

JOURNALS

YUKON LEGISLATIVE ASSEMBLY

FIRST SESSION
(Continuation)



29TH LEGISLATURE

October 30, 1997 - December 15/16, 1997

Speaker: The Hon. Robert Bruce

No. 38

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, October 30, 1997

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

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Jamie Furniss, Erin McClelland, Brianne Meister, Andria Sherstone and Nikki Swerhun from F.H. Collins Secondary School and Ben Craigen, Kim Hunter, Stephen McGovern and Heather Salé from Vanier Catholic Secondary School would be serving as Pages during the Fall Sitting. Heather Salé and Nikki Swerhun were introduced and welcomed to the House.

IN REMEMBRANCE OF TWO FORMER MEMBERS OF THE ASSEMBLY

Dr. Jack Hibberd, former Member for Whitehorse Centre

Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Member for Porter Creek South, paid tribute to the late Dr. Jack Hibberd, former Member for Whitehorse Centre from 1974-1982, former Deputy Speaker and former Minister. Dr. Hibberd passed away at the age of sixty-six in Penticton, B.C. on May 15, 1997. Condolences were extended to the family.

Meg Sutherland McCall, former Member for Klondike

The Hon. Piers McDonald, Government Leader, Mr. Jenkins, Member for Klondike and Mrs. Edelman, Member for Riverdale South, paid tribute to the late Meg Sutherland McCall, former Member for Klondike from 1978-1982 and former Minister. Ms. McCall passed away at the age of sixty-seven in West Vancouver, B.C., on September 10, 1997. Condolences were extended to the family.

TRIBUTES

In Remembrance of Don Sawatsky

Mr. Livingston, Member for Lake Laberge, Mr. Phillips, Member for Riverdale North, and Ms. Duncan, Member for Porter Creek South, paid tribute to Don Sawatsky, veteran reporter and one of the founding members of the Yukon Press Gallery. Mr. Sawatsky passed away on June 18, 1997. Condolences were extended to his wife Marilyn and the family.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Conflict of Interest Commission First Annual Report (May 1996 - June 1997)

(Sessional Paper #48)

- Ombudsman/Information and Privacy Commission First Annual Report (July 1, 1996 - December 31, 1996) **(Sessional Paper #49)**
- Report of the Chief Electoral Officer of the Yukon on the by-election held on April 1, 1997 in Vuntut Gwich'in **(Sessional Paper #50)**
- 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 Yukon Legislative Assembly (dated October 30, 1997) **(Sessional Paper #51)**

Hon. Mr. McDonald, Government Leader

- Framework for Discussion on Canadian Unity and Press Release dated September 14, 1997: Premiers agree to consult Canadians on unity **(Sessional Paper #52)**

INTRODUCTION OF BILLS (First Reading)

Bill #23 - Crime Prevention and Victim Services Trust Act

-Hon. Ms. Moorcroft

Bill #33 - The Intercountry Adoption (Hague Convention) Act

-Hon. Mr. Sloan

Bill #27 - Animal Health Act

-Hon. Mr. Fairclough

Bill #26 - An Act to Amend the Animal Protection Act

-Hon. Mr. Fairclough

Bill #30 - An Act to Amend the Constitutional Questions Act

-Hon. Ms. Moorcroft

Bill #31 - An Act to Amend the Cooperative Associations Act

-Hon. Ms. Moorcroft

Bill #29 - An Act to Amend the Taxpayer Protection Act

-Hon. Mr. McDonald

Bill #25 - An Act to Amend the Notaries Act

-Hon. Ms. Moorcroft

MINISTERIAL STATEMENTS

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

- Fire at the Yukon Energy Corporation's main hydroelectric building in Whitehorse on October 30, 1997

Hon. Mr. McDonald, Government Leader

- National unity consultation

Hon. Mr. McRobb, Cabinet commissioner on Energy

- Energy Awareness Month

FILED DOCUMENT

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

- Anvil Range Mining Corp. News Release dated October 30, 1997 re operations status as a result of the fire at the Yukon Energy Corporation **(Filed Document #24)**

The Assembly adjourned at 2:49 p.m. until 1:30 p.m., Monday, November 3, 1997.

No. 39

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, November 3, 1997

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

TRIBUTES

In Remembrance of Dorothy Wabisca

Mr. McRobb, Member for Kluane, and Ms. Duncan, Member for Porter Creek South, paid tribute to Dorothy Wabisca, a respected member of the Champagne-Aishihik First Nation. Mrs. Wabisca passed away on August 11, 1997. Condolences were extended to her family and friends.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Letter dated August 28, 1997 to Hon. Ms. Gingell, Commissioner of Yukon, from Hon. Jane Stewart, Minister of Indian Affairs and Northern Development, re instruction regarding post as Commissioner **(Sessional Paper #53)**
- Public Accounts of the Government of the Yukon Territory for the year ended March 31, 1997 **(Sessional Paper #54)**

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

- Arbitrator's decision in the Matter of the Yukon Education Act and in the Matter of an Arbitration between the Yukon Teachers Association and the Yukon Government (1996-1998 Collective Agreement) dated October 31, 1997 **(Sessional Paper #55)**
- Yukon Development Corporation 1996 Annual Report **(Sessional Paper #56)**

INTRODUCTION OF BILLS (First Reading)

Bill #22 - Oil and Gas Act

-Hon. Mr. Harding

Bill #34 - Continuing Consolidation of Statutes Act

-Hon. Ms. Moorcroft

Bill #35 - An Act to Amend the Financial Administration Act

-Hon. Mr. McDonald

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Justice

- Taking action on crime

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

- Kwanlin Dun initiative: recreation and leadership training program for youth in McIntyre subdivision

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

- Yukon Energy Corporation fire: update

GOVERNMENT BILLS

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

Bill #23 - Crime Prevention and Victim Services Trust Act

-Hon. Ms. Moorcroft

Bill #33 - The Intercountry Adoption (Hague Convention) Act

-Hon. Mr. Sloan

Bill #26 - An Act to Amend the Animal Protection Act

-Hon. Mr. Fairclough

Bill #27 - Animal Health Act

-Hon. Mr. Fairclough

Bill #30 - An Act to Amend the Constitutional Questions Act

-Hon. Ms. Moorcroft

Bill #31 - An Act to Amend the Cooperative Associations Act

-Hon. Ms. Moorcroft

Bill #29 - An Act to Amend the Taxpayer Protection Act

-Hon. Mr. McDonald

Bill #25 - An Act to Amend the Notaries Act

-Hon. Ms. Moorcroft

The Assembly adjourned at 9:03 p.m. until 1:30 p.m., Tuesday, November 4, 1997.

