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JOURNALS

YUKON LEGISLATIVE ASSEMBLY

FIRST SESSION
(Continuation)



29TH LEGISLATURE

March 24, 1997 - May 13, 1997

Speaker:
Hon. Doug Livingston
(March 24, 1997 - April 10, 1997)

Hon. Robert Bruce
(April 14, 1997 -)

No. 10

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, March 24, 1997

ELECTION IN VUNTUT GWITCHIN VOID AND SET ASIDE

At 1:30 p.m., the Clerk addressed the House:

"Honourable Members of the Assembly, on February 27, 1997, the Administrator of Yukon issued Commissioner's Order 1997/01 which reads as follow:

'Pursuant to section 17 of the **Controverted Elections Act**, and to the report of the Honourable Mr. Justice R.E. Hudson I hereby declare that the election of Robert Bruce in the constituency of Vuntut Gwich'in is void and set aside.'

When the election of Mr. Bruce was declared void and set aside, Mr. Bruce ceased to be the Speaker of the Legislative Assembly."

ELECTION OF SPEAKER

Further, the Clerk stated:

"Therefore, as required by law, nominations are invited for the office of Speaker of this Assembly."

It was moved by the Hon. Mr. McDonald, Government Leader, and seconded by Mr. Ostashek, Leader of the Official Opposition, and Mr. Cable, Leader of the Third Party:

"THAT Doug Livingston, Member for Lake Laberge, do take the Chair of this Assembly as Speaker." **(Motion #37)**

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

"I think the 'ayes' have it, and by direction of the Assembly, declare that Doug Livingston has been duly elected as Speaker of this Assembly."

Speaker's Address to the Assembly

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

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

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

"I would like thank the Assembly for the honour you have given me by electing me Speaker of this House. I endeavour to serve this House in a fair manner, as befits the Speaker's role."

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Naomi Brault, Marci Davidson, Jillian Ewert, Jackie Jules, Amy Klassen, Brianne Meister, Caitlin Moorcroft, Laura Pyke, Betsy Sinclair and Jonathan Steele from Riverdale Junior Secondary School in Whitehorse and B.J. Horsey and Jonathan Osborne from St. Elias Community School in Haines Junction would be serving as Pages during the Spring Sitting. Jackie Jules and Amy Klassen were introduced and welcomed to the House.

NOTICE OF HOUSE BUSINESS FOR THE WEEK OF MARCH 24, 1997

The Hon. Mr. Harding, Government House Leader, stated:

"Mr. Speaker, the House Leaders have reached certain agreements about the management of House business for this week. At this time, I wish to outline those agreements for the House.

Today, there will not be a Question Period. Following completion of Daily Routine, the Opposition House Leaders will notify the House, pursuant to Standing Order 14.2, of the items to be called when the House proceeds to Private Members' Business on Wednesday, March 26, 1997. It is agreed that the Third Party may identify a motion for which notice will be provided today. We will then proceed to the Budget Speech which begins Second Reading of the main appropriation Bill for 1997-98. The Leader of the Official Opposition will move adjournment of debate and the House will then adjourn until Wednesday, March 26.

On Wednesday, the House will do Daily Routine and then go to Private Members' Business. The business for that evening is not yet fully established but it is intended to include Second Reading and the Committee of the Whole stage for the interim supply Bill, consideration of a motion to recommend appointment of an Ombudsman and consideration of a measure respecting Cabinet commissioners and their role during Ministerial Statements, Question Period and in Committee of the Whole. If time permits, we may call the interim supply Bill for Third Reading.

On Thursday, March 27, when the House moves to Orders of the Day, we will complete proceedings on the interim supply Bill, if that has not already been done, and then receive the Commissioner to grant assent to that Bill. We will then resume the budget debate by continuing Second Reading debate of the main appropriation Bill for 1997-98.

In order to fulfill the agreements reached between the House Leaders about the conduct of business for this week, it will be necessary, on occasion, to request the unanimous consent of the House to set aside the Standing Orders. At this time, I would request the unanimous consent of the House not to call Question Period today. I would also request unanimous consent to allow the Third Party, notwithstanding the requirements of Standing Order 14.2(3), to identify for debate on Wednesday a motion for which notice is provided today."

**UNANIMOUS CONSENT TO SET ASIDE QUESTION PERIOD
AND TO IDENTIFY A PRIVATE MEMBERS' MOTION**

The Hon. Mr. Harding, Government House Leader, requested and was granted unanimous consent to set aside Question Period on today's date and to allow the Third Party, notwithstanding the requirements of Standing Order 14.2(3), to identify for debate on Wednesday, March 26, a motion for which notice is to be given later this day.

TRIBUTES

In Remembrance of George Shaw, former MLA

Mr. Jenkins, Member for Klondike, Ms. Duncan, Member for Porter Creek South, and the Hon. Mr. Harding, Government House Leader, acknowledged the passing of George Shaw, a former Member of the Yukon Legislative Assembly for Dawson from 1958 until 1970. Mr. Shaw served as Speaker from 1964 to 1967. Mr. Shaw passed away on January 12, 1997. Condolences were extended to the family.

Recognition of the Dawson City Nuggets Hockey Team

Mr. Jenkins, Member for Klondike, Mrs. Edelman, Member for Riverdale South, and the Hon. Mr. Keenan, Minister of Community and Transportation Services, recognized the Dawson City Nuggets hockey team for their daunting trek to Ottawa to play hockey against the Ottawa Senators Alumni. They were re-creating a Stanley Cup game played between the Dawson City Nuggets and the Ottawa Silver Seven in 1905.

INTRODUCTION OF BILLS (First Reading)

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

Bill #5 - Interim Supply Appropriation Act, 1997-98

-Hon. Mr. McDonald

MONEY MESSAGE

Bill #4, First Appropriation Act, 1997-98, and Bill #5, Interim Supply Appropriation Act, 1997-98, were accompanied by a money message.

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Phillips, Opposition House Leader, and Mr. Cable, Third Party House Leader, identified the items to be called during Opposition Private Members' Business on Wednesday, March 26, 1997.

GOVERNMENT BILLS - BUDGET SPEECH

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

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

Thereupon, the Hon. Mr. McDonald delivered the 1997-98 Budget Speech.

Moved by Mr. Ostashek:

THAT debate be now adjourned.

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

SPECIAL ADJOURNMENT MOTION

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

THAT the House, at its rising, do stand adjourned until 1:30 p.m. Wednesday, March 26, 1997. **(Procedural Motion)**

The question being put, it was agreed to.

The Assembly adjourned at 2:47 p.m. until 1:30 p.m., Wednesday, March 26, 1997.

No. 11

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, March 26, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Congratulations and Good Luck to Katrina Marie Gonder

Mr. Fentie, Member for Watson Lake, Mr. Phillips, Member for Riverdale North, and Ms. Duncan, Member for Porter Creek South, congratulated Katrina Marie Gonder, who, when she was eight years old, acted courageously to save a young girl in the Watson Lake pool. Good luck was extended to Katrina as she was preparing for brain tumour surgery.

In remembrance of Jack Allen

Mr. McRobb, Member for Kluane, acknowledged the passing of Jack Allen, an elder of the Champagne-Aishihik First Nation.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Livingston, Speaker

- Report of the Chief Electoral Officer of the Yukon on Contributions to Political Parties during 1996 **(Sessional Paper #19)**
- Report of the Chief Electoral Officer of the Yukon on Contributions to Candidates, 1996 General Election **(Sessional Paper #20)**
- Preliminary Report of the Chief Electoral Officer of the Yukon on the administration of elections of Members of the Legislative Assembly **(Sessional Paper #21)**
- Deductions from the indemnities of Members of the Legislative Assembly made pursuant to subsection 39(6) of the **Legislative Assembly Act**: Report of the Clerk of the Legislative Assembly (Dated March 24, 1997) **(Sessional Paper #22)**

Hon. Ms. Moorcroft, Minister of Education

- Yukon College Annual Report, 1995-96 **(Sessional Paper #23)**
- Yukon College Financial Statements, June 30, 1996 **(Sessional Paper #24)**
- Department of Education Annual Report, 1995-96 **(Sessional Paper #25)**

REPORTS OF COMMITTEES

Hon. Mr. Harding, Government House Leader

- Standing Committee on Rules, Elections and Privileges: First Report of (Dated March 26, 1997) **(Sessional Paper #26)**

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister of Economic Development

- Anvil Range Mine: Government report on

Hon. Mr. Fairclough, Minister of Renewable Resources

- Carcross contaminated site: assessment and proposal for restoration

FILED DOCUMENT

During Question Period, Mr. Ostashek, Leader of the Official Opposition, filed the following document:

- Newsletter to constituents from Tony Penikett, MLA (Fall, 1994) re Yukon Energy Corporation and southern interests **(Filed Document #2)**

OPPOSITION PRIVATE MEMEBER'S BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Phillips on December 11, 1996:

THAT it is the opinion of this House that the universal licensing and registration associated with the Liberal Federal Government's Firearms Act (Bill C-68) will be costly and intrusive on property and civil rights, and will have little impact, if any, on reducing the criminal use of guns; and

THAT this House urges the New Democratic Party Government to continue the work of the previous Yukon Party Government in opposing Bill C-68 and join Ontario, Saskatchewan, the Northwest Territories and Manitoba in the province of Alberta's constitutional challenge of the new gun control law and opt out of the administration of this law if the challenge fails. **(Motion #13)**

Moved by the Hon. Ms. Moorcroft on December 11, 1996, in amendment thereto:

THAT Motion #13 be amended by:

- (1) in the first paragraph, deleting all words after the expression "civil rights" and substituting for them the following:

"and the rights of First Nations people pursuant to their Self-Government Agreements, and is not an effective measure for reducing the criminal use of firearms;"

and

- (2) deleting the second paragraph and substituting for it the following:

"THAT this House commends the Yukon government's position to participate in the province of Alberta's constitutional challenge of the new gun control law, along with the governments of Ontario, Saskatchewan, the Northwest Territories and Manitoba."

