

# **JOURNALS**

## **YUKON LEGISLATIVE ASSEMBLY**



**FIRST SESSION**

**32nd LEGISLATURE**

**February 3, 2011 - March 28, 2011**

**Speaker: The Hon. Ted Staffen**

**No. 254**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, February 3, 2011

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

**Return to writ certifies election of Elizabeth Hanson in Whitehorse Centre**

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

“December 20, 2010

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

Dear Sir:

The death on July 28, 2010, of Todd Hardy, Member for the Electoral District of Whitehorse Centre, caused a vacancy in the Yukon Legislative Assembly.

A writ of election to fill this vacancy was issued on November 12, 2010, with polling day being December 13, 2010.

I hereby advise that the returning officer for the Electoral District of Whitehorse Centre has certified in the return to the writ that Elizabeth Hanson has been elected as the member to represent that electoral district in the Legislative Assembly.

Sincerely,  
Jo-Ann Waugh  
Chief Electoral Officer.”

**Member for Whitehorse Centre takes seat**

Ms. Hanson, having taken the Oath of Allegiance and the Oath of Office on December 20, 2010, was introduced and escorted to her seat by Mr. Cardiff, Member for Mount Lorne.

**INTRODUCTION OF PAGES**

The Speaker informed the Assembly that Kellina Benoit, Alyssa Blanchard, Shermaine Chua, Liam Finnegan, Sruthee Govindaraj, Kevin McLachlan and Kate Power from Vanier

Catholic Secondary School, and Katie Doerksen from Porter Creek Secondary School would be serving as Pages during the Spring Sitting. Alyssa Blanchard and Sruthee Govindaraj 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"The following motions have been removed from the Order Paper because they are outdated: Motions No. 241, 1094, 1230 and 1234, standing in the name of the Leader of the Official Opposition; Motion #835, standing in the name of the Member for Klondike; Motions No. 995, 996, 998, 1003 and 1189, standing in the name of the Member for Lake Laberge; Motions No. 1019, 1039, 1093 and 1148, standing in the name of the Member for Mount Lorne; and Motion #1100, standing in the name of the Member for Kluane.

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 #671, standing in the name of the Member for Mount Lorne; and Motion #692, standing in the name of the Member for Klondike."

### **TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Staffen, Speaker

- Election of Elizabeth Hanson as Member for Whitehorse Centre, letter (dated December 20, 2010) from Jo-Ann Waugh, Chief Electoral Officer of Yukon, to the Speaker **(Sessional Paper #197)**
- Absence of Members from Sittings of the Legislative Assembly and its Committees: Report of the Clerk of the Yukon Legislative Assembly (dated February 3, 2011) **(Sessional Paper #198)**

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

- Yukon Housing Corporation Annual Report for the year ended March 31, 2010 **(Sessional Paper #199)**

### **INTRODUCTION OF BILLS**

Bill #23 - Third Appropriation Act, 2010-11

-Hon. Mr. Fentie

Bill #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

Bill #94 - Act to Amend the Judicature Act (Trade Orders)

-Hon. Ms. Horne

### **MONEY MESSAGE**

Bill # 23, Third Appropriation Act, 2010-11, and Bill #24, First Appropriation Act, 2011-12, were each accompanied by a money message.

### **GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

Thereupon, the Hon. Mr. Fentie delivered the 2011-12 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.

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The Assembly adjourned at 3:13 p.m. until 1:00 p.m., Monday, February 7, 2011.

**No. 255**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, February 7, 2011

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

**GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

The debate continuing (from February 3, 2011) on the motion for Second Reading of Bill #24, First Appropriation Act, 2011-12, and the time approaching 5:30 p.m., it was moved by the Hon. Mr. Edzerza, Member for McIntyre-Takhini:

“THAT debate be now adjourned.”

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

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The Assembly adjourned at 5:29 p.m. until 1:00 p.m., Tuesday, February 8, 2011.

**No. 256**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, February 8, 2011

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

**INTRODUCTION OF BILLS**

Bill #112 - Disclosure Protection Act  
-Mr. Inverarity

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, identified Motion #1260 and Motion #1275, as being the items to be called during Government Private Members' Business on Wednesday, February 9, 2011.

**UNANIMOUS CONSENT TO DEBATE MOTION #1269**

Mr. Cardiff, Third Party House Leader, requested the unanimous consent of the House to call Motion #1269 for debate. Unanimous consent was denied.

**GOVERNMENT MOTIONS**

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

THAT, notwithstanding any Standing Order or usual practices of this House, on Wednesday, February 9, 2011, the House shall recess at the appropriate hour, in order to receive an Address from the Governor General of Canada, the Rt. Hon. David Johnston, together with all introductory and related remarks,

THAT, upon completion of the Address the House shall continue with the business before it,

THAT, the Address and introductory and related remarks shall be printed in Hansard for that day and form part of the records of this House; and

THAT the media recording and transmission of such Address, introductory and related remarks be authorized pursuant to established guidelines for such occasions.

**(Motion #1255)**

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 #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The debate continuing (from February 3 and February 7, 2011) on the motion for Second Reading of Bill #24, First Appropriation Act, 2011-12, and the time approaching 5:30 p.m., it was moved by the Hon. Mr. Rouble, Member for Southern Lakes:

“THAT debate be now adjourned.”

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

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The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Wednesday, February 9, 2011.

**No. 257**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, February 9, 2011

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

**TABLING RETURNS AND DOCUMENTS**

Mr. Elias, Member for Vuntut Gwitchin

- Old Crow Drinking Water Improvement; project status report: letter (dated December 17, 2010) to Darius Elias, MLA, Vuntut Gwitchin, from Hon. Archie Lang, Minister of Community Services **(Filed Document #168)**

**QUESTION OF PRIVILEGE**

Mr. Elias, Member for Vuntut Gwitchin, rose on a Question of Privilege, regarding a response made by the Minister of Community Services during Question Period on February 8, 2011.

