

LEGISLATIVE ASSEMBLY  
YUKON

# JOURNALS

## YUKON LEGISLATIVE ASSEMBLY



**FIRST SESSION**

**32nd LEGISLATURE**

**October 25, 2007 – December 13, 2007**

**Speaker: The Hon. Ted Staffen**

**No. 45**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, October 25, 2007

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

**INTRODUCTION OF DEPUTY CLERK - Linda Kolody**

The Speaker, on behalf of the House, welcomed Ms. Linda Kolody as the new Deputy Clerk of the Yukon Legislative Assembly. Ms. Kolody had worked in the Ontario Legislative Assembly since 1991. All Members welcomed Ms. Kolody.

**INTRODUCTION OF PAGES**

The Speaker informed the Assembly that Angellina Burns, Jamie Davignon, Avery Enzenauer, Steven Harlow, Kelly Panchyshyn, David Ratcliff, Emily Ratcliff and Tessa Vibe from Vanier Catholic Secondary School would be serving as Pages during the Fall Sitting. Avery Enzenauer and Angellina Burns 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 Nos. 23, 38 and 91, standing in the name of Mr. Inverarity, the Member for Porter Creek South, had been removed from the Order Paper as they were outdated. Motion Nos. 4 and 5, standing in the name of Mr. Cardiff, the Member for Mount Lorne, had been removed from the Order Paper as the action called for in those motions had been taken.

**TABLING RETURNS AND DOCUMENTS**

Hon. Ted Staffen, Speaker

- Conflict of Interest Commission Annual Report for the period from April 1, 2006 to March 31, 2007 **(Sessional Paper #33)**
- Yukon Electoral District Boundaries Commission Interim Report (dated September 2007) **(Sessional Paper #34)**
- Election Financing and Political Contributions 2006, Report of the Chief Electoral Officer of Yukon **(Sessional Paper #35)**

Hon. Mr. Fentie, Premier

- Public Accounts 2006-2007 of the Government of Yukon for the year ended March 31, 2007 **(Sessional Paper #36)**

**INTRODUCTION OF BILLS**

- Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Mr. Fentie
- Bill #36 - Act to Amend the Legislative Assembly Act  
-Hon. Mr. Fentie
- Bill #37 - Legislative Assembly Retirement Allowances Act, 2007  
-Hon. Mr. Fentie
- Bill #44 - Act to Amend the Income Tax Act (2007)  
-Hon. Mr. Fentie
- Bill #7 - Fourth Appropriation Act, 2006-07  
-Hon. Mr. Fentie

**MONEY MESSAGE**

Bill #8, Second Appropriation Act, 2007-08, and Bill #7, Fourth Appropriation Act, 2006-07, were accompanied by a money message.

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The Assembly adjourned at 2:14 p.m. until 1:00 p.m., Monday, October 29, 2007.

**No. 46**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, October 29, 2007

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

**INTRODUCTION OF BILLS**

Bill #38 - Act to Amend the Employment Standards Act  
-Hon. Mr. Hart

Bill #35 - Act to Amend the Subdivision Act  
-Hon. Mr. Lang

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The debate arising on the motion for Second Reading of Bill #8, entitled Second Appropriation Act, 2007-08, and the time reaching 5:30 p.m., while the Hon. Mr. Hart, Minister of Community Services, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Tuesday, October 30, 2007 and debate on the motion was accordingly adjourned.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, October 30, 2007.

**No. 47**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, October 30, 2007

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

**INTRODUCTION OF BILLS**

Bill #39 - Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003

-Hon. Mr. Hart

Bill #42 - Act to Amend the Municipal Finance and Community Grants Act

-Hon. Mr. Hart

**MINISTERIAL STATEMENT**

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

- Sherwood Copper Ore Shipment

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #178, as being the item to be called during Opposition Private Members' Business on Wednesday, October 31, 2007.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #176 and Motion #10 as being the items to be called during Opposition Private Members' Business on Wednesday, October 31, 2007.

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #7 - Fourth Appropriation Act, 2006-07

-Hon. Ms. Taylor

The debate continuing on the motion for Second Reading of Bill #7, entitled Fourth Appropriation Act, 2006-07, and the time reaching 5:30 p.m., while the Hon. Ms. Horne, Minister of Justice, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Wednesday, October 31, 2007 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, October 31, 2007.

**No. 48**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, October 31, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Ted Staffen, Speaker

- MLA Salaries and Benefits, Report to the Members' Services Board of the Yukon Legislative Assembly respecting (dated October 2007): prepared by MLA Salaries and Benefits Commission - Patrick L. Michael **(Sessional Paper #37)**

**INTRODUCTION OF BILLS**

Bill #105 - An Act to Amend the Cooperation in Governance Act  
-Mr. Mitchell

Bill #106 - Net Metering Act  
-Mr. McRobb

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Hardy, Leader of the Third Party:

THAT this House urges the Government of Yukon, in conjunction with the leadership of self-governing Yukon First Nations, to adopt a new protocol for government-to-government relationships, and

THAT such a protocol would allow all Members of the Yukon Legislative Assembly to engage in open, transparent dialogue with First Nations leaders, to promote mutual understanding and foster collaborative approaches to governance for the benefit of all Yukon people in the future, and

THAT the Cooperation in Governance Act be amended to provide for formal meetings between First Nations leadership and Members of the Legislative Assembly on an annual basis, with the proceedings of such meetings being open to the public and forming part of the public record of the Yukon Legislative Assembly. **(Motion #178)**

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

THAT Motion #178 be amended by replacing the words: "self-governing Yukon First Nations" with the following:

"all Yukon First Nations and Tribal Councils".

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

YEA			
Mitchell McRobb	Fairclough	Inverarity	4
NAY			
Cathers Taylor Kenyon Rouble	Lang Horne Hart	Nordick Cardiff Edzerza	10

The debate continuing on the motion, it was moved by the Hon. Ms. Horne, Minister of Justice, in amendment thereto:

THAT Motion #178 be amended by deleting all words following "self-governing Yukon First Nations", and by inserting the following:

"to continue to implement its protocol for government-to government relationships, known as the *Cooperation in Governance Act*, in order to promote mutual understanding and foster collaborative approaches to governance for the benefit of all Yukon people in the future."