No. 40

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, November 4, 1997

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

TRIBUTES

United Way Campaign

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, paid tribute to all the volunteers working on the Yukon's 1997 United Way campaign.

In Remembrance of Daisy Joe and Willie Joe

Mr. McRobb, Member for Kluane, and Mr. Phillips, Member for Riverdale North, paid tribute to two members of the Champagne-Aishihik First Nation, who recently passed away. Daisy Joe passed away on October 19, 1997 and her brother Willie passed away on October 27, 1997. Condolences were extended to the Joe family and friends.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Minister of Economic Development

- Yukon Economic Review 1996 (dated August 1997) **(Sessional Paper #57)**

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister of Economic Development

- Trade and Investment Diversification Strategy

Mr. Livingston, Cabinet commissioner on the Development Assessment Process

- Cabinet Commission on the Development Assessment Process: status report

SPEAKER'S STATEMENT

"Before proceeding to Question Period, the Chair would like to make a statement regarding Oral Question Period. Yesterday, it was noticed not only by the Chair but also by Members on both sides of the House that questions and answers in many cases were too long. The Chair would remind Members of two of the guidelines for Oral Question Period:

Guideline seven states in part that 'A brief preamble will be allowed in the case of the main question and a one-sentence preamble will be allowed in the case of each supplementary question.'

Guideline nine states that 'A reply to a question should be as brief as possible, relevant to the question asked, and should not provoke debate.

It is clearly the will of the House that Members should pay stricter attention to the Guidelines for Oral Question Period which the House itself adopted. The Chair would ask all Members to help the Chair and the House by respecting and obeying those guidelines. The Chair, understanding the wishes of the Members, will be stepping in more often if the questions or answers are too long."

GOVERNMENT BILLS

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

Bill #34 - Continuing Consolidation of Statutes Act
-Hon. Ms. Moorcroft

COMMITTEE OF THE WHOLE

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

The following Bill was reported with amendment:

Bill #23 - Crime Prevention and Victim Services Trust Act
-Hon. Ms. Moorcroft

Progress was reported on the following Bills:

Bill #33 - The Intercountry Adoption (Hague Convention) Act
-Hon. Mr. Sloan

Bill #26 - An Act to Amend the Animal Protection Act
-Hon. Mr. Fairclough

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Wednesday, November 5, 1997.

No. 41

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, November 5, 1997

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

TRIBUTES

In Remembrance of Frank Joe

Mr. McRobb, Member for Kluane, and Mr. Ostashek, Leader of the Official Opposition, paid tribute to Frank Joe, a big game outfitter, who passed away on July 16, 1997. Condolences were extended to the family and friends.

In Remembrance of Patrick Carberry

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, paid tribute to Patrick Carberry, who passed away on September 10, 1997. Mr. Carberry had been very active with the Yukon Council on Aging. Condolences were extended to his wife Claire and family.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Education

- Student Recognition Report (dated August 1997) **(Sessional Paper #58)**

Hon. Mr. McDonald, Government Leader

- Shakwak project: correspondence from Yukon Cabinet Ministers to the Alaskan Government and to U.S. Congressmen and Government to secure funding **(Legislative Return #21)**

Hon. Mr. Sloan, Minister of Government Services

- Property Management Agency 1996/97 Annual Report **(Sessional Paper #59)**
- Fleet Vehicle Agency 1996/97 Annual Report **(Sessional Paper #60)**
- Community Agency Contribution Agreement between the Government of Yukon and the Northern Network of Services Society effective April 1, 1997 to March 31, 1998 **(Sessional Paper #61)**

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Student recognition program

Hon. Mr. Sloan, Minister of Government Services
- Building design standards

FILED DOCUMENT

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

- Rocky Mountains wildlife range: maps showing proposed protected area from Wyoming, U.S.A. to Yukon, Canada (Globe and Mail, October 9, 1997)

(Filed Document #25)

GOVERNMENT PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Livingston:

THAT it is the opinion of this House that:

- (1) Yukoners deserve reliable, affordable and accessible telephone service;
- (2) the present telephone service does not adequately serve the varied needs of rural and urban Yukoners;
- (3) the Canadian Radio-television and Telecommunications Commission has a responsibility to Yukoners to ensure that regulated competition facilitates lower long distance rates, improved service and extension of services in underserved areas;
- (4) all telephone services directed towards basic home and business use in the Yukon should be regulated by the CRTC to ensure reliable, affordable and accessible service;
- (5) the Government of the Yukon should urge the CRTC to direct telecommunications companies operating in Canada to establish a fund to expand the Yukon's telecommunications infrastructure; and
- (6) the Government of the Yukon should actively pursue all avenues to promote reliable, affordable and accessible telephone service in the Territory. **(Motion #72)**

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

THAT Motion #72 be amended by adding the following paragraph:

- "(7) the Hansard of the debate on this motion be forwarded to CRTC to advise it of the views of the Yukon Legislative Assembly on this important issue."

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

A debate arising on Motion #72 as amended, it was agreed to on the following recorded Division:

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

0

Moved by Mr. Hardy:

THAT it is the opinion of this House that:

- (1) the Government of Canada has unfairly restricted access to income support for Canadians who have paid into Unemployment Insurance (renamed Employment Insurance) throughout their working lives; and
- (2) despite a projected \$20 billion cumulative surplus by the end of 1998, the Government of Canada has unfairly reduced EI benefits, eliminated training programs and appropriated workers' money to pay down the deficit;

THAT this House expresses strong opposition to the federal Liberal Government's ongoing attempts to dismantle this vital component of our social safety net, causing great hardship to the victims of Canada's structural unemployment; and

THAT this House calls for the billions in savings, which restrictions to unemployment insurance have produced, to be used to restore the program to meet the real financial and training needs of unemployed workers. **(Motion #73)**

A debate arising on the motion and the time reaching 5:30 p.m., while Mr. Hardy, Member for Whitehorse Centre, was still speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #73 was accordingly adjourned.

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #26 - An Act to Amend the Animal Protection Act
-Hon. Mr. Fairclough

The following Bill was reported with amendment:

Bill #33 - The Intercountry Adoption (Hague Convention) Act
-Hon. Mr. Sloan

Progress was reported on the following Bill:

Bill #27- Animal Health Act
- Hon. Mr. Fairclough

The report of the Chair was adopted.

The Assembly adjourned at 9:27 p.m. until 1:30 p.m., Thursday, November 6, 1997.

No. 42

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, November 6, 1997

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

TRIBUTES

Best wishes to Jan Ogilvy on her retirement

The Hon. Mr. McDonald, Government Leader, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, recognized Jan Ogilvy's long service as the receptionist at the Government Inquiry Centre and wished her well in her retirement effective November 7, 1997.