A debate continuing on the amendment to Motion #13 and the question being put, it was agreed to on the following recorded Division:

YEA			
McDonald	McRobb	Phillips	
Harding	Fairclough	Jenkins	15
Moorcroft	Fentie	Cable	
Keenan	Hardy	Duncan	
Sloan	Ostashek	Edelman	
NAY			
0			

A debate arising on Motion #13 as amended, it was moved by Mr. Ostashek in amendment thereto:

THAT Motion #13 (as amended) be amended by adding, after the first paragraph, the following:

"THAT this House urges the Liberal Federal Government to cancel the costly registration system and to utilize the savings to combat alcohol and drug abuse and violence against women; and"

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

YEA			
McDonald	Fairclough	Phillips	
Harding	McRobb	Jenkins	15
Moorcroft	Fentie	Cable	
Keenan	Hardy	Duncan	
Sloan	Ostashek	Edelman	
NAY			
0			

A debate arising on Motion #13 as further amended and the question being put, it was agreed to on the following recorded Division:

YEA			
McDonald	Fairclough	Phillips	
Harding	McRobb	Jenkins	15
Moorcroft	Fentie	Cable	
Keenan	Hardy	Duncan	
Sloan	Ostashek	Edelman	
NAY			
0			

Moved by Mrs. Edelman:

THAT it is the opinion of this House that:

- (1) current legislation in the Yukon does not adequately protect victims of domestic violence;
- (2) the Government should examine legislative initiatives, recently taken in other Canadian jurisdictions, to assist victims of domestic violence; and
- (3) the Government should then prepare a comprehensive discussion paper, for use in public consultations on developing new legislation, that will provide a wider range of options in responding to domestic violence." **(Motion #40)**

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

THAT Motion #40 be amended by deleting paragraph (3) and substituting for it the following:

"(3) the Government should then provide draft legislation responding to violence against women and children to victim advocates, the RCMP, the Crown, First Nations, women's groups, the legal community and interested members of the public in order to ensure Yukon legislation addresses community needs."

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

A debate arising on Motion #40 as amended and the question being put, it was agreed to.

UNANIMOUS CONSENT TO WAIVE NOTICE PROVISIONS

The Hon. Mr. Harding, Government House Leader, requested and was granted unanimous consent to waive Standing Order 27(1) with regard to notice in order to debate Committee Report Motion #1 and Motion #38.

MOTIONS RESPECTING COMMITTEE REPORTS

Moved by the Hon. Mr. Harding, Chair of the Standing Committee on Rules, Elections and Privileges:

THAT the First Report of the Standing Committee on Rules, Elections And Privileges, presented to the House on March 26, 1997, be concurred in; and

THAT the amendments recommended in that report to the Standing Orders of the Yukon Legislative Assembly be adopted. **(Committee Report Motion #1)**

A debate arising on the motion and the question being put, Committee Report Motion #1 was agreed to on the following recorded Division:

YEA

McDonald	Sloan	Hardy	
Harding	Fairclough	Cable	12
Moorcroft	McRobb	Duncan	
Keenan	Fentie	Edelman	

NAY

Ostashek	Phillips	Jenkins	3
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SPEAKER'S RULING

"The Chair wishes to draw to the attention of the House the wording of Motion #36, standing on the Order Paper in the name of the Government House Leader. The wording of that motion is identical to the wording found in the First Report of the Standing Committee on Rules, Elections and Privileges with reference to adding new Standing Orders regarding Cabinet commissioners.

The House has just adopted Committee Report Motion #1 concurring in the First Report of the Standing Committee on Rules, Elections and Privileges; as a result, all of the new Standing Orders set out in Motion #36 have been adopted.

Because the House has now reached a decision on the content of Motion #36, the Chair must order that Motion #36 be dropped from the Order Paper."

GOVERNMENT MOTIONS

Moved by the Hon. Mr. McDonald, Government Leader:

THAT the Yukon Legislative Assembly, pursuant to Section 2 of the **Ombudsman Act**, recommends that the Commissioner in Executive Council appoint Hendrik K. Moorlag as the Ombudsman of Yukon for a term of five years commencing April 8, 1997.

(Motion #38)

A debate arising on Motion #38 and the 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 2 of the **Ombudsman Act**. That section requires that the recommendation of the Legislative Assembly to the Commissioner in Executive Council respecting the appointment of an Ombudsman be supported by at least two-thirds of the Members of the Assembly. The effect of Section 2 is that, for this motion to be carried, at least eleven Members must vote for it. In order to ensure that the requirements of Section 2 of the **Ombudsman Act** are met, the Chair will now call for a recorded Division."

The motion was agreed to on the following recorded Division:

YEA		
McDonald	Fairclough	Phillips
Harding	McRobb	Jenkins
Moorcroft	Fentie	Cable
Keenan	Hardy	Duncan
Sloan	Ostashek	Edelman
NAY		
0		

The Speaker declared Motion #38 carried by the required support of two-thirds of the Members of the Assembly.

GOVERNMENT BILLS

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

Bill #5 - Interim Supply Appropriation Act, 1997-98
-Hon. Mr. McDonald

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment.

Bill #5 - Interim Supply Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

GOVERNMENT BILLS

Unanimous consent was requested by the Hon. Mr. Harding, Government House Leader, and granted to proceed with Third Reading of Bill #5 pursuant to Standing Order 55(2), allowing for a Bill to be advanced two or more stages in one day. The following Bill was read a third time and passed:

Bill #5 - Interim Supply Appropriation Act, 1997-98
-Hon. Mr. McDonald

The Assembly adjourned at 8:45 p.m. until 1:30 p.m., Thursday, March 27, 1997.

No. 12
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, March 27, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

In remembrance of Roy Sam

The Hon. Mr. McDonald, Government Leader, acknowledged the passing of Roy Sam, a former chief of the Kwanlin Dun First Nation.

In remembrance of Daisy Smith

The Hon. Mr. Keenan, Minister of Community and Transportation Services, paid tribute to a respected elder, Daisy Smith who passed away on March 8, 1997, at the age of 103 years.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Livingston, Speaker

- Report of the Chief Electoral Officer of the Yukon on the 1996 General Election
(Sessional Paper #27)

Hon. Ms. Moorcroft, Minister of Education

- Yukon Curriculum Review on Gender Bias: Final Report (dated 1996)
(Sessional Paper #28)

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

- Rate relief program: explanation of rate relief for 1996 and 1997
(Legislative Return #4)

Hon. Mr. Keenan, Minister of Tourism

- Yukon Heritage Resources Board 1995-96 Annual Report (Sessional Paper #29)

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Gender equity in public schools policy implementation

ASSENT TO BILL

The Assembly received the Commissioner 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 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 then read the title of the Bill which had been passed:

Bill #5 - Interim Supply Appropriation Act, 1997-98

-Hon. Mr. McDonald

The Commissioner assented the Bill:

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

The Commissioner then retired from the Chamber.

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

A debate continued on the motion for Second Reading.

Quorum Count

At 3:42 p.m., during Second Reading debate on Bill #4, First Appropriation Act, 1997-98, Mr. Cable, the Member for Riverside, rose on a Point of Order to ask if there were a quorum. The Deputy Speaker noted that a quorum was not present. Pursuant to Standing Order 3(2), he rang the bells and then did a count. A quorum was present for the count.

Second Reading debate continued on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

A debate continuing on the motion for Second Reading and the time approaching 5:30 p.m., it was moved by Mr. Jenkins:

THAT debate be now adjourned.

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

The Assembly adjourned at 5:18 p.m. until 1:30 p.m., Tuesday, April 1, 1997.

No. 13

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 1, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Tribute to Margaret McCullough on her retirement from the Yukon Human Rights Commission

The Hon. Mr. McDonald, Government Leader, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, paid tribute to Margaret McCullough on her retirement after more than a decade of service with the Yukon Human Rights Commission.

MINISTERIAL STATEMENTS

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

- Health transfer (phase II)

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

- Yukon Energy Corporation Operating Agreement

Filed Document

While commenting on the Ministerial Statement, Mr. Ostashek, Leader of the Official Opposition, filed the following document:

- Managing Yukon's Power System: letter dated August 8, 1996 to the (then) Government Leader, John Ostashek from the (then) Leader of the Official Opposition, Piers McDonald **(Filed Document #3)**

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

A debate continuing on the motion for Second Reading and the time approaching 5:30 p.m. just as Mr. Phillips, Member for Riverdale North, concluded speaking, the Speaker adjourned the House. Debate on the motion for Second Reading of Bill #4 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Wednesday, April 2, 1997.

No. 14

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 2, 1997

The Speaker took the Chair at 1:30 p.m.

PETITIONS (Response to Petition #2)

The Hon. Mr. Keenan, Minister of Community and Transportation Services, gave an oral response to Petition #2 (received by the House on December 18, 1996) with regard to land assessment on properties in the Marsh Lake area.

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Justice

- RCMP/Department of Justice: Shared leadership vision statement

Mr. Hardy, Cabinet commissioner on Yukon Hire

- Activities of Cabinet Commission on Yukon Hire

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hardy:

THAT it is the opinion of this House that:

- (1) the Federal Government has broken faith with young people, seniors, First Nations people, single parents, people needing medical care, people receiving social assistance and other low-income Canadians, and
- (2) the Federal Government has neglected its duty as a national government by raising public expectations of funding for support programs to address social needs, only to retreat from those programs or attempt to offload responsibility to other levels of government to meet its political goals of deficit-reduction; and

THAT this House expresses strong disapproval of this neglect of duty, and urges the Federal Government to work with the provinces and territories to stop the offloading and restore funding to essential programs that addresses serious social needs.

