

JOURNALS

YUKON LEGISLATIVE ASSEMBLY



FIRST SESSION

32nd LEGISLATURE

March 25, 2010 – May 20, 2010

Speaker: The Hon. Ted Staffen

No. 194
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, March 25, 2010

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

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Micah Copland, Linnea Eby, Isabelle Stephens, Aidan Sullivan, Sophie Topper and Lauren Webster from F.H. Collins Secondary School and Heather Clarke and Rasheeda Slater from Vanier Catholic Secondary School, would be serving as Pages during the Spring Sitting. Isabelle Stephens and Linnea Eby 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 made the following statement regarding changes made to the Order Paper.

“The following motions have been removed from the Order Paper because they are outdated: Motions No. 813, 814, 815, and 879, standing in the name of the Leader of the Official Opposition; Motions No. 350, 545, 721, 767, 860, 908 and 966, standing in the name of the Leader of the Third Party; Motions No. 406, 433, 510, 910 and 919, standing in the name of the Member for Klondike; Motions No. 811, 820 and 943, standing in the name of the Member for Mayo-Tatchun; Motions No. 621, 780, 826, 914 and 927, standing in the name of the Member for Mount Lorne; Motions No. 803, 821, 822, 823, 824 and 930, standing in the name of the Member for Porter Creek South; Motions No. 816, 817, 818 and 956, standing in the name of the Member for Kluane; and Motion #819, standing in the name of the Member for Vuntut Gwitchin.

Also, the following motions have been removed from the Order Paper as the action requested in the motion has been fulfilled in whole or in part: Motion #947, standing in the name of the Leader of the Official Opposition; Motions No. 769, 958 and 973, and Motion for the Production of Papers #16, standing in the name of the Leader of the Third Party; Motion #745, standing in the name of the Member for Vuntut Gwitchin; Motion #750, standing in the name of the Member for Mayo-Tatchun; Motion #873, standing in the name of the Member for Mount Lorne; and Motion #893, standing in the name of the Member for Kluane. Motion #53, standing in the name of the Member for Porter Creek South, has been removed from the Order Paper at the request of the member.

Finally, all motions and the written question standing in the name of the Member for McIntyre-Takhini as a private member have been removed from the Order Paper as the member is no longer a private member.”

TABLING RETURNS AND DOCUMENTS

Mr. Cardiff, Member for Mount Lorne

- Mayo Hydro Enhancement Project (Mayo B), Proposed; Application by Yukon Energy Corporation for an Energy Project Certificate and an Energy Operation Certificate: letters (dated February 15, 17 & 19, 2010) between Mr. Bruce McLennan, Chair, Yukon Utilities Board and the Hon. Marian Horne, Minister of Justice **(Filed Document #137)**

INTRODUCTION OF BILLS

Bill #18 - Third Appropriation Act, 2009-10

-Hon. Mr. Fentie

Bill #19 - Interim Supply Appropriation Act, 2010-11

-Hon. Mr. Fentie

Bill #20 - First Appropriation Act, 2010-11

-Hon. Mr. Fentie

MONEY MESSAGE

Bill #18, Third Appropriation Act, 2009-10, Bill #19, Interim Supply Appropriation Act, 2010-11 and Bill #20, First Appropriation Act, 2010-11, were each accompanied by a money message.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #20 - First Appropriation Act, 2010-11

-Hon. Mr. Fentie

Thereupon, the Hon. Mr. Fentie delivered the 2010-11 Budget Speech.

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

THAT debate be now adjourned.

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

The Assembly adjourned at 2:49 p.m. until 1:00 p.m., Monday, March 29, 2010.

No. 195

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, March 29, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Auditor General of Canada, Office of the: Yukon Housing Corporation (February 2010) **(Sessional Paper #150)**
- Mace of the Yukon Legislative Assembly, cleaning: letter of thanks (dated March 25, 2010) to Murdoch's Gem Shop, Whitehorse from Speaker Ted Staffen **(Filed Document #138)**

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

- Peel Watershed Regional Land Use Planning Process, Joint Letter of Understanding: signed on January 25, 2010 by Chief Simon Mervyn, First Nation of Na-cho Nyäk-Dun; Chief Ed Taylor, Tr'ondëk Hwëch'in Han First Nation; Chief Joe Linklater, Vuntut Gwitchin First Nation; President Richard Nerysoo, Gwich'in Tribal Council; Archie Lang, Minister of Energy, Mines and Resources, ; and Elaine Taylor, Minister of Environment **(Filed Document #139)**

INTRODUCTION OF BILLS

Bill #81 - Victims of Crime Act
-Hon. Ms. Horne

Bill #82 - Civil Forfeiture Act
-Hon. Ms. Horne

Bill #83 - Act to Repeal an Amendment to the Human Rights Act
-Hon. Ms. Horne

Bill #84 - Labour Mobility Amendments Act
-Hon. Mr. Lang

Bill #85 - Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The debate continuing (from March 25, 2010) on the motion for Second Reading of Bill #20, entitled First Appropriation Act, 2010-11, and the time approaching 5:30 p.m., it was moved by Mr. Fairclough, Member for Mayo-Tatchun:

“THAT debate be now adjourned.”

The question being put, it was agreed to, and debate on Second Reading of Bill #20 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, March 30, 2010.

No. 196

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, March 30, 2010

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

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #848 as being the item to be called during Opposition Private Members' Business on Wednesday, March 31, 2010.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #992 as being the item to be called during Opposition Private Members' Business on Wednesday, March 31, 2010.

GOVERNMENT BILLS (Second Reading)

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

Bill #19 - Interim Supply Appropriation Act, 2010-11
-Hon. Mr. Fentie

COMMITTEE OF THE WHOLE

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

The following bill was reported without amendment:

Bill #19 - Interim Supply Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

UNANIMOUS CONSENT TO PROCEED WITH THIRD READING OF BILL #19

The Hon. Ms. Taylor, Government House Leader, pursuant to Standing Order 14.3, requested the unanimous consent of the House to proceed with Third Reading of Bill #19, entitled Interim Supply Appropriation Act, 2010-11. Unanimous consent was granted.

GOVERNMENT BILLS (Third Reading)

The following bill was read a third time and passed:

Bill #19 - Interim Supply Appropriation Act, 2010-11
-Hon. Mr. Fentie

ASSENT TO BILL

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to a certain bill 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 a certain bill 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 title of the bill which had been passed as follows:

Interim Supply Appropriation Act, 2010-11

The Commissioner assented to the bill:

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

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The debate continuing (from March 25 and March 29, 2010) on the motion for Second Reading of Bill #20, entitled First Appropriation Act, 2010-11, and the time reaching 5:30 p.m., while the Hon. Mr. Lang, Minister of Community Services, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Wednesday, March 31, 2010, and debate on Second Reading was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, March 31, 2010.

No. 197

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, March 31, 2010

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

MINISTERIAL STATEMENT

Hon. Mr. Edzerza, Minister of Environment

- Porcupine Caribou Harvest Management Plan

SPEAKER'S RULING (Re: Standing Order 19(g) and Question Period March 30, 2010)

Prior to proceeding to Question Period the Chair ruled on a Point of Order raised on March 30, 2010 by the Leader of the Official Opposition.

"Yesterday during Question Period the Member for Porter Creek South questioned the Minister of Environment regarding the protection of McIntyre Creek.

In his response the Minister of Environment said he had 'respect for all people involved' in this process and suggested that the Member for Porter Creek South did not. He then said of the Member for Porter Creek South 'I'm getting every indication that he would be very likely to ignore all other governments and do just as one pleases.'

The Leader of the Official Opposition then rose on a Point of Order, citing Standing Order 19(g), and said the Minister had impugned the motives of Opposition Members and 'what Members on this side of the House would do were we to be in government.'

The Chair does not believe the Minister of Environment violated Standing Order 19(g) because his comments amounted to speculation as to what the Member for Porter Creek South might do at some unspecified point in the future, rather than impugning his motive for taking a certain action.

That being said, the Chair does find that the comments by the Minister of Environment tended to personalize the proceedings in Question Period. This is something the Chair has ruled out of order in the past. The Chair would take this opportunity to reiterate the need to avoid personalizing our proceedings.

The comment by the Minister of Environment was not an isolated one. The Chair has noticed an unwelcome trend since the House reconvened last Thursday. Members are taking the liberty to comment on the positions held, or allegedly held, by other Members. They are also freely speculating about what other Members might do at some point in the future. Whenever Members do this their characterizations of other Members are not flattering.