Thirtieth Anniversary of Trans North Turbo Air

The Hon. Mr. Keenan, Minister of Community and Transportation Services, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Member for Porter Creek South, recognized thirty years of air service to the Yukon by Trans North Turbo Air.

National Crime Prevention Week

The Hon. Ms. Moorcroft, Minister of Justice, recognized National Crime Prevention Week and paid tribute to community members across the Yukon involved with this event.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources

- Protected Areas Strategy (Yukon): Discussion Paper (dated November 1997)
(Sessional Paper #62)

Mr. Fentie, Forest Cabinet commissioner

- Managing Yukon Forests: Draft statement of vision and principles (dated October 30, 1997)
(Sessional Paper #63)

INTRODUCTION OF BILLS

Under Introduction of Bills, the Hon. Ms. Moorcroft, Minister of Justice, stated:

"I would like to table a Bill which combines what I believe to be a true copy of the English text of Bill #22, **Oil and Gas Act**, which was introduced and given First Reading on November 3, 1997, with a true translation of that text into French."

The combined text was tabled as Sessional Paper 97-1-64 entitled **Oil and Gas Act** (Bill #22): French text.

INTRODUCTION OF BILLS (First Reading)

Bill #46 - An Act to Amend the Partnership Act
-Hon. Ms. Moorcroft

Bill #41 - An Act to Amend the Public Service Act and the Public Service Staff
Relations Act
-Hon. Mr. Harding

MINISTERIAL STATEMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources
- Protected areas strategy: public participation

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #22 - Oil and Gas Act
-Hon. Ms. Harding

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

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

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Monday, November 10, 1997.

No. 43

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, November 10, 1997

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

MOMENT OF SILENCE

The Speaker asked the Members to observe a moment of silence in recognition of Remembrance Day.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Auditor General: Report on the audit of the accounts and financial statements of the Government of the Yukon Territory for the year ended March 31, 1997
(Sessional Paper #65)

Mr. Fentie, Forest Cabinet commissioner

- Yukon Forest Strategy: related documents (Sessional Paper #66)

INTRODUCTION OF BILLS (First Reading)

Bill #39 - An Act to Amend the Motor Vehicles Act

-Hon. Mr. Keenan

Bill #38 - An Act to Amend the Consumer Protection Act

-Hon. Ms. Moorcroft

Bill #32 - An Act to Amend the Workers' Compensation Act

-Hon. Mr. Harding

MINISTERIAL STATEMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources

- Global climate change: Government of Yukon perspective

Hon. Mr. Sloan, Minister of Government Services

- Energy management plans for Government buildings

Mr. Fentie, Forest Cabinet commissioner

- Yukon Forest Strategy: progress report

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #22 - Oil and Gas Act

-Hon. Mr. Harding

Bill #27 - Animal Health Act

-Hon. Mr. Fairclough

The report of the Chair was adopted.

GOVERNMENT BILLS

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

Bill #41 - An Act to Amend the Public Service Act and the Public Service Staff
Relations Act

-Hon. Mr. Harding

Bill #35 - An Act to Amend the Financial Administration Act

-Hon. Mr. McDonald

Bill #46 - An Act to Amend the Partnership Act

-Hon. Ms. Moorcroft

The Assembly adjourned at 9:14 p.m. until 1:30 p.m., Wednesday, November 12, 1997.

No. 44

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, November 12, 1997

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

TABLING RETURNS AND DOCUMENTS

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

- Chlamydia disease: compact disc case containing a multi-coloured assortment of condoms (Sessional Paper #67)

Hon. Ms. Moorcroft, Minister of Justice

- Yukon Utilities Board 1997 Annual Report (dated August 1, 1997) (Sessional Paper #68)

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

- Yukon Driver Control Board Report (dated June 13, 1997) (Sessional Paper #69)

INTRODUCTION OF BILLS (First Reading)

Bill #40 - An Act to Amend the Workers' Compensation Act

-Hon. Ms. Moorcroft

Bill #7 - Third Appropriation Act, 1996-97

-Hon. Mr. McDonald

Bill #8 - Second Appropriation Act, 1997-98

-Hon. Mr. McDonald

MONEY MESSAGE

Bill #7, Third Appropriation Act, 1996-97, and Bill #8, Second Appropriation Act, 1997-98, were accompanied by a money message.

MINISTERIAL STATEMENTS

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

- Chlamydia awareness campaign

Mr. Hardy, Cabinet commissioner on Yukon Hire

- Cabinet Commission on Yukon Hire: progress report

FILED DOCUMENT

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

- Yukon Employees Union Newsletter: Special Edition, Volume 97, Issue #6
(Filed Document #26)

OPPOSITION PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MEMBERS

Moved by Mr. Ostashek:

THAT it is the opinion of this House that the federal Liberal Government proposal to restructure old age benefits has flaws and raises serious issues of fairness in that the proposed seniors benefit will penalize middle to higher-income Canadians who are saving for retirement while at the same time reduce their future retirement benefits; and

THAT this House urges the federal Liberal Government to hold public hearings in the Yukon prior to any changes being introduced to Canada's Old Age Security, the Guaranteed Income Supplement, the age credit and the pension income credit.

(Motion #68)

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

THAT Motion #68 be amended by deleting the words:

"middle to higher-income"

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

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

THAT Motion #68 be amended by:

(a) removing all words following the phrase "future retirement benefits" and replacing them with the following:

- (1) as well as represents an attack on universality of Canada's social programs by replacing a public pension system with a minimal welfare system for the very poorest of seniors, and
- (2) imposes severe clawbacks on low and middle-income Canadians, robbing them of an ability to live their retirement in self-reliance and dignity;

and

(b) adding a new paragraph as follows:

THAT this House urges the federal Liberal Government to uphold the sacred trust of our country's obligations to its senior citizens by holding public hearings and cancelling proposed changes and cuts and restoring a comprehensive, universal public pension.

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

THAT the amendment moved by the Member for Whitehorse Centre to Motion #68 be amended by:

- (1) adding the expression "in Yukon" after the expression "public hearings" where it appears in the last paragraph; and
- (2) adding the following new paragraph:

"THAT this House urges the Government of Yukon to hold public hearings on the implications of the proposed seniors benefit in the

event that the federal Liberal Government fails to conduct public hearings in the territory."

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 #68 as amended, it was agreed to on the following recorded Division:

YEA		
McDonald	Fentie	Jenkins
Moorcroft	Hardy	Duncan
Keenan	Livingston	Cable
Sloan	Ostashek	Edelman
McRobb	Phillips	

14

NAY

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The time being 5:30 p.m., the Speaker left the Chair until 7:30 p.m.