A debate arising on the amendment, and the time approaching 5:30 p.m., Mr. Nordick, Member for Klondike, moved that debate be adjourned. The question being put, it was agreed to and debate on the motion was accordingly adjourned.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, November 1, 2007.



**No. 49**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, November 1, 2007

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

**TABLING RETURNS AND DOCUMENTS**

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

- Yukon Teachers Labour Relations Board 2006 - 2007 Annual Report  
(Sessional Paper #38)
- Yukon Public Service Labour Relations Board 2006 - 2007 Annual Report  
(Sessional Paper #39)

**INTRODUCTION OF BILLS**

Bill #41 - Securities Act

-Hon. Mr. Hart

Bill #40 - Act to Repeal the Motor Transport Act

-Hon. Mr. Hart

**GOVERNMENT BILLS (Second Reading)**

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

Bill #35 - Act to Amend the Subdivision Act

-Hon. Mr. Lang

Bill #42 - Act to Amend the Municipal Finance and Community Grants Act

-Hon. Mr. Hart

**COMMITTEE OF THE WHOLE**

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

The following Bills were reported without amendment:

Bill #35 - Act to Amend the Subdivision Act

-Hon. Mr. Lang

Bill #42 - Act to Amend the Municipal Finance and Community Grants Act

-Hon. Mr. Hart

The report of the Chair was adopted.

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The Assembly adjourned at 5:16 p.m. until 1:00 p.m., Monday, November 5, 2007.

**No. 50**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, November 5, 2007

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

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #7 - Fourth Appropriation Act, 2006-07  
-Hon. Ms. Taylor

The debate continuing (from October 29 and 30, 2007) on the motion for Second Reading of Bill #7, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Horne	Fairclough	
Cathers	Hart	Inverarity	
Taylor	Nordick	Cardiff	14
Kenyon	Mitchell	Edzerza	
Rouble	McRobb		

NAY

0

Bill #7, entitled Fourth Appropriation Act, 2006-07, was accordingly referred to Committee of the Whole.

The following Bill was called for Second Reading:

Bill #39 - Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003  
-Hon. Mr. Hart

A debate on the motion for Second Reading of Bill #39, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Horne	Fairclough	
Cathers	Hart	Inverarity	
Taylor	Nordick	Cardiff	14
Kenyon	Mitchell	Edzerza	
Rouble	McRobb		

NAY

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Bill #39, entitled Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003, was accordingly referred to Committee of the Whole.

**COMMITTEE OF THE WHOLE**

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

The following Bill was reported without amendment:

Bill #39 - Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003  
-Hon. Mr. Hart

The report of the Chair was adopted.

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The debate continuing (from October 29, 2007) on the motion for Second Reading and the time approaching 5:30 p.m., it was moved by the Hon. Mr. Cathers:

THAT the debate be now adjourned."

The question being put on the motion, it was agreed to, and debate on Second Reading of Bill #8 was accordingly adjourned.

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The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Tuesday, November 6, 2007.

**No. 51**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, November 6, 2007

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

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #183 and Motion #208 as being the items to be called during Government Private Members' Business on Wednesday, November 7, 2007.

**GOVERNMENT BILLS (Second Reading)**

The following Bill was called for Second Reading:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The debate continuing (from October 29 and November 5, 2007) on the motion for Second Reading of Bill #8, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Lang	McRobb	
Cathers	Horne	Elias	
Taylor	Hart	Fairclough	14
Kenyon	Nordick	Inverarity	
Rouble	Mitchell		

NAY

Cardiff	Edzerza	2
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Bill #8, entitled Second Appropriation Act, 2007-08, was accordingly referred to Committee of the Whole.

**COMMITTEE OF THE WHOLE**

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

The following Bill was reported without amendment:

Bill #7 - Fourth Appropriation Act, 2006-07  
-Hon. Ms. Taylor

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, November 7, 2007.

**No. 52**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, November 7, 2007

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

**MOMENT OF SILENCE - In remembrance of Members of the RCMP killed in the line of duty**

The Hon. Ms. Horne, Minister of Justice, Mr. McRobb, Official Opposition House Leader, and Mr. Hardy, Leader of the Third Party, paid tribute to the Members of the RCMP recently killed in the line of duty in northern communities. A moment of silence was observed.

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Canada to give due consideration to building in Yukon the world-class, cutting-edge Arctic research station that was announced in the Speech from the Throne on October 16, 2007, in conjunction with the Government of Yukon's establishment of a Cold Climate Research Centre of Excellence for the North at Yukon College and its community campuses. **(Motion #183)**

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

YEA

Fentie	Horne	Elias	
Cathers	Hart	Inverarity	
Taylor	Nordick	Hardy	16
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Edzerza	
Lang			

NAY

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Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to:

- (1) develop a public awareness campaign in conjunction with the RCMP to inform Yukoners, especially children, parents and educators, of best practices for safe use of the internet, and of counseling and support available for victims of cyber crime,
- (2) strike an advisory committee of concerned stakeholders; and
- (3) work with the federal and other provincial and territorial governments to explore legislative and regulatory options to further protect children. **(Motion #208)**

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

YEA

Fentie	Horne	Elias	
Cathers	Hart	Fairclough	
Taylor	Nordick	Inverarity	16
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Edzerza	
Lang			

NAY

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The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Thursday, November 8, 2007.



**No. 53**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, November 8, 2007

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

**MOMENT OF SILENCE - In Recognition of Remembrance Day**

The Speaker and the House observed Remembrance Day as follows:

“While we're standing, and before the House proceeds to the Daily Routine, we'll take a few moments to honour those who have served and continue to serve in Canada's Armed Forces. Sunday, November 11, is Remembrance Day. Remembrance Day marks the end of Veterans' Week and is a time for Yukoners and other Canadians to honour the men and women who have defended Canada during times of war and have brought peace to troubled parts of the world. The freedom we enjoy today is due largely to their sacrifice. 2007 is a significant year. It marks the 90th anniversary of the First World War battles of Vimy Ridge and Passchendaele. It is also the 65th anniversary of the Dieppe raid. In remembering, we pay homage to those who fought in these important battles and other Canadian veterans who responded to their country's need. At this time of year, we wear poppies. We pause in silent tribute and attend ceremonies to honour their memory. These gestures are scarcely enough to fully appreciate those who gave their lives for our freedom. As this is the last sitting day before Remembrance Day, it is appropriate for Members to observe a moment of silence today. I would ask, therefore, that Members and all others present bow their heads and reflect on the sacrifices of those who have served and continue to serve Canada.”

