and

THAT this House urges the Government of Canada, with the full participation of the Government of Yukon and Yukon First Nation governments affected, to commence discussions with the Government of the United States and the State of Alaska about establishing a mechanism such as an international joint commission to expedite the development of the Alaska Railroad proposal. **(Motion #36)**

A debate arising on the motion, it was moved by Mr. Fairclough, Member for Mayo-Tatchun, in amendment thereto:

THAT Motion No. 36 be amended by replacing the first clause that begins with the phrase "THAT this House urges" with the following:

"THAT this House urges the Government of Yukon to work closely with the Government of Canada and with Yukon First Nation governments whose land the railroad would cross to identify and explore all areas of mutual interest related to the Alaska railway proposal; and..."

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

A debate arising on Motion #36 as amended and the question being put, it was agreed to.

Moved by Mr. Rouble, Member for Mount Lorne:

THAT this House recognizes that:

- (1) every Canadian citizen deserves to receive adequate health care regardless of where they live,
- (2) the cost of maintaining the current level of health care in the Yukon has been increasing at an annual rate of \$7 to \$10 million, while transfer payments from the Government of Canada have been decreasing,
- (3) the Canada Health and Social Transfer which is based on per capita funding does not address the specialized needs of the three northern territories that have small populations separated by vast distances and high transportation costs, and
- (4) the recently negotiated Health Care Fund, while a step in the right direction, will only cover the annual increase in health care costs; and

THAT this House urges the Government of Canada to work together with the three northern territories to develop a permanent pan-northern solution to address health care needs in the north. **(Motion #32)**

A debate arising on the motion, it was moved by Ms. Duncan, Leader of the Third Party, in amendment thereto:

THAT Motion #32 be amended by deleting the words "while transfer payments from the Government of Canada have been decreasing" from clause 2.

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

THAT the amendment to Motion # 32 be amended by adding after the words "clause 2" the following: "and substituting for them the following: 'and CHST transfer payments from the Government of Canada were cut in 1995 and have since not been restored in total'".

A debate arising on the sub-amendment, the Hon. Mr. Jenkins requested and was granted unanimous consent to withdraw the sub-amendment to Motion #32.

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

A debate arising on Motion #32 as amended and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #26 - Environmental Assessment Act
-Hon. Mr. Fentie

The report of the Chair was adopted.

GOVERNMENT BILLS

The following Bills were read a third time and passed:

Bill #5 - Interim Supply Appropriation Act, 2003-04
-Hon. Mr. Fentie

Bill #22 - Placer Mining Act
-Hon. Mr. Fentie

Bill #23 - Quartz Mining Act
-Hon. Mr. Fentie

Bill #24 - Territorial Lands (Yukon) Act
-Hon. Mr. Fentie

Bill #25 - Waters Act
-Hon. Mr. Fentie

Bill #26 - Environmental Assessment Act
-Hon. Mr. Fentie

The Assembly adjourned at 5:51 p.m. until 1:00 p.m., Thursday, March 20, 2003.

No. 13

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, March 20, 2003

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

TRIBUTES

International Day for the Elimination of Racial Discrimination

The Hon. Mr. Edzerza, Minister responsible for the Public Service Commission, Mrs. Peter, Member for Vuntut Gwitchin, and Ms. Duncan, Leader of the Third Party, recognized Friday, March 21, 2003 as the International Day for the Elimination of Racial Discrimination.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Yukon Human Rights Commission 2001/02 Annual Report
(Sessional Paper #16)

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

- Yukon Workers' Compensation Health and Safety Board 2001 Annual Report
(Sessional Paper #17)
- Yukon Workers' Compensation Health and Safety Board 2001 Audited Financial Statements
(Sessional Paper #18)

Hon. Mr. Edzerza, Minister of Education

- Yukon College 2001/02 Annual Report "Developing Skills, Expanding Knowledge"
(Sessional Paper #19)
- Yukon College Financial Statements, June 30, 2002, Office of the Auditor General of Canada
(Sessional Paper #20)
- Health and Social Services staffing: budgetary expenditures for auxiliary employees for 2002/03
(Legislative Return #2)

Hon. Mr. Hart, Minister responsible for Yukon Housing Corporation

- Yukon Housing Corporation 2001/02 Annual Report
(Sessional Paper #21)

Mr. Cardiff, Member for Mount Lorne

- Whitehorse Copper Subdivision: non-conforming petition
(Filed Document #3)

ASSENT TO BILLS

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

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

The Speaker, the Hon. Mr. Staffen, addressed the Commissioner:

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

The Clerk of the Assembly, Patrick L. Michael, then read the titles of the Bills which had been passed severally as follows:

Bill #5 - Interim Supply Appropriation Act, 2003-04
-Hon. Mr. Fentie

Bill #22 - Placer Mining Act
-Hon. Mr. Fentie

Bill #23 - Quartz Mining Act
-Hon. Mr. Fentie

Bill #24 - Territorial Lands (Yukon) Act
-Hon. Mr. Fentie

Bill #25 - Waters Act
-Hon. Mr. Fentie

Bill #26 - Environmental Assessment Act
-Hon. Mr. Fentie

The Commissioner assented the Bills:

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

The Commissioner then retired from the Chamber.

GOVERNMENT BILLS

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

Bill #33 - Act to Amend the Forest Protection Act
-Hon. Mr. Lang

Bill #34 - Act to Amend the Municipal Act
-Hon. Mr. Hart

Bill #3 - Fourth Appropriation Act, 2001-02
-Hon. Mr. Fentie

The following Bill was called for Second Reading:

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

A debate arising on the motion for Second Reading of Bill #2, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Lang	Rouble	
Jenkins	Hart	Hassard	10
Kenyon	Arntzen	Cathers	
Edzerza			

NAY

Hardy	Fairclough	Peter	6
McRobb	Cardiff	Duncan	

Bill #2, entitled *Third Appropriation Act, 2002-03*, was accordingly, referred to Committee of the Whole.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #3 - Fourth Appropriation Act, 2001-02
-Hon. Mr. Fentie

Progress was reported on the following Bill:

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:03 p.m. until 1:00 p.m., Monday, March 24, 2003.

No. 14

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, March 24, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Chief Electoral Officer of the Yukon, Report on the 2002 General Election
(Sessional Paper #22)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:02 p.m. until 1:00 p.m., Tuesday, March 25, 2003.

No. 15

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, March 25, 2003

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

FILED DOCUMENT

During Question Period, Mr. Fairclough, Member for Mayo-Tatchun, filed the following document:

- Carmacks, new school for: letter from Luke Lacasse, Mayor of Carmacks and Chief Eddie Skookum, Little Salmon/Carmacks First Nation to Hon. Dennis Fentie (dated January 10, 2003) **(Filed Document #4)**

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader identified Motion #67 as being the item to be called during Opposition Private Members' Business on Wednesday, March 26, 2003.

