

# JOURNALS

## YUKON LEGISLATIVE ASSEMBLY



**FIRST SESSION**  
(continuation)

**31ST LEGISLATURE**

**October 27, 2005 – December 19, 2005**

**Speaker: The Hon. Ted Staffen**

**No. 152**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Thursday, October 27, 2005

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

**INTRODUCTION OF PAGES**

The Speaker informed the Assembly that Napanda Ausiku, Jacob Carr, Tanner Cassidy, Kathleen Hare, Melina Hougen, Johanna Ponsioen, and Mauricio Ruiz from Vanier Catholic School and Alden Smyth from Porter Creek Secondary School would be serving as Pages during the Fall Sitting. Tanner Cassidy and Mauricio Ruiz were introduced and welcomed to the House.

**SPEAKER'S STATEMENT (Re: Changes to the Order Paper- withdrawal of Motions)**

Prior to proceeding with the Daily Routine, the Speaker informed the House of changes made to the Order Paper. Motion #234, standing in the name for the Member for Mount Lorne, Motions #437, standing in the name of the Leader of the Official Opposition, and Motion #480, standing in the name of the Leader of the Third Party, had been removed from the Order Paper as they were outdated. Motion #481, standing in the name of the Leader of the Official Opposition, and Motion #482, standing in the name of the Leader of the Third Party, had been removed from the Order Paper due to the resignation of the Member for Copperbelt. Motion numbers 11, 27, 33, 40, 51, 73, 79, 91, 106, 112, 116, 138, 157, 176, 198, 218, and 254, standing in the name of the former Member for Copperbelt had been removed from the Order Paper due to the resignation of that Member.

**TRIBUTES**

**In recognition of the Signing of the Carcross-Tagish First Nation Final and Self-Government Agreements**

The Hon. Mr. Fentie, Premier, Mr. Hardy, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, recognized that on October 22, 2005 the Carcross-Tagish First Nation became the 11<sup>th</sup> of Yukon's 14 First Nations to sign its final and self-government agreements.

**Women's History Month**

The Hon. Ms. Taylor, Minister responsible for the Women's Directorate, on behalf of all Members, recognized October as Women's History Month.

### **Breast Cancer Awareness Month**

The Hon. Mr. Jenkins, Minister of Health and Social Services, Mr. McRobb, Member for Kluane, and Ms. Duncan, Leader of the Third Party, recognized October as Breast Cancer Awareness Month.

### **Crime Prevention Week**

The Hon. Mr. Edzerza, Minister of Justice, and Mr. Cardiff, Member for Mount Lorne, recognized October 24 to 30, 2005 as Crime Prevention Week.

### **National Black Parent Week**

The Hon. Mr. Edzerza, Minister of Justice, and Ms. Duncan, Leader of the Third Party, recognized October 23 to 29, 2005 as National Black Parent Week.

## **TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Staffen, Speaker

- Resignation notice (dated September 9, 2005) as MLA from Haakon Arntzen, Member for Copperbelt **(Sessional Paper #176)**
- Warrant dated September 9, 2005, regarding vacancy in Copperbelt due to resignation of Haakon Arntzen issued by Speaker Staffen **(Sessional Paper #177)**
- Vacancy in Electoral District of Copperbelt: copy of letter dated September 9, 2005 from the Clerk of the Legislative Assembly to Commissioner Cable **(Sessional Paper #178)**
- Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sittings of the Legislative Assembly and its Committees **(Sessional Paper #179)**
- Conflict of Interest Commission Annual Report for the period ending March 31, 2005 **(Sessional Paper #180)**

Mr. Hardy, Leader of the Official Opposition

- Whistleblower Protection legislation Select Committee: letter dated March 16, 2005, to the Hon. John Edzerza, Acting Minister responsible for the Public Service Commission from Todd Hardy, Leader of the Official Opposition **(Filed Document #96)**

Mr. McRobb, Member for Kluane

- House adjournment procedure: letter dated October 18, 2005, to the Hon. Peter Jenkins, Government House Leader, from Gary McRobb, Official Opposition House Leader **(Filed Document #97)**
- Alaska Highway Aboriginal Pipeline Coalition: letter dated June 9, 2005 to the Hon. Dennis Fentie, Premier, from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition **(Filed Document #98)**
- Funding for Aboriginal Pipeline Coalition: letter dated October 4, 2005 to the Hon. Dennis Fentie, Premier, from Chief Mike Smith, Acting Chair, Alaska Highway Aboriginal Pipeline Coalition **(Filed Document #99)**

## **PETITIONS**

### **Report of the Clerk**

The Clerk reported on Petition #8 as follows:

"Mr. Speaker, and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #8 of the First Session of the 31st Legislative Assembly, as presented by the Member for Kluane on May 17, 2005.

The petitioners ask the Yukon Legislative Assembly to revoke a regulation requiring that the sellers of heating fuel submit monthly reports to the Department of Finance.

The Assembly, in passing the Fuel Oil Tax Act, delegated responsibility for making and revoking regulations to the Commissioner in Executive Council. The right to do this is set out in section 34 of the Act.

Although Standing Order 66(5) states that "A petition may raise a matter that has been delegated to another body by the Yukon Legislative Assembly", there is no standing order or other authority that permits petitioners to ask the Assembly to take an action that is the responsibility of another body.

As Petition #8 asks the Assembly to act beyond its legal authority, it does not meet 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 #8 could not be received.

### Presentation

Mr. Hardy, Leader of the Official Opposition, presented the following Petition:

- Ratification of the Umbrella Final Agreement **(Petition #9)**

### INTRODUCTION OF BILLS

Bill #16 - Fourth Appropriation Act, 2004-05  
-Hon. Mr. Fentie

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

Bill #57 - Act to Amend the Small Claims Court Act  
-Hon. Mr. Edzerza

Bill #58 - - Act to Amend the Supreme Court Act  
-Hon. Mr. Edzerza

Bill #63 - Act to Amend the Family Violence Prevention Act  
-Hon. Mr. Edzerza

Bill #60 - Act to Amend the Public Service Group Insurance Benefit Plan Act  
-Hon. Ms. Taylor

Bill #61 - Co-operation in Governance Act  
-Hon. Mr. Fentie

Bill #64 - Act to Amend the Income Tax Act  
-Hon. Mr. Fentie

### MONEY MESSAGE

Bill #16, *Fourth Appropriation Act, 2004-05*, and Bill #17, *Fourth Appropriation Act, 2004-05*, were accompanied by a money message.

The Assembly adjourned at 2:30 p.m. until Monday, October 31, 2005.

**No. 153**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Monday, October 31, 2005

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

**SPEAKER'S STATEMENT (Re: Changes to the Order Paper- withdrawal of Motions)**

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion #492 had not been placed on the Order Paper as it was outdated.

**TRIBUTES**

**National UNICEF Day**

The Hon. Mr. Jenkins, Minister of Health and Social Services, on behalf of all Members recognized October 31 as being National UNICEF Day.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Jenkins, Acting Premier

- Public Accounts of the Government of Yukon for the year ended March 31, 2005  
**(Sessional Paper #181)**

Hon. Ms. Taylor, Minister of Tourism and Culture

- Whistleblower Legislation, Select Committee on: letter dated September 12, 2005 from the Hon. Elaine Taylor, Minister responsible for the Public Service Commission to Todd Hardy, Leader of the Official Opposition  
**(Filed Document #100)**
- Whistleblower Legislation, Select Committee on: letter dated September 12, 2005 from the Hon. Elaine Taylor, Minister responsible for the Public Service Commission to Pat Duncan, Leader of the Third Party  
**(Filed Document #101)**

Mr. McRobb, Member for Kluane

- Alaska Highway Pipeline Facilitation, Terms of Reference: letter dated August 16, 2005 from Dennis Fentie, Premier to Chief Mike Smith, Kwanlin Dun First Nation  
**(Filed Document #102)**
- Oil and Gas Commission, proposed: letter dated September 29, 2005 from Andy Carvill, Grand Chief, Council of Yukon First Nations to the Hon. Dennis Fentie, Premier  
**(Filed Document #103)**

## PETITIONS

### Report of the Clerk

The Clerk reported on Petition #9 as follows:

"Mr. Speaker, and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #9 of the First Session of the 31st Legislative Assembly, as presented by the Leader of the Official Opposition on October 27, 2005.

The petitioners pose a number of questions respecting the ratification process followed in respect to the Umbrella Final Agreement dated May 29, 1993. They ask the Yukon Legislative Assembly to request the Minister responsible for the Land Claims and Implementation Secretariat to provide "a reasonably detailed written response" to those questions. It should be noted that the rules and the practices of the Legislative Assembly permit a response to a petition to be provided in either written or verbal format.

This petition, with that qualification as to the manner in which it may be responded to, meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Patrick L. Michael  
Clerk of the Yukon  
Legislative Assembly"

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

### SPEAKER'S STATEMENT (Re: Question Period on October 27, 2005)

Prior to Question Period the Speaker made the following statement about certain events that occurred on October 27, 2005.

"As Members are aware the Chair intervened twice after Members quoted unparliamentary language from statements made by persons outside the House or from documents. It is a principle of the rules of debate that Members may not do indirectly what they may not do directly. One aspect of this is that Members may not evade rules regarding unparliamentary language by quoting them from another source. Members must take responsibility for the words they use in debate, whether they originate with that Member or not. In this regard I would remind Members of a ruling from the Chair on December 13, 2004 which read in part:

'If a Member wishes to cite or quote from a document that contains unparliamentary language or does not adhere to proper form, the Member must paraphrase any offending portions so that they conform to the rules and forms of this Legislative Assembly.'

The Chair is also concerned that Members are making statements that question the honesty and integrity of other Members. As *House of Commons Procedure and Practice* reminds us, 'The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members.' The Chair appreciates that Members have differing views on issues of public policy. However, to cite annotation 494 of *Beauchesne's Parliamentary Rules and Forms*, there are times when the House will have to 'accept two contradictory accounts of the same incident.' Members are free to put forward their view of events, but in doing so must not draw into question the integrity of other Members who hold a different view.

The Chair thanks Members in advance for their cooperation. We will now proceed with Question Period."

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #16 - Fourth Appropriation Act, 2004-05  
-Hon. Mr. Jenkins

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

YEA

Jenkins	Edzerza	Rouble	
Taylor	Lang	Hassard	8
Kenyon	Cathers		

NAY

Hardy	Cardiff	Duncan	
McRobb	Peter		5

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #16 - Second Appropriation Act, 2005-06  
-Hon. Mr. Jenkins

The report of the Chair was adopted.

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The Assembly adjourned at 5:57 p.m. until Tuesday, November 1, 2005.



**No. 154**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Tuesday, November 1, 2005

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

**TRIBUTES**

**Women Abuse Prevention Month**

The Hon. Ms. Taylor, Minister responsible for the Women's Directorate, and Mrs. Peter, Member for Vuntut Gwitchin, recognized November as being Women Abuse Prevention Month.

**Mothers Against Drunk Driving and Project Red Ribbon - Tie One On for Safety**

The Hon. Mr. Hart, Minister of Highways and Public Works, and Ms. Duncan, Leader of the Third Party, recognized Mothers Against Drunk Driving (MADD) and their Red Ribbon Campaign - Tie one On for Safety campaign which runs from November 1 to December 31, 2005.

**National Down's Syndrome Awareness Week**

The Hon. Mr. Jenkins, on behalf of all Members, recognized November 1 to 7, 2005 as being National Down's Syndrome Awareness Week.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Edzerza, Minister of Justice

- Regulations Report (Yukon); April 1, 2004 to March 31, 2005, Volume 1 and Volume 2 **(Sessional Paper #182)**

Ms. Duncan, Leader of the Third Party

- Whistleblower Legislation, Select Committee on: letter dated October 24, 2005 from Ms. Duncan, MLA, Porter Creek South, to the Hon. Elaine Taylor, Minister responsible for the Public Service Commission **(Filed Document #104)**

Mr. McRobb, Member for Kluane

- Alaska Highway Pipeline Project: letters dated June 2, 2005 from Dennis Fentie, Premier to Mr. T. J. Hearn, President, Imperial Oil, Mr. Henry Sykes, President, ConocoPhillips, and Brian Frank, President, BP Canada **(Filed Document #105)**
- Alaska Highway Aboriginal Pipeline Coalition: letter dated June 9, 2005 from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition to the Hon. Dennis Fentie, Premier **(Filed Document #106)**

- Alaska Highway Aboriginal Pipeline Coalition: letter dated June 14, 2005 from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition to the Hon. Frank Murkowski, Governor of Alaska, Mr. P. Daniel, President and CEO, Enbridge Inc., Mr. T. Hearn, President, Imperial Oil, Mr. B. Frank, President, BP Canada, Mr. H. Sykes, President, ConocoPhillips, and Mr. H. Kvisle, President and CEO, TransCanada Pipelines **(Filed Document #107)**
- Alaska Highway Pipeline Project: letter dated June 16, 2005 to the Hon. Dennis Fentie, Premier, from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition **(Filed Document #108)**
- Alaska Highway Aboriginal Pipeline Coalition: letter dated June 27, 2005 from Dennis Fentie, Premier, to Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition **(Filed Document #109)**

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Jenkins, Government House Leader, identified Motion #430, and Motion #484 as being the items to be called during Government Private Members' Business on Wednesday, November 2, 2005.