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

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges Yukon private-sector contractors to review the Government of Yukon's Multi-Year Capital Plan contained in the 2011-2012 Budget that identifies capital priorities and their related expenditures over the next four years, including the three-year plan of core expenditures concerning Information Technology of \$6.5 million and Capital Building Maintenance of \$12 million, as well as the \$42 million for Land Development and minimum of \$46 million for Highways and Airports in order to obtain maximum benefit for their companies and employees through the certainty provided by these stable, predictable long-term government investments in the identified key sectors. **(Motion #1260)**

A debate started on the motion.

**Recess**

At 3:23 p.m., pursuant to Motion #1255, adopted by the House on Tuesday, February 8, 2011, the Speaker recessed the House in order to receive an Address



from His Excellency the Governor General of Canada, the Rt. Hon. David Johnston.

**ADDRESS BY THE RT. HON. DAVID JOHNSTON, GOVERNOR  
GENERAL OF CANADA**

His Excellency was escorted into the Chamber by the Sergeant-at-Arms, Rudy Couture, and introduced to the Legislative Assembly by the Premier, Hon. Dennis Fentie. Following His Excellency's Address, the Premier introduced the Governor General to each Member. His Excellency was escorted from the Chamber by the Sergeant-at-Arms.

The House was called back to order at 3:40 p.m.

The debate continuing on Motion #1260, it was 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.

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The Assembly adjourned at 5:00 p.m. until 1:00 p.m., Thursday, February 10, 2011.

**No. 258**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, February 10, 2011

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

**TABLING RETURNS AND DOCUMENTS**

Mr. Elias, Member for Vuntut Gwitchin

- Travel during school breaks for Old Crow students attending school in Whitehorse: letter (dated October 12, 2010) to Darius Elias, MLA, Vuntut Gwitchin from Hon. Patrick Rouble, Minister of Education

**(Filed Document #169)**

**INTRODUCTION OF BILLS**

Bill #113 - Acutely Intoxicated Persons (Care and Protection) Act  
-Ms. Hanson

**GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The debate continuing (from February 3, 7, and 8, 2011) on the motion for Second Reading of Bill #24, First Appropriation Act, 2011-12, and the question being put, it was agreed to on the following recorded Division:

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

Bill #24, First Appropriation Act, 2011-12, was accordingly referred to Committee of the Whole.

**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 Kelly Steele, 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 Tuesday, February 15, 2011, to discuss matters relating to the Yukon Hospital Corporation. **(Motion #1273)**

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

THAT Motion #1273 be amended by deleting everything after the word "on" and replacing it with the following:

"Tuesday, February 22, 2011, to discuss matters relating to the Yukon Hospital Corporation."

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

YEA			
Mitchell	Fairclough	Hanson	6
McRobb	Inverarity	Cardiff	
NAY			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	8
Kenyon	Horne		

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

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

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

THAT, Ray Hayes, Chair of the Yukon Development Corporation Board of Directors, Piers McDonald, Chair of the Yukon Energy Corporation, 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 before Committee of the Whole from 3:30 p.m. to 5:30 p.m. on Thursday, February 17, 2011, to discuss matters relating to the Yukon Development Corporation and the Yukon Energy Corporation. **(Motion #1274)**

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

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

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The Assembly adjourned at 5:25 p.m. until 1:00 p.m., Monday, February 14, 2011.

**No. 259**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, February 14, 2011

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

**PETITIONS**

**Response to Petition #14**

The Hon. Mr. Rouble, Minister of Energy, Mines and Resources, gave an oral response to Petition #14 (received by the House on November 9, 2010), with regard to Takhini Hot Springs Road Zoning.

**INTRODUCTION OF BILLS**

Bill #114 - Act to Amend the Housing Corporation Act

-Mr. McRobb

**SPEAKER'S RULING (Question of Privilege - February 9, 2011)**

"Prior to proceeding to Orders of the Day, the Chair will rule on a Question of Privilege raised on Wednesday, February 9, 2011, by the Member for Vuntut Gwitchin.

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

I shall address the second matter first. The Member for Vuntut Gwitchin raised the Question of Privilege before Orders of the Day on February 9, having tabled earlier that afternoon documentation in support of the question of privilege. The Chair accepts that February 9 was the earliest opportunity that the Member had to bring the matter to the attention of the House.

I shall now address the issue of breach of privilege itself. In dealing with Questions of Privilege it is not the Chair's role to rule that a breach of privilege has or has not occurred. That is a matter for the House to decide. The question for the Chair is whether there appears, on the face of it, to be a breach of privilege.

In raising the Question of Privilege, the Member for Vuntut Gwitchin asserted that the Minister of Community Services had, in the course of responding to a question from the Member during Question Period on February 8, 2011, made an inaccurate statement; that the effect of this

comment was to cast in doubt the Member's word, and reputation; and that this impeded the Member in the discharge of his duties.

The category of privilege that the question of privilege raised by the Member for Vuntut Gwitchin rests upon is that of obstructing or interfering with a Member in the performance of his or her parliamentary duties. The standard for meeting the test of obstruction is strictly circumscribed. The test, as laid out by Joseph Maingot in the 2<sup>nd</sup> edition of Parliamentary Privilege in Canada (at pages 235-236), is as follows: 'Obstruction must be connected to parliamentary work (parliamentary proceeding) and be occasioned by improper means'.

Maingot notes that situations that 'do not relate to the Member's parliamentary work but rather to his constituency work or other work in his official capacity as a Member' do not constitute a question of privilege. It would be an exceptional case in which one Member's comments contradicting another Member's version of events – that is, a disagreement between Members as to the facts – could meet the threshold for obstruction.