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #65 and Motion #8 as being the items to be called during Opposition Private Members' Business on Wednesday, March 26, 2003.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Jenkins:

THAT the honourable Members Dean Hassard, Hon. Peter Jenkins, Brad Cathers, Haakon Arntzen, Todd Hardy, Gary McRobb and Pat Duncan be appointed to the Standing Committee on Rules, Elections and Privileges;

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

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

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

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee. **(Motion #19)**

The question being put on Motion #19, it was agreed to.

Moved by the Hon. Mr. Jenkins:

THAT the honourable Members Brad Cathers, Hon. Peter Jenkins, Lorraine Peter and Pat Duncan be appointed to the Standing Committee on Statutory Instruments;

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

THAT the said Committee review such new regulations as it may decide upon;

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

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee. **(Motion #20)**

The question being put on Motion #20, it was agreed to.

Moved by the Hon. Mr. Jenkins:

THAT the honourable Members Todd Hardy, Hon. Dennis Fentie, Hon. Peter Jenkins, Patrick Rouble, Eric Fairclough and Pat Duncan be appointed to the Standing Committee on Public Accounts established pursuant to Standing Order 45(3);

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

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee. **(Motion #21)**

The question being put on Motion #21, it was agreed to.

Moved by the Hon. Mr. Jenkins:

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

THAT Hon. Dennis Fentie, Todd Hardy, Pat Duncan and Hon. Peter Jenkins be appointed to the Members' Services Board;

THAT the Board consider:

- (1) budget submissions for the following Votes:
 - (a) Legislative Assembly,
 - (b) Ombudsman (including Information and Privacy Commissioner),
 - (c) Conflicts Commission, and
 - (d) Elections Office,and
- (2) policy questions concerning matters such as:
 - (a) space allocation,
 - (b) staffing,
 - (c) caucus funding,
 - (d) Media Gallery House rules, and

(e) Hansard,
and

THAT the Board fulfill its statutory responsibilities including those in the *Ombudsman Act*, the *Conflict of Interest (Members and Ministers) Act*, and the *Legislative Assembly Retirement Allowances Act*. **(Motion #22)**

The question being put on Motion #22, 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 #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:59 p.m. until 1:00 p.m., Wednesday, March 26, 2003.

No. 16

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, March 26, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Hart, Minister of Community Services

- Yukon Lottery Commission 2001/2002 Annual Report (Sessional Paper #23)

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hardy, Leader of the Official Opposition:

THAT it is the opinion of this House that:

- (1) non-profit community organizations provide a wide range of necessary services to Yukon people on behalf of the Yukon Government,
- (2) effective planning and delivery of services requires stable, long-term funding agreements between the Yukon Government and the non-profit organizations that act on its behalf, and
- (3) arbitrary funding cuts not only jeopardize programs and services directly, they also jeopardize the ability of non-profit organizations to attract and retain both the professional staff and the voluntary board members they need; and

THAT this House urges the Yukon Government to enter into stable, long-term and binding funding agreements with the non-government agencies that provide services to Yukon people on its behalf. (Motion #67)

A debate arising on the motion, it was moved by Mr. Cathers, Member for Lake Laberge, in amendment thereto:

THAT Motion #67 be amended by:

- (1) substituting the words "Yukon and federal governments" for the words "Yukon Government" where those words appear in the motion,
- (2) substituting the words "on their behalf" for the words "on its behalf" where those words appear in the motion,
- (3) adding the words "by the federal government" after the words "arbitrary funding cuts", and

- (4) adding the words "subject to annual appropriations" after the words "long-term and binding funding agreements".

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

The question being put on Motion #67 as amended, it was agreed to.

Moved by Ms. Duncan:

THAT this House recognizes that:

- (1) the Child Welfare League of Canada conducted a Review of Services to Children in Care and prepared a report to the Liberal Government in June of 2002 which resulted in 15 recommendations,
- (2) the Child Welfare League of Canada recommended as first priority that government address social worker and supervisor staffing shortfalls,
- (3) the Child Welfare League of Canada recommended that government hire child welfare policy staff as a second priority, and
- (4) that the Yukon Liberal Government publicly agreed with these two recommendations and was working toward their implementation; and

THAT this House urges the Yukon Party Government to detail its response to the recommendations of the Child Welfare League of Canada and to provide timelines for the implementation of recommendations for addressing social worker, supervisory and policy staffing shortfalls. **(Motion #65)**

A debate arising on the motion, it was moved by Mr. Rouble, Member for Southern Lakes, in amendment thereto:

THAT Motion #65 be amended by:

- (a) adding the following clause to the first paragraph:
 - "(5) the recommendations of the Child Welfare League of Canada respecting staffing do not take into account the services required for children in government care who are afflicted with Fetal Alcohol Spectrum Disorder; and", and
- (b) deleting the final paragraph and substituting for it the following:

"THAT this House urges the Yukon Government, when determining its response to the recommendations of the Child Welfare League of Canada respecting staffing, to give full consideration to:

 - (1) the advantages of
 - (a) the family-centered approach to children in government care, and
 - (b) the establishment of a system of special foster homes as recommended in both the review of the Child Welfare League of Canada and the Anglin Report, and
 - (2) the needs of all children in government care including those afflicted with Fetal Alcohol Spectrum Disorder."

A debate arising on the amendment and the time reaching 6:00 p.m., while Mr. Rouble, Member for Southern Lakes, was speaking to it, the Speaker, pursuant to Standing Order 2(2),

adjourned the House until 1:00 p.m. the following day, and debate on the amendment and Motion #65 was accordingly adjourned.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Thursday, March 27, 2003.

No. 17

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, March 27, 2003

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

SPEAKER'S STATEMENT (re: Questioning Speaker's decisions)

Before calling Question Period, the Hon. Ted Staffen, Speaker, made the following statement:

"Before proceeding with Question Period, the Chair would like to make a statement about a practice that seems to be developing in this House. The Chair has noticed that some Members wish to offer additional comments or explanations after the Chair has ruled on a Point of Order. That is not in order. I would call Members' attention to Standing Order 6(1) which says 'No debate shall be permitted on [decisions from the Chair] and no decision shall be subject to an appeal to the Assembly.'

If Members wish to contribute to the discussion on a Point of Order, they must do so before the Chair rules. Once the Chair rules on a Point of Order, the subject is closed.

Thank you. This then brings us to Question Period."

GOVERNMENT BILLS

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

Bill #32 - First Nation Indemnification (Fire Management) Act
-Hon. Mr. Jenkins

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:02 p.m. until 1:00 p.m., Monday, March 31, 2003.

No. 18

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, March 31, 2003

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

INTRODUCTION OF VISITORS (Alaskan Delegation)

The Speaker introduced and welcomed delegates from the Alaska State Legislature who were taking part in the annual Yukon-Alaska Parliamentary Exchange. The delegation consisted of: Senator Fred Dyson, Senator Donald Olson, Representative Nancy Dahlstrom, Representative Max Gruenberg and Jeannette James representing Governor Frank Murkowski.