**TABLING RETURNS AND DOCUMENTS**

Hon. Ted Staffen, Speaker

- Absence of Members from Sitzings of the Legislative Assembly and its Committees: Report of the Clerk of the Legislative Assembly (dated November 8, 2007) **(Sessional Paper #40)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

- Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.



The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Tuesday, November 13, 2007.

**No. 54**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, November 13, 2007

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

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

Prior to proceeding with the Daily Routine, the Speaker informed the House of a change made to the Order Paper. Motion #84, standing in the name of Mr. Fairclough, the Member for Mayo-Tatchun, had been removed from the Order Paper as it were outdated.

**TABLING RETURNS AND DOCUMENTS**

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

- Woodcutting permits: responses to questions related to the Fox Lake timber harvest project **(Legislative Return #1)**

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #105 and Motion #176 as being the items to be called during Opposition Private Members' Business on Wednesday, November 14, 2007.

Pursuant to Standing Order 14.2(3), Mr. Edzerza, acting Third Party House Leader, identified Motion #226, and Motion #213, as being the items to be called during Opposition Private Members' Business on Wednesday, November 14, 2007.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

- Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, November 14, 2007.

**No. 55**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, November 14, 2007

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

**TABLING RETURNS AND DOCUMENTS**

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

- Property Management Agency 2006/2007 Annual Report **(Filed Document #28)**
- Fleet Vehicle Agency 2006/2007 Annual Report **(Filed Document #29)**
- Queen's Printer Agency 2006/2007 Annual Report **(Filed Document #30)**

Hon. Mr. Kenyon, Minister of Economic Development

- Yukon Film & Sound Incentives Program Biennial Report (April 1, 2004 to March 31, 2006) **(Filed Document #31)**

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

- Yukon Workers' Compensation Health and Safety Board 2006 Annual Report **(Sessional Paper #41)**

**MINISTERIAL STATEMENT**

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

- Childcare Support

**FILED DOCUMENT**

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

- Yukon Utility Board Review of the Yukon Energy Corporation's 20-year Resource Plan: letter (dated August 29, 2006) from Hon. Elaine Taylor, Minister of Justice to Ms. Wendy Shanks, Vice-Chair, Yukon Utilities Board **(Filed Document #32)**

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

The following Bill was called for Second Reading:

Bill #105 - An Act to Amend the Cooperation in Governance Act

-Mr. Mitchell

A debate arising on the motion for Second Reading of Bill #105, and the time approaching 5:30 p.m., it was moved by Mr. Nordick, Member for Klondike:

THAT the debate be now adjourned.

The question being put on the motion, it was agreed to, and debate on Second Reading of Bill #105 was accordingly adjourned.

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The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Thursday, November 15, 2007.

**No. 56**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, November 15, 2007

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

**TABLING RETURNS AND DOCUMENTS**

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

- Motor Transport Board 2006/2007 Annual Report **(Sessional Paper #42)**

Hon. Ms. Taylor, Acting Minister of Finance

- Investment Portfolio Report as at November 15, 2007 for Government of Yukon **(Filed Document #33)**

**INTRODUCTION OF BILLS**

Bill #107 - Act to Amend the Financial Administration Act

-Mr. Hardy

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08

-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Monday, November 19, 2007.

**No. 57**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, November 19, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Mr. Inverarity, Member for Porter Creek South

- Public Accounts Committee to convene regarding investments: letter (dated November 15, 2007) to Mr. Mitchell, Chair, Public Accounts Committee, from Mr. Inverarity, MLA Porter Creek South **(Filed Document #34)**

Mr. Edzerza, Member for McIntyre-Takhini

- Public Accounts Committee to convene regarding investments: letter (dated November 16, 2007) to Mr. Mitchell, Chair, Public Accounts Committee, from Mr. Edzerza, MLA McIntyre-Takhini and Public Accounts Committee Member **(Filed Document #35)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Tuesday, November 20, 2007.

**No. 58**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, November 20, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Mr. Mitchell, Leader of the Official Opposition

- Investment review by the Auditor General of Canada: letter (dated November 20, 2007) from Sheila Fraser, Auditor General of Canada to Mr. Mitchell, Leader of the Official Opposition **(Filed Document #36)**

**INTRODUCTION OF BILLS**

Under Introduction of Bills, the Hon. Mr. Hart, Minister of Community Services, stated:

“I am tabling a Bill which contains what I believe to be a true translation into French of the English text of Bill #41, entitled Securities Act.”

- Securities Act (Bill #41): French text **(Sessional Paper #43)**

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #240 and Motion #173 as being the items to be called during Government Private Members' Business on Wednesday, November 21, 2007.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Wednesday, November 21, 2007.



**No. 59**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, November 21, 2007

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

**PRESENTING REPORTS OF COMMITTEES**

Hon. Mr. Cathers, Chair, Select Committee on Anti-Smoking Legislation

- Anti-Smoking Legislation, Select Committee on: Report (dated November 2007) **(Sessional Paper #44)**

**FILE DOCUMENT**

During Question Period, the Hon. Ms. Taylor, Acting Minister of Finance, filed the following document:

- Short Term Investment Portfolio – October 5, 2007 **(Filed Document #37)**

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Yukon Government to continue implementing its strategy for supporting child care and early learning, by increasing the budget for child care by \$1 million annually over a period of five years, beginning in the 2007/08 fiscal year and ending in the 2011/12 fiscal year when annual funding for child care totals \$10.3 million to address the following priorities:

- (1) increasing the support provided to low-income families by increasing the child care subsidy rate by 25% on December 1, 2007,
- (2) raising the maximum family income eligibility level for the child care subsidy to ensure that more Yukon families can benefit, effective December 1, 2007,
- (3) further supporting wages for child care workers, with the goal of reducing rates parents pay for child care,
- (4) facilitating increased training and education for child care workers,
- (5) enhancing support for children with disabilities,
- (6) collaborating with First Nations, community groups, non-governmental organizations and child care operators to provide an integrated system that better serves the educational and cultural needs of parents and their children in all Yukon communities,

- (7) creating more available spaces for children of all ages, especially for those younger than 18 months; and
- (8) facilitating the development of healthy families through increased support to at-risk families. **(Motion #240)**

The question being put, it was agreed to.