In the case at hand, the Chair has not been provided with evidence that the Minister's comments have impeded the Member for Vuntut Gwitchin from taking part in proceedings of the House. For example, the Minister's comments have not prevented the Member from participating in debates in the House, or from voting, or from attending sittings of the House. Therefore, the Chair concludes that there does not appear to be a Question of Privilege, as the threshold for this category of privilege has not been met, in this instance.

The Chair thanks all Members for their attention to this ruling. We will now proceed to Orders of the Day."

#### **GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #23 - Third Appropriation Act, 2010-11  
-Hon. Mr. Fentie

A debate arising on the motion for Second Reading of Bill #23, Third Appropriation Act, 2010-11, and the time reaching 5:30 p.m., while the Hon. Mr. Fentie, Premier, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House, until 1:00 p.m. on Tuesday, February 15, 2011, and debate on Second Reading was accordingly adjourned.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, February 15, 2011.

**No. 260**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, February 15, 2011

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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 Health Services and Programs - 2011, Department of Health and Social Services (dated February 15, 2011) **(Sessional Paper #200)**

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

- Social Inclusion and Exclusion in Yukon 2010; Dimensions of: Report from the Department of Health and Social Services pursuant to the *Health Act* (section 6(1)) **(Sessional Paper #201)**

**MINISTERIAL STATEMENT**

Hon. Mr. Rouble, Minister of Education

- Labour Market Framework

**NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #114 as being the item to be called during Opposition Private Members' Business on Wednesday, February 16, 2011.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Bill #113 as being the item to be called during Opposition Private Members' Business on Wednesday, February 16, 2011.

**ACTING GOVERNMENT HOUSE LEADER'S REPORT (Length of Sitting)**

Mr. Nordick, Acting 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 an agreement on the maximum number of sitting days for the current Sitting. Further, pursuant to Standing Order 75(4), Mr. Nordick informed the House that the House Leaders had not reached an agreement.

The Speaker, pursuant to Standing Order 75(3), declared that the current sitting would be a maximum of 30 sitting days, with the final sitting day being March 28, 2011.

**GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #23 - Third Appropriation Act, 2010-11  
-Hon. Mr. Fentie

The debate continuing (from February 14, 2011) on the motion for Second Reading of Bill #23, Third Appropriation Act, 2010-11, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Hart	Lang	Nordick	9
Kenyon	Horne	Cathers	
NAY			
Mitchell	Fairclough	Hanson	5
McRobb	Inverarity		

Bill #23, Third Appropriation Act, 2010-11, 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 #23 - Third Appropriation Act, 2010-11  
-Hon. Mr. Fentie

The Chair also reported that pursuant to Motion #1273, adopted by the House on February 10, 2011, Craig Tuton, Chair of the Yukon Hospital Corporation, Joe MacGillivray, Chief Executive Officer of the Yukon Hospital Corporation, and Kelly Steele, 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.

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The Assembly adjourned at 5:33 p.m. until 1:00 p.m., Wednesday, February 16, 2011.



**No. 261**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, February 16, 2011

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

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

**BILLS OTHER THAN GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #114 - Act to Amend the Housing Corporation Act  
-Mr. McRobb

The debate arising on the motion for Second Reading of Bill #114, Act to Amend the Housing Corporation Act, and the question being put, it was negatived on the following recorded Division:

	YEA			
Mitchell	Fairclough	Hanson	6	
McRobb	Inverarity	Cardiff		
	NAY			
Fentie	Rouble	Edzerza		
Hart	Lang	Nordick	9	
Kenyon	Horne	Cathers		

The following bill was called for Second Reading:

Bill #113 - Acutely Intoxicated Persons (Care and Protection) Act  
-Ms. Hanson

A debate arising on the motion for Second Reading of Bill #113, Acutely Intoxicated Persons (Care and Protection) Act, and the time approaching 5:30 p.m., it was moved by the Hon. Ms. Horne, Minister of Justice:

“THAT debate be now adjourned”.

The question being put on the motion to adjourn debate, it was agreed to, and debate on Second Reading of Bill #113, was accordingly adjourned.

The Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. on Thursday, February 17, 2011.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, February 17, 2011.

**No. 262**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, February 17, 2011

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

**INTRODUCTION OF NEW PAGE**

The Speaker informed the Assembly that Meaghan O'Connor would be serving as a Page for the balance of the Spring Sitting. Meaghan was welcomed to the House.

**GOVERNMENT MOTIONS**

Moved by the Hon. Mr. Fentie, Premier:

THAT the membership of the Standing Committee on Public Accounts as established by Motion #8 and Motion #857 of the First Session of the 32<sup>nd</sup> Legislative Assembly, be amended by rescinding the appointment of Steve Cardiff and appointing Elizabeth Hanson to the Committee. **(Motion #1291)**

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

Moved by the Hon. Mr. Fentie, Premier:

THAT the membership of the Members' Services Board, as established by Motion #7, Motion #887 and Motion #1172 of the First Session of the 32<sup>nd</sup> Legislative Assembly, be amended by rescinding the appointment of Steve Cardiff and appointing Elizabeth Hanson to the Board. **(Motion #1290)**

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

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #23 - Third Appropriation Act, 2010-11

-Hon. Mr. Fentie

The Chair also reported that pursuant to Motion #1274, adopted by the House on February 10, 2011, Ray Hayes, Chair of the Yukon Development Corporation Board of Directors, Piers McDonald, Chair of the Yukon Energy Corporation, 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.

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The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Monday, February 21, 2011.

**No. 263**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, February 21, 2011

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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: Seventeenth Report (dated February 21, 2011)

**(Sessional Paper #202)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #23 - Third Appropriation Act, 2010-11

-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, February 22, 2011.