(Motion #52)

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

THAT Motion #52 be amended by deleting everything after the word "that" in the first paragraph and substituting for it the following:

"the Federal Government has reallocated their expenditures to reflect the priority Canadians place on social programs and deficit reduction;

the Federal Government, in the face of severe financial restraints, has provided stable, predictable and sustainable funding for health care and other social programs through the Canada Health and Social Transfer;

the Federal Government has kept their commitment to young people, seniors, First Nations people, single parents, people needing medical care, people receiving social assistance and other low-income Canadians by reducing the deficit, thereby stabilizing the Federal financial position, permitting the maintenance of funding of the Canada Health and Social Transfer."

Speaker's Ruling

Having reviewed the amendment, the Speaker ruled it out of order because it had the effect of being a direct negative.

A debate continuing on the motion and the time reaching 5:30 p.m. while Mr. Phillips was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #52 was accordingly adjourned.

Filed Document

During debate on Motion #52, Mr. Cable, Member for Riverside, filed the following document:

- Major Federal Transfers to Provinces and Territories - 1996 to 1999
(Filed Document #4)

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

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

YEA			
McDonald	Keenan	McRobb	
Harding	Sloan	Fentie	9
Moorcroft	Fairclough	Hardy	
NAY			
Ostashek	Jenkins	Duncan	6
Phillips	Cable	Edelman	

Bill #4 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 #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, April 3, 1997.

No. 15
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 3, 1997

The Speaker took the Chair at 1:30 p.m.

MINISTERIAL STATEMENTS

Hon. Mr. Keenan, Minister of Community and Transportation Services
- NorthwesTel rate rebalancing application

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Monday, April 7, 1997.

No. 16

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 7, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

In remembrance of Kip Boyd

Mr. Phillips, Member for Riverdale North, Mr. Cable, Member for Riverside, and the Hon. Mr. Keenan, Minister of Community and Transportation Services, paid tribute to long-time Yukoner Kip Boyd, who passed away on April 4, 1997. Condolences were extended to his wife Kathy and the family.

In recognition of National Wildlife Week

The Hon. Mr. Fairclough, Minister of Renewable Resources and Ms. Duncan, Member for Porter Creek South, recognized National Wildlife Week.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Funding for non-government organizations (dated April 1997)
(Sessional Paper #30)

Hon. Mr. Fairclough, Minister of Renewable Resources

- Bonnet Plume Heritage River Management Plan (draft dated December 1996)
(Sessional Paper #31)
- Bonnet Plume Heritage River Management Plan newsletter
(Sessional Paper #32)

MINISTERIAL STATEMENTS

Hon. Mr. McDonald, Government Leader

- Non-government organizations: funding for

Hon. Mr. Fairclough, Minister of Renewable Resources

- Heritage Rivers System

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Tuesday, April 8, 1997.

No. 17

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 8, 1997

The Speaker took the Chair at 1:30 p.m.

PETITIONS (Response to Petition #1)

The Hon. Mr. Harding, Minister responsible for the Yukon Energy Corporation, gave an oral response to Petition #1 (received by the House on December 16, 1996) with regard to rate relief.

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister of Economic Development
- Anvil Range Mine Training Agreement

GOVERNMENT MOTIONS

Unanimous consent having been requested by the Hon. Mr. Harding, Government House Leader, and granted to waive the provisions of Standing Order 27(1) with regard to notice, it was moved by the Hon. Mr. Harding:

THAT at 7:30 p.m. on Wednesday, April 9, 1997, Rob McWilliam, President of the Yukon Energy Corporation, and Cam Osler of Intergroup Consultants, a company on contract with the Yukon Energy Corporation, appear as witnesses before Committee of the Whole to discuss the financial status of the Corporation. **(Motion #55)**

A debate arising on Motion #55 and the question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

Filed Document

During general debate on Vote 02, Executive Council Office, Bill #4, the Hon. Mr. McDonald filed the following document:

- Cabinet Commissions: Organization, Budget and Commission Mandates **(Filed Document #5)**

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Wednesday, April 9, 1997.

No. 18

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 9, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Eightieth Anniversary of Vimy Ridge

The Hon. Mr. McDonald, Government Leader, and Mr. Ostashek, Leader of the Official Opposition, paid tribute to those who lost their lives during the Battle of Vimy Ridge, which took place eighty years ago, and to the veterans.

MINISTERIAL STATEMENTS

Mr. McRobb, Cabinet commissioner on Energy

- Cabinet Commission on Energy workplan

Hon. Mr. Harding, Minister of Economic Development

- Canada/Yukon Business Service Centre

FILED DOCUMENT

During Question Period, Mr. Phillips, Member for Riverdale North, filed the following document:

- Government should act to protect Taylor House (Letter and News Release from Piers McDonald, (then) Leader of the Official Opposition, both dated July 30, 1996)
(Filed Document #6)

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Ostashek:

THAT it is the opinion of this House that:

- (1) the Yukon Government should reconsider the Agreement-in-Principle reached between the Yukon Energy Corporation and Alberta Power Ltd. which includes the sale of \$4 million of YEC assets in contravention of a long-standing commitment by the Yukon New Democratic Party to oppose the sale of such assets to southern interests;
- (2) the agreement through such provisions as a twenty-year franchise for the Yukon Electrical Company Ltd. for residential and commercial customers will seriously

- impede the government's ability to use energy as a tool for economic development;
and
(3) the agreement will lead to the increased use of expensive and environmentally harmful diesel for energy generation and will do nothing to reduce the high energy costs to Yukon's electrical consumers. **(Motion #54)**

A debate was started on the motion.

Quorum Count

At 3:30 p.m., during debate on Motion #54, the Hon. Mr. Harding, Minister of Economic Development, rose on a Point of Order to ask if there were a quorum. The Speaker noted that a quorum was not present. Pursuant to Standing Order 3(2), he rang the bells and then did a count. A quorum was present for the count.

A debate continuing on the motion, it was moved by Mr. McRobb in amendment thereto:

THAT Motion #54 be amended by deleting paragraphs (1), (2) and (3) and substituting for them the following:

"that the Yukon Government should support the Agreement-in-Principle reached between the Yukon Energy Corporation and Alberta Power Ltd. that was approved by the Yukon Energy Corporation Board of Directors;
and

THAT this House urges the Yukon Energy Corporation to continue its hard bargaining position on behalf of Yukon ratepayers as they negotiate all outstanding aspects of the agreement."

Speaker's Statement

A Point of Order having being raised on the admissibility of the amendment, the Speaker stated:

"On the Point of Order, the Member for Riverside properly noted that there was a ruling, last week, on a matter that certainly bears some similarities. Without making excuses for a new Speaker, certainly one of the things that I have not had an opportunity to do, is adequately review the precedents. What I would like to do at this point is to defer a decision until the House sits tomorrow. I see that we are close to the end of the day. I would look for some guidance from the House Leaders in terms of how they would like to proceed at this time."

A debate continuing on the main motion and the time reaching 5:30 p.m. while the Hon. Mr. Sloan was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #54 was accordingly adjourned.

Filed Document

During debate on Motion #54, Mr. McRobb, Member for Kluane, tabled the following documents:

- The Next Step in Managing Yukon's Power System (discussion paper prepared by the Department of Economic Development, July/August 1996) **(Filed Document #7)**

- Help Determine Yukon's Energy Future (questionnaire prepared by the Department of Economic Development) **(Filed Document #8)**

COMMITTEE OF THE WHOLE

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

The Chair reported as follows:

"Pursuant to Motion #55 which was passed by the House on April 8, 1997, Rob McWilliam, President of the Yukon Energy Corporation, and Cam Osler of Intergroup Consultants appeared before the Committee to discuss the financial status of the Yukon Energy Corporation."

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, April 10, 1997.

No. 19

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 10, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Hundredth and first birthday greetings to Sarah Abel

The Hon. Mr. McDonald, Government Leader, Mr. Phillips, Member for Riverdale North, and Ms. Duncan, Member for Porter Creek South, extended birthday greetings to Sarah Abel, from Old Crow, who was celebrating her one hundredth and first birthday on today's date.

MINISTERIAL STATEMENTS

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

- School lunch programs: funding for

SPEAKER'S RULING

"The Chair will now provide a ruling on the Point of Order that was raised yesterday by the Official Opposition House Leader following the moving of an amendment to Motion #54 by the Member for Kluane.

For the record, Motion #54 reads as follows:

THAT it is the opinion of this House that:

- (1) the Yukon Government should reconsider the Agreement-in-Principle reached between the Yukon Energy Corporation and Alberta Power Ltd. which includes the sale of \$4 million of YEC assets in contravention of a long-standing commitment by the Yukon New Democratic Party to oppose the sale of such assets to southern interests;
- (2) the agreement through such provisions as a twenty-year franchise for the Yukon Electrical Company Ltd. for residential and commercial customers will seriously impede the government's ability to use energy as a tool for economic development; and
- (3) the agreement will lead to the increased use of expensive and environmentally harmful diesel for energy generation and will do nothing to reduce the high energy costs to Yukon's electrical consumers.

Also, for the record, the amendment moved by the Member for Kluane reads as follows:

"THAT Motion No. 54 be amended by deleting paragraphs (1), (2) and (3) and substituting for them the following:

"that the Yukon government should support the agreement in principle reached between the Yukon Energy Corporation and Alberta Power Ltd. that was approved by the Yukon Energy Corporation Board of Directors; and

THAT this House urges the Yukon Energy Corporation to continue its hard bargaining position on behalf of Yukon ratepayers as they negotiate all outstanding aspects of the agreement."

The Official Opposition House Leader stated, on the Point of Order, that the amendment changes the intent of Motion #54 and "by our rules we're not allowed to change the intent of the motion."