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to invest in the reconstruction and upgrading of the Watson Lake to Ross River section of the Robert Campbell Highway as well as the application of Bitumen Surface Treatment (BST) to the 36 kilometre section of the Robert Campbell Highway between Faro and Carmacks. **(Motion #173)**

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

YEA

Cathers	Horne	Elias	
Taylor	Hart	Fairclough	
Kenyon	Nordick	Inverarity	14
Rouble	Mitchell	Cardiff	
Lang	McRobb		

NAY

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**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, November 22, 2007.

**No. 60**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, November 22, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Mr. McRobb, Member for Kluane

- Conflict of Interest, re Minister of Justice: letter (dated Nov. 20, 2007) from Gary McRobb, Member for Kluane to David Jones, Yukon Conflict of Interest Commissioner **(Filed Document #38)**

Hon. Ms. Horne, Minister of Justice

- Conflict of Interest, re Minister of Justice: letter (dated Nov. 21, 2007) from David Jones, Yukon Conflict of Interest Commissioner to Gary McRobb, Member for Kluane **(Filed Document #39)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, November 26, 2007.

**No. 61**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Monday, November 26, 2007

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

**PETITIONS**

Mr. Nordick, Member for Klondike, presented the following Petition:

- Genetically- Engineered Crops

**(Petition #4)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08

-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:11 p.m. until 1:00 p.m., Tuesday, November 27, 2007.

**No. 62**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Tuesday, November 27, 2007

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

**PETITIONS**

**Report of the Clerk**

The Clerk reported on Petition #4 as follows:

“Mr. Speaker, and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #4 of the First Session of the 32<sup>nd</sup> Legislative Assembly, as presented by the Member for Klondike on November 26, 2007.

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

Floyd McCormick  
Clerk of the Yukon  
Legislative Assembly”

The Speaker ruled that, accordingly, Petition #4 was deemed to have been read and received.

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Bill #104 and Motion #213, as being the items to be called during Opposition Private Members' Business on Wednesday, November 28, 2007.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #106 and Motion #219 as being the items to be called during Opposition Private Members' Business on Wednesday, November 28, 2007.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, November 28, 2007.

**No. 63**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Wednesday, November 28, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Hart, Minister of Community Services

- Water well upgrade in Old Crow **(Legislative Return #2)**

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

- Yukon Housing Corporation Annual Report for the year ended March 31, 2007  
**(Sessional Paper #45)**

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

**SPEAKER'S STATEMENT (Re: resolving into Committee of the Whole to consider Bill #104)**

Prior to resolving into Committee of the Whole to consider Bill #104, the Speaker made the following statement:

"On May 9 of this year, Bill #104, entitled Smoke-free Places Act, standing in the name of the Leader of the Third Party, received Second Reading and was referred to Committee of the Whole. Committee of the Whole considered Bill #104 and reported progress on it.

Yesterday, pursuant to Standing Order 14.2(2), the Third Party, designated Bill #104 as the first item of business today. In order that Committee of the Whole may continue consideration of Bill #104, I shall now leave the Chair and the House shall resolve into Committee of the Whole."

**COMMITTEE OF THE WHOLE**

Accordingly, the Assembly resolved into Committee of the Whole.

Progress was reported on the following Bill:

Bill #104 - Smoke-free Places Act  
-Mr. Hardy

The report of the Chair was adopted.

**BILLS OTHER THAN GOVERNMENT BILLS**

The following Bill was called for Second Reading:

Bill #106 - Net Metering Act  
- Mr. McRobb

A debate arising on the motion for Second Reading it was moved by the Hon. Mr. Lang:  
THAT debate on Bill #106 be now adjourned.

The question being put to adjourn debate, there were an equal number of votes on the following recorded Division:

YEA			
Cathers	Lang	Hart	
Kenyon	Horne	Nordick	7
Rouble			
NAY			
Mitchell	Fairclough	Cardiff	
McRobb	Inverarity	Edzerza	7
Elias			

**CASTING VOTE**

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

“Generally, the Speaker votes to continue debate, so I would vote in favour of continuing debate and against the motion. However, the time being 5:30 p.m., the House now stands adjourned until 1:00 p.m. tomorrow.”

The motion to adjourn debate for Second Reading of Bill #106, entitled Net Metering Act, having being negatived, the debate on the motion was adjourned pursuant to Standing Order 2(2).

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, November 29, 2007.



**No. 64**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Thursday, November 29, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Hart, Minister of Community Services

- Policies promoting Green Technologies and Yukon Climate Change Strategy  
(Legislative Return #3)

Mr. Hardy, Leader of the Third Party

- Kyoto Phase 2 agreement, letter (dated November 29, 2007) re; from Todd Hardy, Leader of the Third Party to Rt. Hon. Stephen Harper, Prime Minister of Canada  
(Filed Document #40)

**INTRODUCTION OF BILLS**

Bill #108 - Legislative Renewal Act

-Mr. Hardy

**MINISTERIAL STATEMENT**

Hon. Mr. Rouble, Minister of Education

- Yukon Nominee Program

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08

-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Monday, December 3, 2007.

**No. 65**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, December 3, 2007

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

**UNANIMOUS CONSENT (Re: Introduction and First Reading of Bill #45)**

The Hon. Mr. Hart, Minister of Community Services, requested and received unanimous consent to move that Bill #45, entitled Act to Amend the Legislative Assembly Act, No. 2, be introduced and read a first time.

**INTRODUCTION OF BILLS**

Bill #45 - Act to Amend the Legislative Assembly Act, No. 2  
-Hon. Mr. Hart

**MONEY MESSAGE**

Bill #45, Act to Amend the Legislative Assembly Act, No. 2, was accompanied by a money message.