The Chair would caution Members against continuing in this vein. We are early in this sitting and there is ample time to reverse this trend.

The Chair will conclude this ruling by reminding Members of the meeting the Chair had with the three party leaders on November 26, 2008. The following day the Chair gave a statement to this House with regard to that meeting. At that time the Chair said:

'the leaders informed the Chair that they had reached a consensus that they, and all members of their respective caucuses, will rededicate themselves to their commitment to raise the level of order and decorum in this House. It is a fundamental principle of parliamentary debate that Members should treat each other as honourable at all times. The Chair appreciates that this is not always easy for Members. They are committed to improving the lives of Yukoners. They are also committed to the positions they hold on the important issues that face the territory. Often these positions are in conflict, which can lead to unparliamentary behaviour as Members passionately and enthusiastically debate the bills and motions before them. However, the passion and enthusiasm Members have for their own views cannot justify treating other Members, who hold differing views, with disrespect.'

I would ask all Members to keep this in mind as we proceed with the business of this Assembly. We will now proceed with Question Period."

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Elias, Member for Vuntut Gwitchin:

THAT this House establish an independent, non-partisan Commission on Yukon Aboriginal Language Protection,

THAT the Commission be comprised of four Yukon residents, one to be appointed by the Premier, one to be appointed by the Leader of the Official Opposition, one to be appointed by the Leader of the Third Party and a non-voting chair to be appointed by the Standing Committee on Appointments to Major Government Boards and Committees,

THAT the Commission receive the views and opinions of Yukoners, interested groups and stakeholders on legislative amendments to Yukon's Languages Act that include granting rights in respect of, or providing services in any Yukon aboriginal language in addition to the rights and services provided in the Act, as well as other matters,

THAT the Commission shall develop terms of reference before receiving the views and opinions of Yukon residents,

THAT the Languages Act be referred to the Commission,

THAT the decisions by the Commission require majority support by members of the Commission,

THAT the Commission report to the Legislative Assembly no later than two years after its establishment:

- (1) its findings relating to public opinion for the protection of Yukon Aboriginal languages,
- (2) its recommendations regarding what form legislation implementing changes recommended by the Commission should take,

THAT in the event the Legislative Assembly is not sitting at the time the Commission is prepared to report, the Chair of the Commission shall forward copies of the report to all Members of the Legislative Assembly, and thereafter make the report public,

THAT the Speaker of the Legislative Assembly shall table the report in the Legislative Assembly on the first sitting day following the release of the report,

THAT during its review of public opinion on legislative options for Yukon Aboriginal Language Protection, the Commission shall be empowered:

- (1) to invite officials from the Government of Yukon, the Government of Nunavut, the Government of the Northwest Territories, the Government of Canada and Yukon First Nations to appear as witnesses,
- (2) to invite such other persons as it deems necessary to appear as witnesses on technical matters,
- (3) to invite a designate of the Yukon Native Language Centre to appear as a witness,
- (4) to hold public hearings, meetings with individuals, focus groups and town hall type meetings,
- (5) to print such papers and evidence as may be ordered by it, and

THAT the Commissioners shall be paid a daily honorarium,

THAT the Chair shall receive an additional honorarium; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Commission **(Motion #848)**

A debate continuing (from December 9, 2009) on the motion and the time reaching 5:30 p.m., while Mr. Nordick, Member for Klondike, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, April 1, 2010 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, April 1, 2010.

No. 198

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 1, 2010

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 made the following statement regarding changes made to the Order Paper.

"The Chair wishes to inform the House that the following motions have been removed from the Order Paper as they are now outdated: Motion #680, standing in the name of the Leader of the Third Party, and Motion #703, standing in the name of the Member for Klondike."

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Absence of Members from Sitzings of the Legislative Assembly and its Committees: Report from the Clerk of the Yukon Legislative Assembly (dated April 1, 2010) **(Sessional Paper #151)**

FILED DOCUMENT

During Question Period, Mr. Inverarity, Member for Porter Creek South, filed the following document:

- Porter Creek, Site 4, neighborhood concerns re potential development: letter (dated April 1, 2010) to Hon. Archie Lang, MLA for Porter Creek Centre and Minister of Community Services, from "The Concerned Neighborhood Taxpayers of Porter Creek" **(Filed Document #140)**

GOVERNMENT HOUSE LEADER'S REPORT (Length of Sitting)

The Hon. Ms. Taylor, Government House Leader, rose pursuant to Standing Order 75(4) to inform the House that the House Leaders had met for the purpose of achieving agreement on the maximum number of sitting days for the current Sitting. Further, pursuant to Standing Order 75(4), the Hon. Ms. Taylor informed the House that the House Leaders had agreed that the current sitting should be a maximum of 32 sitting days, with the 32nd sitting day being May 20, 2010.

The Speaker, pursuant to Standing Order 75(4), declared that the current sitting shall be a maximum of 32 sitting days, with the last sitting day being May 20, 2010.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The debate continuing (from March 25, 29, and 30, 2010) on the motion for Second Reading of Bill #20, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Kenyon	Horne	
Taylor	Rouble	Edzerza	9
Hart	Lang	Nordick	
NAY			
McRobb	Fairclough	Inverarity	4
Elias			

Bill #20, entitled First Appropriation Act, 2010-11, was accordingly referred to Committee of the Whole.

The following bill was called for Second Reading:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

A debate arising on the motion for Second Reading of Bill #18, entitled Third Appropriation Act, 2009-10, and the time reaching 5:30 p.m., while Mr. Fairclough, Member for Mayo-Tatchun, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Tuesday, April 6, 2010, and debate on Second Reading was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, April 6, 2010.

No. 199

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, April 6, 2010

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. Ms. Taylor, Government House Leader, identified Motion #1008 and Motion #999, as being the items to be called during Government Private Members' Business on Wednesday, April 7, 2010.

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #83 - Act to Repeal an Amendment to the Human Rights Act
-Hon. Ms. Horne

A debate arising on the motion for Second Reading of Bill #83, and the question being put, it was agreed to on the following recorded Division:

YEA

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

NAY

0

Bill #83, entitled Act to Repeal an Amendment to the Human Rights Act, was accordingly referred to Committee of the Whole.

COMMITTEE OF THE WHOLE

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

The following bill was reported without amendment:

Bill #83 - Act to Repeal an Amendment to the Human Rights Act
-Hon. Ms. Horne

The report of the Chair was adopted.

UNANIMOUS CONSENT TO PROCEED WITH THIRD READING OF BILL #83

The Hon. Ms. Taylor, Government House Leader, pursuant to Standing Order 14.3, requested the unanimous consent of the House to proceed with Third Reading of Bill #83, entitled Act to Repeal an Amendment to the Human Rights Act. Unanimous consent was granted.

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #83 - Act to Repeal an Amendment to the Human Rights Act
-Hon. Ms. Horne

The question being put on the motion for Third Reading of Bill #83, it was agreed to on the following recorded Division:

YEA			
Fentie	Lang	McRobb	
Taylor	Horne	Elias	
Hart	Edzerza	Fairclough	15
Kenyon	Nordick	Inverarity	
Rouble	Mitchell	Cathers	
NAY			
			0

Bill #83, entitled Act to Repeal an Amendment to the Human Rights Act, accordingly, passed the House.

ASSENT TO BILL

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to a certain bill 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 a certain bill 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 title of the bill which had been passed as follows:

Act to Repeal an Amendment to the Human Rights Act

The Commissioner assented to the bill:

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

UNANIMOUS CONSENT TO PROCEED WITH MOTION #1009

The Hon. Ms. Taylor, Government House Leader, pursuant to Standing Order 14.3, requested the unanimous consent of the House to proceed with Motion #1009, standing in the name of Mr. Nordick, the Member for Klondike. Unanimous consent was granted.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Nordick, Member for Klondike:

THAT the terms of reference of the Select Committee on the *Landlord and Tenant Act*, as established by Motion #850 of the First Session of the 32nd Legislative Assembly, be amended by changing the date of its reporting to the House from the 2010 Spring Sitting of the Legislative Assembly to the 2010 Fall Sitting of the Legislative Assembly; and

THAT the Government of Yukon introduce in the House legislation no later than the 2010 Fall Sitting of the Legislative Assembly. **(Motion #1009)**

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

			YEA	
Fentie	Lang	Elias		
Taylor	Horne	Fairclough		
Hart	Edzerza	Inverarity	14	
Kenyon	Nordick	Cathers		
Rouble	Mitchell			
			NAY	
				0

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

A debate continued (from April 1, 2010) on the motion for Second Reading.