The Government House Leader said that he felt the proposed amendment was consistent with amendments that had been moved and accepted for debate in the past in this House.

The honourable Leader of the Third Party reminded the Chair that an amendment that he had proposed on April 2, 1997, had been ruled out of order and that he felt the nature of the amendment now before the House was very similar to that one.

The Chair has reviewed the Standing Orders of the Assembly and found no specific direction there.

The Chair has now had an opportunity to review some of the precedents of the Assembly. There are a number which, on the face of it, seem to support the contention that the amendment is in order.

I would cite two from the 28th Legislative Assembly as examples.

First, on April 28, 1993, a motion was before the House in the name of the Member for Faro, Trevor Harding, which read:

"THAT it is the opinion of this House that the Government of Yukon should show economic leadership by actively supporting the immediate stripping of the Grum ore deposit in the vicinity of Faro as an infrastructure investment to stimulate economic activity, to keep thousands of Yukon people working and to stave off private sector economic collapse due to the lack of any other immediate private sector opportunities of comparable scale."

An amendment was moved by the Minister of Justice, the Hon. Willard Phelps, which read:

"THAT Motion #38 be amended by deleting all the words after the word 'Yukon' in the second line and replacing them with the following:

"is showing economic leadership by actively supporting the stripping of the Grum ore deposit in the vicinity of Faro as an investment to stimulate economic activity, to keep Yukon people working and to stave off private sector economic collapse due to the lack of any other immediate private sector opportunities of comparable scale."

A second example is found on May 4, 1994, when the House was considering a motion standing in the name of the Member for Whitehorse Centre, Margaret Commodore, which read:

"THAT it is the opinion of this House that the Government of Yukon should immediately live up to its obligations under the Umbrella Final Agreement and commence negotiating in good faith with the Kwanlin Dun First Nation."

An amendment was moved by the Minister of Education, the Hon. Doug Phillips, which read:

"THAT Motion #40 be amended by deleting all the words after the phrase 'Government of Yukon should' and substituting for them the following:

"continue to live up to its obligations under the Umbrella Final Agreement and continue negotiating in good faith with the Kwanlin Dun First Nation."

Going further back, I would cite an example from the 25th Legislative Assembly when, on March 28, 1984, the Member for Faro, Maurice Byblow, moved a motion which stated:

"THAT the Government of Yukon, in recognition that the history of Yukon includes all regions of Yukon, should alter its tourism policy to include greater support of regions and communities outside the primary Alaska-Klondike highway corridors and the primary destination points of Dawson, Watson Lake and Carcross."

An amendment was moved to that motion by the Minister of Education, the Hon. Bea Firth, which read:

"THAT Motion #6 be amended by deleting the expression 'should alter its tourism policy to include greater support of regions' and substituting for it the expression 'should continue its tourism policy supporting regions.'"

The Chair, when making the ruling on the amendment to Motion #52 moved by the Leader of the Third Party on April 2, 1997, had not had an opportunity to review past precedents of this House and, instead, relied on Annotation 578 of **Beauchesne** which states, in part:

"An amendment proposing a direct negative, though it may be covered up by verbiage, is out of order."

and

"An amendment which would produce the same result as if the original motion were simply negated is out of order."

A review of amendments such as have been cited indicates that past Speakers and Houses have been more lenient in allowing such amendments. The Chair would take this as meaning more emphasis has been put on Annotations 567 and 572 in **Beauchesne**. Annotation 567 cites **Erskine May** when it states:

"The object of an amendment may be either to modify a question in such a way as to increase its acceptability or to present to the House a different proposition as an alternative to the original question."

Annotation 572 states:

"An amendment to alter the main question, by substituting a proposition with the opposite conclusion, is not an expanded negative and may be moved."

Taking into account the precedents of this Assembly, the Chair must rule that the amendment moved by the Member for Kluane is in order. Further, the Chair directs that the amendment should now appear on the Order Paper. If debate should resume on this motion, the Minister of Health and Social Services, who had been speaking to the motion at adjournment, shall be entitled to speak first to the amendment.

In reference to the point raised by the Leader of the Third Party about the amendment which he had moved on April 2 and which was ruled out of order, the Chair agrees that it would seem, by virtue of the precedents, the amendment could have been found to have been in order.

In making this ruling, the Chair would comment that he has been informed that the Point of Order raised by the Official Opposition House Leader reflects a concern that has been raised more than once in the past. Other Members from past Houses have expressed frustration with what the Chair would describe as "substitutional amendments."

The Chair, although understanding the point being made by the Official Opposition House Leader and of past Members, must, nevertheless, be guided by the rules and, in the absence of rules, the precedents of the House. If there is a desire on the part of Members for a different standard to be applied when determining if amendments are acceptable, it will be necessary for the House to provide direction to the Chair on this matter. Such direction is normally provided through reports of the Standing Committee on Rules, Elections and Privileges and, possibly, through amendments to the Standing Orders."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

RESIGNATION OF SPEAKER

The Hon. Doug Livingston, Speaker, announced to the House at 5:28 p.m. that he would be resigning as Speaker effective at the time of adjournment on today's date.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Monday, April 14, 1997.

No. 20

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 14, 1997

Return to writ certifies election of Robert Bruce in Vuntut Gwitchin

The Clerk of Assembly read a letter from the Chief Electoral Officer as follows:

"April 14, 1997

Yukon Legislative Assembly
Whitehorse, Yukon

Subsequent to the report of the Honourable Mr. Justice R.E. Hudson, the order to declare the election of Robert Bruce in the Electoral District of Vuntut Gwich'in void and for that election to be set aside caused a vacancy for that electoral district.

A writ for a by-election was issued on February 28, 1997 and polling day was April 1, 1997.

I hereby advise that the returning officer for the Electoral District of Vuntut Gwich'in has certified in the return to the writ that Robert Bruce has been elected as the member to represent that electoral district in the Legislative Assembly.

Yours sincerely,
Patrick L. Michael
Chief Electoral Officer"

Member for Vuntut Gwitchin takes seat

Mr. Robert Bruce, having taken the Oath of Allegiance and the Oath of Office earlier this day, was introduced by the Hon. Mr. McDonald, Government Leader, and took his seat.

ELECTION OF SPEAKER

The Clerk stated:

"Honourable Members of the Assembly, on April 10, 1997, Hon. Doug Livingston informed the House that he would be resigning as Speaker of the Legislative Assembly upon the adjournment of the House on that day. Therefore, effective at 5:30 p.m. on Thursday, April 10, 1997, Mr. Livingston ceased to be the Speaker of the Legislative Assembly."

Further, the Clerk stated:

"As required by law, nominations are invited for the office of Speaker of this Assembly."

It was moved by the Hon. Mr. McDonald, Government Leader, and seconded by Mr. Ostashek, Leader of the Official Opposition, and Mr. Cable, Leader of the Third Party:

"THAT Robert Bruce, Member for Vuntut Gwitchin, do take the Chair of this Assembly as Speaker."
(Motion #56)

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

"I think the 'ayes' have it, and by direction of the Assembly, declare that Robert Bruce has been duly elected as Speaker of this Assembly."

Speaker's Address to the Assembly

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

The Hon. Mr. McDonald, Government Leader, Mr. Ostashek, the Leader of the Official Opposition, and Mr. Cable, the Leader of the Third Party, shook hands with the newly-elected Speaker and offered their congratulations.

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

"I would like to thank the Assembly for the honour you have given me by electing me Speaker of this House."

TRIBUTES

Yukon Science Fair

The Hon. Ms. Moorcroft, Minister of Education, congratulated all the participants in this year's Yukon Science Fair.

National Volunteer Week

Mrs. Edelman, Member for Riverdale South, and the Hon. Mr. Sloan, Minister of Health and Social Services, recognized National Volunteer Week and commended all volunteers in the Yukon.

Food Drive

The Hon. Mr. Sloan, Minister of Health and Social Services, commended everyone who participated in the food drive organized by the churches and the ecumenical ministerial association.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Election of Robert Bruce as Member for Vuntut Gwich'in, letter dated April 14, 1997 from the Chief Electoral Officer to the Assembly **(Sessional Paper #33)**

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

- Trucking permits on the South Campbell Highway: background and status **(Legislative Return #5)**

MINISTERIAL STATEMENTS

Hon. Mr. Keenan, Minister of Community and Transportation Services
- Year of Games, 1997 - 1998

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Tuesday, April 15, 1997.

No. 21

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 15, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Legislative Pages for achievements

The Hon. Robert Bruce, Speaker, and the Hon. Mr. Sloan, Minister of Health and Social Services, congratulated Pages Marci Davidson and Amy Klasssen on their winning project in the Yukon Science Fair and Page Jillian Ewert on winning a gold medal at the Rotary Music Festival.

Upper Tanana Glossary

Mr. McRobb, Member for Kluane, recognized the Upper Tanana Cultural Society on the production of "Nee'aaneek", the Upper Tanana Glossary.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources

- Contaminants: clean-up of Rainy Hollow (B.C.) and survey of berries, moose and caribou (Legislative Return #6)

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

- Group home at 16 Klondike Road: letter date April 15, 1997 from the Minister of Health and Social Services to the Member for Riverdale North (Legislative Return #7)

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister of Economic Development

- Trade and investment diversification strategy

FILED DOCUMENTS

During Question Period, the following documents were filed:

Mr. Ostashek, Leader of the Official Opposition

- Yukon electricity rates: text of a petition circulated by the Yukon New Democratic Party during July and August, 1996 (Filed Document #9)

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

- Yukon Energy Corporation proposed power rate increase; CHON-FM 7:30 a.m. news story, April 15, 1997 **(Filed Document #10)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:22 p.m. until 1:30 p.m., Wednesday, April 16, 1997.