GOVERNMENT BILLS

When Bill #32, entitled An Act to Amend the Workers' Compensation Act, was called for Second Reading, it was moved by the Hon. Ms. Moorcroft, the acting Minister responsible for the Workers' Compensation Health and Safety Board:

"THAT Bill #32, entitled An Act to Amend the Workers' Compensation Act, be discharged and that the Bill be withdrawn."

The question being put, it was agreed to and the Speaker ordered that Bill #32 be withdrawn from the Order Paper.

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

Bill #39 - An Act to Amend the Motor Vehicles Act

-Hon. Mr. Keenan

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

No. 45

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, November 13, 1997

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

TRIBUTES

In Remembrance of Ken White

Mr. Fentie, Member for Watson Lake, paid tribute to Ken White who passed away on October 17, 1997. Condolences were extended to his family.

Twentieth Anniversary of the Clerk of the Yukon Legislative Assembly

The Hon. Mr. McDonald, Government Leader, Mr. Ostashek, Leader of the Official Opposition, and Mr. Cable, Member for Riverside, paid tribute to Patrick L. Michael, Clerk of the Legislative Assembly and Chief Electoral Officer, on the twentieth anniversary of his service to the Assembly.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Little Salmon/Carmacks First Nation Self-Government Agreement and Final Agreement **(Sessional Paper #70)**
- Selkirk First Nation Self-Government Agreement and Final Agreement **(Sessional Paper #71)**
- Order-in-Council 1997/161, An Act Approving Yukon Land Claims Final Agreements, and First Nations (Yukon) Self-Government Act, dated October 1, 1997 approving Self-Government Agreements for the Little Salmon/Carmacks First Nation and the Selkirk First Nation made July 21, 1997 and amendments to the Umbrella Final Agreement (dated May 29, 1993) set out in the schedule **(Sessional Paper #72)**
- Alaska-Yukon Intergovernmental Relations Accord between the Government of Yukon and the State of Alaska (dated October 28, 1997) and signed by Piers McDonald, Government Leader and Tony Knowles, Governor, State of Alaska **(Sessional Paper #73)**
- BC-Yukon Intergovernmental Relations Accord (dated September 30, 1997) and signed by Glen Clark, Premier of British Columbia and Piers McDonald, Government Leader **(Sessional Paper #74)**

Hon. Ms. Moorcroft, Minister of Justice

- Assessment Highlights: Yukon Territorial Examinations (Math and Sciences Grades 8 to 11), 1996-1997 **(Sessional Paper #75)**

INTRODUCTION OF BILLS (First Reading)

Bill #24 - Family Violence Prevention Act

-Hon. Ms. Moorcroft

Bill #37 - Access to Information and Protection of Privacy (Consequential Amendments) Act, 1997

-Hon. Ms. Moorcroft

Bill #43 - An Act to Amend the Public Health Act

-Hon. Mr. Sloan

MINISTERIAL STATEMENTS

Hon. Mr. McDonald

- Intergovernmental accords

GOVERNMENT BILLS

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

Bill #38 - An Act to Amend the Consumer Protection Act

-Hon. Mr. Moorcroft

COMMITTEE OF THE WHOLE

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

The following Bills were reported without amendment:

Bill #29 - An Act to Amend the Taxpayer Protection Act

- Hon. Mr. McDonald

Bill #30 - An Act to Amend the Constitutional Questions Act

- Hon. Ms. Moorcroft

Bill #31 - An Act to Amend the Cooperative Associations Act

- Hon. Ms. Moorcroft

Bill #25 - An Act to Amend the Notaries Act

- Hon. Ms. Moorcroft

Bill #34 - Continuing Consolidation of Statutes Act

- Hon. Ms. Moorcroft

Bill #46 - An Act to Amend the Partnership Act

- Hon. Ms. Moorcroft

Bill #38 - An Act to Amend the Consumer Protection Act

- Hon. Ms. Moorcroft

The following Bills were reported with amendment:

Bill #35 - An Act to Amend the Financial Administration Act

- Hon. Mr. McDonald

Bill #39 - An Act to Amend the Motor Vehicles Act
- Hon. Mr. Keenan

The report of the Chair was adopted.

The Assembly adjourned at 5:16 p.m. until 1:30 p.m., Monday, November 17, 1997.

No. 46

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, November 17, 1997

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

MINISTERIAL STATEMENTS

Hon. Mr. Harding, Minister responsible for the Public Service Commission
- Land Claims implementation: representative public service plan

Hon. Mr. Fairclough, Minister of Renewable Resources
- Abattoir to be established

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #24 - Family Violence Prevention Act
-Hon. Ms. Moorcroft

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

	YEA			
Harding	McRobb	Jenkins		
Moorcroft	Hardy	Duncan		
Keenan	Livingston	Cable	14	
Sloan	Ostashek	Edelman		
Fairclough	Phillips			
	NAY			
			0	

Bill #24, entitled Family Violence Prevention Act, was, accordingly, referred to Committee of the Whole.

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

Bill #37 - Access to Information and Protection of Privacy (Consequential Amendments) Act, 1997
-Hon. Ms. Moorcroft

Bill #43 - An Act to Amend the Public Health Act
-Hon. Mr. Sloan

Bill #40 - An Act to Amend the Workers' Compensation Act
-Hon. Mr. Harding

The Assembly adjourned at 9:00 p.m. until 1:30 p.m., Tuesday, November 18, 1997.

No. 47

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, November 18, 1997

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

TABLING RETURNS AND DOCUMENTS

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

- Yukon Advisory Council on Women's Issues Annual Report 1996-97
(Sessional Paper #76)
- Family Violence: Directory of Services and Resources, 1997
(Sessional Paper #77)

PETITION

Ms. Duncan, Member for Porter Creek South, presented the following petition:

- designating area in Porter Creek as a park (Petition #4)

MINISTERIAL STATEMENTS

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

- Disabled employees: reintegration

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

- Addictions Awareness Week (National)

SPEAKER'S RULING

"The Chair would like to inform the House that Motion #74, standing in the name of the Member for Whitehorse Centre, will be removed from the Order Paper as it is very similar in intent and subject matter to Motion #68 which was standing in the name of the Leader of the Official Opposition. Motion #68 was debated, amended and decided upon by this House on November 12, 1997."

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #41 - An Act to Amend the Public Service Act and the Public Service Staff Relations Act

-Hon. Mr. Harding

Progress was reported on the following Bills:

Bill #24 - Family Violence Prevention Act

-Hon. Ms. Moorcroft

Bill #43 - An Act to Amend the Public Health Act

-Hon. Mr. Sloan

The following Bill was reported with amendment:

Bill #37 - Access to Information and Protection of Privacy (Consequential Amendments) Act, 1997

-Hon. Ms. Moorcroft

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Wednesday, November 19, 1997.