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #63 - Act to Amend the Family Violence Prevention Act  
-Hon. Mr. Edzerza

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

YEA			
Jenkins	Cathers	McRobb	
Taylor	Rouble	Cardiff	
Kenyon	Hassard	Peter	13
Edzerza	Hardy	Duncan	
Lang			
NAY			
			0

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #63 - Act to Amend the Family Violence Prevention Act  
-Hon. Mr. Edzerza

The report of the Chair was adopted.

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The Assembly adjourned at 5:59 p.m. until Wednesday, November 2, 2005.

**No. 155**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Wednesday, November 2, 2005

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

**TRIBUTES**

**Osteoporosis Month**

The Hon. Mr. Jenkins, Minister of Health and Social Services, recognized November as being Osteoporosis Month.

**TABLING RETURNS AND DOCUMENTS**

Hon. Ms. Taylor, Minister of Tourism and Culture

- Passport requirements (proposed), Canada/US border crossing: letter dated October 31, 2005 from Frank Murkowski, Governor, State of Alaska, Ralph Klein, Premier, Alberta, Gordon Campbell, Premier, British Columbia and Dennis Fentie, Premier, Yukon to Michael Chertoff, Secretary of Homeland Security, Washington, D.C., and Condoleezza Rice, Secretary of State, Washington, D.C. **(Filed Document #110)**

Mr. Hardy, Leader of the Official Opposition

- Seven Points Ethics Package: proposed by Ed Broadbent, MP Ottawa Centre **(Filed Document #111)**

**INTRODUCTION OF BILLS**

Bill #62 - Act to Amend the Jury Act  
-Hon. Mr. Edzerza

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Cathers, Member for Lake Laberge:

THAT this House urges the Government of Canada to engage with the Government of the United States of America to ensure that new measures for increasing border security do not interfere with Yukoners and Alaskans continuing our unique cross-border relationship which includes recreational travel, access to medical and dental facilities, and commerce including the purchase of a wide variety of services and goods ranging from recreational vehicles and sporting goods to clothing and food supplies.

**(Motion #430)**

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

THAT Motion #430 be amended by inserting, after the phrase "...and dental facilities", the phrase "cultural and family gatherings".

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

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

YEA			
Fentie	Cathers	Fairclough	
Jenkins	Rouble	Cardiff	
Taylor	Hardy	Peter	13
Kenyon	McRobb	Duncan	
Lang			
NAY			
			0

Moved by Mr. Cathers, Member for Lake Laberge:

THAT this House urges the federal Liberal Government to comply with the request of the Royal Canadian Legion, veterans associations and individual veterans and their families to end the current unjust situation whereby, as the result of a federal Order in Council passed in 1946, approximately 14,000 veterans are deprived of pension benefits and the recognition of having honourably served our country in time of war. **(Motion #484)**

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

THAT Motion #484 be amended by deleting the words after the word "THAT" and substituting the following:

"this House urges the Government of Canada to:

- (1) recognize that, due to a federal Order-in-Council passed in 1946, as many as 14,000 improperly discharged Canadian Veterans were deemed 'not to have served' in World War 2 and were therefore denied pension benefits; and
- (2) honour the request of the Royal Canadian Legion, veterans associations, and individual veterans and their families to review the original Order-in-Council and to ensure that all surviving veterans included in the Order are offered the opportunity to recover their status of 'honourably served' and become fully eligible for all benefits under the *Pensions Act*."

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

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

YEA			
Fentie	Lang	McRobb	
Jenkins	Cathers	Fairclough	
Taylor	Rouble	Cardiff	12
Kenyon	Hardy	Duncan	
NAY			
			0

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The Assembly adjourned at 5:19 p.m. until Thursday, November 3, 2005.

**No. 156**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Thursday, November 3, 2005

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

**TRIBUTES**

**Crohn's and Colitis Awareness Month**

The Hon. Mr. Jenkins, Minister of Health and Social Services, on behalf of all Members, recognized November as being Crohn's and Colitis Awareness Month.

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #64 - Act to Amend the Income Tax 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	Hart	Fairclough	
Jenkins	Cathers	Cardiff	
Taylor	Rouble	Peter	14
Kenyon	Hassard	Duncan	
Lang	McRobb		

NAY

0

Bill #64, entitled *Act to Amend the Income Tax 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 Bills were reported without amendment:

Bill #64 - Act to Amend the Income Tax Act

-Hon. Mr. Fentie

Bill #16 - Fourth Appropriation Act, 2004-05

-Hon. Mr. Jenkins

The report of the Chair was adopted.

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

A debate arising on the motion for Second Reading of Bill #17, and the time approaching 6:00 p.m., it was 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.

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The Assembly adjourned at 5:57 p.m. until Monday, November 7, 2005.

**No. 157**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Monday, November 7, 2005

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

**TRIBUTES**

**Early Childhood Educator Appreciation Day**

The Hon. Mr. Jenkins, Minister of Health and Social Services, on behalf of all Members, recognized November 5, 2005 as being Early Childhood Educator Day.

**Hockey Canada Week**

The Hon. Mr. Hart, Minister of Community Services, Ms. Duncan, Leader of the Third Party, and Mr. Hardy, Leader of the Official Opposition, recognized November 5 to 12, 2005 as Hockey Canada Week.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Fentie, Premier

- Order-in-Council 2005/155, First Nations (Yukon) Self-Government Act: amendments of the Self-Government Agreements for the Selkirk First Nation, Little Salmon/Carmacks First Nation, Vuntut Gwitchin First Nation, Champagne and Aishihik First Nations, Tr'ondëk Hwëch'in, Teslin Tlingit Council, and Ta'an Kwäch'än Council **(Sessional Paper #183)**

**PETITIONS**

Mr. Fairclough, Member for Mayo-Tatchun, presented the following Petition:

- First Aid Training for Yukon school employees **(Petition #10)**

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

- Bill #60 - Act to Amend the Public Service Group Insurance Benefit Act  
-Hon. Mr. Taylor

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	Hart	McRobb
Jenkins	Cathers	Fairclough
Taylor	Rouble	Cardiff
Kenyon	Hassard	Peter
Lang	Hardy	Duncan

NAY

0

Bill #60, entitled *Act to Amend the Public Service Group Insurance Benefit Act*, was accordingly, referred to Committee of the Whole.

The following Bill was called for Second Reading:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

A debate Arising on the motion for Second Reading of Bill #17 entitled Second Appropriation Act, 2005-06, and the time reaching 6:00 p.m., while Mrs. Peter, Member for Vuntut Gwitchin, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Tuesday, November 8, 2005, and debate on second reading was accordingly adjourned.

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The Assembly adjourned at 6:00 p.m. until Tuesday, November 8, 2005.

**No. 158**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Tuesday, November 8, 2005

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

**INTRODUCTION OF VISITORS – Mr. Paul Okalik, Premier of Nunavut**

The Hon. Mr. Fentie, Premier, introduced and welcomed Mr. Paul Okalik, Premier of Nunavut to the House.

**TABLING RETURNS AND DOCUMENTS**

Hon. Ms. Taylor, Acting Minister of Justice

- Substance Abuse Action Plan (Yukon), Working Together for Healthier Communities: Discussion Draft (dated October 2005) (Sessional Paper #184)

**PETITIONS**

**Response to Petition #7**

The Hon. Mr. Hart, Minister of Community Services, gave an oral response to Petition #7 (received by the House on May 17, 2005) with regard to a creation of a Territorial Park in Porter Creek.

**Report of the Clerk**

The Clerk reported on Petition #10 as follows:

"Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #10 of the First Session of the 31st Legislative Assembly, as presented by the Member for Mayo-Tatchun on November 7, 2005.

This petition was found to be comprised of three different documents. The first of these documents was that read to the House by the Member for Mayo-Tatchun. It meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly and will be retained in the working papers of the Legislative Assembly. The Executive Council response, made pursuant to Standing Order 67, should be to Petition #10 as it was read to the House by the Member for Mayo-Tatchun and as it appears in the working papers of the Assembly.

The other two documents provided with Petition #10 do not meet the requirements as to form of the Standing Orders and will be returned to the Member for Mayo-Tatchun.

Patrick L. Michael  
Clerk of the Yukon  
Legislative Assembly"

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

**SPEAKER'S RULING (Re Insulting Language and Relevance in Debate)**

Prior to Question Period the Speaker, gave the following ruling on Points of Order raised on November 7, 2005:

"During debate on Bill #60, Act to Amend the Public Service Group Insurance Benefit Plan Act, the Leader of the Third Party rose on a Point of Order. The honourable Member made two points and I will take them in the order in which the Member raised them.

The first point was that the Minister of Economic Development had violated Standing Order 19(i) when he said the Member for Mayo-Tatchun 'should get out more.' The Chair finds there is no Point of Order. While the Minister of Economic Development could have chosen better, less colloquial, words to express his difference of opinion with the Member for Mayo-Tatchun, the Chair does not feel that the choice of words, in the context used, violated Standing Order 19(i).

The second point made by the Leader of the Third Party is that the speech made by the Minister of Economic Development violated Standing Order 19(b)(i) in that the Minister did not address the Bill before the House.

The issue of relevance is one the Chair has been struggling with during this Sitting. The Chair has noticed that almost all speeches made during this Sitting have, to varying degrees, wandered from the issue before the House at any given time. So far the Chair has intervened only rarely in this regard as such comments have not, until yesterday, led to disorder and members seem to be interested in the comments of other Members even if they are procedurally irrelevant to the topic before the House.

Members may recall that last Thursday during debate on Bill #64, Act to Amend the Income Tax Act, the Chair intervened during comments by the Member for Mayo-Tatchun because the Chair was having difficulty connecting the Member's comments to the Bill. The Member for Mayo-Tatchun explained his wide-ranging approach to the debate by saying, 'if we really want to talk about this Act, there's not all that much to talk about.' Procedurally, it is not for the Chair to determine whether there is much, or little, to say about any piece of business that comes before the House. The Chair's only concern is that remarks that are made, be they long or short, are germane to the topic before the House.

The Chair takes the interventions by Members on yesterday's Point of Order as indicating that they wish the Chair to take a stricter approach to issues of relevance in the future. Therefore the Chair will be more vigilant in this regard.

The Member for Southern Lakes also raised a Point of Order yesterday. This was in response to a comment from the Member for Mayo-Tatchun, who said that the Government had, in his view, told 'the Yukon public something different from what's already on the books.' This could be seen as a violation of Standing Order 19(h), that the Member for Mayo-Tatchun had charged members of the Government caucus with uttering a deliberate falsehood. However, the Chair believes that this case is a dispute about facts. There is, therefore, no Point of Order.

We will now proceed to Question Period."

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #507, and Motion #494 as being the items to be called during Opposition Private Members' Business on Wednesday, November 9, 2005.

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #398, and Motion #498 as being the items to be called during Opposition Private Members' Business on Wednesday, November 9, 2005.

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #17 - Second Appropriation Act, 2005-06  
-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	Kenyon	Cathers	
Jenkins	Lang	Rouble	9
Taylor	Hart	Hassard	
NAY			
Hardy	Fairclough	Peter	6
McRobb	Cardiff	Duncan	

Bill #17, entitled *Second Appropriation Act, 2005-06*, was accordingly, referred to Committee of the Whole.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 6:02 p.m. until Wednesday, November 9, 2005.

**No. 159**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Wednesday, November 9, 2005

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

**TRIBUTES**

**Veteran's Week**

The Hon. Mr. Fentie, Premier, Mr. Hardy, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, paid tribute to Veterans in the Yukon and in Canada.

**Diabetes Awareness Month**

The Hon. Mr. Jenkins, Minister of Health and Social Services, recognized November as Diabetes Awareness Month.