No. 22

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 16, 1997

The Speaker took the Chair at 1:30 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Clean-up of military sites: letter dated April 14, 1997 from Piers McDonald, Government Leader, to Lloyd Axworthy, Federal Minister of Foreign Affairs, regarding misconception of the status of the two territories

(Sessional Paper #34)

Hon. Mr. Fairclough, Minister of Renewable Resources

- Clean-up of abandoned Yukon military sites: letters dated March 3, 1997 and April 16, 1997 from Eric Fairclough, Minister of Renewable Resources, to Ron Irwin, Federal Minister of Indian Affairs and Northern Development and a letter dated February 20, 1997 from same Minister to Sergio Marchi, Federal Minister of the Environment

(Sessional Paper #35)

MINISTERIAL STATEMENTS

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

- Survival skills for women

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. McRobb:

THAT it is the opinion of this House that:

- (1) contamination at abandoned military sites could have detrimental impacts on the Yukon's environment, fish, wildlife and people who depend on country foods;
- (2) clean-up of these sites should be undertaken on a priority basis; and
- (3) given the Government of Canada's ownership and jurisdictional responsibility for most of the Yukon land mass, both now and at the time the sites were contaminated, Canada must retain the responsibility for reclamation of these sites;

THAT, given the Yukon Government's current jurisdiction for fish and wildlife and the shared responsibility of Canada, Yukon and First Nations governments to manage for conservation, Canada has an obligation to consult with Yukon and First Nations

governments and the relevant land claims boards and councils in respect to matters affecting the reclamation of contaminated sites on Crown land;

THAT this House strongly objects to Canada's signing of an agreement with the United States of America regarding reclamation of U.S. military sites which may affect the clean-up of sites in the Yukon without any prior consultation with Yukon governments and people;

THAT this House urges the Government of Canada to provide assurances that contamination at Yukon sites will be cleaned up; and

THAT the Speaker forward copies of this resolution to:

- (1) the Right Honourable Jean Chretien, Prime Minister of Canada;
- (2) the Hon. Lloyd Axworthy, Minister of Foreign Affairs;
- (3) the Hon. Doug Young, Minister of National Defence;
- (4) the Hon. Ron Irwin, Minister of Indian Affairs and Northern Development;
- (5) the Hon. Sergio Marchi, Minister of Environment;
- (6) Audrey McLaughlin, M.P.;
- (7) Acting Grand Chief Steve Taylor of the Council of Yukon First Nations;
- (8) all Yukon First Nations Chiefs and Councils;
- (9) Yukon Fish and Wildlife Management Board;
- (10) Alsek Renewable Resources Council;
- (11) Teslin Renewable Resources Council;
- (12) Mayo Renewable Resources Council;
- (13) Wildlife Management Advisory Council, North Slope; and
- (14) Inuvialuit Game Council.

(Motion #58)

A debate arising on the motion and the question being put, Motion #58 was agreed to on the following recorded Division:

YEA			
McDonald	Sloan	Hardy	
Harding	Fairclough	Ostashek	12
Moorcroft	McRobb	Phillips	
Keenan	Fentie	Jenkins	
NAY			
Cable	Duncan	Edelman	3

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, April 17, 1997.

No. 23

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 17, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Rotary Music Festival

The Hon. Ms. Moorcroft, Minister of Education, congratulated all participants and organizers involved with the Rotary Music Festival.

Law Day

The Hon. Ms. Moorcroft, Minister of Justice, recognized Equality Day and Law Day.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Minister of Economic Development

- Yukon Short-Term Economic Outlook 1997 (dated April, 1997)

(Sessional Paper #36)

Mr. McRobb, Cabinet commissioner on Energy

- Cabinet Commission on Energy workplan synopsis

(Sessional Paper #37)

FILED DOCUMENT

During Question Period, Ms. Duncan, Member for Porter Creek South, filed the following document:

- Department of Education: job advertisements placed in the Vancouver Sun on April 12, 1997 for Special Education teachers

(Filed Document #12)

COMMITTEE OF THE WHOLE

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

Introduction of Visitors

The Hon. Mr. McDonald, Government Leader, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Member for Porter Creek South, introduced the Rt. Hon. Joe Clark, former Prime Minister of Canada, and welcomed him to the Yukon.

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Monday, April 21, 1997.

No. 24

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 21, 1997

The Speaker took the Chair at 1:30 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Minister of Economic Development

- Oil and Gas Royalties: sharing agreement with Yukon First Nations

(Legislative Return #11)

MINISTERIAL STATEMENTS

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

- Workplace harassment prevention co-ordinator

SPEAKERS' STATEMENT

"Before proceeding to Question Period today, the Chair would like to clarify the rules and practices regarding anticipation.

Standing Order 19 (1) (e):

'A Member will be ruled out of order by the Speaker if that Member anticipates any matter on the Order or Notice Paper.'

Guideline 12 of Guidelines to Oral Question Period states:

'A question is out of order if a debate is scheduled for that day on the same subject matter.'

Annotation 513 (1) of **Beauchesne** states:

'In determining whether a discussion is out of order on the grounds of anticipation, the Speaker must have regard to the probability of the matter anticipated being brought before the House within a reasonable period.'

In our House, "reasonable period" means the same day.

If any matter is scheduled for debate later in the day, the Chair will not be able to allow questions on that subject during Question Period. By way of example, as Committee of the Whole will be continuing debate on the Department of Community and Transportation Services this afternoon, the Chair will not be able to entertain questions on the programs and line items still to be carried. On

the other hand, if debate on a program in the Department has been completed, the Chair can allow questions on matters falling within that program.

If the Chair should neglect to notice that a matter is likely to be up for debate later that day, the Minister can always decline to answer based on anticipation.

The Chair hopes that this will clear up any confusion that may have arisen from Thursday, April 17, 1997."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Tuesday, April 22, 1997.

No. 25

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 22, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Recognition of Earth Day

The Hon. Mr. Fairclough, Minister of Renewable Resources, and Ms. Duncan, Member for Porter Creek South, recognized Earth Day.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Justice

- RCMP police dog: status

(Legislative Return #12)

INTRODUCTION OF BILLS (First Reading)

Bill #6 - Interim Supply Appropriation Act, 1997-98 (No. 2)

-Hon. Mr. McDonald

MONEY MESSAGE

Bill #6, Interim Supply Appropriation Act, 1997-98 (No. 2), was accompanied by a money message.

MINISTERIAL STATEMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources

- Yukon protected area strategy

FILED DOCUMENT

During Question Period, the Hon. Mr. Harding, Minister of Economic Development, filed the following document:

- Mining and exploration expenditures by jurisdiction in Canada: 1995 -1997

(Filed Document #13)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Wednesday, April 23, 1997.

No. 26

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 23, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Legislative Page, Amy Klassen, for musical achievement

The Hon. Mr. Bruce, Speaker, congratulated page Amy Klassen on winning four gold medals and the intermediate trophy at the Rotary Music Festival.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Sloan, Minister of Government Services

- Property Management Agency: 1997-98 Business Plan (Sessional Paper #38)

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Youth Works steering committee

FILED DOCUMENT

During Question Period, the Hon. Mr. Fairclough, Minister of Renewable Resources, filed the following document:

- Aishihik Lake water level: letter dated December 10, 1996 from Lindsay Staples, Chair, Aishihik Relicensing Project Technical Group to John Murray, Project Manager, Aishihik Relicensing Project, Yukon Electrical Company Limited (Filed Document #14)

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MEMEBERS

Moved by Mr. Phillips:

THAT it is the opinion of this House that testing in schools not only evaluates the level of learning attained by the individual student but it also demonstrates the effectiveness of teaching methods and the overall education system; and

THAT this House urges the Government of Yukon to maintain standardized testing in Yukon schools and strive for excellence in Yukon's education system by expanding the Yukon Excellence Awards to include significant achievers. (Motion #47)

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

THAT Motion #47 be amended by deleting all the words after the phrase "THAT it is the opinion of this House that" and substituting for them the following:

"exams are but one of many tools available to educators and the public in assessing student learning; and

THAT this House affirms support for a balanced assessment approach, curriculum leadership, professional development and the use of varied instructional strategies to support quality learning; and

THAT this House urges the Government to continue to work closely with partners in education including parents, educators, students and the community to promote excellence and equity in Yukon Schools as envisioned in the **Education Act**."

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

THAT the amendment to Motion #47 be amended by adding after the phrase "**Education Act**" the following words:

"and

THAT this House supports the government's plans to consult partners in education and the community with an Option Paper about the future of the Yukon Excellence Awards."

A debate arising on the sub-amendment and the time reaching 5:30 p.m. while the Hon. Mr. McDonald was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on the sub-amendment to Motion #47 was accordingly adjourned.

GOVERNMENT BILLS

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

Bill #6 - Interim Supply Appropriation Act, 1997-98 (No.2)

-Hon. Mr. McDonald

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #6 - Interim Supply Appropriation Act, 1997-98 (No.2)

-Hon. Mr. McDonald

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

Filed Document

During general debate on Vote 09, Community and Transportation Services, Bill #4, Ms. Duncan filed the following document:

- The Child Protection Statement and Protocol of the Girl Guides of Canada **(Filed Document #15)**

The report of the Chair was adopted.



The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Thursday, April 24, 1997.

No. 27

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 24, 1997

The Speaker took the Chair at 1:30 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Education

- Departmental Assessment Committee (DAC): purpose, committee members; status of the Yukon Excellence Awards program; Departmental Option Paper
(Legislative Return #13)

FILED DOCUMENT

During Question Period, Mr. Cable, Member for Riverside, filed the following document:

- Parkinson's Law (1957): quote from Bartlett's Quotations **(Filed Document #16)**

QUESTION OF PRIVILEGE

Mr. McRobb, Member for Kluane, rose on a Question of Privilege relating to remarks made by Mr. Ostashek, Leader of the Official Opposition, on April 23, 1997.