No. 48

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, November 19, 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 resources forecast for three of eight sedimentary basins
(Legislative Return #22)
- Oil and gas dispositions (federal) in Yukon
(Legislative Return #23)

Hon. Mr. Keenan, Minister of Tourism

- Yukon Heritage Resources Board 1996/97 Annual Report
(Sessional Paper #78)

PETITIONS

The Clerk reported on Petition #4 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #4 of the First Session of the 29th Legislative Assembly, as presented by the Member for Porter Creek South on November 18, 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 #4 was deemed to be read and received.

MINISTERIAL STATEMENTS

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

- Land Claims training for government employees

GOVERNMENT PRIVATE MEMBERS' BUSINESS
MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hardy:

THAT it is the opinion of this House that:

- (1) the Multilateral Agreement on Investment (MAI), sponsored by the U.S.A., supported by Canada, and currently the subject of secret negotiations by the 29 industrial nations in OECD (the Organization for Economic Cooperation and Development), represents a major attack on the autonomy and self-determination of governments at all levels; and
 - (2) the democratic process which Canadians so value is seriously threatened by the MAI whose aim is to remove control of the economic process from the people's elected representatives and to consolidate it in the hands of transnational corporations; and
- THAT this House calls on the federal Government to cease all negotiations on the MAI and to facilitate full participation of all Canadians in major decisions affecting our economic future. **(Motion #82)**

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

THAT Motion #82 be amended by adding the work "left-wing" before the word "governments"; and

THAT subclause (2) and the last clause be deleted and replaced with the following:

"(2) the democratic process which Canadians so value is seriously threatened by these left-wing governments whose aim is to remove control of the economic process from the people's elected representatives and to consolidate it in the hands of transnational unions;

THAT this House calls on the federal Government to proceed with negotiations on the MAI to facilitate full participation of all Canadians in major decisions affecting our economic future."

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

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

The debate continuing on the main motion, it was agreed to on the following recorded Division:

YEA			
McDonald	Sloan	Hardy	
Harding	Fairclough	Livingston	10
Moorcroft	McRobb		
Keenan	Fentie		
NAY			
Ostashek	Jenkins	Cable	6
Phillips	Duncan	Edelman	

GOVERNMENT BILLS

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

Bill #7 - Third Appropriation Act, 1996-97
-Hon. Mr. McDonald

Bill #8 - Second 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 #7 - Third Appropriation Act, 1996-97
-Hon. Mr. McDonald

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

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

No. 49

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, November 20, 1997

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

TRIBUTES

Child Day (National): Raggedy Ribbon campaign (Yukon)

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Jenkins, Member for Klondike, and Mrs. Edelman, Member for Riverdale South, recognized National Child Day: Raggedy Ribbon campaign (Yukon).

TABLING RETURNS AND DOCUMENTS

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

- Health Care Insurance Programs: statement of 1996/97 revenue and expenditures (dated November, 1997) **(Sessional Paper #79)**
- Yukon Child Care Board 1996/97 Annual Report **(Sessional Paper #80)**

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Youth Works

Hon. Mr. Harding, Minister of Economic Development

- "Access to capital" forum

Filed Document

During presentation of the Ministerial Statement, the Hon. Mr. Harding filed the following document:

- Information respecting Ostashek Outfitting Ltd. and funding provided under EDA (1986-89) **(Filed Document #27)**

SPEAKER'S STATEMENT

"Before proceeding to Question Period today, the Chair would like to address the rules and practices regarding anticipation during Question Period. Yesterday, the Government House Leader raised the matter as a Point of Order.

Standing Order 19(1)(e) states:

'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 the 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's Sixth Edition 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.

Yesterday, the Chair had been informed prior to the Sitting that the Supplementary Estimates were to be called for Second Reading. It is difficult for the Chair to know if questions on specific matters will be the subject of debate at the Second Reading stage on a budget Bill. In such cases, when doubt exists, the Chair will tend to allow a question to be asked.

It must be noted that the Chair had been advised that three Bills other than the Supplementary Bills would be called for debate prior to calling the Supplementaries when the House resolved into Committee of the Whole last evening. The Chair, therefore, could not have foreseen that the potential for anticipation existed. As it happened, however, the Supplementaries were called first and the subject matter of the questions put in Question Period by the Leader of the Official Opposition could have been raised at that time but was not.

As is usual when preparing a statement, precedents from the House of Commons of Canada were reviewed. It was found that the House of Commons decided in April, 1997, that restricting questions in Question Period on the basis of anticipation is outmoded and it directed that the Speaker should no longer enforce the guideline.

The anticipation rule still exists here, however, and the Chair must continue to make rulings based on it at this time. The Chair would remind the House that Ministers are not required to answer questions. If the Chair fails to notice that a question has been asked on a subject that will be up for debate later that day, a Minister can decline to answer based on anticipation. The Chair hopes that this will clarify the matter."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:25 p.m. until 1:30 p.m., Monday, November 24, 1997.

No. 50

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, November 24, 1997

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

TABLING RETURNS AND DOCUMENTS

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

- Health and Social Services Council 1996/97 Annual Report
(Sessional Paper #81)
- NovaLIS contract: information pertaining to contract award
(Legislative Return #24)

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Yukon Mining and Exploration Board training agreement

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

- Mobile home consumer education

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:25 p.m. until 1:30 p.m., Tuesday, November 25, 1997.

No. 51

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, November 25, 1997

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Report of the Chief Electoral Officer of the Yukon on elections of Members of the Legislative Assembly and other related matters (November 25, 1997)
(Sessional Paper #82)

Hon. Mr. Harding, Minister of Economic Development

- Letter dated November 21, 1997, from the President of the Canadian Association of Petroleum Producers, David J. Manning, to the Minister of Economic Development re support for the proposed **Oil and Gas Act**
(Legislative Return #25)
- Land Claims training: information re contract with LegendSeekers Anthropological Research
(Legislative Return #26)

MINISTERIAL STATEMENTS

Hon. Mr. Sloan, Minister of Government Services

- Code of Regulatory Conduct

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:30 p.m., Wednesday, November 26, 1997.

No. 52

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, November 26, 1997

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

INTRODUCTION OF BILLS

Under Introduction of Bills, the Hon. Ms. Moorcroft, Minister of Justice, stated:

"I have for tabling a Bill which combines what I believe to be a true copy of the English text of Bill #22, entitled **Oil and Gas Act**, which was introduced and given First Reading on November 3, 1997, with a revised true translation of that text into French. This version replaces the combined text which was tabled on November 6, 1997 as Sessional Paper 97-1-64".