**No. 264**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Tuesday, February 22, 2011

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

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

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

"The Chair wishes to inform the House of a change to be made to the Order Paper. Motion for the Production of Papers #57, standing in the name of the Member for Kluane, will be removed from the Order Paper as it is outdated."

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, identified Motion #1303 and Motion #1258, as being the items to be called during Government Private Members' Business on Wednesday, February 23, 2011.

**FILED DOCUMENT**

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

- Yukon Development Corporation (YDC) Funding Assistance: Letter (dated December 1, 2009) from Hon. Dennis Fentie, Minister responsible for the Yukon Development Corporation, to Ray Hayes, Chair of the Yukon Development Corporation Board of Directors **(Filed Document #170)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #23 - Third Appropriation Act, 2010-11  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, February 23, 2011.

**No. 265**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, February 23, 2011

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

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Canada to amend the Yukon Northern Affairs Program Devolution Transfer Agreement, signed by the Yukon Government on October 29, 2001, in relation to the following:

- (1) changing the provisions of Chapter 5, Forest Resources and the \$7.5 million for Fire Suppression Transition set out in Chapter 7.13 to ensure the Government of Yukon receives appropriate compensation for fighting forest fires in order to address the risk of fire in the boreal forest including the spruce-bark beetle infestation that occurred in the Kluane region under DIAND's administration,
- (2) increasing the \$3 million cap on Resource Revenues set out in Chapter 7.27.1(a) Net Fiscal Benefit to enable the Government of Yukon and Yukon First Nations to receive more benefits from resource development in the territory while promoting greater economic activity with a corresponding greater economic return to the Government of Canada; and
- (3) ensuring there is parity between the provisions of the Yukon Northern Affairs Program Devolution Transfer Agreement and devolution agreements being negotiated with the Government of the Northwest Territories and the Government of Nunavut. **(Motion #1303)**

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

THAT Motion #1303 be amended by deleting from section (3) the words: "ensuring there is parity between" and replacing them with "establishing as a basis for negotiations".

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



YEA

Mitchell	Elias	Inverarity	5
McRobb	Fairclough		

NAY

Fentie	Rouble	Nordick	
Taylor	Lang	Hanson	12
Hart	Horne	Cardiff	
Kenyon	Edzerza	Cathers	

The debate continuing on the motion, it was moved by Ms. Hanson, Member for Whitehorse Centre, in amendment thereto:

THAT Motion #1303 be amended by:

- (1) adding the phrase "Government of Yukon, prior to asking the" immediately after the phrase "THAT this House urges the",
- (2) deleting the phrase "in relation to the following:",
- (3) adding the phrase "to have a discussion with First Nations and other levels of Government, the mining sector, labour, and the general public on creating common principles that will guide Yukon's review and discussion of amendments to the Devolution Transfer Agreement and that this discussion with Yukoners include, but not be limited to:" immediately after the phrase "October 29, 2001";
- (4) inserting immediately after clause (3) "(4) modernizing Yukon's royalty regime to ensure Yukoners receive a fair deal for Yukon's mineral and resource wealth."

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

YEA

Hanson	Cardiff	2
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NAY

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

The debate continuing on Motion #1303, it was agreed to on the following recorded Division:

YEA

Fentie	Horne	Fairclough	
Taylor	Edzerza	Inverarity	
Hart	Nordick	Hanson	17
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang	Elias		

NAY

0

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, February 24, 2011.

**No. 266**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Thursday, February 24, 2011

---

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Staffen, Speaker

- By-election in the Electoral District of Whitehorse Centre, December 13, 2010:  
Report of the Chief Electoral Officer of Yukon **(Sessional Paper #203)**

**POINT OF PERSONAL PRIVILEGE**

The Hon. Mr. Hart, Minister of Health and Social Services, rose on a Point of Personal Privilege, to clarify a response made on February 23, 2011 during 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 #23 - Third 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, February 28, 2011.

**No. 267**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Monday, February 28, 2011

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

**INTRODUCTION OF ACTING TABLE OFFICER**

The Speaker introduced and welcomed Mr. Douglas Arnott, who would be providing assistance at the Table. Mr. Arnott had served at the Legislative Assembly of Ontario as the Deputy Clerk of Committees. Mr. Arnott had previously served in the Yukon Legislative Assembly as Acting Deputy Clerk for the 2000 Fall Sitting, 2001 Spring Sitting and the 2007 Spring Sitting.

**COMMITTEE OF THE WHOLE**

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

The following bill was reported without amendment:

Bill #23 - Third Appropriation Act, 2010-11  
-Hon. Mr. Fentie

The report of the Chair was adopted.

**GOVERNMENT BILLS (Second Reading)**

The following bill was called for Second Reading:

Bill #94 - Act to Amend the Judicature Act (Trade Orders)  
-Hon. Ms. Horne

A debate arising on the motion for Second Reading of Bill #94, Act to Amend the Judicature Act (Trade Orders), and the question being put, it was agreed to on the following recorded Division:

YEA		
Fentie	Rouble	Nordick
Taylor	Lang	Mitchell
Hart	Horne	Elias
Kenyon	Edzerza	Inverarity

12

NAY

Hanson

1

Bill #94, Act to Amend the Judicature Act (Trade Orders), was accordingly referred to Committee of the Whole.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, March 1, 2011.

**No. 268**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Tuesday, March 1, 2011

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

**NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Ms. Hanson, Leader of the Third Party, identified Motion #1331 as being the item to be called during Opposition Private Members' Business on Wednesday, March 2, 2011.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #112 as being the item to be called during Opposition Private Members' Business on Wednesday, March 2, 2011.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, March 2, 2011.