Quorum Count

At 3:01 p.m., during debate on the motion for Second Reading of Bill #18, entitled Third Appropriation Act, 2009-10, Mr. Inverarity, Member for Porter Creek South, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells. Following the ringing of the bells, the Deputy Speaker did a count. A quorum was present for the count.

Debate continued on the motion for Second Reading of Bill #18, and the question being put, it was agreed to on the following recorded Division:

			YEA	
Fentie	Kenyon	Horne		
Taylor	Rouble	Edzerza	9	
Hart	Lang	Nordick		

NAY

Mitchell

Elias

Fairclough

3

Bill #18, entitled Third Appropriation Act, 2009-10, was accordingly referred to Committee of the Whole.

The Assembly adjourned at 5:25 p.m. until 1:00 p.m., Wednesday, April 7, 2010.

No. 200
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, April 7, 2010

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

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - Withdrawal of Written Questions)

Prior to proceeding with the Daily Routine, the Speaker made the following statement regarding changes made to the Order Paper.

"The Chair wishes to inform the House of changes that have been made to the Order Paper. Written Questions No. 5, 6, 7, 8 and 9, standing in the name of the Leader of the Third Party, have been removed from the Order Paper at the request of that Member."

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to develop a wellness strategy to promote healthy living habits for all Yukoners. **(Motion #1008)**

During debate on the motion, the Hon. Mr. Hart, Minister of Health and Social Services, filed the following document:

- Yukon Nutrition Framework (dated March 2010)

(Filed Document #141)

The question being put on Motion #1008, it was agreed to on the following recorded Division:

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

NAY

0

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to be fiscally responsible and continue to lay a solid foundation for Yukon growth in all sectors by:

- (1) making strategic investments now in economic, education, health and social capital infrastructure such as schools, hospitals, energy facilities, and transportation and communication infrastructure,
- (2) obtaining maximum benefits from federal funds under Canada's Economic Action Plan that expires on March 31, 2011,
- (3) proceeding with capital projects identified in the multi-year capital plan, which provides strategic direction for the next three years, in order to provide the necessary certainty that will allow the private sector to plan and grow their companies; and
- (4) scheduling major infrastructure projects in Yukon that will match the capacity of local contractors. **(Motion #999)**

A debate arising on the motion, and the time reaching 5:30 p.m. while Mr. Nordick, Member for Klondike, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Thursday, April 8, 2010, and debate on Motion #999 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, April 8, 2010.

No. 201

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 8, 2010

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

GOVERNMENT MOTIONS

Moved by the Hon. Ms. Taylor, Government House Leader:

THAT Ray Hayes, Chair of the Yukon Development Corporation Board of Directors, and Dave Morrison, Chief Executive Officer of the Yukon Development Corporation and President and Chief Executive Officer of the Yukon Energy Corporation, appear as witnesses in Committee of the Whole from 3:30 p.m. to 5:30 p.m. on Monday, April 12, 2010, to discuss matters relating to the Yukon Development Corporation and the Yukon Energy Corporation. **(Motion #1011)**

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

THAT Motion #1011 be amended by deleting the reference to "3:30 p.m." and substituting "2:30 p.m." for it.

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

The debate continuing on Motion #1011, and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Monday, April 12, 2010.

No. 202

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, April 12, 2010

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

FILED DOCUMENT

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

- RCMP, moral and ethical expectations: letter re (dated March 30, 2010) from Steve Cardiff, MLA, Mount Lorne to Hon. Marian Horne, Minister of Justice
(Filed Document #142)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

The Chair also reported that pursuant to Motion #1011, adopted by the House on April 8, 2010, Ray Hayes, Chair of the Yukon Development Corporation Board of Directors, and Dave Morrison, Chief Executive Officer of the Yukon Development Corporation and President and Chief Executive Officer of 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.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Tuesday, April 13, 2010.

No. 203

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, April 13, 2010

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

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #992 as being the item to be called during Opposition Private Members' Business on Wednesday, April 14, 2010.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #1022 as being the item to be called during Opposition Private Members' Business on Wednesday, April 14, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, April 14, 2010.

No. 204

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, April 14, 2010

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

TABLING RETURNS AND DOCUMENTS

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

- Yukon Hospital Corporation Financial Statements (audited), March 31, 2009

(Sessional Paper #152)

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Yukon Government to introduce amendments to Yukon's *Quartz Mining Act* and Yukon's *Placer Mining Act* to bring them into harmony with the values of today's society concerning the critical issues of:

- (1) conflicts inherent in surface rights versus mining rights within the mineral tenure system and security of investment, or free-entry staking, particularly within municipal boundaries,
- (2) prioritization of land claim settlements in disputes around mineral staking; and
- (3) maintenance of the mineral industry's contribution to Yukon's economy.

(Motion #992)

A debate started on the motion.

Quorum Count

At 2:50 p.m., the Hon. Mr. Lang, Minister of Highways and Public Works, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells. The Speaker then did a count. A quorum was present for the count.

The debate continuing on the motion, and the time reaching 5:30 p.m., while the Hon. Mr. Rouble, 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., Thursday, April 15, 2010 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, April 15, 2010.

No. 205

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 15, 2010

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

INTRODUCTION OF VISITORS

The Speaker introduced and welcomed the 2010 Yukon Youth Parliament participants from Haines Junction, Dawson City, Carmacks and Whitehorse.

TABLING RETURNS AND DOCUMENTS

Mr. Cathers, Member for Lake Laberge

- Takhini Hotsprings rezoning application: concerns and opinions of residents of the Hotsprings Road Local Area Planning district **(Filed Document #143)**
- Takhini Hotsprings rezoning: letter (dated November 6, 2008) to Hon. Archie Lang, Minister of Community Services from Erik Val, Local Resident and Community Spokesperson **(Filed Document #144)**

Hon. Ms. Horne, Minister of Justice

- Yukon Law Foundation Annual Report and Financial Statements (dated October 31, 2009) **(Sessional Paper #153)**

GOVERNMENT MOTIONS

Moved by the Hon. Ms. Taylor, Government House Leader:

THAT Craig Tuton, Chair of the Yukon Hospital Corporation, Joe MacGillivray, Chief Executive Officer of the Yukon Hospital Corporation, and Nick Leenders, Chief Financial Officer of the Yukon Hospital Corporation, appear as witnesses before Committee of the Whole from 3:30 p.m. to 5:30 p.m. on Thursday, April 15, 2010, to discuss matters relating to the Yukon Hospital Corporation. **(Motion #1021)**

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

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #82 - Civil Forfeiture Act
-Hon. Ms. Horne

A debate arising on the motion for Second Reading of Bill #82, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	
Hart	Horne	Fairclough	10
Kenyon			
NAY			
Cardiff			1

Bill #82, entitled Civil Forfeiture 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 #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

The Chair also reported that pursuant to Motion #1021, adopted by the House earlier this day, Craig Tuton, Chair of the Yukon Hospital Corporation, Joe MacGillivray, Chief Executive Officer of the Yukon Hospital Corporation, and Nick Leenders, Chief Financial Officer of the Yukon Hospital 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.

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Monday, April 19, 2010.

No. 206

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, April 19, 2010

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 made the following statement regarding changes made to the Order Paper.

"The Chair wishes to inform the House of a change which has been made to the Order Paper. Motion #1031, standing in the name of the Member for Mount Lorne, has been removed from the Order Paper as Bill #82, Civil Forfeiture Act, has now received second reading."

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Horne, Minister of Justice

- RCMP, Yukon citizens' concerns regarding: Letter (dated April 19, 2010) to Mr. Ian McPhail, Interim Chair, Commission for Public Complaints Against the RCMP from Hon. Marian Horne, Minister of Justice and Superintendent Peter Clark, Acting Commanding Officer, RCMP "M" Division

(Filed Document #145)

PRESENTING REPORTS OF COMMITTEES

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

- Appointments to Major Government Boards and Committees, Standing Committee on: Thirteenth Report (dated April 19, 2010)

(Sessional Paper #154)

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

Bill #81 - Victims of Crime Act
-Hon. Ms. Horne

A debate arising on the motion for Second Reading of Bill #81, and the question being put, it was agreed to on the following recorded Division:

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

NAY

0

Bill #81, entitled Victims of Crime 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 #82 - Civil Forfeiture Act
-Hon. Ms. Horne

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, April 20, 2010.