MINISTERIAL STATEMENT

Hon. Mr. Fentie, Premier

- *Waters Act* responsibilities

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #32 - First Nation Indemnification (Fire Management) Act

-Hon. Mr. Fentie

Bill #33 - Act to Amend the Forest Protection Act

-Hon. Mr. Lang

Progress was reported on the following Bill:

Bill #2 - Third Appropriation Act, 2002-03

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:58 p.m. until 1:00 p.m., Tuesday, April 1, 2003.

No. 19

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, April 1, 2003

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

TRIBUTES

Devolution

The Hon. Mr. Fentie, Premier, recognized and thanked all those who were involved with the devolution process over the years.

TABLING RETURNS AND DOCUMENTS

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

- Yukon Hospital Corporation Financial Statements for the year ended March 31, 2002 **(Sessional Paper #24)**

Mr. Fairclough, Member for Mayo-Tatchun

- Dawson City Women's Shelter: non-conforming petition re shelter funding **(Filed Document #5)**

FILED DOCUMENT

During Question Period, the Hon. Mr. Lang, Minister responsible for the Yukon Energy Corporation filed the following document:

- An Order in the Matter of the *Public Utilities Act*, Revised Statutes, 1986, c. 143, as amended and A Yukon Energy Corporation Application to reduce Rider J (dated February 3, 2003) **(Filed Document #6)**

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Jenkins, Government House Leader identified Motion #12 and Motion #59 as being the items to be called during Government Private Members' Business on Wednesday, April 2, 2003.

GOVERNMENT BILLS

The following Bills were read a third time and passed:

- Bill #32 - First Nation Indemnification (Fire Management) Act
-Hon. Mr. Fentie

Bill #33 - Act to Amend the Forest Protection Act
-Hon. Mr. Lang

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:53 p.m. until 1:00 p.m., Wednesday, April 2, 2003.

No. 20

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, April 2, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Kenyon, Minister of Environment

- Yukon Council on the Economy and the Environment: term report (January 2001
- March 2002) **(Sessional Paper #25)**

SPEAKER'S STATEMENT (Unparliamentary Comments)

Before calling Question Period, the Speaker made the following statement:

"Before we proceed with Question Period the Chair wishes to address an issue that arose in the House yesterday. Yesterday, during Question Period and during Committee of the Whole numerous references were made to members being 'secretive', or having concluded or participated in 'secret deals' or 'back room deals.' These accusations were leveled at Members of the current government and the past government, including one individual who is no longer a Member of this House. It is clear from the context in which these comments were made that they suggested Members of this House, past and present, had attempted or are attempting to deceive this Assembly, the Yukon public or both. This is not in order. *As House of Commons Procedure and Practice* notes at page 525, 'The proceedings of the house are based on a long-standing tradition of respect for the integrity of all Members....A direct charge or accusation against a Member may only be made by way of a substantive motion for which notice is required.' Further, it is clear from the events in Committee of the Whole that accusations of secretive behaviour cause disorder in the House. Therefore, in future, suggestions of secretive behaviour that infer deception will be ruled out of order. We will now proceed with question period."

MOTION OF URGENT PUBLIC IMPORTANCE

Pursuant to Standing Order 16(1), Mr. Hardy, Leader of the Official Opposition, moved:

THAT the ordinary business of the Assembly be adjourned.

After hearing comments from Mr. Hardy, Leader of the Official Opposition, Ms. Duncan, Leader of the Third Party, and the Hon. Mr. Jenkins, Government House Leader,

the Speaker ruled that the request for leave did not meet the requirements of Standing Order 16 and that the ordinary business of the Assembly should not be set aside.

GOVERNMENT PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Rouble, Member for Southern Lakes:

THAT this House recognizes that the Government has:

- (1) committed to a "Team Yukon" approach in making First Nations full partners in the economic development of the territory, and
- (2) made a priority of establishing government relationships with First Nations based on mutual respect, consultation and collaboration with the objectives of reducing barriers and providing more cost effective services for all Yukon citizens; and

THAT this House urges the Government to ensure this approach extends to all areas of governance including the economy, education, health, justice, social and community services. **(Motion #12)**

A debate arising on the motion, it was moved by Mr. Fairclough, Member for Mayo-Tatchun, in amendment thereto:

THAT Motion #12 be amended by replacing the words "Government has" in the first line with the words "Yukon Party Government should", and by replacing the phrase "committed to a 'Team Yukon' approach in making" in clause (1) with the word "make", and by replacing the word "made" in clause (2) with the word "make".

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

The debate continuing on the motion, it was moved by Mr. Hardy, Leader of the Official Opposition, in amendment thereto:

THAT Motion #12 be amended by replacing the words "Team Yukon" in clause (1) with the words "co-operative and inclusive".

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

YEA

Fentie	Hart	McRobb	
Jenkins	Arntzen	Fairclough	
Taylor	Rouble	Cardiff	13
Kenyon	Hardy	Peter	
Lang			

NAY

0

A debate arising on Motion #12 as amended and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Hart	McRobb
Jenkins	Arntzen	Fairclough
Taylor	Rouble	Cardiff
Kenyon	Hardy	Peter
Lang		

13

NAY		

0

Moved by Mr. Rouble, Member for Southern Lakes:

THAT it is the opinion of this House that:

- (1) the economy of the Yukon is highly dependent upon natural resources and tourism,
- (2) getting resources to markets has, in the past, been most efficiently achieved through the use of the White Pass and Yukon Route Railway with port and tidewater access at Skagway, Alaska, and
- (3) tourism travel into the Yukon along this route has increased significantly for many years; and

THAT this House urges the Government of Yukon to work co-operatively with the Carcross-Tagish First Nation, the State of Alaska, the Province of British Columbia, the White Pass and Yukon Route Railway, and communities along the route to preserve the White Pass and Yukon Route Railway right-of-way as an access corridor for Yukon.

(Motion #59)

A debate arising on the motion, it was moved by Mr. Hardy, Leader of the Official Opposition, in amendment thereto:

THAT Motion #59 be amended by deleting the final paragraph and substituting for it the following:

THAT this House urges the Government of Yukon to work co-operatively with all First Nations and communities along the route, the State of Alaska, the Province of British Columbia and the White Pass and Yukon Route Railway to preserve the White Pass and Yukon Route Railway right-of-way as an access corridor for Yukon",

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

A debate arising on Motion #59 as amended and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Hart	McRobb
Jenkins	Arntzen	Fairclough
Taylor	Rouble	Cardiff
Kenyon	Hardy	Peter
Lang		

13

NAY

0

The Assembly adjourned at 5:56 p.m. until 1:00 p.m., Thursday, April 3, 2003.