The combined text was tabled as Sessional Paper 97-1-83 entitled **Oil and Gas Act** (Bill #22): **REVISED** French text.

MINISTERIAL STATEMENTS

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

- Seniors housing audit and accessibility study

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

- Pedestrian safety program

FILED DOCUMENTS

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

- Non-security deficiencies at the Whitehorse Correctional Centre identified in the Barr-Ryder Report **(Filed Document #28)**

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mrs. Edelman:

THAT it is the opinion of this House that:

- (1) alcohol abuse is a major problem for Yukon society;
- (2) alcohol abuse is destructive to personal relationships, and contributes to domestic violence;
- (3) alcohol abuse is a significant factor in health care costs to Yukoners;

- (4) impaired driving is a serious problem for Yukoners and alcohol abuse is a significant factor in the commission of other crimes; and
- (5) misuse of alcohol during pregnancy is causing increasing concern among Yukoners, because of the disabilities that those persons suffering from Fetal Alcohol Syndrome/Fetal Alcohol Effects encounter, and because of the effects on our education system; and

THAT, recognizing the seriousness of alcohol abuse in the Yukon, the Yukon Government should create a Task Force composed of all affected government departments to recommend a specific and immediate action plan to be implemented by the Government of Yukon to mitigate the detrimental effects of alcohol in the Yukon.

(Motion #83)

Debate started on the motion.

QUORUM COUNT

At 2:23 p.m., during debate on Motion #83, Mr. Ostashek, Leader of the Official Opposition, rose on a Point of Order to state that a quorum was not present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continuing on the motion, it was moved by the Hon. Mr. Sloan in amendment thereto:

THAT Motion #83 be amended by deleting the words following the phrase "THAT, recognizing the seriousness of alcohol abuse in the Yukon, the Yukon Government" and replacing them with the following:

"should continue its coordinated, focused approach, including the work of the Fostering Healthy Communities Committee, and report back to this House in the spring of 1998 about progress and actions in the area of alcohol and drug services prevention and treatment."

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

THAT the amendment to Motion #83 be amended by adding, at the end of the amendment, the following:

"THAT the actions leading to the preparation of this report should include consultation with affected government departments, other governments, and non-government organizations dealing with alcohol addiction and abuse."

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 #83 as amended and the question being put, it was agreed to.

UNANIMOUS CONSENT TO RESOLVE INTO COMMITTEE OF THE WHOLE

As the time for conclusion of the Order for Opposition Private Members' Business had not yet been reached, unanimous consent was requested by the Government House Leader and granted to move the following motion:

"THAT the Speaker do now leave the Chair and that the House resolve into Committee of the Whole."

The question being put, it was agreed to.

COMMITTEE OF THE WHOLE

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

The following Bill was reported with amendment:

Bill #24 - Family Violence Prevention Act
-Hon. Ms. Moorcroft

Progress was reported on the following Bill:

Bill #43 - An Act to Amend the Public Health Act
-Hon. Ms. Moorcroft

The report of the Chair was adopted.

The Assembly adjourned at 9:30 p.m. until 1:30 p.m., Thursday, November 27, 1997.

No. 53

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, November 27, 1997

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

TRIBUTES

White Ribbon campaign

The Hon. Mr. McDonald, Government Leader, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, recognized the White Ribbon campaign which is an effort to raise awareness of and eliminate violence against women.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Minister of Economic Development

- **Oil and Gas Act (Bill #22):** limitation period for prosecution of an offense
(Legislative Return #27)

Hon. Mr. McDonald, Government Leader

- Little Salmon-Carmacks Final Agreement: consent of Kwanlin Dun re land selections in overlap area
(Legislative Return #28)

Hon. Ms. Moorcroft, Minister of Education

- Department of Education 1996/97 Annual Report
(Sessional Paper #84)

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

- Chief Driver Examiner: related matters
(Legislative Return #29)

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

- Yukon Liquor Corporation 1996/97 Annual Report
(Sessional Paper #85)

PETITIONS (Response to Petition #4)

The Hon. Mr. Keenan, Minister of Community and Transportation Services, gave an oral response to Petition #4 (received by the House on November 19, 1997) with regard to designating an area in Porter Creek as a park.

INTRODUCTION OF BILLS (First Reading)

Bill #45 - An Act to Amend the Public Utilities Act

-Hon. Ms. Moorcroft

GOVERNMENT BILLS

The following Bills were read a third time and passed:

Bill #23 - Crime Prevention and Victim Services Trust Act
-Hon. Ms. Moorcroft

Bill #30 - An Act to Amend the Constitutional Questions Act
-Hon. Ms. Moorcroft

Bill #31 - An Act to Amend the Cooperative Associations Act
-Hon. Ms. Moorcroft

Bill #25 - An Act to Amend the Notaries Act
-Hon. Ms. Moorcroft

Bill #34 - Continuing Consolidation of Statutes Act
-Hon. Ms. Moorcroft

Bill #46 - An Act to Amend the Partnership Act
-Hon. Ms. Moorcroft

Bill #38 - An Act to Amend the Consumer Protection Act
-Hon. Ms. Moorcroft

Bill #37 - Access to Information and Protection of Privacy
(Consequential Amendments) Act, 1997
-Hon. Ms. Moorcroft

The following Bill was called for Third Reading:

Bill #24 - Family Violence Prevention Act
-Hon. Ms. Moorcroft

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

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

Bill #24, accordingly, passed the House.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 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, December 1, 1997.

No. 54

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, December 1, 1997

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

TRIBUTES

World AIDS Day

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Jenkins, Member for Klondike, and Mrs. Edelman, Member for Riverdale South, recognized the 10th annual World AIDS Day.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fairclough, Minister of Renewable Resources

- Bear/human conflicts: number of bears killed in 1997 by conservation officers
(Legislative Return #30)
- Abattoir: slaughter schedule; fee schedule; income estimates; funded equipment
(Legislative Return #31)
- Mobile home owner information sessions package
(Sessional Paper #86)

MINISTERIAL STATEMENTS

Hon. Ms. Moorcroft, Minister of Education

- Youth Employment Strategy (National)

FILED DOCUMENTS

During Question Period the following documents were filed:

Hon. Mr. Harding, Minister of Economic Development

- Economic Development programs: contributions to business organizations for 1994/95 to 1997/98 (dated December 1, 1997) (Filed Document #29)
- Financial Assistance Agreement between the Government of Yukon and the Yukon Chamber of Mines (dated June 4, 1997) (Filed Document #30)
- Financial Assistance Agreement between the Government of Yukon and the Yukon Chamber of Commerce (dated May 5, 1997) and a proposal for a Service Agreement from April 1, 1997 to March 31, 2000 (Filed Document #31)