**No. 269**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Wednesday, March 2, 2011

---

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

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

Moved by Ms. Hanson, Member for Whitehorse Centre:

THAT it is the opinion of this House that the democratic deficit is growing in Yukon as demonstrated by the failure of the Premier to appoint a member of the Government caucus to the Select Committee on Bill #108, Legislative Renewal Act, established by the Yukon Legislative Assembly on November 4, 2009, and of the Yukon Government to:

- (1) address the public's growing desire for electoral reform,
- (2) act on the clearly demonstrated and long-overdue need for whistle-blower protection legislation,
- (3) consider the views and opinions of Yukoners after initiating highly publicized public consultation processes,
- (4) enact effective lobbying rules and a code of conduct for lobbyists,
- (5) change the process for making appointments to major boards and committees to increase openness and fairness,
- (6) employ other, less costly and less adversarial means to resolve disputes, other than the courts,
- (7) defend the referenda provisions in the Municipal Act,
- (8) make appointments to the Yukon Council on the Economy and Environment; and
- (9) use the Yukon Forum to deal respectfully and collaboratively with Yukon First Nations Governments on a broad spectrum of political, social and economic issues, as originally envisioned. **(Motion #1331)**

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

THAT Motion #1331 be amended by making the following changes after the word "envisioned" in clause (9), delete the period and add:

and as demonstrated through several other unilateral actions by the Yukon government that have added to the democratic deficit, such as:

- (a) refusing advice from opposition members, despite promising to work collaboratively and cooperatively with all members of the Yukon Legislative Assembly,
- (b) refusing to be open, accountable and fiscally responsible, despite promising to do so,
- (c) using its majority in the House to dictate the agenda of the Yukon Legislative Assembly and to invoke closure on debating matters of public interest that are brought forward by opposition members,
- (d) refusing to follow the Financial Administration Act when investing public funds,
- (e) refusing to respond to more than 50 motions for the production of papers that are currently on the Order Paper; and
- (f) refusing to allow the Auditor General of Canada to appear before the Yukon Legislative Assembly.

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

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

The debate continuing on Motion #1331, and the time reaching 5:30 p.m., while the Hon. Mr. Fentie, Premier, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., on Thursday, March 3, 2011, and debate on Motion #1331 was accordingly adjourned.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, March 3, 2011.



**No. 270**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Thursday, March 3, 2011

---

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 bill:

Bill #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, March 7, 2011.

**No. 271**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Monday, March 7, 2011

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

**SPEAKER'S RULING (Re: Comments made on March 2, 2011)**

Prior to proceeding with Question Period, the Speaker gave the following ruling pertaining to a Point of Order that was raised during Opposition Private Members' Business on March 2, 2011, by Ms. Hanson, Member for Whitehorse Centre.

"The Member raised a Point of Order in response to remarks that the Minister of Justice had made in the course of the debate. The Member for Whitehorse Centre asserted that the remarks were out of order, as they personalized the debate.

The Chair has reviewed the exchange and believes that in this instance there was a Point of Order. While I appreciate that Members may feel passionately about subjects they are debating, I would remind all Members to temper their language when referring to other honourable Members.

Thank you. 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 #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, March 8, 2011.

**No. 272**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Tuesday, March 8, 2011

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

**NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(7), the Hon. Ms. Taylor, Government House Leader, identified Motion #1340 and Motion #1341, as being the items to be called during Government Private Members' Business on Wednesday March 9, 2011.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, March 9, 2011.

**No. 273**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Wednesday, March 9, 2011

---

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

**GOVERNMENT PRIVATE MEMBERS' BUSINESS**

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to continue to ensure that Yukoners have access to a standard of health care that is comparable to the standards in other jurisdictions in Canada by:

- (1) encouraging existing medical clinics and practices to expand their services and attract more health care professionals to reside in the territory in order to improve Yukoners' access to family doctors,
- (2) sponsoring the education of Yukon health care and medical professional students and providing incentives for them to return and practise in the territory,
- (3) encouraging visiting health care and medical specialists to offer their services in the territory by providing them with access to appropriate medical facilities including office space and residences such as the new staff residence/health service facility being constructed on Hospital Road,
- (4) establishing regional health care facilities throughout the territory such as the regional hospitals being constructed in Dawson City and Watson Lake in order to provide rural Yukoners with access to an appropriate level of health care,
- (5) utilizing and expanding Telehealth care services throughout the territory; and
- (6) ensuring Yukoners have priority access to health care and medical services in other jurisdictions, primarily Alberta and British Columbia, for services not available in the territory including covering medical travel and other expenses. **(Motion #1340)**

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

THAT Motion #1340 be amended by inserting immediately after the words "to a standard of health care" the following:

" , without the imposition of health care fees,"

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

YEA

Fentie	Horne	Fairclough	
Taylor	Edzerza	Inverarity	
Hart	Nordick	Hanson	17
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang	Elias		

NAY

0

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

THAT Motion #1340 as amended be further amended by adding, after the words "health care fees" the phrase "or premiums."

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

YEA

Fentie	Horne	Fairclough	
Taylor	Edzerza	Inverarity	
Hart	Nordick	Hanson	17
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang	Elias		

NAY

0

The debate continuing on the motion as amended, it was moved by Ms. Hanson, Member for Whitehorse Centre, in amendment thereto:

THAT Motion #1340 as amended, be further amended by deleting all clauses after the phrase "in other jurisdictions in Canada by" and replacing them with the phrase "acting upon the recommended actions contained in the report of the Auditor General of Canada, entitled Yukon Health Services and Programs - 2011, Department of Health and Social Services and in the Yukon Health Care Review Final Report of September 2008."