**TABLING RETURNS AND DOCUMENTS**

Hon. Ms. Taylor, Minister of Tourism and Culture

- Yukon Geographical Place Names Board: 2003-2004 Annual Report  
(Sessional Paper #185)

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

- Yukon Workers' Compensation Health and Safety Board 2004 Annual Report  
(Sessional Paper #186)

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

**MOTIONS OTHER THAN GOVERNMENT MOTIONS**

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

THAT this House urges the Minister of Justice to direct his officials to develop a bill to create a Safer Communities and Neighbourhoods Act for the Yukon that would be closely similar in spirit and effect to the Act of the same name that has been in effect in the Province of Saskatchewan since November 15, 2004, and to do so as a matter of priority so that the proposed legislation is ready to be considered and passed during the next sitting of the Yukon Legislative Assembly. (Motion #507)

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

THAT Motion #507 be amended by deleting the words "to direct his officials to develop" after the words "Minister of Justice" and replace them with the following:

", the Minister of Education, the Minister of Health and Social Services, the Minister responsible for the Women's Directorate and the Minister responsible for the Youth Directorate to work with non-governmental organizations, First Nations, front-line workers, municipalities, stakeholders and the general public to move forward on the collaborative, coordinated approach to addressing the problem of substance abuse in the territory and making our communities safer, including specific steps to address harm reduction, prevention and education, treatment and enforcement as detailed in the Yukon Substance Abuse Action Plan such as the development of".

A debate arising on the amendment and the time reaching 6:00 p.m. while Mr. Cardiff, Member for Mount Lorne was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Thursday, November 10, 2005, and debate on the amendment and Motion #507 was accordingly adjourned.

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The Assembly adjourned at 6:00 p.m. until Thursday, November 10, 2005.

**No. 160**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Thursday, November 10, 2005

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

**REMEMBRANCE DAY OBSERVANCE - MOMENT OF SILENCE**

The Speaker and the House observed Remembrance Day as follows:

"Before the House goes on to the business of today, we will take a few moments to honour the memory of those who have served in Canada's Armed Forces.

Tomorrow, November 11, is Remembrance Day. On that day services will take place throughout Canada where Yukoners and other Canadians will pay tribute to the men and women who defended Canada during times of war and have brought peace to troubled parts of the world.

As Members are aware, the Minister of Veterans Affairs, has declared 2005 the Year of the Veteran. Throughout this year, Canadians will continue to celebrate, honour, remember and teach our youth about the contributions and sacrifice of our veterans.

Many significant events have been commemorated during this year. Among them were the 60th anniversary of the end of the Second World War and the Aboriginal Spiritual Journey to Europe, which was undertaken to educate Canada's youth, Canadians and Europeans about the proud tradition of service and sacrifice by Canada's First Nations, Inuit and Métis warriors.

As the Yukon Legislative Assembly will not sit tomorrow, it is appropriate for us to observe a moment of silence today. I would ask, therefore, that Members and all others present rise, bow their heads and reflect on the sacrifices of those who have served, and continue to serve, Canada."

**TRIBUTES**

**National Senior's Safety Week**

The Hon. Mr. Jenkins, Minister of Health and Social Services, recognized November 6 to 12, 2005 as National Seniors' Safety Week. This year's theme is "It's Easy to Make your home a Safer Place".

**TABLING RETURNS AND DOCUMENTS**

Mr. McRobb, Member for Kluane

- Blood Ties Four Directions Centre request for funding: letter (dated October 6, 2005) to the Hon. Peter Jenkins, Minister of Health and Social Services from Patricia Bacon, Executive Director **(Filed Document #112)**
- Oil and Gas Disposition Process in Yukon, Administrative Review: letter (dated October 26, 2005) to Mr. Lewis Rifkind, Energy Coordinator, Yukon Conservation Society from Debra Wortley, Rights Disposition Manager, Oil and Gas Management Branch, Energy, Mines and Resources, Government of Yukon **(Filed Document #113)**

Hon. Mr. Fentie, Premier

- House of Representative (US), list: information from Joe Linklater, Chief, Vuntut Gwtichin First Nation, pertaining to letter (dated November 9, 2005) sent from Premier Dennis Fentie to US Legislators **(Filed Document #114)**

**PETITIONS (Response to Petition #9)**

The Hon. Mr. Fentie, Premier, gave an oral response to Petition #9 (received by the House on October 31, 2005) with regard to ratification of the *Umbrella Final Agreement*.

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #61 - Co-operation in Governance 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	Hardy	
Taylor	Cathers	McRobb	
Kenyon	Rouble	Peter	12
Edzerza	Hassard	Duncan	
NAY			
			0

Bill #61, entitled *Co-operation in Governance Act*, was accordingly, referred to Committee of the Whole.

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The Assembly adjourned at 6:00 p.m. until Monday, November 14, 2005.



**No. 161**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Monday, November 14, 2005

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

**SPEAKER'S STATEMENT (Re: Changes to Order Paper - removal of Motion)**

Prior to proceeding with the Daily Routine, the Speaker informed the House of a change made to the Order Paper. Motion #487, standing in the name of the Leader of the Official Opposition had been removed from the Order Paper as it was outdated.

**TRIBUTES**

**In remembrance of Annie Henry**

The Hon. Mr. Jenkins, Minister of Health and Social Services, and Mrs. Peter, Member for Vuntut Gwitchin, paid tribute to well-respected and beloved elder, Annie Henry, who passed away on October 24, 2005 at the age of 101 years.

**National Restorative Justice Week**

The Hon. Mr. Edzerza, Minister of Justice, and Mr. Cardiff, Member for Mount Lorne, recognized November 13 to 20, 2005 as National Restorative Justice Week. This year's theme is "Wisdom gained through experience."

**UNANIMOUS CONSENT REQUESTED TO PROCEED WITH MOTION #525**

The Hon. Mr. Jenkins, Government House Leader, requested and received, unanimous consent to call Motion #525 for debate.

**GOVERNMENT MOTIONS**

Moved by the Hon. Mr. Jenkins, Minister of Health and Social Services:

THAT this House urges the Minister of Justice, the Minister of Education, the Minister of Health and Social Services, the Minister responsible for the Women's Directorate and the Minister responsible for the Youth Directorate to work with non-governmental organizations, First Nations, front-line workers, municipalities, stakeholders and the general public to move forward on the collaborative, coordinated approach to addressing the problem of substance abuse in the territory and making our communities safer, including specific steps to address harm reduction, prevention and education, treatment and enforcement as detailed in the Yukon Substance Abuse Action Plan to develop a bill to create a Safer Communities and Neighbourhoods Act for the Yukon that would be closely similar in spirit and effect to the Act of the same name that has

been in effect in the Province of Saskatchewan since November 15, 2004, and to do so as a matter of priority so that the proposed legislation is ready to be considered and passed during the next sitting of the Yukon Legislative Assembly. **(Motion #525)**

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	Cathers	Fairclough
Taylor	Rouble	Cardiff
Kenyon	Hassard	Peter
Edzerza	Hardy	

NAY

14

0

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #61 - Co-operation in Governance Act  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:57 p.m. until Tuesday, November 15, 2005.

**No. 162**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Tuesday, November 15, 2005

---

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

**SPEAKER'S STATEMENT (Re: Changes to Order Paper - removal of Motions)**

Prior to proceeding with the Daily Routine, the Speaker informed the House of a change made to the Order Paper. Motion #507, standing in the name of the Leader of the Official Opposition and Motion #516 standing in the name of the Minister of Tourism and Culture had been removed from the Order Paper as they were similar in content to Motion #525, which had passed the House on November 14, 2005.

**TRIBUTES**

**National Addictions Awareness Week**

The Hon. Mr. Jenkins, Minister of Health and Social Services, and Mr. McRobb, Member for Kluane, recognized National Addictions Awareness Week as being November 20 to 26, 2005.

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Jenkins, Government House Leader, identified Motion #421, Motion #497, and Motion #524 as being the items to be called during Government Private Members' Business on Wednesday, November 16, 2005.

**GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #57 - Act to Amend the Small Claims Court Act  
-Hon. Mr. Edzerza

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	McRobb	
Jenkins	Cathers	Cardiff	
Taylor	Rouble	Peter	14
Kenyon	Hassard	Duncan	
Edzerza	Hardy		

NAY

0

Bill #57, entitled *Act to Amend the Small Claims Court Act*, was accordingly, referred to Committee of the Whole.

The following Bill was called for Second Reading:

Bill #58 - Act to Amend the Supreme Court Act  
-Hon. Mr. Edzerza

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	McRobb	
Jenkins	Cathers	Cardiff	
Taylor	Rouble	Peter	14
Kenyon	Hassard	Duncan	
Edzerza	Hardy		

NAY

0

Bill #58, entitled *Act to Amend the Supreme Court Act*, was accordingly, referred to Committee of the Whole.

The following Bill was called for Second Reading:

Bill #62 - Act to Amend the Jury Act  
-Hon. Mr. Edzerza

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	Hardy	
Jenkins	Cathers	Cardiff	
Taylor	Rouble	Peter	13
Kenyon	Hassard	Duncan	
Edzerza			

NAY

0

Bill #62, entitled *Act to Amend the Jury Act*, was accordingly, referred to Committee of the Whole.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #63 - Act to Amend the Family Violence Prevention Act  
-Hon. Mr. Edzerza

The report of the Chair was adopted.

---

The Assembly adjourned at 6:00 p.m. until Wednesday, November 16, 2005.

**No. 163**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Wednesday, November 16, 2005

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

**TRIBUTES**

**Geographic Information System Day**

The Hon. Mr. Hart, Minister of Highways and Public Works, on behalf of all Members, paid tribute to Geographic Information System Day.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Hart, Minister of Community Services

- Area Development Act: Order-in-Council 2005/160 re Ibex Valley Development Area Regulations and maps (dated September 7, 2005)

**(Sessional Paper #187)**

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

**MOTIONS OTHER THAN GOVERNMENT MOTIONS**

Moved by Mr. Hassard:

THAT this House urges the federal Liberal Government, in consultation with the Yukon and First Nation Governments, to assist Yukoners to achieve and maintain healthier lifestyles by educating them about and supporting those with diabetes through ongoing lifestyle and wellness information and educational campaigns. **(Motion #421)**

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

THAT Motion #421, be amended by deleting the phrase "in consultation with the Yukon and First Nation Governments" and substituting of it the phrase "and the Government of Yukon, in consultation with First Nation Governments".

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

Debate continued on Motion #421 and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Lang	Rouble	
Jenkins	Hart	Hassard	8
Edzerza	Cathers		

NAY

Hardy	Fairclough	Peter	6
McRobb	Cardiff	Duncan	

Moved by Mr. Cathers, Member for Lake Laberge:

THAT this House urges the federal Liberal Government to renew its funding commitment to the Fetal Alcohol Spectrum Society Yukon which the Liberal Government is currently planning to cancel effective March 31, 2006. **(Motion #497)**

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

THAT Motion #497 be amended by deleting all words after the phrase "THAT this House urges" and substituting for the words following:

"the Government of Yukon to provide bridge funding necessary to the Fetal Alcohol Spectrum Society Yukon, while continuing to urge the federal Liberal Government to renew its funding commitment to the Society which it is currently planning to cancel effective March 31, 2006."

A debate arising on the amendment and the time reaching 6:00 p.m., while the Hon. Mr. Lang, Minister of Energy, Mines and Resources, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Thursday, November 17, 2005, and debate on the amendment and Motion #497 was accordingly adjourned.

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The Assembly adjourned at 6:00 p.m. until Thursday, November 17, 2005.

**No. 164**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Thursday, November 17, 2005

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

**TRIBUTES**

**National Child Day**

The Hon. Mr. Jenkins, Minister of Health and Social Services, on behalf of all Members, recognized November 20, 2005, as National Child Day.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Hart, Minister of Community Services

- Area Development Act: Order-in-Council 2005/175 re Mayo Road Development Area Regulations and maps (dated October 3, 2005)

**(Sessional Paper #188)**

**MINISTERIAL STATEMENT**

Hon. Mr. Hart, Minister of Community Services

- Fair Wage Schedule

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 6:00 p.m. until Monday, November 21, 2005.



**No. 165**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Monday, November 21, 2005

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

**SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motions)**

Prior to proceeding with the Daily Routine, the Speaker informed the House that Motion #510 standing in the name of the Member for Vuntut Gwitchin had been removed from the Order Paper as it was outdated.

**TRIBUTES**

**In Remembrance of Doug Craig**

Ms. Duncan, Leader of the Third Party, Mr. McRobb, Member for Kluane and the Hon. Mr. Kenyon, Minister of Economic Development, paid tribute Doug Craig, who passed away on October 25, 2005. Dr. Craig, a respected teacher, was well known internationally for pioneering the development of wind generation in Yukon.