No. 21

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, April 3, 2003

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

TABLING RETURNS AND DOCUMENTS

Mr. Cardiff, Member for Mount Lorne

- Yukon Workers' Compensation Health & Safety Board: documents relating to the nomination of the Chair **(Filed Document #7)**

GOVERNMENT BILLS

The following Bill was called for Second Reading

Bill #27 - Act to Repeal the Government Accountability Act
-Hon. Mr. Fentie

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

YEA

Fentie	Lang	Rouble	
Jenkins	Hart	Hassard	10
Taylor	Arntzen	Fairclough	
Kenyon			

NAY

Hardy	Cardiff	Duncan	5
McRobb	Peter		

Bill #27, entitled *Act to Repeal the Government Accountability Act*, was accordingly, referred to Committee of the Whole.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #27 - Act to Repeal the Government Accountability Act
-Hon. Mr. Fentie

Progress was reported on the following Bills:

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:02 p.m. until 1:00 p.m., Monday, April 7, 2003.

No. 22

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, April 7, 2003

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

TRIBUTES

National Wildlife Week, Biodiversity Awareness Month and Celebration of Swans

The Hon. Mr. Kenyon, Minister of Environment and Mrs. Peter, Member for Vuntut Gwitchin recognized National Wildlife Week in Canada, Biodiversity Awareness Month in the Yukon and the Celebration of Swans in Yukon communities.

World Health Day

The Hon. Mr. Jenkins, Minister of Health and Social Services, and Mr. Fairclough, Member for Mayo-Tatchun, recognized April 7 as World Health Day.

Girl Guides of Yukon

Ms. Duncan, Leader of the Third Party, paid tribute to all those involved with the Girl Guide organization in the Yukon.

TABLING RETURNS AND DOCUMENTS

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

- Yukon Health and Social Services Council 1999/2000 Annual Report
(Sessional Paper #26)
- Yukon Health and Social Services Council 2000/2001 Annual Report
(Sessional Paper #27)

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

- Yukon Liquor Corporation 2001/02 Annual Report (Sessional Paper #28)

Hon. Ms. Taylor, Minister of Justice

- Yukon Law Foundation: audited Financial Statement for the fiscal year ending October 31, 2002 (Sessional Paper #29)

FILED DOCUMENT

During Question Period, Mr. Cardiff, Member for Mount Lorne, filed the following document:

- Yukon Workers' Compensation Health and Safety Board: various documents regarding appointments (Filed Document #8)

GOVERNMENT BILLS

The following Bill was read a third time and passed:

Bill #27 - Act to Repeal the Government Accountability Act
-Hon. Mr. Fentie

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

ASSENT TO BILLS

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

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

The Speaker, the Hon. Mr. Staffen, addressed the Commissioner:

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

The Clerk of the Assembly, Patrick L. Michael, then read the titles of the Bills which had been passed severally as follows:

Bill #27 - Act to Repeal the Government Accountability Act
-Hon. Mr. Fentie

Bill #32 - First Nation Indemnification (Fire Management) Act
-Hon. Mr. Fentie

Bill #33 - Act to Amend the Forest Protection Act
-Hon. Mr. Lang

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 5:55 p.m. until 1:00 p.m., Tuesday, April 8, 2003.

No. 23

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, April 8, 2003

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

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #65 and Motion #8 as being the items to be called during Opposition Private Members' Business on Wednesday, April 9, 2003.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader identified Motion #46 as being the item to be called during Opposition Private Members' Business on Wednesday, April 9, 2003.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Wednesday, April 9, 2003.

No. 24

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, April 9, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier

- Yukon Advisory Council on Women's Issues 2001/2002 Annual Report
(Sessional Paper #30)

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

- Yukon Child Care Board 2001/2002 Annual Report (Sessional Paper #31)

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Ms. Duncan, Leader of the Third Party:

THAT this House recognizes that:

- (1) the Child Welfare League of Canada conducted a Review of Services to Children in Care and prepared a report to the Liberal Government in June of 2002 which resulted in 15 recommendations,
- (2) the Child Welfare League of Canada recommended as first priority that government address social worker and supervisor staffing shortfalls,
- (3) the Child Welfare League of Canada recommended that government hire child welfare policy staff as a second priority, and
- (4) that the Yukon Liberal Government publicly agreed with these two recommendations and was working toward their implementation; and

THAT this House urges the Yukon Party Government to detail its response to the recommendations of the Child Welfare League of Canada and to provide timelines for the implementation of recommendations for addressing social worker, supervisory and policy staffing shortfalls. (Motion #65)

SPEAKER'S STATEMENT (Speaking Time)

"Before resuming debate on Motion #65, the Chair would like to advise the House on a procedural point.

The Member for Southern Lakes, as the Member speaking first in reply to the motion, has unlimited time to speak. However, as he has now moved an amendment to the motion, he no longer has unlimited time. The Member has 20 minutes to speak to the amendment."

An amendment moved by Mr. Rouble, Member for Southern Lakes, on March 26, 2003:

THAT Motion #65 be amended by:

(a) adding the following clause to the first paragraph:

"(5) the recommendations of the Child Welfare League of Canada respecting staffing do not take into account the services required for children in government care who are afflicted with Fetal Alcohol Spectrum Disorder; and", and

(b) deleting the final paragraph and substituting for it the following:

"THAT this House urges the Yukon Government, when determining its response to the recommendations of the Child Welfare League of Canada respecting staffing, to give full consideration to:

(1) the advantages of

(a) the family-centered approach to children in government care, and

(b) the establishment of a system of special foster homes as recommended in both the review of the Child Welfare League of Canada and the Anglin Report, and

(2) the needs of all children in government care including those afflicted with Fetal Alcohol Spectrum Disorder."

Adjourned debate: Mr. Rouble

The debate arising on the amendment to Motion#65 continuing (from March 26, 2003) and the question being put, it was agreed to.

A debate arising on Motion #65 as amended, and the question being put, it was agreed to.

Moved by Ms. Duncan, Leader of the Third Party:

THAT this House recognizes that the Village of Mayo will be celebrating its 100th Anniversary this summer; and

THAT this House urges the Government and the Yukon Legislative Assembly to celebrate this anniversary by holding a special sitting of the Yukon Legislative Assembly in Mayo during the 2003 centennial year. **(Motion #8)**

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

Moved by Mr. Hardy, Leader of the Official Opposition:

THAT it is the opinion of this House that:

- (1) the unilateral decision by the federal Minister of Fisheries and Oceans to phase out the Yukon Placer Authorization has created a great deal of economic uncertainty and social anxiety in the Yukon,
- (2) this House unanimously passed a motion calling on the Minister to conduct a proper consultation on this issue, and
- (3) one of the most important advisory bodies available to the Minister is the House of Commons all-party Standing Committee on Fisheries and Oceans, which has the power to hold hearings and invite information, opinions and advice related to fisheries matters; and,

THAT this House urges the Standing Committee on Fisheries and Oceans to visit the Yukon and conduct public hearings into the future of fish habitat protection in the territory, in order to provide the Minister with relevant advice that reflects Yukon values and concerns. **(Motion #46)**

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:02 p.m. until 1:00 p.m., Thursday, April 10, 2003.