**GOVERNMENT BILLS (Second Reading)**

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

Bill #38 - Act to Amend the Employment Standards Act  
-Hon. Mr. Hart

Bill #40 - Act to Repeal the Motor Transport Act  
-Hon. Mr. Lang

Bill #41 - Securities Act  
-Hon. Mr. Hart

Bill #36 - Act to Amend the Legislative Assembly Act  
-Hon. Ms. Taylor

Bill #37 - Legislative Assembly Retirement Allowances Act, 2007  
-Hon. Ms. Taylor

**COMMITTEE OF THE WHOLE**

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

At 2:33 p.m., Committee of the Whole passed the following motion:

THAT, Craig Tuton, Chair of the Yukon Workers' Compensation Health and Safety Board, and Kurt Dieckman, Acting President of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses in Committee of the Whole from 3:30 p.m. to 5:30 p.m. on Tuesday, December 4, 2007, to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board. **(C/W Motion #2)**

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, December 4, 2007.

**No. 66**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, December 4, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Rouble, Minister of Education

- Yukon Department of Education 2006-2007 School Year Annual Report  
(Sessional Paper #46)

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

- Area Development Act regulations  
(Sessional Paper #47)

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #257 and Motion #271 as being the items to be called during Government Private Members' Business on Wednesday, December 5, 2007.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08

-Hon. Ms. Taylor

The report of the Chair was adopted.

Pursuant to Committee of the Whole Motion #2 passed on December 3, 2007, Craig Tuton, Chair of the Yukon Workers' Compensation Health and Safety Board, and Kurt Dieckman, Acting President of the Yukon Workers' Compensation Health and Safety Board, appeared as witnesses in Committee of the Whole from 3:30 p.m. to 5:30 p.m.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, December 5, 2007.

**No. 67**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, December 5, 2007

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

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to implement a Comprehensive Skills and Trades Training Strategy by:

- (1) providing an increased focus on Yukon College and its community campuses to establish more skills and trades training programs,
  - (2) placing an increased emphasis in Yukon high schools on vocational skills and trades training as an alternate path of education, with a corresponding investment in space, equipment and teachers,
  - (3) increasing the enrolment in the Yukon Apprenticeship Program that currently provides a certificate and on-the-job training for approximately forty-six designated trades,
  - (4) promoting increased enrolment in the Yukon Government's Apprenticeship Program,
  - (5) initiating a targeted marketing campaign to bring skilled Yukon workers back to the territory and attract new workers by advertising the opportunities that are available and the superior quality of life Yukon has to offer,
  - (6) working in conjunction with First Nation governments, Yukon College and other stakeholders to reduce the barriers to First Nation employment to educate and train First Nations student in areas of importance to them including their land claims settlements and development activities within their traditional territories,
  - (7) developing measures to encourage greater participation in vocational skills and trades training by women, such as the Women Exploring Trades Program, persons with disabilities and students who do not wish to pursue an academic education,
  - (8) developing measures to encourage the underemployed, school dropouts, and the working poor to pursue vocational skills and trades training; and
  - (9) working with the territories, provinces and the federal government to advance regional strategies to increase participation in the labour force and development of workplace skills.
- (Motion #257)**

A debate arising on Motion #257 and the question being put, it was agreed to on the following recorded Division:

YEA		
Cathers	Horne	McRobb
Taylor	Hart	Elias
Kenyon	Nordick	Fairclough
Rouble	Mitchell	Inverarity
Lang		

13

  

NAY		

0

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to provide services for children with severe disabilities such as cerebral palsy, muscular dystrophy and down syndrome in addition to the services already provided to children with autism, and create a Family Support for Families with a Disabilities unit. **(Motion #271)**

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

YEA		
Cathers	Horne	Elias
Taylor	Hart	Fairclough
Kenyon	Nordick	Inverarity
Rouble	Mitchell	Edzerza
Lang	McRobb	

14

  

NAY		

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### COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #38 - Act to Amend the Employment Standards Act  
-Hon. Mr. Hart

Bill #40 - Act to Repeal the Motor Transport Act  
-Hon. Mr. Lang

Progress was reported on the following Bill:

Bill #41 - Securities Act  
-Hon. Mr. Hart

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, December 6, 2007.

**No. 68**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, December 6, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Ms. Taylor, Minister of Tourism

- Conflict of Interest re Elaine Taylor: letter (dated December 4, 2007) from Elaine Taylor to David Jones, Yukon Conflict of Interest Commissioner  
**(Filed Document #41)**
- Conflict of Interest re Elaine Taylor: letter (dated December 4, 2007) from David Jones, Yukon Conflict of Interest Commissioner to Elaine Taylor  
**(Filed Document #42)**

**QUESTION OF PRIVILEGE**

Mr. Elias, Member for Vuntut Gwitchin, pursuant to Standing Order 7(1), rose on a Question of Privilege, regarding comments made by the Hon. Mr. Kenyon, Acting Minister of the Environment, during Question Period on December 5, 2007.

The Speaker, heard the Question of Privilege and took it under advisement.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

**GOVERNMENT BILLS (Second Reading)**

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

Bill #44 - Act to Amend the Income Tax Act (2007)  
-Hon. Mr. Cathers



The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Monday, December 10, 2007.

**No. 69**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, December 10, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Staffen, Speaker

- Yukon Human Rights Commission 2006/07 Annual Report  
(Sessional Paper #48)

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

- Yukon Development Corporation 2006 Annual Report and Audited Financial Statements (Sessional Paper #49)
- Yukon Energy Corporation 2006 Annual Report and Audited Financial Statements (Sessional Paper #50)

Hon. Mr. Rouble, Minister of Education

- Department of Education: Literacy Funding Initiatives for 2007-2008  
(Legislative Return #4)
- Department of Education: Community Training Fund projects, financial breakdown for 2007-2008  
(Legislative Return #5)

**PRESENTING REPORTS OF COMMITTEES**

Hon. Ms. Taylor, Chair, Standing Committee on Appointments to Major Government Boards and Committees

- Standing Committee on Appointments to Major Government Boards and Committees: First Report (dated July 18, 2007) (Sessional Paper #51)
- Standing Committee on Appointments to Major Government Boards and Committees: Second Report (dated August 16, 2007) (Sessional Paper #52)
- Standing Committee on Appointments to Major Government Boards and Committees: Third Report (dated December 10, 2007) (Sessional Paper #53)

**PETITIONS (Response to Petition #4)**

The Hon. Mr. Lang, Minister of Energy, Mines and Resources, gave an oral response to Petition #4 (received by the House on November 26, 2007) with regard to genetically engineered crops.