**33<sup>rd</sup> Annual Yukon Geoscience Forum**

The Hon. Mr. Lang, Minister of Energy, Mines and Resources, recognized the 33<sup>rd</sup> Yukon Annual Geoscience Forum taking place in Whitehorse from November 21 to November 23, 2005.

**PETITIONS (Response to Petition #10)**

The Hon. Mr. Edzerza, Minister of Education, gave an oral response to Petition #10 (received by the House on November 8, 2005) with regard to first aid training for school employees charged with the care and supervision of students.

**COMMITTEE OF THE WHOLE**

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

The following Bills were reported without amendment:

Bill #57 - Act to Amend the Small Claims Court Act  
-Hon. Mr. Edzerza

Bill #58 - Act to Amend the Supreme Court Act  
-Hon. Mr. Edzerza

Bill #62 - Act to Amend the Jury Act  
-Hon. Mr. Edzerza

Bill #63 - Act to Amend the Family Violence Prevention Act  
-Hon. Mr. Edzerza

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 6:01 p.m. until Tuesday, November 22, 2005.

**No. 166**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Tuesday, November 22, 2005

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

**TRIBUTES**

**Robert E. Leckie Awards**

The Hon. Mr. Lang, Minister of Energy, Mines and Resources, recognized the Christie family of Gimlex Enterprises as the recipient of the Robert E. Leckie award. Honourable mention was made to Ross Edenost. Tim Termuende was recognized as the recipient of the Quartz Award and honourable mention went to Strategic Metals.

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Ms. Duncan, Leader of the Third Party, identified Motion #398, and Motion #503 as being the items to be called during Opposition Private Members' Business on Wednesday, November 23, 2005.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #494 as being the item to be called during Opposition Private Members' Business on Wednesday, November 23, 2005.

**COMMITTEE OF THE WHOLE**

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

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

THAT Craig Tuton, Chair of the Yukon Workers' Compensation Health and Safety Board and Valerie Royle, President 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, November 24, 2005 to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

**(C/W Motion #7)**

The following Bill was reported without amendment:

Bill #60 - Act to Amend the Public Service Group Insurance Benefit Plan Act  
-Hon. Mr. Taylor

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:57 p.m. until Wednesday, November 23, 2005.

**No. 167**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Wednesday, November 23, 2005

---

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

**TRIBUTES**

**In remembrance of George Darbyshire**

Mr. Hardy, Leader of the Official Opposition, on behalf of all Members, paid tribute to long-time Yukoner, George Darbyshire, who passed away on October 26, 2005.

**National Addictions Awareness Week**

The Hon. Mr. Jenkins, Minister of Health and Social Services, on behalf of all Members, recognized November 20 to 26, 2005, as being National Addictions Awareness Week.

**TABLING RETURNS AND DOCUMENTS**

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

- Motor Transport Board 2004/05 Annual Report (dated May 2005)

**(Sessional Paper #189)**

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

**MOTIONS OTHER THAN GOVERNMENT MOTIONS**

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

THAT this House urges the Government of Yukon to examine legislation that requires the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons. **(Motion #398)**

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

YEA

Jenkins	Cathers	McRobb	
Taylor	Rouble	Cardiff	
Kenyon	Hassard	Peter	13
Lang	Hardy	Duncan	
Hart			

NAY

0

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

THAT this House urges the Government of Yukon to move forward with plans to build a new elementary school in the Granger/Copper Ridge area of Whitehorse, on land already set aside on Falcon Drive. **(Motion #503)**

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

THAT Motion #503 be amended by adding after the phrase "Falcon Drive" the following:

" , after appropriate needs, assessments and public consultation have been concluded, and any statutory obligations on the Government of Yukon have been met."

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

YEA			
Hardy	Cardiff	Peter	4
Fairclough	Rouble		

NAY			
Jenkins	Hart	Hassard	
Taylor	Cathers	Duncan	8
Kenyon			

Debate continued on the motion and the question being put, it was agreed to on the following recorded Division:

YEA			
Jenkins	Cathers	Hardy	
Taylor	Rouble	Cardiff	9
Hart	Hassard	Duncan	

NAY			
0			

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The Assembly adjourned at 6:03 p.m. until Thursday, November 24, 2005.

**No. 168**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Thursday, November 24, 2005

---

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

**TRIBUTES**

**White Ribbon Day**

The Hon. Mr. Jenkins, Minister of Health and Social Services, and Mr. Cardiff, Member for Mount Lorne, on behalf of the Official Opposition and the Third Party, recognized November 25, 2005, as being White Ribbon Day also known as the International Day for the Elimination of Violence Against Women.

**National AIDS Awareness Week**

The Hon. Mr. Jenkins, Minister of Health and Social Services, recognized November 21 to December 1 as National AIDS Awareness Week.

**Appointment of Geraldine Van Bibber as Yukon's Commissioner**

The Hon. Mr. Staffen, Speaker, on behalf of all Members, congratulated Geraldine Van Bibber on her appointment as Yukon's Commissioner.

**TABLING RETURNS AND DOCUMENTS**

Mr. Hardy, Leader of the Official Opposition

- Reindeer, Laboratory reports re: **(Filed Document #115)**
- Wildlife Diagnostic Report **(Filed Document #116)**

**COMMITTEE OF THE WHOLE**

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

Pursuant to Committee of the Whole Motion #7 passed on November 22, 2005, Craig Tuton, Chair and Valerie Royle, President and Chief Executive Officer of the Yukon Workers' Compensation Health and Safety Board, appeared as witnesses before Committee of the Whole from 4:00 p.m. to 5:54 p.m..

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.



The Assembly adjourned at 5:56 p.m. until Monday, November 28, 2005.



**No. 169**

**VOTES AND PROCEEDINGS**  
**of the**  
**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Monday, November 28, 2005

---

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

**Return to writ certifies election of Arthur Mitchell in Copperbelt**

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

"November 28, 2005

Hon. Ted Staffen  
Speaker of the Legislative Assembly  
Yukon Legislative Assembly  
Whitehorse, Yukon

Dear Sir:

The resignation of September 9, 2005, of Haakon Arntzen, the Member for the Electoral District of Copperbelt, caused a vacancy in the Yukon Legislative Assembly.

A writ of election to fill this vacancy was issued on October 21, 2005, with polling day being November 21, 2005.

I hereby advise that the returning officer for the Electoral District of Copperbelt has certified in the Return to the Writ that Arthur Mitchell has been elected as the member to represent that electoral district in the Legislative Assembly.

Yours sincerely,  
Patrick L. Michael  
Chief Electoral Officer"

**Member for Copperbelt takes seat**

Mr. Arthur Mitchell, having taken the Oath of Allegiance and the Oath of Office earlier this day, was introduced and escorted to his seat by Ms. Duncan, Member for Porter Creek South.

### TRIBUTES

#### **In remembrance of Thomas Faulkner Duncan**

The Hon. Ms. Taylor, Minister responsible for the Public Service, Mr. Hardy, Leader of the Official Opposition, and Ms. Duncan, Member for Porter Creek South, paid tribute to long, time Yukoner, and respected public servant, Thomas Faulkner Duncan who passed away on September 23, 2005.

### TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Election of Arthur Mitchell as Member for Copperbelt, letter dated November 28, 2005 from the Chief Electoral Officer to the Speaker  
**(Sessional Paper #190)**

Hon. Mr. Kenyon, Minister of Environment

- Reindeer, Herd Statement (dated May 19, 2005) from Dr. Rick Brown, Alpine Veterinary Medical Centre Ltd. to the Department of Environment, Government of Yukon and other related documents **(Filed Document #117)**

### POINT OF PERSONAL PRIVILEGE

Prior to proceeding with Committee of the Whole, Mr. Jenkins, Member for Klondike, rose on a Point of Personal Privilege to advise the House of his resignation as a Cabinet Minister and as a member of the Yukon Party Caucus.

### COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 6:00 p.m. until Tuesday, November 29, 2005.

**No. 170**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Tuesday, November 29, 2005

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

**SPEAKER'S STATEMENT (Re: Changes to the Order Paper)**

Prior to proceeding with the Daily Routine, the Speaker informed the House that Government Motion Nos. 29, 414 and 502, standing in the Name of the Member for Klondike were removed from the Order Paper as the Member is no longer a Minister.

**TRIBUTES**

**Disability Awareness Week**

The Hon. Mr. Kenyon, acting Minister of Health and Social Services, and Mr. Mitchell, Leader of the Third Party, recognized November 27 to December 3, 2005 as Disability Awareness Week in Yukon.

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #541, and Motion #524 as being the items to be called during Government Private Members' Business on Wednesday, November 30, 2005.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 6:00 p.m. until Wednesday, November 30, 2005.

**No. 171**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Wednesday, November 30, 2005

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

**UNANIMOUS CONSENT TO RETURN TO TABLING RETURNS AND DOCUMENTS**

Mr. Hardy, Leader of the Official Opposition asked for and was granted unanimous consent to return to Tabling Returns and Documents.

**Tabling Returns and Documents**

Mr. Hardy, Leader of the Official Opposition

- Alford v Government of Yukon, et al: materials re

**(Filed Document #118)**

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

**MOTIONS OTHER THAN GOVERNMENT MOTIONS**

Moved by Mr. Rouble, Member for Southern Lakes:

THAT this House urges the Government of Canada to ensure that Yukon First Nations receive their fair share of any national funding program that is established to address the dire housing needs of First Nations in Canada and the Government of Yukon to work with Yukon First Nations in identifying current deficiencies in their housing stock.

**(Motion #541)**

A debate arising on the motion, it was moved by Mr. Cardiff, Member for Mount Lorne, in amendment thereto:

THAT Motion #541 be amended by adding after the phrase" to work with Yukon First Nations", the phrase "and all Yukon communities"

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

THAT the amendment moved by the Member for mount Lorne to Motion #541 be amended by adding after the words "Yukon communities" the phrase "while remaining within the terms of the \$5-billion program for aboriginal housing announced at the First Ministers Conference in Kelowna."

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

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

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

THAT Motion #541 as amended, be amended by deleting the words "for aboriginal housing" and replacing them with "to improve the lives of aboriginal Canadians".

A debate arising on the amendment to Motion #541 as amended, it was moved by the Hon. Ms. Taylor, Minister of Tourism:

THAT debate be now adjourned.

The question being put to adjourn debate, it was agreed to and debate on Motion #541 as amended and the amendment was adjourned.

Moved by Mr. Cathers, Member for Lake Laberge:

THAT this House urges the federal Liberal Government to eliminate the firearms registry for long guns and redirect the money currently spent on this registry towards measures that effectively address the issue of violent criminal misuse of firearms while respecting the rights of responsible firearms owners. **(Motion #524)**

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

YEA			
Taylor	Hart	Hassard	
Kenyon	Cathers	Mitchell	9
Edzerza	Rouble	Duncan	

NAY			
			0

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The Assembly adjourned at 6:04 p.m. until Thursday, December 1, 2005.

**No. 172**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Thursday, December 1, 2005

---

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

**SPEAKER'S STATEMENT (Changes to Order Paper - Written Questions removed)**

The Speaker informed the House that Written Question Nos. 3 and 5 have been removed from the Order Paper as they were addressed to the Member for Klondike, who is no longer a Minister.

**TRIBUTES**

**Yukon Foundation's 25<sup>th</sup> Anniversary**

The Hon. Mr. Fentie paid tribute to the Yukon Foundation on their 25<sup>th</sup> Anniversary.

**World AIDS Day**

Mr. Cardiff, Member for Mount Lorne, on behalf of all Members, recognized December 1, 2005 as World AIDS Day.

**National Safe Driving Week**

The Hon. Mr. Hart, Minister of Highways and Public Works, on behalf of all Members, recognized December 1 to 7, 2005 as National Safe Driving Week.

**TABLING RETURNS AND DOCUMENTS**

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

- Queen's Printer Agency 2004/2005 Annual Report **(Sessional Paper #191)**

**PETITIONS**

Mr. Cathers, Acting Government House Leader on behalf of the Official Opposition House Leader and the House Leader of the Third Party:

- Electoral Reform **(Petition #11)**

**INTRODUCTION OF BILLS**

Bill #65 - Act to Amend the Income Tax Act No. 2 (2005)

-Hon Mr. Fentie

**POINT OF INFORMATION**

Mr. Jenkins, Member for Klondike, rose on a Point of Order, to indicate that he would commit to pairing with the Premier while the Premier was attending a Leaders Summit in Montreal.

**UNANIMOUS CONSENT**

Mr. Cathers, Acting Government House Leader, requested and received unanimous consent from the House to proceed with Second Reading of Bill #65, entitled *Act to Amend the Income Tax Act No. 2 (2005)*.