No. 25

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, April 10, 2003

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

TRIBUTES

Education For All Week

The Hon. Mr. Edzerza, Minister of Education, recognized April 6 to 13, 2003 as Education For All Week and paid tribute to gender equity in public education.

TABLING RETURNS AND DOCUMENTS

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

- Property Management Agency 2001/2002 Annual Report (Sessional Paper #32)
- Property Management Agency 2003/2004 Business Plan (Sessional Paper #33)
- Fleet Vehicle Agency 2001/2002 Annual Report (Sessional Paper #34)
- Fleet Vehicle Agency 2003/2004 Business Plan (Sessional Paper #35)
- Queen's Printer Agency 2001/2002 Annual Report (Sessional Paper #36)
- Queen's Printer Agency 2003/2004 Business Plan (Sessional Paper #37)

GOVERNMENT MOTIONS

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

THAT the Yukon Legislative Assembly, pursuant to 16(1) of the *Human Rights Act*, appoint Edith Fraser and John McCormick and reappoint Eleanor O'Donovan to be members of the Yukon Human Rights Commission. (Motion #49)

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

GOVERNMENT BILLS

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

- Bill #28 - Act to Amend the Fuel Oil Tax Act
-Hon. Mr. Fentie

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:58 p.m. until 1:00 p.m., Monday, April 14, 2003.

No. 26

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, April 14, 2003

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

TRIBUTES

Kluane First Nation Final and Self-Government Agreements

The Hon. Mr. Fentie, Premier, Mr. McRobb, Member for Kluane, and Ms. Duncan, Leader of the Third Party, paid tribute to all involved in reaching the Kluane First Nation Final and Self-Government Agreements.

Cancer Month

The Hon. Mr. Jenkins, Minister of Health and Social Services, on behalf of all Members, recognized April as being Cancer Month.

TABLING RETURNS AND DOCUMENTS

Mr. Hassard, Member for Pelly-Nisutlin

- Community Development Fund and FireSmart community tours: dates, locations, number of attendees and requests (response to Written Question #1)
(Legislative Return #3)

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

- Tough Report recommendations: information pertaining to financial and staffing commitments
(Legislative Return #4)
- Yukon Placer Mining Arbitration: rules and information pertaining to
(Legislative Return #5)
- *Placer Mining Act*: administration of water rights
(Legislative Return #6)

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

- Leave Liability Fund: Actuarial Report (dated January 2002) prepared by Aon Consulting Inc.
(Legislative Return #7)

FILED DOCUMENTS

During Question Period, the following documents were filed:

Hon. Mr. Kenyon, Minister of Environment

- Tombstone Park Interpretive Centre: letter from Hon. Jim Kenyon, Minister of Environment to Mr. Donald Johnson, Tr'ondëk Hwëch'in Elders Council (dated April 14, 2003) **(Filed Document #9)**

Mrs. Peter, Member for Vuntut Gwitchin

- Tombstone Park Interpretive Centre: letter from Mr. Donald Johnson on behalf of the Tr'ondëk Hwëch'in Elders Council to Hon. Jim Kenyon, Minister of Environment (dated April 4, 2003) **(Filed Document #10)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Tuesday, April 15, 2003.

No. 27

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, April 15, 2003

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier

- Yukon Economic Outlook 2003 (dated February 2003) (Sessional Paper #38)

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

- Health Services Branch, Health Care Insurance Programs: Statement of Revenue and Expenditures for fiscal years from 1997/98 to 2001/02 (Sessional Paper #39)

Hon. Ms. Taylor, Minister of Justice

- Judicial Compensation Commission: costs and recommendations (Legislative Return #8)

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Jenkins, Government House Leader identified Motion #86 and Motion #51 as being the items to be called during Government Private Members' Business on Wednesday, April 16, 2003.

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #29 - Act to Amend the Territorial Court Act
-Hon. Ms. Taylor

Bill #30 - Act to Amend the Supreme Court Act
-Hon. Ms. Taylor

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.



The Assembly adjourned at 6:01 p.m. until 1:00 p.m., Wednesday, April 16, 2003.

No. 28

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, April 16, 2003

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

GOVERNMENT PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hassard, Member for Pelly-Nisutlin:

THAT this House recognizes that the Government of Canada and the Government of the United States have traditionally had a strong and co-operative working relationship in developing important infrastructure projects such as the construction of the Alaska Highway, the development of a system of airports, and, more recently, the Shakwak Project which have been of great benefit to the Yukon and Alaska; and

THAT this House urges the Minister of Foreign Affairs, the Honourable Bill Graham, to recommend to the Government of Canada that it continue to build on this relationship by working co-operatively with the Government of the United States to promote the construction of the Alaska Highway Natural Gas Pipeline and to participate in the establishment of a bilateral commission on the Alaska - Canada Railway proposal.

(Motion #86)

Debate started on the motion.

Quorum Count

At 2:18 p.m., during debate on the motion, the Hon. Mr. Jenkins, Government House Leader, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker range the bells and then did a count. A quorum was present for the count.

Debate continued on the motion.

Quorum Count

At 2:28 p.m., during debate on the motion, the Hon. Mr. Jenkins, Government House Leader, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker range the bells and then did a count. A quorum was present for the count.

Debate continued on the motion.

Motion to Adjourn

During debate on Motion #86, the Hon. Mr. Jenkins rose to move that the House do now adjourn.

The question being put, it was agreed to.

[Note: The House adjourned while Motion #86 was under debate; therefore, debate on Motion #86 is accordingly adjourned.]

The Assembly adjourned at 3:11 p.m. until 1:00 p.m., Thursday, April 17, 2003.