No. 207

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, April 20, 2010

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. Ms. Taylor, Government House Leader, informed the House that the Government Private Member did not wish to identify any items to be called during Government Private Members' Business on Wednesday, April 21, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #18 - Third Appropriation Act, 2009-10

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, April 21, 2010.

No. 208

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, April 21, 2010

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

GOVERNMENT MOTIONS

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

THAT this House urges the Government of Yukon, in conjunction with "M" Division of the Royal Canadian Mounted Police, to conduct a review of policing in Yukon that:

- (1) reflects the RCMP's commitment to become more constructively self-critical, more transparent and accountable to its own employees, to the government and to the Canadian public,
- (2) seeks to assist "M" Division in implementing in Yukon the RCMP's national commitment to transformation,
- (3) is co-chaired by the RCMP's Commanding Officer of "M" Division and the Deputy Minister of Yukon's Department of Justice, who will undertake the review in consultation with an Advisory Committee comprised of one representative from each of the following:
 - (a) Yukon First Nations,
 - (b) Yukon Municipalities,
 - (c) Yukon Women's groups,
 - (d) the RCMP,
 - (e) the Women's Directorate,
 - (f) the Department of Community Services,
 - (g) the Department of Health and Social Services, and
 - (h) the Department of Justice;
- (4) will have the following priorities:
 - (a) considering measures and making recommendations to better ensure that Yukon's police force is responsive and accountable to the needs of Yukon citizens,
 - (b) reviewing how public complaints relating to the RCMP in Yukon are currently dealt with and making recommendations on any required improvements,
 - (c) determining the skills that Yukon officers require in order to provide policing services in Yukon communities and making recommendations to enhance training, including the potential for Yukon based training,

- (d) reviewing the services provided by the RCMP to citizens who are in vulnerable positions, including victims of domestic violence and sexual assault, as well as individuals who have been arrested and detained in custody,
 - (e) identifying and building upon successes and best practices in the delivery of policing services to Yukon, and
 - (f) reviewing and making recommendations on how best to implement in Yukon the existing RCMP policy on External Investigations and Reviews; and
- (5) has the co-chairs, through community and targeted consultations produce a written report to be submitted to Yukon's Minister of Justice no later than September 15, 2010. **(Motion #1033)**

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

THAT Motion #1033 be amended by adding under item number (3) the following:

- “(i) Yukon aboriginal womens’ groups,
- (j) Yukon youth groups,
- (k) Non-government organizations representing clientele with direct experience of the police force;”.

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

		YEA		
Mitchell	Elias	Cardiff	5	
McRobb	Inverarity			
		NAY		
Fentie	Rouble	Edzerza		
Taylor	Lang	Nordick	8	
Hart	Horne			

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

THAT Motion #1033 be amended by adding under item number (3) the following:

- “(i) Community Justice Committees”

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

		YEA		
Mitchell	Elias	Cardiff	5	
McRobb	Inverarity			
		NAY		
Fentie	Rouble	Edzerza		
Taylor	Lang	Nordick	8	
Hart	Horne			

The debate continued on Motion #1033, it was agreed to on the following recorded Division:

YEA		
Fentie	Horne	Elias
Taylor	Edzerza	Fairclough
Hart	Nordick	Inverarity
Rouble	Mitchell	Cardiff
Lang	McRobb	Cathers
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 #18 - Third Appropriation Act, 2009-10

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Thursday, April 22, 2010.

No. 209

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 22, 2010

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bills:

Bill #20 - First Appropriation Act, 2010-11

-Hon. Mr. Fentie

Bill #18 - Third Appropriation Act, 2009-10

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, April 26, 2010.

No. 210
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, April 26, 2010

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

TABLING RETURNS AND DOCUMENTS

Mr. Cathers, Member for Lake Laberge

- Rural Well Program, availability in Whitehorse: letter (dated April 8, 2010) to Hon. Archie Lang, Minister of Community Services from Brad Cathers, MLA, Lake Laberge **(Filed Document #146)**

GOVERNMENT BILLS (Second Reading)

The following bill was called for Second Reading:

- Bill #85 - Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

A debate arising on the motion for Second Reading of Bill #85, and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Lang	McRobb
Taylor	Horne	Elias
Hart	Edzerza	Inverarity
Kenyon	Nordick	Cardiff
Rouble	Mitchell	Cathers
NAY		
0		

Bill #85, entitled Act to Amend the Motor Vehicles Act, 2010, was accordingly referred to Committee of the Whole.

The following bill was called for Second Reading:

- Bill #84 - Labour Mobility Amendments Act
-Hon. Mr. Lang

A debate arising on the motion for Second Reading of Bill #84, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Lang	McRobb	
Taylor	Horne	Elias	
Hart	Edzerza	Inverarity	14
Kenyon	Nordick	Cardiff	
Rouble	Mitchell		
NAY			
			0

Bill #84, entitled Labour Mobility Amendments 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 #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Tuesday, April 27, 2010.

No. 211

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, April 27, 2010

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

SPEAKER'S STATEMENT (Re: Changes to the Order Paper - Reinstatement of a Motion)

Prior to proceeding with the Daily Routine, the Speaker made the following statement regarding changes made to the Order Paper.

"The Chair wishes to inform the House of a change which has been made to the Order Paper. Motion #1031, standing in the name of the Member for Mount Lorne, which was removed from the Order Paper on Monday, April 19, has been reinstated in its original form."

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #1050 and Motion #989 as being the items to be called during Opposition Private Members' Business on Wednesday, April 28, 2010.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #1031 as being the item to be called during Opposition Private Members' Business on Wednesday, April 28, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Wednesday, April 28, 2010.

No. 212
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, April 28, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister of Education

- Yukon College 2008/2009 Annual Report (Sessional Paper #155)
- Yukon College Audited Financial Statements (dated October 23, 2009) prepared by the Office of the Auditor General of Canada (Sessional Paper #156)

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

- Yukon Child Care Board April 1, 2009 - March 31, 2010 Annual Report (Sessional Paper #157)
- Yukon Health and Social Services Council 2008-2009 Annual Report (Sessional Paper #158)

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Mitchell, Member for Copperbelt:

THAT this House urges the Commissioner in Executive Council to call a public inquiry, under the *Public Inquiries Act*, to investigate all matters relating to the death of Raymond Silverfox on December 2, 2008 while in RCMP custody, in order to:

- (1) determine whether there were steps that should have been taken in the care and custody of Mr. Silverfox that would likely have prevented his death,
- (2) determine whether changes made in RCMP procedures for dealing with people in custody since the death of Mr. Silverfox are sufficient to prevent the occurrence of a similar incident involving the death of individuals in custody; and
- (3) consider what additional steps, including but not limited to, the establishment of a Yukon Independent Civilian Oversight & Advisory Board, should be taken to improve the treatment of people held in custody by the RCMP. (Motion #1050)

A debate started on the motion, it was moved by the Hon. Ms. Horne, Minister of Justice, to adjourn debate. The question being put, it was agreed to and accordingly, debate on Motion #1050 was adjourned.

Moved by Mr. Mitchell, Member for Copperbelt:

THAT this House urges the Government of Yukon to work with the four affected First Nation governments and all stakeholders to develop a land use plan for the Peel Watershed, prior to the next Yukon territorial election, that respects the principles set out by the Peel Watershed Land Use Planning Commission, in its recommended plan.

(Motion #989)

A debate arising on the motion, it was moved by the Hon. Mr. Rouble, Minister of Energy, Mines and Resources, in amendment thereto:

THAT Motion #989 be amended by deleting the words "by the Peel Watershed Land Use Planning Commission in its recommended plan," and replacing them with the words: "in Chapter 11, Land Use Planning of the Umbrella Final Agreement."

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

The question being put on Motion #989 as amended, it was agreed to.

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Yukon Government to delay debate on Bill #82, Civil Forfeiture Act, until a further sitting, to allow sufficient time to have meaningful public consultation on its implications for Yukoners.

(Motion #1031)

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

YEA		
Fentie	Horne	Elias
Taylor	Edzerza	Fairclough
Hart	Nordick	Inverarity
Kenyon	Mitchell	Cardiff
Rouble	McRobb	Cathers
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 #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, April 29, 2010.