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #65 - Act to Amend the Income Tax Act No. 2 (2005)  
-Hon Mr. Fentie

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

YEA			
Fentie	Hart	Cardiff	
Taylor	Rouble	Peter	
Kenyon	Hassard	Mitchell	15
Edzerza	Hardy	Duncan	
Lang	Fairclough	Jenkins	
NAY			
			0

Bill #65, entitled *Act to Amend the Income Tax Act No. 2 (2005)*, was accordingly referred to Committee of the Whole.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:57 p.m. until Monday, December 5, 2005.

**No. 173**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Monday, December 5, 2005

---

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

**TRIBUTES**

**International Volunteer Day**

The Hon. Mr. Hart, Minister of Community Services, and Mr. Cardiff, Member for Mount Lorne, recognized December 5, 2005 as International Volunteer Day.

**TABLING RETURNS AND DOCUMENTS**

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

- Highway Equipment Rental Contracts Evaluation Report, Department of Highways and Public Works (dated December 1, 2005) **(Sessional Paper #192)**
- Fleet Vehicle Agency 2004/2005 Annual Report **(Sessional Paper #193)**

**PETITIONS**

**Report of the Clerk**

The Clerk reported on Petition #11 as follows:

"Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #11 of the First Session of the 31st Legislative Assembly, as presented by the Acting Government House Leader on December 1, 2005.

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 #11 was deemed to have been read and received.

**Presentation**

Mr. McRobb, Member for Kluane, presented the following petition:

- Seniors facility for the Kluane region **(Petition #12)**

**COMMITTEE OF THE WHOLE**



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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:56 p.m. until Tuesday, December 6, 2005.

**No. 174**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Tuesday, December 6, 2005

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

**TRIBUTES**

**National Day of Remembrance and Action on Violence Against Women**

The Hon. Ms. Taylor, Minister responsible for the Womens' Directorate, Mr. Hardy, Leader of the Official Opposition, and Mr. Mitchell, Leader of the Third Party, recognized December 6, 2005 as the National Day of Remembrance and Action on Violence Against Women.

**Arctic and Aboriginal Day and United Nations Climate Change Convention**

The Hon. Mr. Kenyon, Minister of the Environment, on behalf of all Members, recognized December 5, 2005 as Arctic and Aboriginal Day and to recognize a Yukon delegation attending the United Nations Climate Change Convention.

**TABLING RETURNS AND DOCUMENTS**

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

- Yukon Energy Corporation 2004 Annual Report **(Sessional Paper #194)**
- Yukon Development Corporation, Energy Solutions Centre 2004 Annual Report **(Sessional Paper #195)**

Mr. Cathers, Member for Lake Laberge

- Energy Rebate Program, letter (dated December 6, 2005) re request for exclusion from Brad Cathers, MLA, Lake Laberge, to Bruce McLennan, DM Finance, Government of Yukon **(Filed Document #119)**

**PETITIONS**

**Report of the Clerk**

The Clerk reported on Petition #12 as follows:

"Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #12 of the First Session of the 31st Legislative Assembly, as presented by the Member for Kluane on December 5, 2005.

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 #12 was deemed to have been read and received.

**SPEAKER'S STATEMENT (Re: Presentation of Petition #12)**

Prior to proceeding with Orders of the Day, the Speaker made the following statement with regard to Petitions.

"The Chair has noticed there is getting to be a propensity to talk more about the basis of the Petition.

In presenting the Petition the Member for Kluane indicated the number of signatories to the Petition and also read the text of the Petition to the Assembly. That was in order. However, the Member for Kluane then delivered a speech on the merits of the Petition and other related political issues. That was not in order.

Standing Order 65(3) says, 'Every Member offering a Petition to the Assembly shall confine himself or herself to the statement of the parties from whom it comes, the number of signatures attached to it and the material allegations it contains. No Member shall speak more than five minutes in so doing, unless by permission of the Assembly upon question put.' Further, Standing Order 65(4) says, 'On presentation of a Petition, no debate on it shall be allowed.'

It is because no debate is allowed at the presentation of a Petition that the Member presenting the Petition is restricted in the kinds of remarks he or she may give. The five-minute time limit is designed to protect the time of the Assembly in the event of an overly long Petition. The time limit is not designed to allow Members to make remarks to which other members may not respond. Should a Member wish to debate the merits of a Petition, he or she should do so by giving notice of a substantive motion to that effect.

Members will recall that the Chair gave a similar ruling on October 21, 2004, regarding a Petition presented by the Member for Mount Lorne on May 18, 2004. At that time the Chair asked Members to 'limit themselves when presenting Petitions to the kinds of remarks allowed for in the Standing Orders.' The Chair would once again bring these Standing Orders and this ruling to the attention of Members."

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #511 as being the item to be called during Opposition Private Members' Business on Wednesday, December 7, 2005.

Pursuant to Standing Order 14.2(3), Mr. Mitchell, Leader of the Third Party, identified Motion #498 as being the item to be called during Opposition Private Members' Business on Wednesday, December 7, 2005.

**COMMITTEE OF THE WHOLE**

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

At 2:13 p.m., Mr. Cathers, Acting Government House Leader moved the following motion:

THAT David Morrison, Chief Executive Officer of the Yukon Development Corporation and President and Chief Executive Officer of the Yukon Energy

Corporation,, appear as a witness before Committee of the Whole from 4:00 p.m. to 6:00 p.m. on Thursday, December 8, 2005 to discuss matters relating to the Yukon Development Corporation and the Yukon Energy Corporation.

(C/W Motion #8)

Debate started on the motion.

**Unanimous Consent to withdraw Committee of the Whole Motion #8**

During debate on Committee of the Whole Motion #8, Mr. Cathers, Acting Government House Leader, requested and received Unanimous Consent to withdraw the motion.

**Unanimous Consent to Debate Bill #65**

Mr. Cathers, Acting Government House Leader, requested and received Unanimous Consent to debate Bill #65, entitled *Act to Amend the Income Tax Act, No. 2(2005)*.

The following Bill was reported without amendment:

Bill #65 - Act to Amend the Income Tax Act, No. 2 (2005)

-Hon. Ms. Taylor

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

The report of the Chair was adopted.

**UNANIMOUS CONSENT TO PROCEED WITH THIRD READING OF BILL #65**

Mr. Cathers, Acting Government House Leader, requested and received Unanimous Consent to proceed with Third Reading of Bill #65, entitled *Act to Amend the Income Tax Act, No. 2(2005)*.

**GOVERNMENT BILLS (Third Reading)**

The following Bill was read a third time and passed:

Bill #65 - Act to Amend the Income Tax Act, No. 2 (2005)

-Hon. Ms. Taylor

**ASSENT TO BILL**

The Assembly received Senior Justice Veale, Acting Administrator, to give Assent to a certain Bill passed by the House.

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

The Speaker, the Hon. Mr. Staffen, addressed the Acting Administrator:

"The Assembly has, at its present session, passed a certain Bill 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 title of the Bill which had been passed as follows:

Bill #65 - Act to Amend the Income Tax Act, No. 2 (2005)  
-Hon. Ms. Taylor

The Acting Administrator assented the Bill:

"I hereby Assent to the Bill as enumerated by the Clerk"

Further, the Acting Administrator made the following statement:

"Mr. Speaker, if you'll give me a short indulgence to speak to the Members present, this is a rather historic occasion. The three branches of government – the executive, the legislative, and the judicial – rarely meet together, even on formal occasions, and I thought I would make a comment on that. We normally speak to each other – the Legislature through legislation and statutes, and the courts through their interpretation of the legislation and statutes in our judgements.

Because of the recent amendments to the *Yukon Act*, this event may take place again, but it is the first time that it has taken place in the history of the Yukon. I thought it appropriate to be dressed for the occasion and, consequently, I wore the robes of my office that I wear in the Supreme Court.

It has been a pleasure to be here. If I don't see you again, best wishes for a Merry Christmas and holiday season."

The Acting Administrator then retired from the Chamber.

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The Assembly adjourned at 5:49 p.m. until Wednesday, December 7, 2005.

**No. 175**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

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Wednesday, December 7, 2005

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

**FILED DOCUMENT**

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

- Terms of Reference re: Grey Jilson and Willard Phelps contracts, memorandum (dated April 29, 2005) from Hon. Archie Lang, Minister of Energy, mines and Resources to Gary McRobb, MLA for Kluane **(Filed Document #120)**

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

Before the Speaker called Opposition Private Members' Business, Mr. McRobb, Opposition House Leader, rose to inform the House that the three parties agreed to waive motion debate for this day in favor of continuing with the debate on the supplementary budget. At this time Mr. McRobb requested and received unanimous consent not to proceed with Opposition Private Members' Business and to resolve into Committee of the Whole.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:58 p.m. until Thursday, December 8, 2005.

**No. 176**  
**VOTES AND PROCEEDINGS**  
**of the**  
**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Thursday, December 8, 2005

---

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

**TRIBUTES**

**In remembrance of Bill Ferguson**

The Hon. Mr. Edzerza, Minister of Education, and Mrs. Peter, Member for Vuntut Gwitchin, paid tribute to Bill Ferguson, a long time educator with the Department of Education, who passed away on .

**In recognition of Andrea Lemphers - recipient of the 2005 Animal Action Award from the International Fund for Animal Welfare**

Mr. Cathers, Member for Lake Laberge, Mr. Mitchell, Leader of the Third Party, and Mr. Hardy, Leader of the Official Opposition, paid tribute to Andrea Lemphers on being the recipient of the 2005 Animal Action Award from the International Fund for Animal Welfare.

**International Human Rights Day**

The Hon. Mr. Edzerza, Minister responsible for the Public Service Commission, Mr. Hardy, Leader of the Official Opposition, and Mr. Mitchell, Leader of the Third Party, recognized December 10, 2005 as International Human Rights Day.

**TABLING RETURNS AND DOCUMENTS**

Mr. Fairclough, Member for Mayo-Tatchun

- Takhini School, suggestion re: hot meal in school **(Filed Document #121)**
- Takhini School, suggestion re: use of portable laptops **(Filed Document #122)**

**COMMITTEE OF THE WHOLE**

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

At 2:24 p.m., Committee of the Whole passed the following motion: THAT, Willard Phelps, Chair of the Yukon Development Corporation Board of Directors, and Chair of the Yukon Energy Corporation Board of Directors, and David Morrison, Chief Executive Officer of the Yukon Development Corporation, and President and Chief Executive Officer of the Yukon Energy

Corporation, appear as witnesses before Committee of the Whole from 4:00 p.m. to 6:00 p.m. on Thursday, December 8, 2005 to discuss matters relating the Yukon Development Corporation and the Yukon Energy Corporation.

**(C/W Motion #9)**

Pursuant to Committee of the Whole Motion #9 passed at 2:24 p.m. this day, Willard Phelps, Chair of the Yukon Development Corporation Board of Directors, and Chair of the Yukon Energy Corporation Board of Directors, and David Morrison, Chief Executive Officer of the Yukon Development Corporation, and President and Chief Executive Officer of the Yukon Energy Corporation, appeared as witnesses before Committee of the Whole from 4:00 p.m. to 5:59 p.m.

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 6:00 p.m. until Monday, December 12, 2005.



**No. 177**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Monday, December 12, 2005

---

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

**SPEAKER'S STATEMENT (Re: Changes to the Order Paper - withdrawal of Motions)**

The Speaker informed the House that all Motions Other than Government Motions standing on the Order Paper in the name for the Member for Lake Laberge had been removed as the Member for Lake Laberge had been appointed to the Executive Council on this day. Also, Motion #566 which appears on today's Notice Paper, will be placed on the Order Paper under Government Motions as notice was given by the Member for Lake Laberge in the capacity of Government House Leader.

**TABLING RETURNS AND DOCUMENTS**

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

- Property Management Agency 2004/2005 Annual Report (Sessional Paper #196)
- Yukon Housing Corporation 2004/2005 Annual Report (Sessional Paper #197)

**INTRODUCTION OF BILLS**

Bill #110 - Yukon Smoke-Free Places Act  
-Mr. Jenkins

**UNANIMOUS CONSENT TO PROCEED WITH THE YUKON SMOKE-FREE PLACES ACT**

Mr. Jenkins, Member for Klondike rose on a Point of Order requesting unanimous consent of the House to all Yukon Smoke-Free Places Act for Second Reading. Unanimous consent was denied.

**COMMITTEE OF THE WHOLE**

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

The following Bill was reported without amendment:

Bill #61 - Co-operation in Governance Act  
-Hon. Ms. Taylor

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:57 p.m. until Tuesday, December 13, 2005.