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

YEA

Hanson	Cardiff		2
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NAY

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

The debate continuing on the motion as amended and the time reaching 5:30 p.m. while Mr. Cardiff, Member for Mount Lorne, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, March 10, 2011, and debate on Motion #1340 as amended, was accordingly adjourned.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, March 10, 2011.

**No. 274**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Thursday, March 10, 2011

---

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Rouble, Minister of Education

- Department of Education Strategic Plan 2011-2016: Our Commitment to New Horizons (English and French versions) **(Filed Document #171)**
- Department of Education Strategic Plan 2011-2016 and New Horizons: Implementing the Education Reform Project Recommendations **(Filed Document #172)**

**GOVERNMENT MOTIONS**

Moved by the Hon. Mr. Fentie, Premier:

THAT, pursuant to section 18 of the *Conflict of Interest (Members and Ministers) Act*, the Legislative Assembly reappoint David Phillip Jones, Q.C., as a Member of the Conflict of Interest Commission for a three-year period. **(Motion #1310)**

A debate arising on the motion and debate having been concluded, the Speaker informed the House that he would call for a recorded Division.

**Speaker's Call for Recorded Division**

"Before putting the Question, the Chair must draw Members' attention to section 18(4) of the *Conflict of Interest (Members and Ministers) Act*. That section requires that the motion appointing a Conflict of Interest Commissioner must be supported by at least two-thirds of the Members of the Legislative Assembly present for the vote. In order to ensure that the requirements of section 18 of the *Conflict of Interest (Members and Ministers) Act* are met, the Chair will now call for a recorded Division."

The motion was agreed to on the following recorded Division:

YEA			
Fentie	Horne	Fairclough	
Taylor	Edzerza	Inverarity	
Hart	Nordick	Hanson	17
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang	Elias		
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 #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, March 14, 2011.



**No. 275**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Monday, March 14, 2011

---

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

**PETITIONS**

Ms. Hanson, Member for Whitehorse Centre, presented the following Petition:

- Supportive Housing **(Petition #15)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, March 15, 2011.

**No. 276**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Tuesday, March 15, 2011

---

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Fentie, Premier

- Select Committee on Bill #108, Legislative Renewal Act: letter naming Government Caucus member to the Committee (dated March 15, 2011) from Dennis Fentie, Premier, to Floyd McCormick, Clerk of the Legislative Assembly **(Sessional Paper #204)**

**PETITIONS**

**Report of the Clerk**

“Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #15 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Whitehorse Centre on March 14, 2011.

The petition presented by the Member for Whitehorse Centre appears in two versions. The first version contains original signatures and therefore meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

The second version does not contain original signatures and therefore does not meet the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Therefore, the first version of the petition is that to which the Government should respond. The second version of the petition will be returned to the Member for Whitehorse Centre.

Floyd McCormick, Clerk  
Yukon Legislative Assembly”

The Speaker ruled that, Petition #15 is, accordingly, deemed to be read and received.

**NOTICE OF OPPOSITION PRIVATE MEMBERS' BUSINESS**

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #112 as being the item to be called during Opposition Private Members' Business on Wednesday, March 16, 2011.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #1358 as being the item to be called during Opposition Private Members' Business on Wednesday, March 16, 2011.

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, March 16, 2011.

**No. 277**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Wednesday, March 16, 2011

---

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Fentie, Premier

- Yukon Development Corporation: Protocol re Government of Yukon's interrelations with YDC (Sessional Paper #205)
- Yukon Development Corporation: Shareholder letter of expectations 2010-2012 between the corporation and the Minister responsible (Sessional Paper #208)
- Mayo B and Carmacks-Stewart Transmission Line Memorandum of Understanding (dated March 10, 2011) between the Yukon Development Corporation and Government of Yukon (Sessional Paper #209)

Hon. Ms. Horne, Minister of Justice

- Yukon Judicial Council 2010 Annual Report (Sessional Paper #206)
- Yukon Law Foundation (dated November 1, 2009 to October 31, 2010) Annual Report and Financial Statements (Sessional Paper #207)

**OPPOSITION PRIVATE MEMBERS' BUSINESS**

The following bill was called for Second Reading:

Bill #112 - Disclosure Protection Act

-Mr. Inverarity

A debate arising on the motion for Second Reading of Bill #112, entitled Disclosure Protection Act, it was moved by Mr. Nordick, Member for Klondike:

"THAT the debate be now adjourned."

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

YEA

Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			

NAY

Mitchell	Fairclough	Hanson	6
Elias	Inverarity	Cardiff	

Debate on the motion for Second Reading of Bill #112 was accordingly, adjourned.

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Government of Canada to accept the following recommendations of the Canadian Council of Child and Youth Advocates, submitted to the House of Commons Standing Committee on Justice and Human Rights in March 2011, respecting Bill C-4, An Act to Amend the Youth Criminal Justice Act and to make consequential and related amendments to other Acts, namely:

- (1) that Parliament stay any further consideration of Bill C-4,
- (2) that the Government of Canada provide evidence that shows the amendments proposed in Bill C-4 will result in a decrease in criminal activity amongst youth and increase public safety,
- (3) that the Government of Canada give full effect to the Youth Criminal Justice Act by adequately funding the non-custodial options provided for in the Act, by channelling funds to provincial and territorial governments who are charged with the administration of the Act,
- (4) that the Government of Canada facilitate a national multi-jurisdictional strategy, to be jointly developed by federal, provincial and territorial authorities and their respective oversight agencies, that responds to the needs of young people with mental illnesses or severe behavioural and developmental disorders, thereby preventing them from becoming mired in a system that is ill-equipped to meet their needs,
- (5) that the protection of the public and rehabilitation of youth be reinforced as two interdependent objectives, both of which are equally relevant as principles guiding the decision-making process under the Act,
- (6) that the Government of Canada ensures that any future proposed changes to the Canadian youth criminal justice system comply with the provisions and spirit of the United Nations Convention on the Rights of the Child; and
- (7) that all Parliamentarians work towards consensus in order to ensure that an independent Children's Commissioner for Canada be established that respects the distribution of legislative power. **(Motion #1358)**

A debate having started on the motion, it was moved by the Hon. Ms. Horne, Minister of Justice:

"THAT debate be now adjourned."