No. 213

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 29, 2010

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

TABLING RETURNS AND DOCUMENTS

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

- Yukon Minerals Advisory Board 2008 Annual Report **(Filed Document #147)**
- Yukon Minerals Advisory Board 2009 Annual Report **(Filed Document #148)**

Hon. Mr. Kenyon, Minister responsible for the Yukon Lottery Commission

- Yukon Lottery Commission 2008-2009 Annual Report **(Filed Document #149)**

SPEAKER'S RULING (Re: Comments made on April 26, 2010)

Prior to proceeding with Question Period, the Speaker gave the following ruling pertaining to a Point of Order that was raised during Question Period on April 26, 2010, by Mr. McRobb, Member for Kluane.

"During Question Period on Monday, April 26, the Minister of Justice responded to a question from the Member for Vuntut Gwitchin regarding Bill #82, Civil Forfeiture Act. During the course of her response, the Minister said, 'I think we're using this again as a political tool.' The Member for Kluane then rose on a Point of Order, saying, 'For the Minister to suggest we're using this issue as a political tool is clearly contrary to our Standing Orders. I would ask you to suggest the Minister should withdraw that remark.'

After reviewing the Blues, the Chair does not believe the Minister of Justice violated the Standing Orders. This might have been the case had the Minister phrased her remarks as an accusation against the Member for Vuntut Gwitchin or any other Member. In her use of the collective term 'we,' the Minister of Justice may have been referring to the proceedings of the House as a whole. In any case, the Minister's words were not phrased as an accusation against an individual Member.

There is, therefore, no point of order. We will now proceed to Question Period."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Monday, May 3, 2010.

No. 214

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, May 3, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang, Minister of Community Services

- Yukon Fire Marshal's Office 2009 Annual Report

(Filed Document #150)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Tuesday, May 4, 2010.

No. 215

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 4, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Ombudsman 2009 Annual Report (Sessional Paper #159)
- Information and Privacy Commissioner 2009 Annual Report (Sessional Paper #160)

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, identified Motion #1061 and Motion #1058, as being the items to be called during Government Private Members' Business on Wednesday, May 5, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, May 5, 2010.

No. 216

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 5, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister of Education

- Education Status Report (May 5, 2010), Department of: Response to the Standing Committee on Public Accounts Report by the Auditor General of Canada
(Sessional Paper #161)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Truth and Reconciliation Commission of Canada to visit Whitehorse as part of its 2011 cross-country tour. **(Motion #1061)**

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

			YEA	
Fentie	Horne	Elias		
Taylor	Edzerza	Fairclough		
Hart	Nordick	Inverarity	15	
Rouble	Mitchell	Cardiff		
Lang	McRobb	Cathers		
			NAY	
				0

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to explore using the Northern Institute of Social Justice to expand its curricula for training people who work with Fetal Alcohol Spectrum Disorder clients. **(Motion #1058)**

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

YEA		
Fentie	Horne	Elias
Taylor	Edzerza	Fairclough
Hart	Nordick	Cardiff
Rouble	Mitchell	Cathers
Lang	McRobb	

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 #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, May 6, 2010.

No. 217

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 6, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Political Contributions 2009: Report of the chief Electoral Officer of Yukon
(Sessional Paper #162)

Hon. Mr. Lang, Minister of Community Services

- Student and Parent Guide: You need more than a job to start work, produced by
Community Services (Filed Document #151)

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

- Yukon Workers' Compensation Health and Safety Board 2009 Annual Report
(Sessional Paper #163)

PETITIONS

Mr. Cardiff, Member for Mount Lorne, presented the following Petition:

- Re: Bill #82, Civil Forfeiture Act (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 #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, May 10, 2010.

No. 218

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, May 10, 2010

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

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 32nd Legislative Assembly, as presented by the Member for Mount Lorne on May 6, 2010.

The petition presented by the Member for Mount Lorne appears in two versions. The first meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

The second version of the petition does not meet the requirements as to form outlined in the Standing Orders and the Model Petition appended to the Standing Orders because the request for action is not directed at the Legislative Assembly.

Therefore, it is found that the first version of the petition meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly and this is the version of the petition to which the Government should respond. The other version of the petition will be returned to the Member for Mount Lorne.

Floyd W. McCormick, Clerk
Yukon Legislative Assembly”

The Speaker ruled that, Petition #12 is, accordingly, deemed to be read and received.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.



The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, May 11, 2010.

No. 219

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 11, 2010

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

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #1092 as being the item to be called during Opposition Private Members' Business on Wednesday, May 12, 2010.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, did not identify any items to be called during Opposition Private Members' Business on Wednesday, May 12, 2010.

GOVERNMENT MOTIONS

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

THAT this House urges the Government of Yukon to review policy and program options dealing with chronic inebriates by:

- (1) forming a multidisciplinary Task Force of frontline agencies comprised of representatives from the departments of Health and Social Services, Justice, the Yukon Hospital Corporation, Emergency Medical Services, the Royal Canadian Mounted Police, and the Salvation Army to work with First Nations governments, social agencies involved with individuals with severe alcohol problems and addiction, physicians, the private sector and other organizations, both at the territorial and national levels who have experience in addressing these issues; and
- (2) investing \$201,000 under the Northern Strategy funding to develop a socially inclusive program dealing with chronic inebriates, examining all aspects of the problem including facilities existing and needed, land based treatment programs, scope of programming, legislation, current research, costs and access to cheap intoxicants. **(Motion #1065)**

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

THAT Motion #1065 be amended by deleting the words "chronic inebriates" wherever they appear and replacing them with the words "acutely intoxicated persons at risk of harming themselves or others"; and

by adding the following clause after section (2):

“THAT the Task Force provide a report to the Minister of Health and Social Services on or before December 31, 2010 and that the Minister shall table that report at the commencement of the 2011 Spring Sitting of the Legislative Assembly.”

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

	YEA			
Fentie	Lang	Fairclough		
Taylor	Horne	Inverarity		
Hart	Edzerza	Hardy	15	
Kenyon	Nordick	Cardiff		
Rouble	Mitchell	Cathers		
	NAY			
			0	

A debate arising on Motion #1065 as amended, and the question being put, it was agreed to on the following recorded Division:

	YEA			
Fentie	Lang	Fairclough		
Taylor	Horne	Inverarity		
Hart	Edzerza	Cardiff	14	
Kenyon	Nordick	Cathers		
Rouble	Mitchell			
	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 #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Wednesday, May 12, 2010.

No. 220

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 12, 2010

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

TABLING RETURNS AND DOCUMENTS

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

- Fleet Vehicle Agency 2010-2011 Business Plan (Filed Document #152)
- Queen's Printer Agency 2010-2011 Business Plan (Filed Document #153)

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Yukon Government to protect the principles of democracy and accountability by:

- (1) ensuring that citizens have a right to organize referenda on issues of concern, as was intended in the *Municipal Act*; and
- (2) bringing forward amendments to the *Municipal Act* and to the *Ombudsman Act* to allow the Ombudsman to hear citizens' appeals when they feel they have been treated unfairly by a municipal government. (Motion #1092)

A debate arising on the motion, it was moved by the Hon. Mr. Lang, Minister of Community Services, in amendment thereto:

THAT Motion #1092 be amended by deleting:

- (1) the colon after the word "by".
- (2) the number "(1)" where it appears,
- (3) the words "was intended in" and substituting for them the words "set out in sections 150 to 159 of"; and
- (4) all the words after the word "Act" where it first appears in the motion.

Speaker's Ruling (Re: Amendment moved by the Hon. Mr. Lang)

"As I shared with the honourable Member, section 578(2) [of the 6th edition of Beauchesne's Parliamentary Rules and Forms] says:

an amendment that would produce the same result if the original motion were simply negated, [is out of order' and] that appears to the

Chair to be exactly what your amendment is proposing. The amendment would produce the same result as if the original motion were simply negated; therefore, the amendment to that motion is out of order.

The honourable Member still has the floor, still has unlimited time. The remedy is to simply defeat the motion or to move a different amendment.”

The debate continuing on Motion #1092, and the question being put, it was negated on the following recorded Division:

	YEA			
Mitchell	Fairclough	Cardiff	6	
McRobb	Inverarity	Cathers		
	NAY			
Fentie	Rouble	Horne		
Hart	Lang	Nordick	7	
Kenyon				

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:00 p.m., Thursday, May 13, 2010.

No. 221

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 13, 2010

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

PRESENTING REPORTS OF COMMITTEES

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

- Appointments to Major Government Boards and Committees, Standing Committee on: Fourteenth Report (dated May 12, 2010) **(Sessional Paper #164)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:00 p.m., Monday, May 17, 2010.