Mr. Phillips, Member for Riverdale North

- Class one driver examination routes in Dawson City and Faro: letters of concern from the City Manager, Dawson City and from a resident of Faro

(Filed Document #32)

GOVERNMENT BILLS

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

Bill #45 - An Act to Amend the Public Utilities Act

-Hon. Ms. Moorcroft

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #45 - An Act to Amend the Public Utilities Act

-Hon. Ms. Moorcroft

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98

-Hon. Mr. McDonald

Filed Document

During debate on Vote 09, Community and Transportation Services, Bill #8, the Hon. Mr. Keenan filed the following document:

- Haines Junction aviation refuel facility

(Filed Document #33)

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 #45 pursuant to Standing Order 55(2), allowing a Bill to be advanced two or more stages in one day. The following Bill was read a third time and passed:

Bill #45 - An Act to Amend the Public Utilities Act

-Hon. Ms. Moorcroft

The Assembly adjourned at 9:16 p.m. until 1:30 p.m., Tuesday, December 2, 1997.

No. 55

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, December 2, 1997

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fairclough, Minister responsible for the Yukon Housing Corporation
- Yukon Housing Corporation 1996/97 Annual Report (Sessional Paper #87)

Hon. Mr. Keenan, Minister of Community and Transportation Services
- Residential lots: number available in Faro, Mayo, Teslin and Haines Junction;
explanation of discounted lots and building restrictions in Porter Creek "C"
subdivision (Legislative Return #32)

INTRODUCTION OF BILLS (First Reading)

Bill #47 - Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Harding

SPEAKER'S RULING (Bill #101 ordered dropped)

"Before proceeding to Orders of the Day, the Chair would like to inform the House that Bill #101, entitled **Domestic Violence Prevention Act, 1997**, standing in the name of the Member for Riverdale South, will be dropped from the Order Paper as it is similar in intent and subject matter to Bill #24, entitled **Family Violence Prevention Act**, which passed this House on November 27, 1997."

GOVERNMENT BILLS

The following Bills were read a third time and passed:

Bill #26 - An Act to Amend the Animal Protection Act
-Hon. Mr. Fairclough

Bill #27 - Animal Health Act
-Hon. Mr. Fairclough

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 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, December 3, 1997.

No. 56

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, December 3, 1997

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

MINISTERIAL STATEMENTS

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

- Persons with disabilities: initiatives to coordinate services

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Hardy:

THAT it is the opinion of this House that:

- (1) the Government of Canada has unfairly restricted access to income support for Canadians who have paid into Unemployment Insurance (renamed Employment Insurance) throughout their working lives; and
- (2) despite a projected \$20 billion cumulative surplus by the end of 1998, the Government of Canada has unfairly reduced EI benefits, eliminated training programs and appropriated workers' money to pay down the deficit;

THAT this House expresses strong opposition to the federal Liberal Government's ongoing attempts to dismantle this vital component of our social safety net, causing great hardship to the victims of Canada's structural unemployment; and

THAT this House calls for the billions in savings, which restrictions to unemployment insurance have produced, to be used to restore the program to meet the real financial and training needs of unemployed workers. **(Motion #73)**

A debate continuing (from November 5, 1997) on Motion #73, it was agreed to on the following recorded Division:

YEA

McDonald	Sloan	Hardy	
Harding	Fairclough	Livingston	8
Keenan	McRobb		

NAY

Ostashek
Phillips

Jenkins
Duncan

Cable
Edelman

6

Moved by Mr. McRobb:

THAT it is the opinion of this House that:

- (1) reconstruction of the North Alaska Highway through the Yukon to Alaska is a project that provides considerable benefit to both countries, particularly the tourism and transportation industries,
- (2) Alaskan Senate Joint Resolution #12 of the Alaska State Legislature in support of continued funding for completion of the highway reconstruction project is recognized and welcomed,
- (3) efforts by the Government of Yukon to work in partnership with the neighbouring Government of Alaska to secure the required funds for project completion should continue unabated, and
- (4) the Government of Yukon should communicate the position of this Assembly to the Governments of Canada and the United States. **(Motion #53)**

A debate arising on the motion and the time reaching 5:30 p.m., while Mr. McRobb was still speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #53 was accordingly adjourned.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:32 p.m. until 1:30 p.m., Thursday, December 4, 1997.

No. 57

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, December 4, 1997

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

TRIBUTES

National Day of Remembrance and Action on Violence against Women

The Hon. Mr. Sloan, Acting Minister responsible for the Women's Directorate, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, recognized the National Day of Remembrance and Violence against Women.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Auditor General: Annual Report on Other Matters for the year ended March 31, 1996 **(Sessional Paper #88)**

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

- Yukon Lottery Commission 1996/97 Annual Report **(Sessional Paper #89)**
- Telephone service to unserved and underserved areas: letter dated December 1, 1997 from Hon. Dave Keenan, Minister of Community and Transportation Services, to Jean Poirer, President, NorthwesTel Inc. **(Sessional Paper #90)**

GOVERNMENT BILLS

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

Bill #47 - Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Harding

The following Bills were called for Third Reading and passed:

Bill #33 - The Intercountry Adoption (Hague Convention) Act
-Hon. Mr. Sloan

Bill #29 - An Act to Amend the Taxpayer Protection Act
-Hon. Mr. McDonald

Bill #35 - An Act to Amend the Financial Administration Act
-Hon. Mr. McDonald

The following Bill was called for Third Reading:

Bill #41 - An Act to Amend the Public Service Act and the
Public Service Staff Relations Act
-Hon. Mr. Harding

The question being put on the motion for Third Reading, Division was called. While the Division bells were ringing, there was a power outage and the Speaker recessed the House at 2:23 p.m. until such time as the power could be restored. The House reconvened at 2:50 p.m. . The Division being taken, the motion for Third Reading of Bill #41 was agreed to as follows:

	YEA			
McDonald	Hardy	Duncan		
Harding	Livingston	Cable		
Keenan	Ostashek	Edelman	13	
Sloan	Phillips			
McRobb	Jenkins			
	NAY			
			0	

Bill #41, accordingly, passed the House.

The following Bill was called for Third Reading:

Bill #39 - An Act to Amend the Motor Vehicles Act
-Hon. Mr. Keenan

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

	YEA			
McDonald	Hardy	Duncan		
Harding	Livingston	Cable		
Keenan	Ostashek	Edelman	13	
Sloan	Phillips			
McRobb	Jenkins			
	NAY			
			0	

Bill #39, accordingly, passed the House.