The question being put on the motion to adjourn debate, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	9
Kenyon	Horne	Cathers	
NAY			
Mitchell	Fairclough	Hanson	6
Elias	Inverarity	Cardiff	

The debate on Motion #1358 was accordingly adjourned.

**GOVERNMENT MOTIONS**

Moved by the Hon. Mr. Fentie, Premier:

THAT this House urges the Members of the Yukon Legislative Assembly to grant unanimous consent to deal with a proposed bill, entitled An Act to Amend the Workers' Compensation Act, concerning firefighter presumptive legislation, during the 2011 Spring Sitting of the First Session of the 32nd Legislative Assembly, should the need arise. **(Motion #1353)**

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

YEA			
Fentie	Horne	Fairclough	
Taylor	Edzerza	Hanson	
Kenyon	Nordick	Cardiff	14
Rouble	Mitchell	Cathers	
Lang	Elias		
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 #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, March 17, 2011.

**No. 278**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Thursday, March 17, 2011

---

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 bill:

Bill #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, March 21, 2011.

**No. 279**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Monday, March 21, 2011

---

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 changes which have been made to the Order Paper. Motions No. 1077 and 1141, standing in the name of the Member for Kluane, Motions No. 1214 and 1327, standing in the name of the Member for Mount Lorne and Motion #1331, standing in the name of the Member for Whitehorse Centre have been removed from the Order Paper as the action requested in the motions has been fulfilled in whole or in part."

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Edzerza, Minister of Environment:

- Yukon State of the Environment Report 2008 **(Sessional Paper #210)**

Hon. Mr. Kenyon, Minister of Economic Development:

- Yukon Film & Sound Incentive Program Annual Report (April 1, 2009 to March 31, 2010) **(Filed Document #173)**

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

- Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, March 22, 2011.



**No. 280**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

---

Tuesday, March 22, 2011

---

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 2010 Annual Report **(Filed Document #174)**

**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, March 23, 2011.

**COMMITTEE OF THE WHOLE**

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

**Recess**

[At 2:25 p.m., during the consideration of Bill #24, entitled First Appropriation Act, 2011-12, the Chair of Committee of the Whole recessed the Committee due to a power outage. The Committee was called to order at 3:48 p.m.]

Progress was reported on the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

---

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, March 23, 2011.

**No. 281**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Wednesday, March 23, 2011

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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 bill:

Bill #24 - First Appropriation Act, 2011-12

-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, March 24, 2011.

**No. 282**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Thursday, March 24, 2011

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

**TABLING RETURNS AND DOCUMENTS**

Hon. Mr. Rouble, Minister of Education:

- Yukon College 2009/2010 Annual Report **(Sessional Paper #211)**
- Yukon College Audited Financial Statements (dated October 22, 2010) prepared by the Office of the Auditor General of Canada **(Sessional Paper #212)**

**PRESENTING REPORTS OF COMMITTEES**

Hon. Mr. Edzerza, Chair, Select Committee on the Safe Operation and Use of Off-road Vehicles:

- Safe Operation and Use of Off-road Vehicles, Select Committee on the: Report (dated March 2011) **(Sessional Paper #213)**

**UNANIMOUS CONSENT RE INTRODUCTION AND FIRST READING OF BILL #95, ACT TO AMEND THE WORKERS' COMPENSATION ACT**

The Hon. Mr. Hart, Minister responsible for the Yukon Workers' Compensation Health and Safety Board, pursuant to Standing Order 14.3, requested unanimous consent to introduce and give First Reading to Bill #95, entitled Act to Amend the Workers' Compensation Act. Unanimous consent was granted.

**INTRODUCTION OF BILLS**

Bill #95 - Act to Amend the Workers' Compensation Act  
-Hon. Mr. Hart

**UNANIMOUS CONSENT RE SECOND READING OF BILL #95, ACT TO AMEND THE WORKERS' COMPENSATION ACT**

Mr. McRobb, Member for Kluane, pursuant to Standing Order 14.3, requested unanimous consent to proceed to Orders of the Day to proceed with Second Reading of Bill #95, entitled Act to Amend the Workers' Compensation Act and then revert to the Daily Routine. Unanimous consent was granted.

**GOVERNMENT BILLS**

The following bill was called for Second Reading:

Bill #95 - Act to Amend the Workers' Compensation Act  
-Hon. Mr. Hart

A debate arising on the motion for Second Reading of Bill #95, entitled Act to Amend the Workers' Compensation Act, and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Horne	Fairclough	
Taylor	Edzerza	Inverarity	
Hart	Nordick	Hanson	16
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang			
NAY			
			0

**UNANIMOUS CONSENT RE COMMITTEE OF THE WHOLE AND THIRD READING OF BILL #95, ACT TO AMEND THE WORKERS' COMPENSATION ACT**

The Hon. Ms. Taylor, Government House Leader, pursuant to Standing Order 14.3, requested unanimous consent to proceed with Committee of the Whole and with Third Reading of Bill #95, entitled Act to Amend the Workers' Compensation Act. Unanimous consent was granted.

**COMMITTEE OF THE WHOLE**

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

The following bill was reported without amendment:

Bill #95 - Act to Amend the Workers' Compensation Act  
-Hon. Mr. Hart

The report of the Chair was adopted.