**MATTER OF URGENT PUBLIC IMPORTANCE (Standing Order 16(1))**

Mr. Hardy, Leader of the Third Party, rose on a Point of Order, pursuant to Standing Order 16(1), seeking to seek leave to move that the ordinary business of the Assembly be adjourned so that Bill #108, entitled Legislative Renewal Act, could receive Second Reading. The Speaker also heard from the Hon. Mr. Cathers, Government House Leader and Mr. McRobb, Official Opposition House Leader.

**Speaker's Ruling**

"Pursuant to Standing Order 16(5), the Chair shall rule whether the request for leave by the Leader of the Third Party is in order. In his letter to the Chair, the Leader of the Third Party requests that the ordinary business of the Assembly be adjourned so that Bill #108 can receive Second Reading.

Giving a Bill Second Reading entails a decision by the Assembly; however, Standing Order 16(10) says, 'A debate on a matter of urgent public importance does not entail any decision by the Assembly.' It would not be procedurally possible, therefore, for Bill #108 to receive Second Reading under Standing Order 16.

More importantly, Standing Order 16, regarding the matter of urgent public importance, is designed to allow the Assembly to debate but not to decide upon a matter that is not on the Order Paper. Bill #108, Legislative Renewal Act, is a matter that currently sits on the Order Paper. It could be taken up on a day when Opposition Private Members' Business has precedence.

We shall now proceed to Orders of the Day."

**UNANIMOUS CONSENT TO PROCEED WITH MOTION NOS. 296 AND 297**

The Hon. Mr. Cathers, Government House Leader, requested and received, unanimous consent to call Motion Nos. 296 and 297 for debate.

**GOVERNMENT MOTIONS**

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

THAT the Yukon Legislative Assembly, pursuant to section 17(1) of the *Human Rights Act*, reappoint Melissa Atkinson and appoint Glenis Allen to be members of the Yukon Human Rights Commission. **(Motion #296)**

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

YEA

Cathers	Horne	Fairclough	
Taylor	Hart	Inverarity	
Kenyon	Nordick	Hardy	15
Rouble	McRobb	Cardiff	
Lang	Elias	Edzerza	

NAY

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

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the Human Rights Act, reappoint Barbara Evans as Chief Adjudicator of the Yukon Human Rights Panel of Adjudicators, and appoint Michael Riseborough and John Wright to be members of the Yukon Human Rights Panel of Adjudicators. **(Motion #297)**

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

**GOVERNMENT BILLS (Third Reading)**

The following Bills were read a third time and passed:

- Bill #42 - Act to Amend the Municipal Finance and Community Grants Act  
-Hon. Mr. Hart
- Bill #35 - Act to Amend the Subdivision Act  
-Hon. Mr. Lang
- Bill #38 - Act to Amend the Employment Standards Act  
-Hon. Mr. Hart
- Bill #39 - Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003  
-Hon. Mr. Hart
- Bill #40 - Act to Repeal the Motor Transport Act  
-Hon. Mr. Lang

**UNANIMOUS CONSENT TO PROCEED WITH SECOND READING OF BILL #45**

The Hon. Mr. Hart requested and received unanimous consent to proceed with Second Reading of Bill #45, entitled Act to Amend the Legislative Assembly Act, No. 2.

**GOVERNMENT BILLS (Second Reading)**

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

- Bill #45 - Act to Amend the Legislative Assembly Act, No. 2  
-Hon. Mr. Hart

**COMMITTEE OF THE WHOLE**

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

The following Bill was reported without amendment:

- Bill #45 - Act to Amend the Legislative Assembly Act, No. 2  
-Hon. Mr. Hart

At 3:17 p.m., Committee of the Whole passed the following motion:

THAT, Willard Phelps, Chair of the Yukon Development Corporation Board of Directors and the Yukon Energy Corporation Board of Directors, and David Morrison, President and Chief Executive Officer of the Yukon Development Corporation and the Yukon Energy Corporation, appear as witnesses in Committee of the Whole, from 3:30 p.m. to

5:30 p.m. on Monday, December 10, 2007, to discuss matters relating to the Yukon Development Corporation the Yukon Energy Corporation. **(C/W Motion #3)**

Pursuant to Committee of the Whole Motion #3 passed at 3:17 p.m., this day, Willard Phelps, Chair of the Yukon Development Corporation Board of Directors and the Yukon Energy Corporation Board of Directors, and David Morrison, President and Chief Executive Officer of the Yukon Development Corporation and the Yukon Energy Corporation, appeared as witnesses in Committee of the Whole, from 3:30 p.m. to 5:30 p.m.

The report of the Chair was adopted.

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The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Tuesday, December 11, 2007.

**No. 70**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Tuesday, December 11, 2007

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

**TABLING RETURNS AND DOCUMENTS**

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

- Yukon Liquor Corporation 2006/2007 Annual Report **(Sessional Paper #54)**

Hon. Mr. Kenyon, Acting Minister of Environment

- Yukon State of the Environment Interim Report 2003: Environmental Indicators **(Sessional Paper #55)**

**NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, informed the House that the Official Opposition Members did not wish to identify any items to be called during Opposition Private Members' Business on Wednesday, December 12, 2007.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, informed the House that the Official Opposition Members did not wish to identify any items to be called during Opposition Private Members' Business on Wednesday, December 12, 2007.

**SPEAKER'S RULING (Re: Question of Privilege Raised on December 6, 2007)**

"Prior to proceeding to Orders of the Day, the Chair is prepared to rule on the Question of Privilege raised Thursday by the Member for Vuntut Gwitchin. At that time the Member for Vuntut Gwitchin expressed concerns regarding a comment made by the Acting Minister of Environment. According to the Member for Vuntut Gwitchin, the Minister violated one or more of his privileges as a Member of this Assembly by misrepresenting his position on the issue of pairing. This alleged misrepresentation has, according to the Member, impinged upon his ability to act as an environmental advocate and his ability to perform his role as a Member of the Legislative Assembly.

Before ruling on the question of privilege the Chair will address some procedural matters. Standing Order 7(4) says the Speaker must rule on (a) whether there appears, on the face of it, to be a case of breach of privilege, and (b) whether the matter has been raised at the earliest opportunity.