SPEAKER'S RULING ON THE QUESTION OF PRIVILEGE

"On the Question of Privilege, I would thank the Member for Kluane for providing the proper notice, as required by Standing Order 7(1), of the Question of Privilege.

A review of the Member for Kluane's concern indicates that it is not 'privilege' in that the essential element of privilege is the right of free speech in this House. The complaint, while serious, more properly should have been raised, at the time, as a Point of Order.

The Member for Kluane asserts that the Leader of the Official Opposition violated guideline 8 of the Guidelines for Oral Question Period which states that 'A question must adhere to the proprieties of the House in that it must not contain inferences, impute motives or cast aspersions upon persons within the House or out of it.'. Annotation 481 of **Beauchesne** states, in part, that a Member, while speaking, must not impute bad motives or motives different than those acknowledged by a Member nor make a personal charge against a Member. Essentially the Member for Kluane is alleging that the Leader of the Official Opposition made an injurious reflection upon him. This falls within the category of unparliamentary language, which must be raised as a Point of Order and not a Question of Privilege. The Chair is not now able to deal

with it as a Point of Order as the proper time to raise such a Point of Order is when the offending words are used.

The Chair would, however, like to ask all Members to give careful consideration to the remarks they make, both on the record and off the record, in the heat of debate. Name calling and imputing motives do not add to the substance of debate. I would ask all Members to refrain from making personal charges against other Members and to use language which is appropriate to the decorum of this House."

GOVERNMENT BILLS

The following Bill was read a third time and passed:

Bill #6 - Interim Supply Appropriation Act, 1997-98 (No.2)

-Hon. Mr. McDonald

ASSENT TO BILL

The Assembly received the Commissioner 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 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 Deputy Clerk of the Assembly then read the title of the Bill which had been passed:

Bill #6 - Interim Supply Appropriation Act, 1997-98 (No. 2)

-Hon. Mr. McDonald

The Commissioner assented the Bill:

"I hereby assent to the Bill as enumerated by the Deputy Clerk"

The Commissioner then retired from the Chamber.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Monday, April 28, 1997.

No. 28

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 28, 1997

ABSENCE OF SPEAKER

The Deputy Clerk advised the House, pursuant to the provisions of Section 24 of the Legislative Assembly Act, that the Speaker would be absent from the House this day. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

TRIBUTES

Workers' Day of Mourning

The Hon. Mr. Harding, Minister responsible for the Workers' Compensation Health and Safety Board, Mr. Cable, Member for Riverside, and Mr. Phillips, Member for Riverdale North, remembered those workers who have died or were injured on the job. The House observed a moment of silence.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Report on the Evaluation of the Canada-Yukon Funding Agreement on the Development, Enhancement and Implementation of *French Language Services, 1993-1998* (submitted by the Evaluation Committee, dated March 1997)

(Sessional Paper #39)

MINISTERIAL STATEMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources

- Tombstone Park study area

GOVERNMENT MOTIONS

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

THAT the Yukon Legislative Assembly, pursuant to section 16 of the **Human Rights Act**, appoint Brenda Chambers to be a member of the Yukon Human Rights Commission. **(Motion #62)**

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.

[At 2:45 p.m., the Chair declared a recess as some Members observed that they could smell smoke. The Chair called Committee back to order at 2:50 p.m.]

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Deputy Chair was adopted.

The Assembly adjourned at 9:26 p.m. until 1:30 p.m., Tuesday, April 29, 1997.

No. 29

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 29, 1997

ABSENCE OF SPEAKER

The Deputy Clerk advised the House, pursuant to the provisions of Section 24 of the Legislative Assembly Act, that the Speaker would be absent from the House this day. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Education

- Staffing of Special Education teachers: explanation of process; status; Public Schools Staffing Protocol **(Legislative Return #14)**

- Whitehorse school principal positions: selection process and cost per person for two positions **(Legislative Return #15)**

MINISTERIAL STATEMENTS

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

- Children's drug and optical program

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Deputy Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Wednesday, April 30, 1997.

No. 30

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 30, 1997

ABSENCE OF SPEAKER

The Clerk advised the House, pursuant to the provisions of Section 24 of the Legislative Assembly Act, that the Speaker would be absent from the House this day. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

TRIBUTES

National Book Festival Week

The Hon. Ms. Moorcroft, Minister of Education, recognized National Book Festival Week.

Manitoba Flood Conditions

Mrs. Edelman, Member for Riverdale South, the Hon. Mr. Keenan, Minister of Community and Transportation Services, and Mr. Ostashek, Leader of the Official Opposition, recognized the severity of the flood conditions in Manitoba and paid tribute to the people of Manitoba and to the Red Cross for their efforts.

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Reading recovery

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

Filed Document

During general debate on Vote 07, Economic Development, Bill #4, the Hon. Mr. Harding filed the following documents:

- Energy Work Plan: for Yukon Government Departments and Crown Corporations with energy-related responsibilities (approved by Cabinet March 13, 1997) **(Filed Document #17)**

- Department of Economic Development 1997/98 Workplan: strategic management **(Filed Document #18)**

The report from Committee of the Whole, as presented by the Member for Lake Laberge, was adopted.

The Assembly adjourned at 9:20 p.m. until 1:30 p.m., Thursday, May 1, 1997.

No. 31

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, May 1, 1997

ABSENCE OF SPEAKER

The Clerk advised the House, pursuant to the provisions of Section 24 of the Legislative Assembly Act, that the Speaker would be absent from the House this day. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

TRIBUTES

Sexual Assault Prevention Month

The Hon. Ms. Moorcroft, Minister of Education, recognized Sexual Assault Prevention Month.

Porter Creek Beavers, Cubs and Scouts

Ms. Duncan, Member for Porter Creek South, congratulated the Porter Creek Beavers, Cubs and Scouts on their tenth annual spring clean-up campaign.

MINISTERIAL STATEMENTS

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

- Yukon Energy Corporation operating agreement (update)

Hon. Mr. Keenan, Minister of Community and Transportation Services

- Keeping the Yukon beautiful - anti-litter campaign

Hon. Ms. Moorcroft, Minister of Justice

- (Federal) child support guidelines

FILED DOCUMENTS

During Question Period, the following documents were filed:

Hon. Mr. Harding, Minister of Economic Development

- Letter dated April 30, 1997 to Hon. Mr. Harding, Minister of Economic Development from Mr. Slack, President and C.E.O., BYG Natural Resources Inc. re promoting, in Europe, investment in Yukon **(Filed Document #19)**

Mr. Ostashek, Leader of the Official Opposition

- a) BYG Group of Companies invitation to presentation and explanation of Group and

b) letter dated April 3, 1997 to Mr. Stack, President and C.E.O., BYG Natural Resources Inc. from Hon. Mr. Harding, Minister of Economic Development re meeting to be held in Europe to seek investment (Ostashek) **(Filed Document #20)**

Hon. Mr. Harding, Minister of Economic Development

- Summary and report of the visit of (then) Yukon Government Leader, John Ostashek, to Japan, January 22 to 25, 1996 **(Filed Document #21)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Deputy Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Monday, May 5, 1997.

No. 32

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, May 5, 1997

ABSENCE OF SPEAKER

The Clerk advised the House, pursuant to the provisions of Section 24 of the Legislative Assembly Act, that the Speaker would be absent from the House this day. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Sloan, Minister of Government Services

- Queen's Printer Agency: Charter **(Sessional Paper #40)**
- Queen's Printer Agency: Business Plan 1997/98 **(Sessional Paper #41)**

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister of Economic Development

- Anvil Range Mining Company request for Government assistance

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Deputy Chair was adopted.

The adjourned at 9:28 p.m. until 1:30 p.m., Tuesday, May 6, 1997.

No. 33

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, May 6, 1997

The Speaker took the Chair at 1:30 p.m.

MINISTERIAL STATEMENTS

Mr. Fentie, Forest Cabinet commissioner
- Forest strategy (Yukon)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Wednesday, May 7, 1997.

No. 34

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, May 7, 1997

The Speaker took the Chair at 1:30 p.m.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Sloan, Minister of Government Services

- Fleet Vehicle Agency: 1997-98 Business Plan

(Sessional Paper #42)

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Justice

- Youth leadership project

TABLING RETURNS AND DOCUMENTS

Unanimous consent having been requested by the Hon. Ms. Moorcroft, Minister of Education, and granted to revert to "Tabling Returns and Documents", the Hon. Ms. Moorcroft tabled the following document:

- Old Crow school: Master Agreement for construction of temporary facilities and other matters; members of Building Advisory Committee **(Legislative Return #16)**

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MEMBERS

Moved by Mr. Cable:

THAT this House urges the Government of the Yukon to deal immediately with the staff and inmate health and safety concerns, relating to the Whitehorse Correctional Centre, raised in the Barr Ryder Condition Survey report of January 31, 1995.

(Motion #49)

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

THAT Motion #49 be amended by deleting the expression "urges the Government of the Yukon to deal immediately with" and substituting for it the following:

"commends the Government of the Yukon's co-ordinated response providing life and safety upgrades and preventative maintenance programs responding to".