No. 29

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, April 17, 2003

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

TABLING RETURNS AND DOCUMENTS

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

- Yukon Motor Transport Board 2001/2002 Annual Report **(Sessional Paper #40)**

Hon. Mr. Fentie, Premier

- *Environmental Assessment Act* (EAA) and *Yukon Environmental and Socio-economic Assessment Act* (YESAA): information pertaining to projects assessed/permitted **(Legislative Return #9)**
- Development Assessment Process: nomination of board members **(Legislative Return #10)**
- *Placer Mining Act*: securities and bonds in safe-keeping **(Legislative Return #11)**
- Renewal expenditures: explanations for the years 2001/2002 and 2002/2003 **(Legislative Return #12)**
- Renewal documentation on decisions: information pertaining to **(Legislative Return #13)**

FILED DOCUMENTS

During Question Period, Mrs. Peter, Member for Vuntut Gwitchin, tabled the following document:

- Tombstone Park Interpretive Centre: letter from Chief Darren Taylor, Tr'ondëk Hwëch'in to Hon. Jim Kenyon, Minister of Environment (dated April 11, 2003) **(Filed Document #11)**

GOVERNMENT BILLS

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

Bill #31 - Act to Amend the Income Tax Act

-Hon. Mr. Fentie

COMMITTEE OF THE WHOLE

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

Filed Document

During debate on Bill #34, *Act to Amend the Municipal Act*, the Hon. Mr. Hart, Minister of Highways and Public Works, filed the following document:

- Municipal Act Review Committee, letter from Jim Slater, Executive Director, Association of Yukon Communities, to Hon. Glenn Hart, Minister of Community Services (dated March 21, 2003)

(Filed Document #12)

The following Bill was reported without amendment:

Bill #34 - Act to Amend the Municipal Act
-Hon. Mr. Hart

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The Assembly adjourned at 6:03 p.m. until 1:00 p.m., Tuesday, April 22, 2003.

No. 30

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, April 22, 2003

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

TRIBUTES

Earth Day

The Hon. Mr. Kenyon, Minister of Environment, Mrs. Peter, Member for Vuntut Gwitchin, and Ms. Duncan, Leader of the Third Party, recognized April 22, 2003 as Earth Day.

Law Day

The Hon. Ms. Taylor, Minister of Justice, Mrs. Peter, Member for Vuntut Gwitchin, and Ms. Duncan, Leader of the Third Party, recognized Law Day.

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #56 as being the item to be called during Opposition Private Members' Business on Wednesday, April 23, 2003.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader identified Motion #80 and Motion #54 as being the item to be called during Opposition Private Members' Business on Wednesday, April 23, 2003.

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #28 - Act to Amend the Fuel Oil Tax Act
-Hon. Mr. Fentie

Bill #31 - Act to Amend the Income Tax Act
-Hon. Mr. Fentie

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Wednesday, April 23, 2003.

No. 31

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, April 23, 2003

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

TRIBUTES

Professional Assistants Week

The Hon. Mr. Fentie, Premier, recognized April 21 - 25, 2003 as Professional Assistants Week and paid tribute to the professional assistants in the workforce.

National Organ and Tissue Donor Awareness Week

The Hon. Mr. Jenkins, Minister of Health and Social Services, recognized April 20 - 27, 2003 as National Organ and Tissue Donor Awareness Week.

In remembrance of Giovanni Castellarin

The Hon. Mr. Jenkins, Minister of Health and Social Services, Mr. McRobb, Member for Kluane, and Ms. Duncan, Leader of the Third Party, paid tribute to Giovanni Castellarin, who passed away on August 2, 2002. Mr. Castellarin, a long time Dawson City resident, was a founding member of the Klondike Visitors Association. Condolences were extended to his family.

Canada Book Week

Ms. Duncan, Leader of the Third Party, recognized April 21 - 27, 2003 as Canada Book Week.

TABLING RETURNS AND DOCUMENTS

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

- Canadian Strategic Infrastructure Fund, Border Infrastructure Fund, and Infrastructure Canada Program: information pertaining to
(Legislative Return #14)
- Community Development Fund/Winter Works and FireSmart Programs: information pertaining to criteria for applications and projects approved
(Legislative Return #15)

OPPOSITION PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Ms. Duncan, Leader of the Third Party:

THAT it is the opinion of this House that:

- (1) two cabinet ministers in the Yukon Party Government owe large sums of money to the Yukon Government because they have failed to pay back business loans,
- (2) several private sector Yukon companies owe the Government of Yukon money because they have failed to pay back business loans,
- (3) the Government of Yukon is currently enforcing a new policy that requires companies to pay back loans when they receive additional income,
- (4) the Government of Yukon is allowing cabinet ministers who recently received a pay raise and are, therefore, more able to pay back their loans, to continue to be delinquent in their payments, and
- (5) this has created a double standard with cabinet ministers receiving special treatment; and

THAT this House urges the Government of Yukon to enforce the same standard of payment on loans by garnisheeing the additional wages of cabinet ministers who are not paying their debts. **(Motion #56)**

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

YEA

Hardy	Fairclough	Peter	6
McRobb	Cardiff	Duncan	

NAY

Fentie	Edzerza	Rouble	
Taylor	Hart	Hassard	9
Kenyon	Arntzen	Cathers	

Moved by Mr. Hardy, Leader of the Official Opposition:

THAT it is the opinion of this House that:

- (1) during the past election campaign and since, the Yukon Party Government promised to adopt an approach to governing based on consensus, co-operation and compromise, and
- (2) a more co-operative approach to governing should include co-operating with elected representatives of the Yukon people who sit on the opposition side of this House in their attempts to get the information they need to examine government policies and spending priorities; and

THAT this House urges the Yukon Party Government to respect both its election commitments and the proper role of this House by providing information related to government policies and spending priorities in a co-operative, thorough and timely manner, as requested both orally and in written form by opposition MLAs.

(Motion #80)

A debate arising on Motion #80, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Hart	McRobb	
Jenkins	Arntzen	Fairclough	
Taylor	Rouble	Cardiff	17
Kenyon	Hassard	Peter	
Edzerza	Cathers	Duncan	
Lang	Hardy		

NAY

0

Moved by Mr. Hardy, Leader of the Official Opposition:

THAT it is the opinion of this House that:

- (1) the decision by the Yukon Party Government to reduce public spending by more than \$40 million in the 2003-2004 fiscal year will have a serious negative impact on the territory's economy, which will affect all Yukon communities,
- (2) direct spending by public employees is a major contributor to the economic health and stability of every Yukon community, and
- (3) cutbacks in government spending are already resulting in a loss of income for people who provide services to Yukon Government departments, agencies, or Crown Corporations, particularly in the areas of auxiliary, casual and seasonal employment; and

THAT this House urges the Yukon Party Government to honour both the letter and the spirit of its commitment not to diminish any kind of workforce within the government, in order to avoid any further erosion of the territory's economy. **(Motion #54)**

A debate arising on the motion and the time reaching 6:00 p.m. while Mr. Hardy, Leader of the Official Opposition, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. Thursday, April 24, 2003 and debate on Motion #54 was accordingly adjourned.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Thursday, April 24, 2003.