No. 222

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, May 17, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Subsistence, Travel and Accommodations of Members of the Yukon Legislative Assembly, 2009-2010, Report on (dated April 2010) **(Sessional Paper #165)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Tuesday, May 18, 2010.

No. 223

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 18, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Taylor, Minister of Tourism and Culture

- Yukon Geographical Place Names Board 2008-2009 Annual Report

(Filed Document #154)

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, informed the House that the Government Private Member did not wish to identify any items to be called during Government Private Members' Business on Wednesday, May 19, 2010.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, May 19, 2010.

No. 224
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 19, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Horne, Minister of Justice

- Yukon Judicial Council 2009 Annual Report (Sessional Paper #166)
- Yukon Advisory Council on Women's Issues 2009-2010 Annual Report (Sessional Paper #167)

PETITIONS

Mr. Elias, Member for Vuntut Gwitchin, presented the following Petition:

- Re: All Terrain Vehicles (Petition #13)

UNANIMOUS CONSENT TO DEBATE MOTION #1104

The Hon. Ms. Taylor, Government House Leader, requested and received, the unanimous consent of the House to call Motion #1104 for debate.

GOVERNMENT MOTIONS

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

THAT the Yukon Legislative Assembly, pursuant to section 22(2) of the *Human Rights Act*, does appoint Vicki Hancock and John W. Phelps as members of the panel of adjudicators for terms of three years effective immediately. (Motion #1104)

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

	YEA		
Fentie	Lang	McRobb	
Taylor	Horne	Elias	
Hart	Edzerza	Fairclough	15
Kenyon	Nordick	Inverarity	
Rouble	Mitchell	Cathers	
	NAY		
Cardiff			1

COMMITTEE OF THE WHOLE

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

The following bills were reported without amendment:

Bill #85 - Act to Amend the Motor Vehicles Act, 2010

-Hon. Mr. Lang

Bill #81 - Victims of Crime Act

-Hon. Ms. Horne

Progress was reported on the following bill:

Bill #20 - First Appropriation Act, 2010-11

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, May 20, 2010.

No. 225
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 20, 2010

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Edzerza, Minister of Environment

- Yukon State of the Environment Interim Report: Environmental Indicators from 2007 (Sessional Paper #168)

Hon. Ms. Horne, Minister of Justice

- Crime Prevention and Victim Services Trust Fund 2007/2008 Annual Report (Sessional Paper #169)

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

- Yukon Housing Corporation Annual Report for the year ended March 31, 2008 (Sessional Paper #170)

Hon. Mr. Fentie, Premier

- Select Committee on the Safe Operation and Use of Off-road Vehicles, membership of: letter (dated May 20, 2010) from Premier Fentie to Speaker Staffen advising that the Hon. John Edzerza, would be the Government Caucus Member (Sessional Paper #171)

PRESENTING REPORTS OF COMMITTEES

Mr. Mitchell, Chair, Standing Committee on Public Accounts

- Public Accounts, Standing Committee on: Fourth Report (dated May 20, 2010) (Sessional Paper #172)

PETITIONS

Response to Petition #12

The Hon. Ms. Horne, Minister of Justice, gave an oral response to Petition #12 (received by the House on May 10, 2010) with regard to Bill #82, Civil Forfeiture Act.

Report of the Clerk

The Clerk reported on Petition #13 as follows:

“Mr. Speaker and honourable members of the Assembly:

I have had the honour to review a petition, being Petition #13 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Vuntut Gwitchin on May 19, 2010. The Petition presented by the Member for Vuntut Gwitchin appears in

two versions. The differences between the two versions are minor and both versions meet the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

However, the version that contains the phrase 'the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon' is more procedurally precise and this is the version of the petition to which the government should respond.

Floyd W. McCormick, Clerk
Yukon Legislative Assembly"

The Speaker ruled that Petition #13 is, accordingly, deemed to be read and received.

POINT OF PERSONAL PRIVILEGE

Mr. Hardy, Member for Whitehorse Centre, rose on a Point of Personal Privilege, to make a statement with regard to comments made in the local media about Hon. Mr. Kenyon, Member for Porter Creek North.

COMMITTEE OF THE WHOLE

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

The Committee resumed consideration of the following bill:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

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 32nd day of the 2010 Spring Sitting. Standing Order 76(1) states: 'On the sitting 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 the Government Bills now before the Committee of the Whole, which should be called."

The Hon. Ms. Taylor, Government House Leader, directed that Bills No. 18, 20, and 84, be called.

The Committee agreed to report the following bills without amendment:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

Bill #84 - Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

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 that Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the Committee of the Whole, shall:

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

I shall, therefore, ask the Government House Leader to identify which of the bills now standing at Third Reading should be called."

The Hon. Ms. Taylor, Government House Leader, directed that Bills No. 18, 20, 81, 84 and 85 be called at this time.

GOVERNMENT BILLS (Third Reading)

The following bill was called for Third Reading:

Bill #18 - Third Appropriation Act, 2009-10
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #18, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			
NAY			
Mitchell	Elias	Inverarity	
McRobb	Fairclough	Cardiff	6

Bill #18, entitled Third Appropriation Act, 2009-10, accordingly, passed the House.

The following bill was called for Third Reading:

Bill #20 - First Appropriation Act, 2010-11
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #20, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			
NAY			
Mitchell	Elias	Inverarity	
McRobb	Fairclough	Cardiff	6

Bill #20, entitled First Appropriation Act, 2010-11, accordingly, passed the House.

The following bills were read a third time and passed:

Bill #81 - Victims of Crime Act
-Hon. Ms. Horne

Bill #84 - Labour Mobility Amendments Act
-Hon. Mr. Lang

Bill #85 - Act to Amend the Motor Vehicles Act, 2010
-Hon. Mr. Lang

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:

Third Appropriation Act, 2009-10
First Appropriation Act, 2010-11
Victims of Crime Act
Labour Mobility Amendments Act
Act to Amend the Motor Vehicles Act, 2010

The Commissioner assented to 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 this Spring Sitting, as established pursuant to Standing Order 75, and has 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 5:24 p.m

INDEX TO JOURNALS

First Session

Thirty-second Legislature

March 25, 2010 – May 20, 2010

YUKON LEGISLATIVE ASSEMBLY

A

PAGE

ADJOURNMENT OF THE SITTING

Pursuant to Standing Order 75 452

ASSENT TO BILLS

Assent to Bill #19 399
 Assent to Bill #83 406
 Assent to Bills No. 18, 20, 81, 84, and 85 451

B

BILLS

(For Progress of Bills chart, see Appendix A)

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, Government

Bill #	Title	1R	2R	C/W	3R&P	A
85	Act to Amend the Motor Vehicles Act, 2010	10-03-29	10-04-26	10-05-19	10-05-20	10-05-20
83	Act to Repeal an Amendment to the Human Rights Act	10-03-29	10-04-06	10-04-06	10-04-06	10-04-06
82	Civil Forfeiture Act	10-03-29	10-04-15			
20	First Appropriation Act, 2010-11	10-03-25	10-04-01	10-05-20	10-05-20	10-05-20
19	Interim Supply Appropriation Act 2010-11	10-03-25	10-03-30	10-03-30	10-03-30	10-03-30 (continued)

Bill #	Title	1R	2R	C/W	3R&P	A
84	Labour Mobility Amendments Act	10-03-29	10-04-26	10-05-20	10-05-20	10-05-20
18	Third Appropriation Act, 2009-10	10-03-25	10-04-06	10-05-20	10-05-20	10-05-20
81	Victims of Crime Act	10-03-29	10-04-19	10-05-19	10-05-20	10-05-20

Bills, Other Than Government

Bill #	Title	1R	2R	C/W	3R&P	A
101	Act to Perpetuate a Certain Ancient Right	06-11-23				
105	Cooperation in Governance Act, An Act to Amend the	07-10-31				
107	Financial Administration Act, Act to Amend the	07-11-15				
108	Legislative Renewal Act	07-11-29				
109	Young Worker Protection Act	08-10-30				
110	Yukon Energy Corporation Protection Act	09-11-03				