A debate arising on the amendment to Motion #49 and the question being put, it was agreed to on the following recorded Division:

YEA			
McDonald	Fairclough	Ostashek	
Harding	McRobb	Phillips	13
Moorcroft	Fentie	Jenkins	
Keenan	Hardy		
Sloan	Livingston		
NAY			
Cable	Duncan	Edelman	3

A debate arising on Motion #49 as amended, it was agreed to on the following recorded Division:

YEA			
McDonald	Fairclough	Livingston	
Harding	McRobb	Ostashek	12
Moorcroft	Fentie	Jenkins	
Keenan	Hardy		
Sloan			
NAY			
Cable	Duncan	Edelman	3

Moved by Ms. Duncan:

THAT this House recommends that funding presently allocated for the Yukon Anniversaries Commission in the budget years following 1997-98 continue to be used for the promotion and enhancement of the Yukon's tourism industry. **(Motion #65)**

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

THAT Motion #65 be amended by deleting everything after the word "recommends" and substituting the following:

"that the Government consider allocating funding presently allocated for the Yukon Anniversaries Commission in the budget years following 1997-98 for the promotion and enhancement of the Yukon's tourism industry."

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

THAT the amendment to Motion #65 be amended by adding the following words after the word "industry":

"subject to consultation with the Yukon Tourism Industry Association and First Nation tourism associations."

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

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

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, May 8, 1997.

No. 35

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, May 8, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

Mother's Day

Mr. Cable, Member for Riverside, paid tribute to the Members for Mount Lorne, for Porter Creek South, and for Riverdale South and to all mothers in recognition of Mother's Day.

FILED DOCUMENT

During Question Period, Mr. Phillips, Member for Riverdale North, filed the following document:

- Boards and Committees: flow chart re appointment process **(Filed Document #22)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Deputy Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:30 p.m., Monday, May 12, 1997.

No. 36

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, May 12, 1997

The Speaker took the Chair at 1:30 p.m.

TRIBUTES

In Remembrance of Flo Kitz

Mr. Livingston, Member for Lake Laberge, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, paid tribute to Flo Kitz of Whitehorse who passed away on May 11, 1997, and expressed condolences to her family.

National Mining Week

The Hon. Mr. Harding, Minister of Economic Development, and Mr. Cable, Member for Riverside, recognized National Mining Week.

Canada Health Day

The Hon. Mr. Sloan, Minister of Health and Social Services, paid tribute on Canada Health Day to all health professionals in the Yukon and recognized National Nursing Week

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Keenan, Minister of Community and Transportation Services

- Motor Transport Board Annual Report 1995/96 (dated May 1997)
(Sessional Paper #43)
- Motor Transport Board Annual Report 1996/97 (dated May 1997)
(Sessional Paper #44)

Hon. Mr. Fairclough, Minister of Renewable Resources

- Yukon Waterfowl Management Plan: explanation of purpose
(Legislative Return #17)
- MacKenzie River Basin Management Agreement: commitments; status
(Legislative Return #18)

PETITIONS

Mr. Ostashek, Leader of the Official Opposition, presented the following petition:

- regarding affordable power rates (Petition #3)

INTRODUCTION OF BILLS (First Reading)

Bill #101 - Domestic Violence Prevention Act, 1997

-Mrs. Edelman

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister of Economic Development

- Community Development Fund: consultation completed

Hon. Ms. Moorcroft, Minister of Education

- Study exchange: European Commission/Canada

FILED DOCUMENT

During Question Period, Ms. Duncan, Member for Porter Creek South, filed the following document:

- Photo of bumper sticker produced by the New Democrats during the 1996 Yukon election campaign promoting Yukon hire **(Filed Document #23)**

TABLING RETURNS AND DOCUMENTS

Unanimous consent having been requested by the Hon. Mr. Keenan, Minister of Community and Transportation Services, and granted to revert to "Tabling Returns and Documents", the Hon. Mr. Keenan tabled the following document:

- Copper Ridge subdivision: request for proposal for design work **(Legislative Return #19)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Tuesday, May 13, 1997.

No. 37

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, May 13, 1997

The Speaker took the Chair at 1:30 p.m.

TABLING RETURNS AND DOCUMENTS

Mr. Livingston, Cabinet commissioner on the Development Assessment Process

- Cabinet Commission on the Development Assessment Process: progress report
(dated May 13, 1997) **(Sessional Paper #45)**
- Development Assessment Process: addressing municipal interests
(Legislative Return #20)

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

- Yukon mobile home study report (dated 1996) **(Sessional Paper #46)**
- Yukon mobile home strategy: information package **(Sessional Paper #47)**

PETITIONS

Report on Petition #3

The Clerk reported on Petition #3 as follows:

"Mr. Speaker and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #3 of the First Session of the 29th Legislative Assembly, as presented by the honourable Leader of the Official Opposition on May 12, 1997.

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

Patrick L. Michael
Clerk of the Yukon
Legislative Assembly

The Speaker ruled that, accordingly, Petition #3 was deemed to be read and received.

Response to Petition #3

The Hon. Mr. Harding, Minister responsible for the Yukon Energy Corporation, gave an oral response to Petition #3 (received by the House on today's date) regarding affordable power rates.

MINISTERIAL STATEMENTS

Hon. Mr. Fairclough, Minister of the Yukon Housing Corporation

- Mobile home strategy

Hon. Mr. Sloan, Minister of Government Services

- Information Highway: communications upgrade

COMMITTEE OF THE WHOLE

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

The following motion was passed by Committee of the Whole at 4:43 p.m.:

THAT Committee of the Whole and the Assembly be empowered to sit beyond 5:30 p.m. today for the purpose of completing consideration in Committee of the Whole of Bill #4, **First Appropriation Act, 1997-98**; for permitting the House to consider Third Reading of the same Bill; and for receiving the Commissioner to give Assent to the same Bill.

The following Bill was reported without amendment:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

GOVERNMENT BILLS

The following Bill was called for Third Reading:

Bill #4 - First Appropriation Act, 1997-98

-Hon. Mr. McDonald

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

			YEA	
McDonald	Sloan	Fentie		
Harding	Fairclough	Hardy		9
Moorcroft	McRobb	Livingston		
			NAY	
Ostashek	Jenkins	Duncan		6
Phillips	Cable	Edelman		

Bill #4, accordingly, passed the House.

ASSENT TO BILL

The Assembly received the Commissioner 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 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 then read the title of the Bill which had been passed:

Bill #4 - First Appropriation Act, 1997-98
-Hon. Mr. McDonald

The Commissioner assented the Bill:

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

The Commissioner then retired from the Chamber.

SPECIAL ADJOURNMENT MOTION

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

THAT the House, at its rising, do stand adjourned until it appears to the satisfaction of the Speaker, after consultation with the Government Leader, that the public interest requires that the House shall meet;

THAT the Speaker give notice that he is so satisfied, and thereupon the House shall meet at the time stated in such notice and shall transact its business as if it had been duly adjourned to that time; and

THAT, if the Speaker is unable to act owing to illness or other causes, the Deputy Speaker shall act in his stead for the purpose of this Order.

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

The Assembly adjourned at 9:41 p.m.

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Twenty-Ninth Legislature

March 24, 1997 - May 13, 1997

YUKON LEGISLATIVE ASSEMBLY

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

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5	Interim Supply Appropriation Act, 1997-98	97-03-24	97-03-26	97-03-26	97-03-26	97-03-27
6	Interim Supply Appropriation Act, 1997-98, (No. 2)	97-04-22	97-04-23	97-04-23	97-04-24	97-04-24

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YUKON LEGISLATIVE ASSEMBLY

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Winter and Spring Sitting of the
First Session of the
29th Legislative Assembly

December 4, 1996 - December 18, 1996
March 24, 1997 - May 13, 1997

Note: The following is an unofficial consolidation of the substantive motions adopted during the time period noted above. If motions were amended before adoption, the amendment is incorporated in the text and a notation made that the motion was amended.

**Consolidation of Motions adopted during the
Winter and Spring Sitting of the
First Session of the
29th Legislative Assembly**

December 4, 1996 - December 18, 1996
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YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
Winter and Spring Sitting of the
First Session of the
29th Legislative Assembly

December 4, 1996 - December 18, 1996
March 24, 1997 - May 13, 1997

WINTER SITTING 1996

1. Motion #1 - Hon. Mr. McDonald, Government Leader
Carried December 4, 1996

THAT Robert Bruce, Member for Vuntut Gwitchin, do take the Chair of this Assembly as Speaker.

2. Motion #2 - Hon. Mr. Harding, Government House Leader
Carried December 4, 1996

RESOLVED THAT Gary McRobb, Member for Kluane, be appointed Deputy Speaker and Chair of the Committee of the Whole.

3. Motion #3 - Hon. Mr. Harding, Government House Leader
Carried December 4, 1996

RESOLVED THAT Todd Hardy, Member for Whitehorse Centre, be appointed Deputy Chair of Committee of the Whole.

4. Motion #10 - Mr. McRobb, Member for Kluane
Carried December 9, 1996

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

MAY IT PLEASE THE COMMISSIONER:

We, the Members of the Yukon Legislative Assembly, beg leave to offer our humble thanks for the gracious speech which you have addressed to the House.

5. Motion #19 - Hon. Mr. Harding, Government House Leader
Carried December 10, 1996

THAT it is the opinion of this House:

- (1) That the radio and television programming of the Canadian Broadcasting Corporation plays a unifying role in Canada,
- (2) That Yukon and other Northern Canadian people rely more on the CBC for basic communication services than southern Canadians,
and
- (3) That federal cutbacks to the CBC northern service will mean a significant reduction in basic communication services to Yukon people;

and

THAT this House urges the federal government to reverse its decision to cut CBC funding with the view to preserving communication services for all Canadians and northern people in particular.

6. Motion #12 - Mr. Ostashek, Leader of the Official Opposition
Carried December 11, 1996

THAT this House recognizes the importance of the family in Yukon society; and

THAT it is the opinion of this House that the Government of Yukon should work with provincial, territorial and federal governments to develop effective means of addressing child poverty and supporting families, and that, within this process, an integrated child benefit be considered.