No. 32

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, April 24, 2003

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

FILED DOCUMENTS

During Question Period, Mr. McRobb, Member for Kluane, filed the following document:

- Alaska Highway reconstruction near Champagne, stoppage of work: letter from James Allen, Champagne and Aishihik First Nations to the Hon. Dennis Fentie, Premier and the Hon. Glenn Hart, Minister of Highways and Public Works (dated April 24, 2003) **(Filed Document #13)**

GOVERNMENT BILLS

The following Bills were read a third time and passed:

- Bill #28 - Act to Amend the Fuel Oil Tax Act
-Hon. Mr. Fentie
- Bill #31 - Act to Amend the Income Tax Act
-Hon. Mr. Fentie
- Bill #29 - Act to Amend the Territorial Court Act
-Hon. Ms. Taylor
- Bill #30 - Act to Amend the Supreme Court Act
-Hon. Ms. Taylor
- Bill #34 - Act to Amend the Municipal Act
-Hon. Mr. Hart

COMMITTEE OF THE WHOLE

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

At 1:56 p.m., Committee of the Whole passed the following motion:

THAT Craig Tuton, 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 4:00 p.m. to 6:00 p.m. on Thursday, April 24, 2003, to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.
(C/W Motion #1)

At 1:57 p.m., Committee of the Whole passed the following motion:

THAT Lorne Austring, Chair of Yukon Development Corporation, and Duncan Sinclair, Chief Executive Officer of the Yukon Development Corporation, appear as witnesses before Committee of the Whole from 4:00 p.m. to 6:00 p.m. on Monday, April 28, 2003, to discuss matters related to the Yukon Development Corporation.
(C/W Motion #2)

Pursuant to Committee of the Whole Motion #1 passed at 1:56 p.m. this day, Craig Tuton, 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, appeared as witnesses before Committee of the Whole from 4:00 p.m. to 6:00 p.m..

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

WITHDRAWAL OF MOTIONS

The Speaker made the following statement:

"Members will be aware that Motion #92 and Motion #93 on today's Notice Paper relate to calling witnesses from the Yukon Workers' Compensation Health and Safety Board and the Yukon Development Corporation to appear before the Committee of the Whole. The House has heard in today's report from the Chair of Committee of the Whole that the Committee has dealt with the calling of the witnesses proposed in Motion #92 and Motion #93. The Chair, therefore, orders that Motion #92 and Motion #93 not be transferred from the Notice Paper to the Order Paper."

The Assembly adjourned at 5:58 p.m. until 1:00 p.m., Monday, April 28, 2003.

No. 33

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Monday, April 28, 2003

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

TRIBUTES

Day of Mourning

The Hon. Mr. Hart, Minister of Community Services, Mr. Cardiff, Member for Mt. Lorne, and Ms. Duncan, Leader of the Third Party, recognized the annual Day of Mourning and remembered those workers who have died or were injured on the job. The House observed a moment of silence.

National Volunteer Week

The Hon. Mr. Hart, Minister of Community Services, Mr. Hardy, Leader of the Official Opposition and Ms. Duncan, Leader of the Third Party, recognized April 27 to May 3 as National Volunteer Week and paid tribute to all Yukon volunteers.

TABLING RETURNS AND DOCUMENTS

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

- Yukon Workers' Compensation Health and Safety Board 2002 Annual Report
(Sessional Paper #41)

Hon. Mr. Edzerza, Minister responsible for the Public Service Commission:

- Government positions: vacancies and number of employees as of December 31, 2002
(Legislative Return #16)

COMMITTEE OF THE WHOLE

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

The Chair of Committee of the Whole reported as follows:

“On Thursday, April 24, 2003, Committee of the Whole passed the following motion:

THAT Lorne Austring, Chair of Yukon Development Corporation, and Duncan Sinclair, Chief Executive Officer of the Yukon Development Corporation, appear as

witnesses before Committee of the Whole from 4:00 p.m. to 6:00 p.m. on Monday, April 28, 2003, to discuss matters related to the Yukon Development Corporation.

(C/W Motion #2)

Pursuant to Committee of the Whole Motion #2 passed on Thursday, April 24, 2003, Lorne Austring, Chair of Yukon Development Corporation, and Duncan Sinclair, Chief Executive Officer of the Yukon Development Corporation, appeared as witnesses before Committee of the Whole from 4:00 p.m. to 6:00 p.m. this day.

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Tuesday, April 29, 2003.

No. 34

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Tuesday, April 29, 2003

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

TRIBUTES

Learning Disabilities Association of Yukon

The Hon. Mr. Jenkins, Minister of Health and Social Services, Mr. Fairclough, Member for Mayo-Tatchun, and Ms. Duncan, Leader of the Third Party, paid tribute to the 30th anniversary of the Learning Disabilities Association of Yukon (LDAY).

Emergency Medical Services Volunteers

The Hon. Mr. Jenkins, Minister of Health and Social Services, paid tribute to emergency medical services volunteers in the Yukon.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker:

- Travel Expenses of Members of the Yukon Legislative Assembly 2002-2003 (dated April 2003) **(Sessional Paper #42)**

Hon. Mr. Fentie, Premier:

- Ministerial/Cabinet staff travel: breakdown for April 1, 2002 - December 1, 2002 and December 2, 2002 to March 31, 2003 **(Legislative Return #17)**

Hon. Ms. Taylor, Minister of Justice:

- Crime Prevention and Victim Services Trust Fund 2001/2002 Annual Report **(Sessional Paper #43)**

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Jenkins, Government House Leader informed the House that the Government Private Members did not wish to identify any items under the heading "Government Private Members' Business" on Wednesday, April 30, 2003.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #21 - Act to Amend the Pioneer Utility Grant Act
-Hon. Mr. Jenkins

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 6:00 p.m. until 1:00 p.m., Wednesday, April 30, 2003.

No. 35

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Wednesday, April 30, 2003

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

TRIBUTES

In remembrance of Brian Campion

Mr. Arntzen, member for Copperbelt, on behalf of all Members paid tribute to Brian Campion who passed away on December 13, 2002. Condolences were extended to his family.

Police Week

The Hon. Ms. Taylor, Minister of Justice, recognized May 11 to May 17, 2003 as Police Week in Canada.

FILED DOCUMENTS

During Question Period, Mr. McRobb, Member for Kluane, filed the following document:

- Yukon Snow Survey 2003: map indicating snow water equivalent percent of normal as of April 1, 2003 **(Filed Document #14)**

GOVERNMENT BILLS

The following Bills were read a third time and passed:

Bill #3 - Fourth Appropriation Act, 2001-02
-Hon. Mr. Fentie

Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie

Bill #21 - Act to Amend the Pioneer Utility Grant Act
-Hon. Mr. Jenkins

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:59 p.m. until 1:00 p.m., Thursday, May 1, 2003.

No. 36

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, May 1, 2003

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

TRIBUTES

Sexual Assault Prevention Month

The Hon. Mr. Fentie, Premier, and Mr. Hardy, Leader of the Official Opposition, recognized the month of May as Sexual Assault Prevention Month.

International Youth Week

The Hon. Mr. Fentie, Premier, Mr. Hardy, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, recognized May 4 to 10, 2003 as International Youth Week

Emergency Preparedness Week

The Hon. Mr. Hart, Minister of Community Services, and Ms. Duncan, Leader of the Third Party, recognized May 4 to 10, 2003 as Emergency Preparedness Week.