**No. 178**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Tuesday, December 13, 2005

---

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

**TRIBUTES**

**In remembrance of Corporal Peter Greenlaw**

The Hon. Mr. Edzerza, Minister of Justice, Mr. Hardy, Leader of the Official Opposition, Mr. Mitchell, Leader of the Third Party, and Mr. Jenkins, Member for Klondike, paid tribute to Corporal Peter Greenlaw, an much respected RCMP member of the Yukon for twenty years, who passed away on September 20, 2005. Condolences were extended to Corporal Greenlaw's wife, Deborah, son Graydon, and daughter Sheena.

**TABLING RETURNS AND DOCUMENTS**

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

- Government Contracting Summary Report by Department (April 1, 2004 - March 31, 2005) **(Sessional Paper #198)**

Hon. Mr. Staffen, Speaker

- Yukon Human Rights Commission 2004/2005 Annual Report **(Sessional Paper #199)**

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, informed the House that the Government Private Members did not wish to identify any items to be called under the heading "Government Private Members' Business" on Wednesday, December 14, 2005.

**GOVERNMENT BILLS (Third Reading)**

The following Bill was called for Third Reading:

Bill #61 - Co-operation in Governance Act  
-Hon. Mr. Fentie

A debate arising on the motion for Third Reading of Bill #61 and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Hart	Cardiff	
Cathers	Rouble	Peter	
Taylor	Hassard	Mitchell	16
Kenyon	Hardy	Duncan	
Edzerza	McRobb	Jenkins	
Lang			

NAY

0

Bill #61, entitled *Co-operation in Governance Act*, accordingly passed the House.

The following Bill was called for Third Reading:

Bill #64 - Act to Amend the Income Tax Act  
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #64, it was agreed to on the following recorded Division:

YEA

Fentie	Hart	Cardiff	
Cathers	Rouble	Peter	
Taylor	Hassard	Mitchell	16
Kenyon	Hardy	Duncan	
Edzerza	McRobb	Jenkins	
Lang			

NAY

0

Bill #64, entitled *Act to Amend the Income Tax Act*, accordingly, passed the House.

The following Bill was called for Third Reading:

Bill #16 - Fourth Appropriation Act, 2004-05  
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #13, it was agreed to on the following recorded Division:

YEA

Fentie	Hart	Cardiff	
Cathers	Rouble	Peter	
Taylor	Hassard	Mitchell	16
Kenyon	Hardy	Duncan	
Edzerza	McRobb	Jenkins	
Lang			

NAY

0

Bill #16, entitled *Fourth Appropriation Act, 2004-05*, accordingly, passed the House.

The following Bill was called for Third Reading:

Bill #63 - Act to Amend the Family Violence Prevention Act  
-Hon. Mr. Edzerza

The question being put on the motion for Third Reading of Bill #13, it was agreed to on the following recorded Division:

YEA

Fentie	Lang	Cardiff	
Cathers	Hart	Peter	
Taylor	Rouble	Mitchell	15
Kenyon	Hassard	Duncan	
Edzerza	Hardy	Jenkins	

NAY

McRobb	1
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Bill #63, entitled *Act to amend the Family Violence Prevention Act*, accordingly, passed the House.

The following Bills were read a third time and passed:

Bill #57 - Act to Amend the Small Claims Court Act  
-Hon. Mr. Edzerza

Bill #58 - Act to Amend the Supreme Court Act  
-Hon. Mr. Edzerza

Bill #60 - Act to Amend the Public Service Group Insurance Benefit Plan Act  
-Hon. Ms. Taylor

Bill #62 - Act to Amend the Jury Act  
-Hon. Mr. Edzerza

### COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:57 p.m. until Wednesday, December 14, 2005.

**No. 179**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Wednesday, December 14, 2005

---

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

**TRIBUTES**

**In remembrance of Frances Vivian Hakonson**

Mr. Jenkins, Member for Klondike, on behalf of all Members, paid tribute to Frances Vivian Hakonson, a long time Dawsonite, who passed away on November 9, 2005. Condolences were extended to her family.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Hart, Minister of Community Services

- Dawson City, Town of the City of Dawson Yukon: correspondence regarding audit for year ended December 31, 2004 **(Filed Document #123)**

Hon. Ms. Taylor, Minister of Tourism and Culture

- Yukon Arts Centre 2004/2005 Annual Report **(Sessional Paper #200)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 6:00 p.m. until Thursday, December 15, 2005.

**No. 180**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Thursday, December 15, 2005

---

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

**SPEAKER'S STATEMENT (Re: Changes to Order Paper)**

The Speaker, the Hon. Mr. Staffen, informed the House that Motion #255, standing in the name of the Member for Southern Lakes, had been removed from the Order Paper as the action requested in the motion had been fulfilled. Also, Written Question #6, standing in the name of the Member for Mount Lorne, had been removed from the Order Paper as it was outdated.

**TABLING RETURNS AND DOCUMENTS**

Hon. Ms. Taylor, Minister of Tourism and Culture

- Yukon Advisory Council on Women's Issues 2004/2005 Annual Report  
(Sessional Paper #201)
- Yukon Heritage Resources Board 2004/2005 Annual Report  
(Sessional Paper #202)

Hon. Mr. Edzerza, Minister of Justice

- Corrections in Yukon and the Corrections Consultation Interim Report (dated November 25, 2005), Your Views . . . Your Voice (Sessional Paper #203)

Hon. Mr. Edzerza, Minister of Education

- Education, Department of: 2004/2005 Annual (Sessional Paper #204)

Mr. Jenkins, Member for Klondike

- Jenkins, Peter: letter (dated November 28, 2005) to Premier Fentie regarding resignation from Cabinet and as a member of the Yukon Party  
(Filed Document #124)

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

- Yukon Liquor Corporation 2004/2005 Annual Report (Sessional Paper #205)

**PETITIONS (Response to Petition #11)**

The Hon. Mr. Fentie, Premier, gave an oral response to Petition #11 (received by the House on December 5, 2005) with regard to electoral reform.

**Unanimous Consent to permit Opposition Party Leaders to respond to Petition #11**

Mr. McRobb, Official Opposition House Leader, requested unanimous consent of the House, to permit the Opposition Party Leaders, to respond to Petition #11. Unanimous consent was denied.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #17 - Second Appropriation Act, 2005-06

-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 6:00 p.m. until Monday, December 19, 2005.



**No. 181**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**31st Legislative Assembly**

**First Session**

---

Monday, December 19, 2005

---

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

**TRIBUTES**

**In recognition of Father Tim Coonen**

Mr. Jenkins, Member for Klondike, and Mr. Hardy, Leader of the Official Opposition, paid tribute Fr. Tim Coonen, a much-respected member of the Dawson City Community, who was leaving the Yukon. As a Catholic priest, Fr. Tim served in the communities of Teslin and Faro before serving in Dawson City.

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Staffen, Speaker

- Ombudsman and Information and Privacy Commissioner 2004 Annual Report  
(Sessional Paper #206)

**PETITIONS (Response to Petition #12)**

The Hon. Mr. Kenyon, Minister responsible for the Yukon Housing Corporation, gave an oral response to Petition #12 (received by the house on December 6, 2005) with regard to construction of a seniors facility for the Kluane region.

**UNANIMOUS CONSENT TO PROCEED WITH BILL #110**

Mr. Jenkins, Member for Klondike, rose on a Point of Order, requesting unanimous consent for the House to proceed with Second Reading, Committee of the Whole debate, Third Reading, and Assent to Bill #110, entitled Yukon Smoke-Free Places Act. Unanimous consent was denied.

**COMMITTEE OF THE WHOLE**

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

**Termination of Committee Proceedings as per Standing Order 76(1)**

The Chair made the following statement:

“Order please. The time has reached 5:00 p.m. on this the 30<sup>th</sup> day of the 2005 Spring Sitting. Standing Order 76(1) states: ‘On the day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant

to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

- (a) put the question on any amendment then before the Committee;
- (b) put the question, without debate or amendment, on a motion moved by a Minister that the Bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;
- (c) put the question on a motion moved by a Minister that the Bill be reported to the Assembly; and
- (d) when all Bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.

It is the duty of the Chair to now conduct the business of the Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the Government House Leader to indicate whether Bill #15, the only Bill now before the Committee of the Whole, should be called."

The Hon. Mr. Cathers, Government House Leader, identified Bill #15, entitled First Appropriation Act, 2005-06 to be called at this time.

The following Bill was reported without amendment:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

The report of the Chair was adopted.

### **SPEAKER'S STATEMENT**

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

"Standing Order 76(2) states: 'On the sitting day that the Assembly has reached the maximum number of sitting days allocated for the Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall:

- (d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,
  - (i) receive a motion for a Third Reading and passage of the Bill, and
  - (ii) put the question, without debate or amendment, on that motion.'

I shall, therefore, ask the Government House Leader to identify whether Bill #17, the only Bill now standing at Third Reading, should be called."

### **GOVERNMENT BILLS (Third Reading)**

The following Bill was read a third time and passed:

Bill #17 - Second Appropriation Act, 2005-06  
-Hon. Mr. Fentie

**ASSENT TO BILLS**

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

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

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

"Madam 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:

Co-operation in Governance Act

Act to Amend the Income Tax Act

Fourth Appropriation Act, 2004-05

Act to Amend the Family Violence Prevention Act

Act to Amend the Small Claims Court Act

Act to Amend the Supreme Court Act

Act to Amend the Public Service Group Insurance Benefit Plan Act

Act to Amend the Jury Act

Second Appropriation Act, 2005-06

The Commissioner assented the Bills:

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

**ADJOURNMENT OF THE HOUSE**

The Speaker, called the House to order and stated:

"As the House has reached the maximum number of days permitted for the Fall Sitting, as established pursuant to Standing Order 75(3), and the House had completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned."

---

The Assembly adjourned at 5:09 p.m.

## INDEX TO JOURNALS

**First Session**

**Thirty-first Legislature**

**October 27, 2005 – December 19, 2005**

### YUKON LEGISLATIVE ASSEMBLY

#### A

PAGE

**ADJOURNMENT OF THE SITTING**

Pursuant to Standing Order 75(3) ..... 419

**ACTING ADMINISTRATOR (Senior Justice Veale)**

Assent to Bill #65 ..... 405

**ASSENT TO BILLS**

Assent to Bill ..... 404, 419

#### B

#### Abbreviations

**1R** - First Reading of Bill

**C/W** - (Reported out of  
Committee of the Whole)

**P** - Passed

**2R** - Second Reading

**A** - Assent

**3R** - Third Reading

**BILLS**

(For Progress of Bills chart see Appendix A)

**Bills, Government**

Bill #	Title	1R	2R	C/W	3R&P	A
61	Co-operation in Governance Act	05-10-27	05-11-10	05-12-12	05-12-13	05-12-19
63	Family Violence Prevention Act, Act to Amend the	05-10-27	05-11-01	05-11-03	05-12-13	05-12-19
16	Fourth Appropriation Act, 2004-05	05-10-27	05-10-31	05-11-03	05-12-13	05-12-19
64	Income Tax Act, Act to Amend the	05-10-27	05-11-03	05-11-03	05-12-13	05-12-19

(continued)

Bill #	Title	1R	2R	C/W	3R&P	A
65	Income Tax Act, No. 2 (2005), Act to Amend the	05-12-01	05-12-01	05-12-06	05-12-06	05-12-06
62	Jury Act, Act to Amend the	05-11-02	05-11-15	05-11-21	05-12-13	05-12-19
60	Public Service Group Insurance Benefit Plan Act, Act to Amend the	05-10-27	05-11-07	05-11-22	05-12-13	05-12-19
17	Second Appropriation Act, 2005-06	05-10-27	05-11-08	05-12-19	05-12-19	05-12-19
57	Small Claims Court Act, Act to Amend the	05-10-27	05-11-15	05-11-21	05-12-13	05-12-19
58	Supreme Court Act, Act to Amend the	05-10-27	05-11-15	05-11-21	05-12-13	05-12-19

**Other Than Government**

Bill #	Title	1R	2R	C/W	3R&P	A
102	Employment Standards Act, An Act to Amend	03-11-06				
106	Financial Administration Act, Act to Amend the	04-10-27				
103	Heritage Hunting and Fishing Act	04-03-29				
108	Legislative Renewal Act	05-04-14				
104	Public Service Act, Act to Amend	04-03-30				
110	Yukon Smoke-Free Places Act	05-12-12				