Amended

7. Motion #4 - Hon. Mr. Harding, Government House Leader
Carried December 12, 1996

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

THAT Hon. Piers McDonald, Hon. Trevor Harding, Jack Cable and John Ostashek be appointed to the Members' Services Board;

THAT the Board consider:

- (1) budget submissions for the following Votes:
(a) Legislative Assembly
(b) Ombudsman (including the Information and Privacy Commissioner), and
(c) Conflicts Commission,

and

- (2) policy questions concerning matters such as:
(a) space allocation,
(b) staffing
(c) caucus funding
(d) Media Gallery House rules,
(e) seating in the Assembly, and
(f) Hansard,

and

THAT the Board fulfill its statutory responsibilities including those in the **Ombudsman Act**, the **Conflict of Interest (Members and Ministers) Act**, and the **Legislative Assembly Retirement Allowances Act, 1991**.

8. Motion #5 - Hon. Mr. Harding, Government House Leader
Carried December 12, 1996

THAT the honourable members Trevor Harding, Sue Edelman, Doug Livingston, Gary McRobb and Doug Phillips be appointed to the Standing Committee on Rules, Elections and Privileges;

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

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

9. Motion #6 - Hon. Mr. Harding, Government House Leader
Carried December 12, 1996

THAT the honourable Members John Ostashek, Eric Fairclough, Todd Hardy, Gary McRobb and Pat Duncan be appointed to the Standing Committee on Public Accounts;

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

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

10. Motion #7 - Hon. Mr. Harding, Government House Leader
Carried December 12, 1996

THAT the honourable Members Dave Keenan, Peter Jenkins, Trevor Harding, and Jack Cable be appointed to the Standing Committee on Statutory Instruments;

THAT the said Committee be empowered to sit during intersessional periods;

THAT the said Committee review all new regulations as they are published;

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

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee.

11. Motion #8 - Hon. Mr. McDonald, Government Leader
Carried December 12, 1996

THAT it is the recommendation of this Assembly that the honourable members Piers McDonald, Trevor Harding and Lois Moorcroft be appointed to the Advisory Committee on Finance and that the honourable members David Sloan, David Keenan and Eric Fairclough be appointed as alternate members of the same committee.

12. Motion #27 - Mr. Fentie, Member for Watson Lake
Carried December 18, 1996

THAT it is the opinion of this House that the Government of Yukon should be commended for its new approach to resolve important forest policy issues through the creation of the Forest Cabinet Commission; and

THAT this House commend the government for adopting an approach to resolving difficult policy issues based on the principles of public involvement and consultation, and respect for First Nation governments.

13. Motion #28 - Mr. Hardy, Member for Whitehorse Centre
Carried December 18, 1996

THAT it is the opinion of this House that the Government of Yukon should be commended for its new approach to resolve important local hire policy issues through the creation of the Cabinet Commission on Yukon Hire.

14. Motion #31 - Mr. McRobb, Member for Kluane
Carried December 18, 1996

THAT it is the opinion of this House that the Government of Yukon should be commended for its new approach to resolve important energy policy issues through the creation of the Cabinet Commission on Energy.

15. Motion #30 - Mr. Livingston, Member for Lake Laberge
Carried December 18, 1996

THAT it is the opinion of this House that the Government of Yukon should be commended for its new approach to resolve important policy issues through the creation of the Cabinet Commission on the Development Assessment Process.

16. Motion #9 - Hon. Mr. Harding, Government House Leader
Carried December 18, 1996

THAT the Standing Committee on Rules, Elections and Privileges:

- (1) consider the recognition that should be provided to Cabinet commissioners in the Standing Orders of the Assembly;
- (2) report to the House any recommended amendments to the Standing Orders in reference to Cabinet commissioners;
- (3) review the current use of gender-inclusive language in the Legislative Assembly;
- (4) make recommendations to the House that reflect the wishes of Yukoners who want their elected Members to use inclusive, non-sexist and non-violent language; and
- (5) review Standing Orders 14.2, 38(2) and 44.1 and make recommendations for any amendments it considers necessary.

Amended

SPRING SITTING 1997

17. Motion #37 - Hon. Mr. McDonald, Government Leader
Carried March 24, 1997

THAT Doug Livingston, Member for the Electoral District of Lake Laberge, do take the Chair of this Assembly as Speaker.

18. Motion #13 - Mr. Phillips, Member for Riverdale North
Carried March 26, 1997

THAT it is the opinion of this House that the universal licensing and registration associated with the Liberal Federal Government's Firearms Act (Bill C-68) will be costly and intrusive on property and civil rights and the rights of First Nations people pursuant to their Self-Government Agreements, and is not an effective measure for reducing the criminal use of firearms;

THAT this House urges the Liberal Federal Government to cancel the costly registration system and to utilize the savings to combat alcohol and drug abuse and violence against women; and

THAT this House commends the Yukon government's position to participate in the province of Alberta's constitutional challenge of the new gun control law, along with the governments of Ontario, Saskatchewan, the Northwest Territories and Manitoba.

Amended

19. Motion #40 - Mrs. Edelman, Member for Riverdale South
Carried March 26, 1997

THAT it is the opinion of this House that:

- (1) current legislation in the Yukon does not adequately protect victims of domestic violence;
- (2) the Government should examine legislative initiatives, recently taken in other Canadian jurisdictions, to assist victims of domestic violence; and
- (3) the Government should then provide draft legislation responding to violence against women and children to victim advocates, the RCMP, the Crown, First Nations, women's groups, the legal community and interested members of the public in order to ensure Yukon legislation addresses community needs.

Amended

20. Motion #38 - Hon. Mr. McDonald, Government Leader
Carried March 26, 1997

THAT the Yukon Legislative Assembly, pursuant to Section 2 of the **Ombudsman Act**, recommends that the Commissioner in Executive Council appoint Hendrik K. Moorlag as the Ombudsman of Yukon for a term of five years commencing April 8, 1997.

21. Motion #55 - Hon. Mr. Harding, Government House Leader
Carried April 8, 1997

THAT at 7:30 p.m. on Wednesday, April 9, 1997, Rob McWilliam, President of the Yukon Energy Corporation, and Cam Osler of Intergroup Consultants, a company on contract with the Yukon Energy Corporation, appear as witnesses before Committee of the Whole to discuss the financial status of the Corporation.

22. Motion #56 - Hon. Mr. McDonald, Government Leader
Carried April 14, 1997

THAT Robert Bruce, Member for the Electoral District of Vuntut Gwitchin, do take the Chair of this Assembly as Speaker.

23. Motion #58 - Mr. McRobb, Member for Kluane
Carried April 16, 1997

THAT it is the opinion of this House that:

- (1) contamination at abandoned military sites could have detrimental impacts on the Yukon's environment, fish, wildlife and people who depend on country foods;
- (2) clean-up of these sites should be undertaken on a priority basis; and

(3) given the Government of Canada's ownership and jurisdictional responsibility for most of the Yukon land mass, both now and at the time the sites were contaminated, Canada must retain the responsibility for reclamation of these sites;

THAT, given the Yukon Government's current jurisdiction for fish and wildlife and the shared responsibility of Canada, Yukon and First Nations governments to manage for conservation, Canada has an obligation to consult with Yukon and First Nations governments and the relevant land claims boards and councils in respect to matters affecting the reclamation of contaminated sites on Crown land;

THAT this House strongly objects to Canada's signing of an agreement with the United States of America regarding reclamation of U.S. military sites which may affect the clean-up of sites in the Yukon without any prior consultation with Yukon governments and people;

THAT this House urges the Government of Canada to provide assurances that contamination at Yukon sites will be cleaned up; and

THAT the Speaker forward copies of this resolution to:

- (1) the Right Honourable Jean Chretien, Prime Minister of Canada;
- (2) the Hon. Lloyd Axworthy, Minister of Foreign Affairs;
- (3) the Hon. Doug Young, Minister of National Defence;
- (4) the Hon. Ron Irwin, Minister of Indian Affairs and Northern Development;
- (5) the Hon. Sergio Marchi, Minister of Environment;
- (6) Audrey McLaughlin, M.P.;
- (7) Acting Grand Chief Steve Taylor of the Council of Yukon First Nations;
- (8) all Yukon First Nations Chiefs and Councils;
- (9) Yukon Fish and Wildlife Management Board;
- (10) Alsek Renewable Resources Council;
- (11) Teslin Renewable Resources Council;
- (12) Mayo Renewable Resources Council;
- (13) Wildlife Management Advisory Council, North Slope; and
- (14) Inuvialuit Game Council.

24. Motion #62 - Hon. Ms. Moorcroft, Minister of Justice
Carried April 28, 1997

THAT the Yukon Legislative Assembly, pursuant to section 16 of the **Human Rights Act**, appoint Brenda Chambers to be a member of the Yukon Human Rights Commission.

25. Motion #49 - Mr. Cable, Member for Riverside
Carried May 7, 1997

THAT this House commends the Government of the Yukon's co-ordinated response providing life and safety upgrades and preventative maintenance programs responding to the staff and inmate health and safety concerns, relating to the Whitehorse Correctional Centre, raised in the Barr Ryder Condition Survey report of January 31, 1995.

Amended

26. Motion #65 - Ms. Duncan, Member for Porter Creek South
Carried May 7, 1997

THAT this House recommends that the Government consider allocating funding presently allocated for the Yukon Anniversaries Commission in the budget years following 1997-98 for the promotion and enhancement of the Yukon's tourism industry subject to consultation with the Yukon Tourism Industry Association and First Nation tourism associations.

Amended

Committee Report Motions

1. Committee Report Motion #1 - Hon. Mr. Harding, Chair,
Standing Committee on Rules, Elections and Privileges
Carried March 26, 1997

THAT the First Report of the Standing Committee on Rules, Elections and Privileges, presented to the House on March 26, 1997, be concurred in;
and

THAT the amendments recommended in that report to the Standing Orders of the Yukon Legislative Assembly be adopted.