I shall deal with the second matter first. The Member for Vuntut Gwitchin raised the Question of Privilege last Thursday. According to the Member, the comments made by the Acting

Minister of Environment were said the day before. One could argue, therefore, that the Question of Privilege should have been raised last Wednesday when the offensive words were uttered. However, the Chair accepts that the Members might want some time to reflect on the comments raised before raising them as a Question of Privilege. Therefore, the Chair is prepared to accept the Question of Privilege for a ruling.

I shall now address the issue of breach of privilege itself. In dealing with Questions of Privilege it is not the Chair's role to rule that a breach of privilege has or has not occurred. That is a matter for the House to decide. The question for the Chair is whether there appears, on the face of it, to be a breach of privilege. Should the Chair decide that this is the case, the Member for Vuntut Gwitchin will be invited to place before the House a motion that would address this issue. All other business before the House, with the exception of the Daily Routine, would be set aside until the issue is dealt with.

In order to rule on the Question of Privilege we must first consider the nature of parliamentary privilege. According to House of Commons Procedure and Practice the term 'parliamentary privilege' 'refers... to the rights and immunities that are deemed necessary for the House of Commons, as an institution, and its Members, as representatives of the electorate, to fulfill their functions. It also refers to the powers possessed by the House to protect itself, its Members and its procedures from undue interference so that it can effectively carry out its principal functions, which are to inquire, to debate and to legislate. In that sense parliamentary privilege can be viewed as special advantages which Parliament and its Members need to function unimpeded.'

House of Commons Procedure and Practice also informs us that '[T]he rights and immunities accorded to Members individually are generally categorized under the following headings: freedom of speech; freedom from arrest in civil actions; exemption from jury duty; exemption from attendance as a witness.' Of these four, only freedom of speech can be considered at stake in this case.

For the Chair to conclude that the ability and effectiveness of the Member for Vuntut Gwitchin as an environmental advocate and MLA have been damaged by the comments of the Acting Minister of Environment would require a determination of fact. That is not the role of the Chair. Whatever the effect of the Minister's comments, the Member for Vuntut Gwitchin has not been impeded in freedom of speech in this Assembly. The Chair, therefore, finds that there is no apparent breach of privilege in this case.

Though the Chair has ruled that there does not appear to be a breach of privilege the Member for Vuntut Gwitchin -- or any other Member -- may still bring this issue before the House. This could be done by giving notice of a substantive motion, which could then be called for debate using the usual rules of procedure.

The Chair thanks all Members for their attention to this ruling.

We will now proceed to Orders of the Day."

#### **COMMITTEE OF THE WHOLE**

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

The following Bills were reported without amendment:

Bill #41 - Securities Act

-Hon. Mr. Hart

Bill #36 - Act to Amend the Legislative Assembly Act  
-Hon. Ms. Taylor

The following Bill was reported with amendment:

Bill #37 - Legislative Retirement Allowances Act, 2007  
-Hon. Ms. Taylor

The report of the Chair was adopted.

**UNANIMOUS CONSENT TO PROCEED WITH THIRD READING OF BILL #45**

The Hon. Mr. Hart, Minister of Community Services, requested and received unanimous consent to move that Bill #45, entitled Act to Amend the Legislative Assembly Act, No. 2 be read a third time and do pass .

**GOVERNMENT BILLS (Third Reading)**

The following Bill was read a third time and passed:

Bill #45 - Act to Amend the Legislative Assembly Act, No. 2  
-Hon. Mr. Hart

**UNANIMOUS CONSENT TO PROCEED WITH THIRD READING OF BILL #37**

The Hon. Ms. Taylor, Minister of Tourism and Culture, requested and received unanimous consent to move that Bill #37, entitled Legislative Retirement Allowances Act, 2007 be read a third time and do pass .

**GOVERNMENT BILLS (Third Reading)**

The following Bills were read a third time and passed:

Bill #37 - Legislative Retirement Allowances Act, 2007  
-Hon. Ms. Taylor

Bill #36 - Act to Amend the Legislative Assembly Act  
-Hon. Ms. Taylor

Bill #41 - Securities Act  
-Hon. Mr. Hart

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, December 12, 2007.



**No. 71**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, December 12, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Kenyon, Acting Minister of Environment

- Yukon State of the Environment Interim Report 2004: Environmental Indicators  
**(Sessional Paper #56)**

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

- Contracting Summary Report for Yukon Government Departments (April 1, 2006 - March 31, 2007) and Yukon Government Corporations (YDC and YWCHSB: January 1, 2006 - December 31, 2006; YHC and YLC: April 1, 2006 - March 31, 2007)  
**(Filed Document #43)**

Hon. Ms. Taylor, Minister Tourism and Culture

- Yukon Heritage Resources Board 2006/2007 Annual Report  
**(Sessional Paper #57)**

Mr. Edzerza, Member for McIntyre-Takhini

- First Nations Child Welfare Policy, letter (dated December 11, 2007) re from Mr. Edzerza, MLA McIntyre-Takhini to Hon. Brad Cathers, Minister of Health and Social Services  
**(Filed Document #44)**

Mr. Hardy, Leader of the Third Party

- Bali Conference on Climate Change, letter (dated December 12, 2007) re, from Todd Hardy, Leader, NDP Caucus and Arthur Mitchell, Leader of the Official Opposition to Rt. Hon. Stephen Harper, Prime Minister of Canada  
**(Filed Document #45)**

**FILED DOCUMENT**

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

- Yukon Housing Corporation, letter (dated October 10, 2007) re constituents agreement with, from Arthur Mitchell, MLA for Copperbelt to Hon. Jim Kenyon, Minister responsible for Yukon Housing Corporation  
**(Filed Document #46)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

The report of the Chair was adopted.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, December 13, 2007.

**No. 72**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, December 13, 2007

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Ms. Taylor, Minister of Tourism

- Yukon Arts Centre 2006/2007 Annual Report **(Sessional Paper #58)**

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

- Yukon Child Care Board 2006/2007 Annual Report **(Sessional Paper #59)**
- Yukon Hospital Corporation Consolidated Financial Statements as at March 31, 2007 **(Sessional Paper #60)**
- Health Care Insurance Programs, Health Services Branch: Statement of Revenue and Expenditures for fiscal years 1997/98 to 2006/07 **(Filed Document #47)**

**MINISTERIAL STATEMENT**

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

- Services for Children with Disabilities

[At 1:15 p.m. the fire alarm sounded and, accordingly, the Speaker recessed the House. The House was called to order at 1:41 p.m.]