**C**

**CHAIR, COMMITTEE OF THE WHOLE**

Statements

Re: Termination of Committee Proceedings as per S.O 76(1)..... 417

**CHANGES TO ORDER PAPER**

Motion #492 outdated and not placed on the Order Paper..... 358  
 Motion Nos. 507 and 516 - similar in content to Motion #525 which had passed ..... 379  
 Motion #510 outdated and removed from the Order Paper ..... 385  
 Motion #566 to be placed on the Order Paper under Government Motions ..... 409  
 Motions standing in the name for the Member for Lake Laberge removed  
 as he was appointed to Cabinet..... 409  
 Removing outdated Motion Nos. 234, 437, and 480..... 354  
 Removing Motion Nos. 11, 27, 33, 40, 51, 73, 79, 91, 106, 112, 116, 138,  
 157, 176, 198, 218, 254, 481, and 482 due to the resignation of the  
 Member for Copperbelt ..... 354  
 Removing Motion #255 as the action requested was fulfilled ..... 415  
 Removing outdated Motion #487 ..... 377  
 Removing Motion Nos. 29, 414, and 502 due to resignation of the Member  
 for Klondike from Cabinet..... 395  
 Withdrawal of Written Question Nos. 3 and 5 ..... 398  
 Withdrawal of Written Question #6 as it was outdated..... 415

**CLERK OF THE LEGISLATIVE ASSEMBLY (Patrick L. Michael)**

Reports on Petition #8.....	355-356
Reports on Petition #9.....	359
Reports on Petition #10.....	370-371
Reports on Petition #11.....	400
Reports on Petition #12.....	402-403
Reads titles of Bills to be Assented to.....	405, 419

**COMMISSIONER (Hon. Geraldine Van Bibber)**

Assent to Bill Nos. ....	419
--------------------------	-----

**D**

**DEBATE**

Adjourned:

Bill #17 (2 <sup>nd</sup> Reading) (Hardy) .....	367
Bill #17 (2 <sup>nd</sup> Reading) – pursuant to Standing Order 2(2) (Peter).....	369
Motion #497 and amendment - pursuant to Standing Order 2(2) (Lang) .....	383
Motion #507 and amendment - pursuant to Standing Order 2(2) (Cardiff) .....	374
Motion #541 as amended and amendment (Taylor) .....	397

**DIVISION**

Bill #16 (2 <sup>nd</sup> Reading) .....	360
Bill #16 (3 <sup>rd</sup> Reading) .....	412-413
Bill #17 (2 <sup>nd</sup> Reading).....	372
Bill #57 (2 <sup>nd</sup> Reading).....	379-380
Bill #58 (2 <sup>nd</sup> Reading).....	380
Bill #60 (2 <sup>nd</sup> Reading).....	368-369
Bill #61(2 <sup>nd</sup> Reading).....	376
Bill #61 (3 <sup>rd</sup> Reading) .....	411-412
Bill #62 (2 <sup>nd</sup> Reading).....	380
Bill #63 (2 <sup>nd</sup> Reading).....	362
Bill #63 (3 <sup>rd</sup> Reading) .....	413
Bill #64 (2 <sup>nd</sup> Reading).....	366
Bill #64 (3 <sup>rd</sup> Reading) .....	412
Bill #65 (2 <sup>nd</sup> Reading).....	399
Motion #398 .....	389-390
Motion #421 .....	382-383
Motion #430 .....	364
Motion #484 .....	364-365
Motion #503 amendment (negatived) .....	390
Motion #503 .....	390
Motion #524 .....	397
Motion #525 .....	377-378

F

**FILED DOCUMENTS**

Alaska Highway Aboriginal Pipeline Coalition: letter dated June 9, 2005 to the Hon. Dennis Fentie, Premier, from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition (05-1-98) (McRobb) ..... 355

Alaska Highway Aboriginal Pipeline Coalition: letter dated June 9, 2005 from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition to the Hon. Dennis Fentie, Premier (05-1-106) (McRobb) ..... 361

Alaska Highway Aboriginal Pipeline Coalition: letter dated June 14, 2005 from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition to the Hon. Frank Murkowski, Governor of Alaska, Mr. P. Daniel, President and CEO, Enbridge Inc., Mr. T. Hearn, President, Imperial Oil, Mr. B. Frank, President, BP Canada, Mr. H. Sykes, President, ConocoPhillips, and Mr. H. Kvisle, President and CEO, TransCanada Pipelines (05-1-107) (McRobb)..... 362

Alaska Highway Pipeline Project: letter dated June 16, 2005 to the Hon. Dennis Fentie, Premier, from Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition (05-1-108) (McRobb) ..... 362

Alaska Highway Aboriginal Pipeline Coalition: letter dated June 27, 2005 from Dennis Fentie, Premier, to Chief Mike Smith, Interim Chair, Alaska Highway Aboriginal Pipeline Coalition (05-1-109) (McRobb) ..... 362

Alaska Highway Pipeline Facilitation, Terms of Reference: letter dated August 16, 2005 from Dennis Fentie, Premier to Chief Mike Smith, Kwanlin Dun First Nation (05-1-102) (McRobb) ..... 358

Alaska Highway Pipeline Project: letters dated June 2, 2005 from Dennis Fentie, Premier to Mr. T. J. Hearn, President, Imperial Oil, Mr. Henry Sykes, President, ConocoPhillips, and Brian Frank, President, BP Canada (05-1-105) (McRobb) ..... 361

Alford v Government of Yukon, et al: materials re (05-1-118) (Hardy) ..... 396

Blood Ties Four Directions Centre request for funding: letter (dated October 6, 2005) to the Hon. Peter Jenkins, Minister of Health and Social Services from Patricia Bacon, Executive Director (05-1-112) (McRobb) ..... 376

Dawson City, Town of the City of Dawson Yukon: correspondence regarding audit for year ended December 31, 2004 (05-1-123) (Hart) ..... 414

Energy Rebate Program, letter (dated December 6, 2005) re request for exclusion from Brad Cathers, MLA, Lake Laberge, to Bruce McLennan, DM Finance, Government of Yukon (05-1-119) (Cathers)..... 402

Funding for Aboriginal Pipeline Coalition: letter dated October 4, 2005 to the Hon. Dennis Fentie, Premier, from Chief Mike Smith, Acting Chair, Alaska Highway Aboriginal Pipeline Coalition (05-1-99) (McRobb) ..... 355

House adjournment procedure: letter dated October 18, 2005, to the Hon. Peter Jenkins, Government House Leader, from Gary McRobb, Official Opposition House Leader (05-1-97) (McRobb)..... 355

House of Representative (US), list: information from Joe Linklater, Chief, Vuntut Gwtichin First Nation, pertaining to letter (dated November 9, 2005) sent from Premier Dennis Fentie to US Legislators (05-1-114) (Fentie) ..... 376

(continued)

**FILED DOCUMENTS (continued)**

Jenkins, Peter: letter (dated November 28, 2005) to Premier Fentie regarding resignation from Cabinet and as a member of the Yukon Party (05-1-124) (Jenkins) .....	415
Oil and Gas Commission, proposed: letter dated September 29, 2005 from Andy Carvill, Grand Chief, Council of Yukon First Nations to the Hon. Dennis Fentie, Premier (05-1-103) (McRobb) .....	358
Oil and Gas Disposition Process in Yukon, Administrative Review: letter (dated October 26, 2005) to Mr. Lewis Rifkind, Energy Coordinator, Yukon Conservation Society from Debra Wortley, Rights Disposition Manager, Oil and Gas Management Branch, Energy, Mines and Resources, Government of Yukon (05-1-113) (McRobb) .....	376
Passport requirements (proposed), Canada/US border crossing: letter dated October 31, 2005 from Frank Murkowski, Governor, State of Alaska, Ralph Klein, Premier, Alberta, Gordon Campbell, Premier, British Columbia and Dennis Fentie, Premier, Yukon to Michael Chertoff, Secretary of Homeland Security, Washington, D.D., and Condoleezza Rice, Secretary of State, Washington, D.C. (05-110) (Taylor) .....	363
Reindeer, Herd Statement (dated May 19, 2005) from Dr. Rick Brown, Alpine Veterinary Medical Centre Ltd. to the Department of Environment, Government of Yukon and other related documents (05-1-117) (Kenyon) .....	394
Reindeer, Laboratory reports re: (05-1-115) (Hardy) .....	391
Seven Points Ethics Package: proposed)by Ed Broadbent, MP Ottawa Centre (05-1-111) (Hardy) .....	363
Takhini School, suggestion re: hot meal in school (05-1-121) (Fairclough) .....	407
Takhini School, suggestion re: use of portable laptops (05-1-122) (Fairclough) .....	407
Terms of Reference, re: Greg Jilson and Willard Phelps contracts, memorandum (dated April 29, 2005) from Hon. Archie Lang, Minister of Energy, Mines and Resources to Gary McRobb, MLA for Kluane (05-1-120) (McRobb) .....	406
Whistleblower Protection legislation Select Committee: letter dated March 16, 2005, to the Hon. John Edzerza, Acting Minister responsible for the Public Service Commission from Todd Hardy, Leader of the Official Opposition (05-1-96) (Hardy) .....	355
Whistleblower Legislation, Select Committee on: letter dated September 12, 2005 from the Hon. Elaine Taylor, Minister responsible for the Public Service Commission to Todd Hardy, Leader of the Official Opposition (05-1-100) (Taylor) .....	358
Whistleblower Legislation, Select Committee on: letter dated September 12, 2005 from the Hon. Elaine Taylor, Minister responsible for the Public Service Commission to Pat Duncan, Leader of the Third Party (05-1-101) (Taylor) .....	358
Whistleblower Legislation, Select Committee on: letter dated October 24, 2005 from Ms. Duncan, MLA, Porter Creek South to the Hon. Elaine Taylor, Minister responsible for the Public Service Commission (05-1-104) (Duncan) .....	104
Wildlife Diagnostic Report (05-1-116) (Hardy) .....	391



I

**INTRODUCTIONS**

Pages .....	354
Member for Copperbelt (Mitchell).....	393
Premier Paul Okalik, Nunavut .....	370

L

**LEGISLATIVE ASSEMBLY**

**Sessional Summary**

Divisions - 12	
Filed Documents - 29	
Government Bills Introduced this sitting -10	Government Bills Passed - 10
Legislative Returns - 0	
Motions Debated, Government - 1	
Motions Passed, Government - 1	
Motions Debated, Other than Government - 9	
Motions Passed, Other than Government - 6	
Petitions - 4	
Sessional Papers -	
Sitting Days - 30	
Written Questions - 0	

M

**MINISTERIAL STATEMENTS**

**Hart**

Fair Wage Schedule.....	384
-------------------------	-----

**MOMENT OF SILENCE**

Remembrance Day Observations (November 10, 2005) .....	375
--	-----

**MONEY MESSAGE**

Accompanied Bill Nos. 16 & 17,.....	357
-------------------------------------	-----

**MOTIONS – COMMITTEE OF THE WHOLE**

	<b><u>Member</u></b>	<b><u>Page</u></b>	<b><u>Amendment</u></b>	<b><u>Disposition</u></b>
Chair and President of the Yukon Workers' Compensation Health and Safety Board to appear as witnesses from 4:00 p.m. to 6:00 p.m. on November 24, 2005 (#7)	Jenkins	387		Carried
Chief Executive Officer of the Yukon Development Corporation and President and Chief Executive Officer of the Yukon Energy Corporation to appear as witnesses from 4:00 p.m. to 6:00 p.m. on December 8, 2005 (#8)	Cathers	403-404		U.C. to withdraw

(continued)

**MOTIONS – COMMITTEE OF THE WHOLE**

	<b><u>Member</u></b>	<b><u>Page</u></b>	<b><u>Amendment</u></b>	<b><u>Disposition</u></b>
Chair of the Yukon Development Corporation Board of Directors and Chair of the Yukon Energy Corporation Board of Directors and the Chief Executive Officer of the Yukon Development Corporation and President and Chief Executive Officer of the Yukon Energy Corporation to appear as witnesses from 4:00 p.m. to 6:00 p.m. on December 8, 2005 (#9)	Cathers	407-408		Carried

**MOTIONS – GOVERNMENT**

	<b><u>Member</u></b>	<b><u>Page</u></b>	<b><u>Amendment</u></b>	<b><u>Disposition</u></b>
Co-operative approach to develop a bill to create a Safer Communities and Neighbourhoods Act (#535)	Jenkins	377-378		Carried