C

CHAIR, COMMITTEE OF THE WHOLE

Statements

Re: Termination of Committee Proceedings as per Standing Order 76(1) 449

CHANGES TO THE ORDER PAPER

Motion #53 removed at the request of the Member 394
 Motions No. 745, 750, 769, 873, 893, 947, 958 and 973 removed as the
 action requested had been fulfilled in whole or in part 394
 Motions No. 350, 406, 433, 510, 545, 621, 721, 767, 780, 803, 811, 813, 814,
 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 826, 860, 879, 908,
 910, 914, 919, 927, 930, 943, 956, and 966 removed as they were outdated 394
 Motions No. 680 and 703 removed as they were outdated 403
 Motion #1031 removed as Bill #82 had received 2nd Reading 418
 Motion #1031 reinstated on the Order Paper 427
 Motion for the Production of Papers #16 removed as the action requested
 had been fulfilled in whole or in part 394
 Motions and written questions standing in the name of the Member for
 McIntyre-Takhini as that Member is no longer a private member 394
 Written Questions No. 5, 6, 7, 8 and 9 removed at the request of
 the Leader of the Third Party 409

CLERK OF THE LEGISLATIVE ASSEMBLY (Floyd McCormick)

Reads Report on Petition #12 437
 Reads Report on Petition #13 448-449
 Reads title of bills to be Assented to 399, 406, 451

COMMISSIONER (Hon. Geraldine Van Bibber)

Assent to Bill #19 399
Assent to Bill #83 406
Assent to Bills No. 18, 20, 81, 84, and 85..... 451

COMMITTEES, STANDING

Appointments to Major Government Boards and Committees
Thirteenth Report (dated April 19, 2010) (Taylor) 418
Fourteenth Report (dated May 12, 2010) (Taylor)..... 443
Public Accounts
Fourth Report (dated May 20, 2010) (Mitchell) 448

D

DEBATE

Adjourned:
Bill #18 (2nd Reading) – pursuant to Standing Order 2(2) (Fairclough)..... 404
Bill #18 (3rd Reading) 450
Bill #20 (2nd Reading) (Mitchell) 395
Bill #20 (2nd Reading) (Fairclough) 397
Bill #20 (2nd Reading) – pursuant to Standing Order 2(2) (Lang) 399
Motion #848 - pursuant to Standing Order 2(2) (Nordick) 402
Motion #992 - pursuant to Standing Order 2(2) (Rouble) 414
Motion #999 - pursuant to Standing Order 2(2) (Nordick) 410
Motion #1050 (Horne)..... 428

DIVISION

Bill #18 (2nd Reading) 407-408
Bill #18 (3rd Reading) 450
Bill #20 (2nd Reading) 404
Bill #20 (3rd Reading) 451
Bill #81 (2nd Reading) 418-419
Bill #82 (2nd Reading) 417
Bill #83 (2nd Reading) 405
Bill #83 (3rd Reading) 406
Bill #84 (2nd Reading) 426
Bill #85 (2nd Reading) 425
Motion #1008 409
Motion #1009 407
Motion #1031 429
Motion #1033, amendment #1 422
Motion #1033, amendment #2 422
Motion #1033 423
Motion #1058 434-435
Motion #1061 434
Motion #1065, amendment 439-440
Motion #1065 as amended..... 440
Motion #1092 442
Motion #1104 446

F

FILED DOCUMENTS

Fleet Vehicle Agency 2010-2011 Business Plan (10-1-152) (Lang)	441
Mace of the Yukon Legislative Assembly, cleaning: letter of thanks (dated March 25, 2010) to Murdoch's Gem Shop, Whitehorse from Speaker Ted Staffen (10-1-138) (Speaker Staffen)	396
Mayo Hydro Enhancement Project (Mayo B), Proposed; Application by Yukon Energy Corporation for an Energy Project Certificate and an Energy Operation Certificate: letters (dated February 15, 17 & 19, 2010) between Mr. Bruce McLennan, Chair, Yukon Utilities Board and the Hon. Marian Horne, Minister of Justice (10-1-137) (Cardiff).....	395
Peel Watershed Regional Land Use Planning Process, Joint Letter of Understanding: signed on January 25, 2010 by Chief Simon Mervyn, First Nation of Na-cho Nyäk-Dun; Chief Ed Taylor, Tr'ondëk Hwëch'in Han First Nation; Chief Joe Linklater, Vuntut Gwitchin First Nation; President Richard Nerysoo, Gwich'in Tribal Council; Minister of Energy, Mines and Resources, Archie Lang; and Minister of Environment, Elaine Taylor (10-1-139) (Rouble)	396
Porter Creek, Site 4, neighborhood concerns re potential development: letter (dated April 1, 2010) to Hon. Archie Lang, MLA for Porter Creek Centre and Minister of Community Services from "The Concerned Neighborhood Taxpayers of Porter Creek" (10-1-140) (Inverarity)	403
Queen's Printer Agency 2010-2011 Business Plan (10-1-153) (Lang)	441
RCMP, moral and ethical expectations: letter re (dated March 30, 2010) from Steve Cardiff, MLA, Mount Lorne to Hon. Marian Horne, Minister of Justice (Cardiff) (10-1-142).....	412
RCMP, Yukon citizen's concerns regarding: Letter (dated April 19, 2010) to Mr. Ian McPhail, Interim Chair, Commission for Public Complaints Against the RCMP from Hon. Marian Horne, Minister of Justice and Superintendent Peter Clark, Acting Commanding Officer, RCMP "M" Division (10-1-145) (Horne)	418
Rural Well Program; availability in Whitehorse: letter (dated April 8, 2010) to Hon. Archie Lang, Minister of Community Services from Brad Cathers, MLA, Lake Laberge (Cathers) (10-1-146).....	425
Student and Parent Guide: <u>You need more than a job to start work</u> , produced by Community Services (10-1-151) (Lang)	436
Takhini Hotspings rezoning application: concerns and opinions of residents of the Hotspings Road Local Area Planning district (10-1-143) (Cathers).....	416
Takhini Hotspings rezoning: letter (dated November 6, 2008) to Hon. Archie Lang, Minister of Community Services from Erik Val, Local Resident and Community Spokesperson (10-1-144) (Cathers).....	416
Yukon Fire Marshal's Office 2009 Annual Report (10-1-150) (Lang).....	432
Yukon Geographical Place Names Board 2008-2009 Annual Report (10-1-154) (Taylor).....	445

(continued)

FILED DOCUMENTS (continued)

Yukon Lottery Commission 2008-2009 Annual Report (10-1-149) (Kenyon)..... 430
 Yukon Nutrition Framework (dated March 2010) (10-1-141) (Hart) 409
 Yukon Minerals Advisory Board 2008 Annual Report (10-1-147) (Rouble) 430
 Yukon Minerals Advisory Board 2009 Annual Report (10-1-148) (Rouble) 430

I

INTRODUCTIONS

Pages 394
 Yukon Youth Parliamentarians..... 416

L

LEGISLATIVE ASSEMBLY

Sessional Summary

Bills Other than Government Bills introduced this sitting – 0 Passed - 0
 Divisions - 22
 Filed Documents - 18
 Government Bills introduced this sitting - 8 Government Bills Passed - 7
 Legislative Returns - 0
 Motions Debated, Government - 5
 Motions Passed, Government - 5
 Motions Debated, Other than Government -11
 Motions Passed, Other than Government - 6
 Petitions - 2
 Sessional Papers - 23
 Sitting Days - 32
 Written Questions - 0

LENGTH OF SITTING

Agreed to April 1, 2010 403

M

MINISTERIAL STATEMENTS

**Hon. Mr. Edzerza
(Environment)**

Porcupine Caribou Harvest Management Plan 400

MONEY MESSAGE

Accompanied Bills No.18, 19 and 20 395

MOTIONS – GOVERNMENT

<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
Review of Policing in Yukon (#1033)	Horne	#1 – 422	Carried
		423	Negated
		#2- 422	
		Negated	(continued)

MOTIONS – GOVERNMENT (continued)

	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
Task Force to review policy and program options dealing with acutely intoxicated persons at risk of harming themselves or others and provide a report to the Minister of Health and Social Services who shall table the report in the Legislative Assembly (#1065)	Hart	439-440	439-440 Carried	Carried as amended
Witnesses from the Yukon Development Corporation/Yukon Energy Corporation to appear on Monday, April 12, 2010 from 3:30 p.m. to 5:30 p.m. in Committee of the Whole (#1011)	Taylor	411	411 Negated	Carried
Witnesses from the Yukon Hospital Corporation to appear on Thursday, April 15, 2010 from 3:30 p.m. to 5:30 p.m. (#1021)	Taylor	416		Carried
Yukon Human Rights Panel of Adjudicators: appointment of Vicki Hancock and John W. Phelps as members (#1104)	Horne	446		Carried