**MATTER OF URGENT PUBLIC IMPORTANCE (Standing Order 16(1))**

Mr. Hardy, Leader of the Third Party, rose on a Point of Order pursuant to Standing Order 16(1), requesting to move that Standing Order 75 and 76 be suspended and that the House continue to sit until Thursday, December 20. The Speaker also heard from the Hon. Mr. Cathers, Government House Leader and Mr. McRobb, Official Opposition House Leader.

**Speaker's Ruling**

"Pursuant to Standing Order 16(5), the Chair shall now rule whether the request of the Leader of the Third Party is in order.

In his letter to the Chair, the Leader of the Third Party indicated his intent to request that the ordinary business of the Assembly be adjourned so that he can move that Standing Orders 75 and 76 be suspended and that the House continue to sit until Thursday, December 20.

The request for leave is not in order. Standing Order 16(10) says, 'A debate on a matter of urgent public importance does not entail any decision by the Assembly.' However, suspending Standing Orders 75 and 76 would entail a decision by the Assembly. It would not procedurally be possible, therefore, under Standing Order 16, for the House to reach a decision the Leader of the Third Party is seeking. Should the Member wish to see Standing Orders 75 and 76 suspended, the proper procedure is to ask for unanimous consent pursuant to Standing Order 14(3) while the Speaker is in the Chair.

The House will now proceed to Orders of the Day."

### **COMMITTEE OF THE WHOLE**

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

#### **Chair's Statement**

"Yesterday in Committee of the Whole the Leader of the Official Opposition, in the course of participating in debate on Vote 15, Department of Health and Social Services, used the term 'shell game' with regard to the manner in which the Minister of Health and Social Services answered a question. The Chair would like to note that the term 'shell game' is not parliamentary, as it implies a deliberate deception on behalf of Members, contrary to Standing Order 19(g)."

The Committee agreed to report on the following Bill without amendment:

Bill #44 - Act to Amend the Income Tax Act (2007)  
-Hon. Mr. Hart

The Committee resumed consideration (from December 12, 2007) of the following Bill:

Bill #8 - Second Appropriation Act, 2007-08  
-Hon. Ms. Taylor

#### **Termination of Sitting 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 28<sup>th</sup> day of the 2007 Fall 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 #8, the only Bill now before the Committee of the Whole, should be called."

The Hon. Mr. Cathers, Government House Leader, directed that Bill #8, entitled Second Appropriation Act, 2007-08 be called.

The Committee agreed to report the following Bills without amendment:

Bill #44 - Act to Amend the Income Tax Act (2007)

-Hon. Mr. Hart

Bill #8 - Second Appropriation Act, 2007-08

-Hon. Ms. Taylor

### **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 #7, Bill #8 and Bill #44, the only Bills now standing at Third Reading should be called."

The Hon. Mr. Cathers, Government House Leader, directed that Bill #7, Bill #8 and Bill #44 be called.

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

The following Bills were read a third time and passed:

Bill #7 - Fourth Appropriation Act, 2006-07

-Hon. Ms. Taylor

Bill #8 - Second Appropriation Act, 2007-08

-Hon. Ms. Taylor

Bill #44 - Act to Amend the Income Tax Act (2007)

-Hon. Mr. Cathers

**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, Floyd McCormick, then read the titles of the Bills which had been passed severally as follows:

Act to Amend the Municipal Finance and Community Grants Act  
Act to Amend the Subdivision Act  
Act to Amend the Employment Standards Act  
Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003  
Act to Repeal the Motor Transport Act  
Act to Amend the Legislative Assembly Act, No. 2  
Legislative Assembly Retirement Allowances Act, 2007  
Act to Amend the Legislative Assembly Act  
Securities Act  
Fourth Appropriation Act, 2006-07  
Second Appropriation Act, 2007-08  
Act to Amend the Income Tax Act (2007)

The Commissioner assented the Bills:

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

**ADJOURNMENT OF THE SITTING**

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 has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned. Merry Christmas to each and every one of you."

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The Assembly adjourned at 5:13 p.m.

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#### Abbreviations

**1R** - First Reading of Bill

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

**P** - Passed

**2R** - Second Reading

**A** - Assent

**3R** - Third Reading

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7	Fourth Appropriation Act, 2006-07	07-10-25	07-11-05	07-11-06	07-12-13	07-12-13
44	Income Tax Act (2007), Act to Amend	07-10-25	07-12-06	07-12-13	07-12-13	07-12-13
36	Legislative Assembly Act, Act to Amend	07-10-25	07-12-03	07-12-11	07-12-11	07-12-13
45	Legislative Assembly Act, No. 2, Act tot Amend	07-12-03	07-12-10	07-12-10	07-12-11	07-12-13

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Bill #	Title	1R	2R	C/W	3R&P	A
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37	Legislative Assembly Retirement Allowances Act, 2007	07-10-25	07-12-03	07-12-11	07-12-11	07-12-13
40	Motor Transport Act, Act to Repeal	07-11-01	07-12-03	07-12-05	07-12-10	07-12-13
42	Municipal Finance and Community Grants Act, Act to Amend	07-10-30	07-11-01	07-11-01	07-12-10	07-12-13
8	Second Appropriation Act, 2007-08	07-10-25	07-11-06	07-12-13	07-12-13	07-12-13
41	Securities Act	07-11-01	07-12-03	07-12-11	07-12-11	07-12-13
35	Subdivision Act, Act to Amend	07-10-29	07-11-01	07-11-01	07-12-10	07-12-13
39	Territorial Court Judiciary Pension Plan Act, 2003, Act to Amend	07-10-30	07-11-05	07-11-05	07-12-10	07-12-13

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105	Cooperation in Governance Act, An Act to Amend the	07-10-31				
107	Financial Administration Act, Act to Amend the	07-11-15				
102	Human Rights Act, Act to Amend the	07-04-23				
108	Legislative Renewal Act	07-11-29				
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