**MOTIONS – OTHER THAN GOVERNMENT**

	<b><u>Member</u></b>	<b><u>Page</u></b>	<b><u>Amendment</u></b>	<b><u>Disposition</u></b>
Building a new elementary school in the Granger/Copper Ridge area (#503)	Duncan	390	390 negated	Carried
Canada/US border security: new measures should not interfere with Yukon/Alaska travel (#430)	Cathers	363-364	364 Carried	Carried as amended
Diabetes education: urge federal government to assist Yukoners with wellness information and educational programs (#421)	Hassard	382	382 negated	Carried
Eliminate Firearms Registry: urge federal government to (#524)	Cathers	397		Carried
Examine legislation requiring the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons (#398)	Duncan	389		Carried
Fetal Alcohol Spectrum Society Yukon: federal government to renew funding commitment to (#497)	Cathers	383	383 Adjourned debate	Adjourned debate
Safer Communities and Neighbourhoods Act, creation of for next Legislative sitting (#507)	Hardy	373-374	364 Adjourned debate	Adjourned debate
Veteran Pension benefits (#484)	Cathers	364-365	364 Carried	Carried as amended
Yukon First Nations to receive fair share of national funding for housing needs (#541)	Rouble	396-397	#1 - 396 Sub-amendment – Carried 397 Amended amendment – Carried #2 – 397 Adjourned debate	Adjourned debate

**N**

**NEW MEMBER – COPPERBELT**

Takes his seat ..... 393

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7) ..... 362, 379, 395, 411

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3) ..... 372, 387, 403

**P**

**PAGES**

Introduction of ..... 354

**PETITIONS**

Electoral Reform (#11)  
Presented to the House on December 1, 2005 (Cathers) ..... 398  
Report of the Clerk ..... 400  
Speaker rules petition read and received ..... 400  
Oral response ..... 415

First Aid Training for Yukon school employees (#10)  
Presented to the House on November 7, 2005 (Fairclough) ..... 368  
Report of the Clerk ..... 370-371  
Speaker rules petition read and received ..... 371  
Oral response ..... 385

Fuel sales information (#8) Presented on May 17, 2005 (McRobb)  
Report of the Clerk ..... 355-356  
Speaker rules petition not received ..... 356

Territorial Park in Porter Creek: creation of (#7) Presented on May 16, 2005 (Duncan)  
Oral response ..... 370

Ratification of the Umbrellas Final Agreement (#9)  
Presented to the House on October 27, 2005 (Hardy) ..... 356  
Report of the Clerk ..... 359  
Speaker rules petition read and received ..... 359  
Oral response ..... 376

Seniors facility for the Kluane region (#12)  
Presented to the House on December 5, 2005 ..... 400  
Report of the Clerk ..... 402-403  
Speaker rules petition read and received ..... 403  
Oral response ..... 417

**POINT OF INFORMATION**

Mr. Jenkins (Member for Klondike): commit to pairing with the Premier ..... 399

**PRIVILEGE, POINT OF PERSONAL**

Mr. Jenkins (Member for Klondike): resignation as a Cabinet Minister and  
as a Member of the Yukon Party Caucus ..... 394

**S**

**SESSIONAL PAPERS**

Absence of Members from Sitzings of the Legislative Assembly and its Committees:  
Report of the Clerk of the Legislative Assembly (dated October 27, 2005)  
(05-1-179) (Speaker Staffen) .....355

Area Development Act: Order-in-Council 2005/160 re Ibex Valley Development  
Area Regulations and maps (dated September 7, 2005) (05-1-187) (Hart) ..... 382

Area Development Act: Order-in-Council 2005/175 re Mayo Road Development  
Area Regulation and maps (dated October 3, 2005) (05-1-188) (Hart) ..... 384

Conflict of Interest Commission Annual Report for the period ending  
March 31, 2005 (05-1-180) (Speaker Staffen)..... 355

Corrections in Yukon and the Corrections Consultation Interim Report  
(dated November 25, 2005), Your Views . . . Your Voice  
(05-1-203) (Edzerza) ..... 415

Education, Department of: 2004/2005 Annual Report (05-1-204) (Edzerza) ..... 415

Election of Arthur Mitchell as Member for Copperbelt, letter dated November 28,  
2005 from the Chief Electoral Officer to the Speaker (05-1-190) (Speaker Staffen) ..... 394

Fleet Vehicle Agency 2004/2005 Annual Report (05-1-193) (Hart) ..... 400

Government Contracting Summary Report by Department (April 1, 2004 –  
March 31, 2005) (05-1-198) (Hart) ..... 411

Highway Equipment Rental Contracts Evaluation Report, Department of Highways  
and Public Works (dated December 1, 2005) (05-1-192) (Hart) ..... 400

Motor Transport Board 2004/05 Annual Report (dated May 2005) (05-1-189) (Hart)..... 389

Ombudsman and Information and Privacy Commissioner 2004 Annual Report  
(05-1-206) (Speaker Staffen)..... 417

Order-in-Council 2005/155, First Nations (Yukon) Self-Government Act:  
amendments of the Self-Government Agreements for the Selkirk First Nation,  
Little Salmon/Carmacks First Nation, Vuntut Gwitchin First Nation, Champagne  
and Aishihik First Nations, Tr'ondëk Hwëch'in, Teslin Tlingit Council, and Ta'an  
Kwäch'än Council (05-1-183) (Fentie).....368

Property Management Agency 2004/2005 Annual Report (05-1-196) (Hart)..... 409

Public Accounts of the Government of Yukon for the year ended March 31, 2005  
(05-1-181) (Jenkins) .....358

Queen's Printer Agency 2004/2005 Annual Report (05-1-191) (Hart).....398

Regulations Report (Yukon); April 1, 2004 to March 31, 2005, Volume 1 and  
Volume 2 (05-1-182) (Edzerza).....361

Resignation notice (dated September 9, 2005) as MLA from Haakon Arntzen,  
Member for Copperbelt (05-1-176) (Speaker Staffen) .....355

Substance Abuse Action Plan (Yukon), Working Together for Healthier  
Communities: Discussion Draft (dated October 2005) (05-1-184) (Taylor) .....370

(continued)

**SESSIONAL PAPERS (continued)**

Vacancy in Electoral District of Copperbelt: copy of letter dated September 9, 2005 from the Clerk of the Legislative Assembly to Commissioner Cable (05-1-178) (Speaker Staffen).....355

Warrant dated September 9, 2005, regarding vacancy in Copperbelt due to resignation of Haakon Arntzen issued by Speaker Staffen (05-1-177) (Speaker Staffen).....355

Yukon Advisory Council on Women's Issues 2004/2005 Annual Report (05-1-201) (Taylor).....415

Yukon Arts Centre 2004/2005 Annual Report (05-1-200) (Taylor).....414

Yukon Development Corporation, Energy Solutions Centre 2004 Annual Report (05-1-195) (Lang).....402

Yukon Energy Corporation 2004 Annual Report (05-1-194) (Lang).....402

Yukon Geographical Place Names Board: 2003-2004 Annual Report (05-1-185) (Taylor).....373

Yukon Heritage Resources Board 2004/2005 Annual Report (05-1-202) (Taylor).....415

Yukon Housing Corporation 2004/2005 Annual Report (05-1-197) (Hart).....409

Yukon Human Rights Commission 2004/2005 Annual Report (05-1-199) (Hart).....411

Yukon Liquor Corporation 2004/2005 Annual Report (05-1-205) (Kenyon).....415

Yukon Workers' Compensation Health and Safety Board 2004 Annual Report (05-1-186) (Jenkins).....373

**SPEAKER (Hon. Ted Staffen)**

Adjourns Sitting pursuant to Standing Order 75(3).....419

Introduces Pages.....354

Introduces Member for Copperbelt.....393

Petition #8 (does not conform to rule).....356

Petition #9 (read and received).....359

Petition #11 (read and received).....400

Petition #12 (read and received).....403

Presents Bills for Assent.....404, 419

Reads letter from the Chief Electoral Officer re by-election result in Copperbelt on Member elected.....393

Requests Moment of Silence – Remembrance Day Observance.....375

Rulings:  
Re: Insulting language and relevance in debate.....371

Statements:  
Re: Changes to Order Paper – motions dropped.. 354, 358, 377, 379, 385, 395, 409, 415  
Re: Changes to Order Paper – written questions withdrawn.....398, 415  
Re: Presentation of Petition #12.....403  
Re: Question Period on October 27, 2005.....359-360  
Re: Termination of Sitting process re S.O. 76(2).....418

Tables Sessional Papers.....355

T

**TERMINATION OF SITTING (S.O. 76)**

Chair's Statement, pursuant to S.O.76(1) ..... 417-418  
Speaker's Statement, pursuant to S.O. 76(2) .....418

**TRIBUTES**

Appointment of Geraldine Van Bibber as Yukon's Commissioner ..... 391  
Arctic and Aboriginal Day and United Nations Climate Change Convention ..... 402  
Breast Cancer Awareness Month ..... 355  
Crime Prevention Week ..... 355  
Crohn's and Colitis Awareness Month ..... 366  
Diabetes Awareness Month ..... 373  
Disability Awareness Week..... 395  
Early Childhood Educator Appreciation Day ..... 368  
Geographic Information System Day ..... 382  
Hockey Canada Week ..... 368  
In recognition of Andrea Lemphers – recipient of the 2005 Animal Action  
Award from the Int'l Fund for Animal Welfare..... 407  
In recognition of the signing of the Carcross-Tagish First Nation Final  
and Self-Government Agreements..... 354  
IN recognition of Father Timm Coonen ..... 417  
In remembrance of Annie Henry ..... 377  
In remembrance of Bill Ferguson ..... 407  
In remembrance of Corporal Peter Greenlaw ..... 411  
In remembrance of Doug Craig..... 385  
In remembrance of George Darbyshire..... 389  
In remembrance of Thomas Faulkner Duncan..... 394  
International Human Rights Day ..... 407  
International Volunteer Day..... 400  
National Addictions Awareness Week ..... 379, 389  
Nations AIDS Awareness Week..... 391  
Mothers Against Drunk Driving and Project Red Ribbon – Tie One On for Safety ..... 361  
National Block Parent Week ..... 355  
National Child Day ..... 384  
National Day of Remembrance and Action on Violence Against Women..... 402  
National Down's Syndrome Awareness Week..... 361  
National Restorative Justice Week ..... 377  
National Safe Driving Week ..... 398  
National Senior's Safety Week..... 375  
National UNICEF Day ..... 358  
Osteoporosis Month ..... 363  
Robert E. Leckie Awards..... 387  
Veteran's Week..... 373  
White Ribbon Day ..... 391  
Women Abuse Prevention Month ..... 361  
Womens' History Month ..... 354  
World AIDS Day ..... 398  
Yukon Foundation's 25<sup>th</sup> Anniversary..... 398  
33<sup>rd</sup> Annual Yukon Geoscience Forum ..... 385

**U**

**UNANIMOUS CONSENT**

To call Bill #110 for 2<sup>nd</sup> Reading (denied)..... 409  
To proceed with Bill #110 for 2<sup>nd</sup> Reading, C/S, 3<sup>rd</sup> Reading and Assent (denied) ..... 417

To debate Bill #65 in C/W (granted) ..... 404  
To not proceed with Opposition Private Members' Business and to  
resolve into Committee of the Whole (granted) ..... 406  
To permit Opposition Party Leaders to respond to Petition #11 (denied) ..... 416  
To proceed with 2<sup>nd</sup> Reading of Bill #65 (granted) ..... 399  
To proceed with 3<sup>rd</sup> Reading of Bill #65 (granted) ..... 404  
To proceed with Motion #525 for debate (granted)..... 377  
To return to Tabling Returns and Documents (granted)..... 396  
To withdraw Committee of the Whole Motion #8 (granted) ..... 404

**W**

**WITHDRAWAL OF MOTIONS**

Motion Nos. 234, 437, and 480 outdated and removed from  
the Order Paper ..... 354  
Motion Nos. 11, 27, 33, 40, 51, 73, 79, 91, 106, 112, 116, 138,  
157, 176, 198, 218, 254, 481, and 482 removed from the Order  
Paper due to the resignation of the Member for Copperbelt ..... 354  
Motion #492 was outdated and not placed on the Order Paper..... 358  
Motion #487 outdated and removed from the Order Paper ..... 377  
Motion Nos. 507 and 516 - similar in content to Motion #525 which had passed ..... 379  
Motion #510 outdated and removed from the Order Paper ..... 385  
Motion Nos. 29, 414, and 502 removed from the Order Paper due  
to the resignation of the Member for Klondike from Cabinet ..... 395  
Motion #566 to be placed under Government Motions on the Order Paper ..... 409  
Motions standing in the name for the Member for Lake Laberge removed..... 409  
Motion #255 removed from the Order Paper as the action requested  
was fulfilled..... 415

**WITHDRAWAL OF WRITTEN QUESTIONS**

Written Question No.s 3 and 5 removed from the Order Paper ..... 398  
Written Question #6 removed from the Order Paper ..... 415