MOTIONS – OTHER THAN GOVERNMENT

	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
Amendments to the <i>Municipal Act</i> and to the <i>Ombudsman Act</i> to allow the Ombudsman to hear appeals (#1092)	Cardiff	441-442	441- 442 Ruled out of Order	Negated
Bill #82, Civil Forfeiture Act, delay debate to allow time for public consultation (#1031)	Cardiff	429		Carried
Establishing Commission on Yukon Aboriginal Language Protection (#848)	Elias	401-402		Debate adjourned
Government of Yukon to be fiscally responsible (#999)	Nordick	410		Debate adjourned
Northern Institute of Social Justice to expand its curricula for training people working with FASD clients (#1058)	Nordick	434-435		Carried
Peel Watershed Land Use Planning (#989)	Mitchell	429	429 Carried	Carried as amended
Public Inquiry to investigate all matters relating to the death of Raymond Silverfox (#1050)	Mitchell	428		Debate adjourned
<i>Quartz Mining Act</i> and <i>Placer Mining Act</i> : amendments to be introduced in the Legislative Assembly (#992)	Cardiff	414		Debate adjourned
Select Committee on the Landlord and Tenant Act: change terms of reference (#1009)	Nordick	407		Carried
Truth and Reconciliation Commission of Canada to visit Whitehorse as part of its 2011 cross-country tour (#1061)	Nordick	434		Carried

(continued)

MOTIONS – OTHER THAN GOVERNMENT

	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
Wellness strategy to be developed (#1008)	Nordick	409		Carried

N

NOTICE OF GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7)	405, 420, 433, 445
--	--------------------

NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3)	398, 413, 427, 439
--	--------------------

P

PAGES

Introduction of	394
-----------------------	-----

PETITIONS

Bill #82, Civil Forfeiture Act (#12)	
Presented on May 6, 2010	436
Report of the Clerk	437
Speaker rules petition read and received.....	437
Response	448
All Terrain Vehicles (#13)	
Presented on May 19, 2010	446
Report of the Clerk	448-449
Speaker rules petition read and received.....	449

POINT OF PERSONAL PRIVILEGE

May 20, 2010 (Hardy) re comments made in the local media.....	449
---	-----

Q

QUORUM COUNT

During debate on Bill #18 (2 nd Reading)	407
During debate on Motion #992.....	414

R

REINSTATEMENT OF MOTION

Motion #1031 reinstated on the Order Paper.....	427
---	-----

S

SESSIONAL PAPERS

Absence of Members from Sitzings of the Legislative Assembly and its Committees: Report from the Clerk of the Yukon Legislative Assembly (dated April 1, 2010) (10-1-151) (Speaker Staffen).....	403
Appointments to Major Government Boards and Committees, Standing Committee on: Thirteenth Report (dated April 19, 2010) (10-1-154) (Taylor)	418
Appointments to Major Government Boards and Committees, Standing Committee on: Fourteenth Report (dated May 12, 2010) (10-1-164) (Taylor)	443
Auditor General of Canada, Office of the: Yukon Housing Corporation (February 2010) (10-1-150) (Speaker Staffen)	396
Crime Prevention and Victim Services Trust Fund 2007/2008 Annual Report (10-1-169) (Horne)	448
Education Status Report (May 5, 2010), Department of: Response to the Standing Committee on Public Accounts Report by the Auditor General of Canada (10-05-161) (Rouble)	434
Information and Privacy Commissioner 2009 Annual Report (10-1-160) (Speaker Staffen)	433
Ombudsman 2009 Annual Report (10-1-159) (Speaker Staffen).....	433
Political Contributions 2009: Report of the chief Electoral Officer of Yukon (10-1-162) (Speaker Staffen)	436
Public Accounts, Standing Committee on: Fourth Report (dated May 20, 2010) (10-1-172) (Mitchell).....	448
Select Committee on the Safe Operation and Use of Off-road Vehicles, membership of: letter (dated May 20, 2010) from Premier Fentie to Speaker Staffen advising that the Hon. John Edzerza, would be the Government Caucus Member (10-1-171) (Fentie).....	448
Subsistence, Travel and Accommodations of Members of the Yukon Legislative Assembly, 2009-2010, Report on (dated April 2010) (10-1-165) (Speaker Staffen)	444
Yukon Advisory Council on Women's Issues 2009-2010 Annual Report (10-1-167) (Horne)	446
Yukon Child Care Board April 1, 2009 – March 31, 2010 Annual Report (10-1-157) (Hart)	428
Yukon College 2008/2009 Annual Report (10-1-155) (Rouble)	428
Yukon College Audited Financial Statements (dated October 23, 2009) prepared by the Office of the Auditor General of Canada (10-1-156) (Rouble).....	428
Yukon Health and Social Services Council 2008-2009 Annual Report (10-1-158) (Hart)	428
Yukon Hospital Corporation Financial Statements (audited), March 31, 2009 (10-1-152) (Hart)	414

(continued)

SESSIONAL PAPERS (continued)

Yukon Housing Corporation Annual Report for the year ended March 31,
2008 (10-1-170) (Kenyon)..... 448

Yukon Judicial Council 2009 Annual Report (10-1-166) (Horne)..... 446

Yukon Law Foundation Annual Report and Financial Statements (dated)
October 31, 2009) (10-1-153) (Horne) 416

Yukon State of the Environment Interim Report: Environmental Indicators
from 2007 (10-1-168) (Edzerza)..... 448

Yukon Workers' Compensation Health and Safety Board 2009 Annual Report
(10-1-163) (Hart) 436

SPEAKER (Hon. Ted Staffen)

Adjourns sitting pursuant to Standing Order 75 452

Declares length of Sitting pursuant to Standing Order 75(4) 403

Introduces Pages 394

Introduces Yukon Youth Parliamentarians..... 416

Petition #12 (read and received) 437

Petition #13 (read and received) 449

Presents Bills for Assent 399, 406, 451

Rulings:

 Re: Comments made on April 26, 2010 430

 Re: Standing Order 19(g) and Question Period March 30, 2010 400-401

 Re: Motion #1092 amendment 441-442

Statements:

 Re: Changes to the Order Paper (withdrawal of Motions)..... 394, 403, 418, 427

 Re: Changes to the Order Paper (withdrawal of Written Questions)..... 409

 Re: Changes to the Order Paper (reinstating of Motion #1031) 427

 Re: 3rd Reading of Bills, pursuant to Standing Order 76(2) 450

Tables Sessional Papers 396, 403, 433, 436, 444

T

TERMINATION OF SITTING (Standing Order 76)

Chair's Statement, pursuant to Standing Order 76(1)..... 449

Speaker's Statement, pursuant to Standing Order 76(2) 450

U

UNANIMOUS CONSENT

To proceed with 3rd Reading of Bill #19 (requested by Taylor) (granted)..... 398

To proceed with 3rd Reading of Bill #83 (requested by Taylor) (granted)..... 406

To proceed with Motion #1009 (requested by Taylor) (granted) 407

To proceed with Motion #1104 (requested by Taylor) (granted) 446

W

WITHDRAWAL OF MOTIONS

Motion #53 removed at the request of the Member	394
Motions No.745, 750, 769, 873, 893, 947, 958 and 973 removed as the action requested had been fulfilled in whole or in part.....	394
Motions No. 350, 406, 433, 510, 545, 621, 721, 767, 780, 803, 811, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 826, 860, 879, 908, 910, 914, 919, 927, 930, 943, 956, and 966 removed as they were outdated.....	394
Motions No. 680 and 703 removed as they were outdated.....	403
Motion #1031 removed as Bill #82 had received 2 nd Reading	418
Motions standing in the name of the Member for McIntyre-Takhini as that Member is no longer a private member.....	394

WITHDRAWAL OF MOTION FOR THE PRODUCTION OF PAPERS

Motion for the Production of Papers #16 removed as the action requested had been fulfilled in whole or in part.....	394
--	-----

WITHDRAWAL OF WRITTEN QUESTIONS

Written Questions standing in the name of the Member for McIntyre-Takhini as that Member is no longer a private member.....	394
Written Questions No. 5, 6, 7, 8 and 9 removed at the request of the Leader of the Third Party	409

WITNESSES

Chair, and CEO of the Yukon Development Corporation and President/CEO of the Yukon Energy Corporation appeared as witnesses on April 12, 2010 (Motion #1011)	412
Chair of the Yukon Hospital Corporation, Chief Executive Officer, and Chief Financial Officer appeared as witnesses on April 15, 2010 (Motion #1021)	417