TABLING RETURNS AND DOCUMENTS

Mr. Hardy, Leader of the Official Opposition:

- Economic Development, Department of: letter from Hon. Dennis Fentie, Premier to Yukon First Nations and Business Partners re: re-establishment of the department (dated March 6, 2003); and letter from Hon. Dennis Fentie, Premier, to Cary Gryba, Business Manager/Financial Secretary, International Brotherhood of Electrical Workers re: participation in consultation, (dated April 15, 2003)(**Filed Document #1**)

Hon. Ms. Taylor, Minister of Justice

- Yukon Judicial Council Annual Report for the years 2000, 2001 and 2002

(**Sessional Paper #44**)

SPECIAL ADJOURNMENT NOTICE

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

THAT the House, at its rising, do stand adjourned until Thursday, June 12, 2003, when it shall hold a special sitting in Mayo, Yukon, to honour that community on its 100th anniversary;

THAT the Speaker set the time at which the House shall meet on June 12 and give notice of that time to all members;

That the Speaker cause an Order Paper for the special sitting on June 12 to be produced and distributed to all members;

THAT the House shall meet prior to June 12 if it appears to the satisfaction of the Speaker, after consultation with the Premier, that the public interest requires that the House 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.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

GOVERNMENT BILLS

The following Bill was called for Third Reading:

Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

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

YEA			
Fentie	Edzerza	Rouble	
Jenkins	Lang	Hassard	11
Taylor	Hart	Cathers	
Kenyon	Arntzen		
NAY			
Hardy	Fairclough	Peter	6
McRobb	Cardiff	Duncan	

Bill #4, entitled *First Appropriation Act, 2003-04*, accordingly passed the House.

ASSENT TO BILLS

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

The Commissioner, having entered the Chamber, took his seat in the Speaker's chair. The Speaker, the Hon. Mr. Staffen, addressed the Commissioner:

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

The Clerk of the Assembly, Patrick L. Michael, then read the titles of the Bills which had been passed severally as follows:

- Bill #28 - Act to Amend the Fuel Oil Tax Act
-Hon. Mr. Fentie
- Bill #31 - Act to Amend the Income Tax Act
-Hon. Mr. Fentie
- Bill #29 - Act to Amend the Territorial Court Act
-Hon. Ms. Taylor
- Bill #30 - Act to Amend the Supreme Court Act
-Hon. Ms. Taylor
- Bill #34 - Act to Amend the Municipal Act
-Hon. Mr. Hart
- Bill #3 - Fourth Appropriation Act, 2001-02
-Hon. Mr. Fentie
- Bill #2 - Third Appropriation Act, 2002-03
-Hon. Mr. Fentie
- Bill #21 - Act to Amend the Pioneer Utility Grant Act
-Hon. Mr. Jenkins
- Bill #4 - First Appropriation Act, 2003-04
-Hon. Mr. Fentie

The Commissioner assented the Bills:

“I hereby Assent to the Bills as enumerated by the Clerk.”

The Commissioner then retired from the Chamber.

ADJOURNMENT OF THE HOUSE

The Speaker stated:

“As the House has reached the maximum number of days permitted for this spring sitting, as established pursuant to Standing Order 75(3), and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned until June 12, at which time it shall reconvene for a special sitting in Mayo, Yukon.”

The Assembly adjourned at 5:09 p.m..

No. 37

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

31st Legislative Assembly

First Session

Thursday, June 12, 2003

The Speaker, the Hon. Ted Staffen, took the Chair in the Community Hall in the Village of Mayo, at 6:30 p.m. and informed the House that as a mark of respect for Mayo and its people, Mr. Jimmy Johnny, head of the Elders Council of the First Nation of Na Cho Nyäk Dun, would be received to give the opening prayer and directed the Sergeant-at-Arms, Rudy Couture, to escort Mr. Johnny to the podium.

At the conclusion of the prayer, the Speaker called the House to order.

INTRODUCTION OF SPECIAL GUESTS

The Speaker introduced Her Worship Shanon Cooper, Mayor of the Village of Mayo, her husband Ken Cooper; Chief Steven Buyck of the First Nation of Na Cho Nyäk Dun; and the Consul-General of France, Jean-Yves Defay and his wife Marie-Noelle Defay. He also introduced and paid tribute to former Territorial Council Member, Mrs. Jean Gordon, who was elected on September 11, 1967.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Fairclough, Member for Mayo-Tatchun:

THAT the Speaker of the Yukon Legislative Assembly, through the Mayor of the Village of Mayo and the Chief of the First Nation of Na-Cho Nyäk Dun, forward the following address to the people of Mayo:

WHEREAS the people of Mayo celebrated the 100th anniversary of the creation of the Village of Mayo on June 3, 2003;

WHEREAS the history and heritage of Mayo, including both its land and its people, should be recognized and valued; and

WHEREAS the lives, traditions and cultures of the people of the First Nation of Na-Cho Nyäk Dun and of all others who have come to this land deserve honour and respect;

NOW THEREFORE BE IT RESOLVED THAT the Yukon Legislative Assembly, on behalf of all Yukoners, congratulates the people of Mayo on the occasion of the 100th anniversary of the creation of the Village of Mayo. **(Motion #100)**

A debate arising on the motion and the question being put, the Speaker declared that Motion #100 had been unanimously agreed to.

RECESS FOR REMARKS BY MAYOR COOPER, CHIEF BUYCK AND JEAN GORDON

The Speaker recessed the House briefly and asked the Sergeant-at-Arms to escort Her Worship Shanon Cooper to the podium whereupon Mayor Cooper addressed the Assembly and guests. Chief Buyck was escorted to the podium by the Sergeant-at-Arms and addressed the Assembly and guests.

On a Point of Order, Mrs. Jean Gordon, former Member of the Yukon Territorial Council, requested and was granted the opportunity to address the Assembly. The Speaker asked the Sergeant-at-Arms to escort Mrs. Gordon to the podium, whereupon she addressed the Assembly.

The Speaker then called the House to order.

SPECIAL ADJOURNMENT MOTION

Moved by the Hon. Mr. Jenkins, 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 Premier, 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 8:16 p.m..

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First Session

Thirty-first Legislature

**February 27, 2003 – May 1, 2003
June 12, 2003**

YUKON LEGISLATIVE ASSEMBLY

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2R - Second Reading		A - Assent
3R - Third Reading		

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27	Government Accountability Act, Act to Repeal the	03-03-05	03-04-03	03-04-03	03-04-07	03-04-07
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30	Supreme Court Act, Act to Amend	03-03-04	03-03-13	03-04-15	03-04-24	03-05-01
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Standing Committee on Fisheries and Oceans to conduct public hearings in the Yukon (#46)	Hardy	63		Carried
Yukon Human Rights Commission: appoint Edith Fraser and John McCormick and reappoint Eleanor O'Donovan to be members (#49)	Taylor	64		Carried
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