**GOVERNMENT BILLS**

The following bill was called for Third Reading:

Bill #95 - Act to Amend the Workers' Compensation Act  
-Hon. Mr. Hart

The question being put on the motion for Third Reading of Bill #95, it was agreed to on the following recorded Division:

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

NAY

0

Bill #95, entitled Act to Amend the Workers' Compensation Act, accordingly, passed the House.

**SPEAKER'S RULING (Re: Point of Order raised on March 23, 2011)**

Prior to proceeding with Question Period, the Chair made the following ruling on a Point of Order raised on Wednesday, March 23, 2011, during Question Period, by the Member for Mount Lorne:

"In response to a question from the Member for Mayo-Tatchun regarding Yukon Energy Corporation, the Premier suggested that Members of the Official Opposition were motivated by personal interest, not the public interest. The Member for Mount Lorne then rose on a Point of Order, citing Standing Order 19(g). Standing Order 19(g) says, 'A Member shall be called to order by the Speaker if that Member ... imputes false or unavowed motives to another Member.'

In this case, the Chair believes there is a Point of Order. The second edition of the House of Commons Procedure and Practice, at page 618, advises us that parliamentary proceedings are based on long-standing tradition of respect for the integrity of all Members. The Chair believes that suggesting that a Member or caucus is motivated by a personal interest rather than a public interest does not meet this standard. The Chair would caution all Members against making such remarks in the future. "

**COMMITTEE OF THE WHOLE**

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

Progress was reported on the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The report of the Chair was adopted.

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The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Monday, March 28, 2011.

**No. 283**

**VOTES AND PROCEEDINGS**

**of the**

**YUKON LEGISLATIVE ASSEMBLY**

**32nd Legislative Assembly**

**First Session**

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Monday, March 28, 2011

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

**TABLING RETURNS AND DOCUMENTS**

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

- Access to Information and Protection of Privacy Act Report regarding section 27(3): Designation of Public Bodies Regulation (dated March 2011)  
**(Sessional Paper #214)**

Hon. Ms. Horne, Minister responsible for the Women's Directorate

- Yukon Advisory Council on Women's Issues 2010-2011 Annual Report  
**(Sessional Paper #215)**

**PETITIONS (Response to Petition #15)**

The Hon. Mr. Kenyon, Minister responsible for the Yukon Housing Corporation, gave an oral response to Petition #15 (received by the House on March 15, 2011) with regard to Supportive Housing.

**COMMITTEE OF THE WHOLE**

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

The Committee resumed consideration of the following bill:

Bill #24 - First Appropriation Act, 2011-12  
-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 30<sup>th</sup> day of the 2011 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 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. 24 and 94, be called.

The Committee agreed to report the following bills without amendment:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

Bill #94 - Act to Amend the Judicature Act (Trade Orders)  
-Hon. Ms. Horne

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 that the Government wishes to be called."

The Hon. Ms. Taylor, Government House Leader, directed that Bills No. 23, 24, and 94 be called at this time.

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

The following bill was called for Third Reading:

Bill #23 - Third Appropriation Act, 2010-11  
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #23, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			
NAY			
Mitchell	Fairclough	Hanson	
McRobb	Inverarity	Cardiff	7
Elias			

Bill #23, entitled Third Appropriation Act, 2010-11, accordingly, passed the House.

The following bill was called for Third Reading:

Bill #24 - First Appropriation Act, 2011-12  
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #24, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Edzerza	
Taylor	Lang	Nordick	10
Hart	Horne	Cathers	
Kenyon			
NAY			
Mitchell	Fairclough	Hanson	
McRobb	Inverarity	Cardiff	7
Elias			

Bill #24, entitled First Appropriation Act, 2011-12, accordingly, passed the House.

The following bill was called for Third Reading:

Bill #94 - Act to Amend the Judicature Act (Trade Orders)  
-Hon. Ms. Horne

The question being put on the motion for Third Reading of Bill #94, it was agreed to on the following recorded Division:

YEA			
Fentie	Horne	Fairclough	
Taylor	Edzerza	Inverarity	
Hart	Nordick	Hanson	17
Kenyon	Mitchell	Cardiff	
Rouble	McRobb	Cathers	
Lang	Elias		



NAY

0

Bill #94, entitled Act to Amend the Judicature Act (Trade Orders), accordingly, passed the House.

**ASSENT TO BILLS**

The Assembly received the Commissioner, the Hon. Doug Phillips, in his capacity as Lieutenant-Governor, to give Assent to certain bills passed by the House.

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

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

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

The Clerk of the Assembly, Floyd McCormick, then read the titles of the bills which had been passed severally as follows:

- Third Appropriation Act, 2010-11
- First Appropriation Act, 2011-12
- Act to Amend the Judicature Act (Trade Orders)
- Act to Amend the Workers' Compensation Act

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 the 2011 Spring Sitting, as established pursuant to Standing Order 75, and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned."

---

The Assembly adjourned at 5:18 p.m.

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**1R** - First Reading of Bill

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

**P** - Passed

**2R** - Second Reading

**A** - Assent

**3R** - Third Reading

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94	Judicature Act (Trade Orders), Act to Amend the	11-02-03	11-02-28	11-03-28	11-03-28	11-03-28
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**W**

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**WITNESSES**

Chair of the Yukon Hospital Corporation, Chief Executive Officer and Chief Financial Officer of the Yukon Hospital Corporation appeared as witnesses on February 15, 2011 (Motion #1273).....	525
Chair of the Yukon Development Corporation Board of Directors, Chair of the Yukon Energy Corporation and the Chief Executive Officer of the Yukon Development Corporation and Chief Executive Officer of the Yukon Energy Corporation appeared as witnesses on February 17, 2011 (Motion #1274) .....	529