The following Bill was called for Third Reading:

Bill #22 - Oil and Gas Act
-Hon. Mr. Harding

Moved by the Hon. Mr. Harding:

THAT Bill #22, entitled **Oil and Gas Act**, be not now read a third time but be referred back to Committee of the Whole for the purpose of reconsidering the following: Subsection 13(1), Subsection 14(1), Subparagraph 29(a)(iii), Subparagraph 29(a)(iv), Subparagraph 41(3)(a)(ii), Subparagraph 41(3)(d)(i), Subsection 75(1), Subsection 75(4) and Subsection 101(9).

The question being put on the motion, it was agreed to and Bill #22 was referred back to Committee of the Whole.

COMMITTEE OF THE WHOLE

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

The following Bill was reported with amendment:

Bill #22 - Oil and Gas Act
-Hon. Mr. Harding

The following Bill was reported without amendment:

Bill #40 - An Act to Amend the Workers' Compensation Act
-Hon. Mr. Harding

Progress was reported on the following Bill:

Bill #43 - An Act to Amend the Public Health Act
-Hon. Mr. Sloan

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Monday, December 8, 1997.

No. 58

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, December 8, 1997

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

COMMITTEE OF THE WHOLE

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

The following Bill was reported with amendment:

Bill #43 - An Act to Amend the Public Health Act
-Hon. Mr. Sloan

The following Bill was reported without amendment:

Bill #47 - Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Harding

Progress was reported on the following Bill:

Bill #8 - Second 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, December 9, 1997.

No. 59

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, December 9, 1997

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

SPEAKER'S STATEMENT

"Before proceeding to Question Period, the Chair would like to make a statement about questions raised during Question Period yesterday, December 8, 1997.

The questions raised by the Member for Riverdale North contained allegations about the activities of certain other Members outside of this House.

This House has a number of precedents for such situations. They include rulings made by Speaker Sam Johnston on April 27, 1992 and May 5, 1992 and by Speaker John Devries on May 4, 1994.

In his ruling of May 5, 1992, Speaker Johnston brought to Members' attention a ruling that was made in the House of Commons by Speaker Roland Michener in 1959. Speaker Michener said that simple justice requires that no Member should have to submit to investigation of his conduct by the House or a committee until he has been charged with an offence. The proper procedure for charging a Member with an offence is to move a substantive motion containing the charge and a proposal for dealing with it.

For such a motion to be in order, it must charge a Member with conduct that amounts to breach of privilege, or which disqualifies a Member from sitting in the House, or which amounts to contempt of the House.

Speaker Johnston also said:

'Only courts of law make decisions as to whether or not someone has broken the law. It is not the place of Members of this House to make such judgments. Allegations or accusations that a Member is guilty of breaking the law, therefore, must be viewed as being unparliamentary until such time as a court has reached a verdict finding that the law has been broken or a Member has openly admitted to breaking the law.

'... [T]he Chair would once again ask that Members be careful to ensure that they respect the rules concerning parliamentary language and that they be particularly careful about not making allegations or accusations about other Members.'

Speaker Devries also cited these authorities and Speaker Johnston's decision when he made a statement to the House on May 4, 1994 regarding questioning of the then Government Leader by the Member for Faro.

Speaker Devries said:

'I would also refer the House to Standing Order 19, which states, 'A Member shall be called to order by the Speaker if that Member

(h) imputes false or unavowed motives to another Member;

(j) uses abusive or insulting language of a nature likely to create disorder.

'Additionally, guideline 8 of the Guidelines for Oral Question Period states:

'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.'

The Chair would ask that Members obey the directions found in the Speakers' rulings that I have referred to. If a Member feels it is necessary to place allegations before the House about another Member's actions, it is essential that this be done in the form of a motion containing the charge being made and a proposal for dealing with it. It must be understood that to raise allegations in Question Period will most likely be in violation of the rules respecting parliamentary language and that the Member would, consequently, be ruled out of order."

FILED DOCUMENT

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

- "Yukon First Nations Map - The Real Map": errors **(Filed Document #34)**

QUESTION OF PRIVILEGE

Ms. Duncan, Member for Porter Creek South, rose on a question of privilege with regard to not being provided with a copy of a document, entitled "Interim Contract Registry", which she stated was vital to the performance of her duties as a Member of the Yukon Legislative Assembly.

The Speaker received comments from the Government House Leader and the Leader of the Official Opposition and then took the question of privilege under advisement.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 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., Wednesday, December 10, 1997.

No. 60

VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, December 10, 1997

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

TRIBUTES

International Human Rights Day

The Hon. Ms. Moorcroft, Minister of Justice, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, recognized International Human Rights Day.

SPEAKER'S RULING

"Before proceeding to Question Period the Chair will provide a ruling on the question of privilege raised on December 9, 1997 by the Member for Porter Creek South.

The Member met the notice requirement found in Standing Order 7(1)(b) by submitting a written notice to the Office of the Speaker at 10:00 a.m. on December 9.

Standing Order 7(4) states that the Speaker must rule on (a) whether there appears, on the face of it, to be a case of breach of privilege, and (b) whether the matter has been raised at the earliest opportunity.

With regard to whether the matter was raised at the earliest opportunity, the Government House Leader stated that he felt that the matter should have been raised the previous day. He referred to a ruling made on April 24, 1997 on a question of privilege raised by the Member for Kluane. That ruling has been reviewed and does not apply to this situation. The Chair found that the Member for Kluane was raising a point of order and not a question of privilege. Points of order must be raised at the time that the event occurs.

There are many precedents of this House where Members have raised questions of privilege on the next sitting day after the event being questioned has taken place. This allows Members time to review Hansard to give careful consideration to the matter before deciding whether they will raise it in the House. Also, the House indicated its intent that a matter could be raised on a following sitting day when it adopted Standing Order 7(1)(b) and its requirement for written notice.

The question for the Chair to decide on, then, is whether the Member for Porter Creek South has raised a question which, on the face of it, is a possible breach of privilege. The Chair finds that there is not a breach of privilege. The refusal of the Government to produce a document requested by a Member is neither a point of order nor the basis of a question of privilege.

The question of whether a document should be produced is a matter of deliberation for the House. It can be discussed at a number of times including Question Period, debate on the estimates of the departments and on a Motion for the Production of Papers. It, however, is not a matter for the Speaker to rule on.

There is one further point the Chair would comment on. The Member for Porter Creek South said that a media person seemed to be receiving favoured treatment over Members of the House in terms of access to a publicly-available document. It is not the place of the Chair to investigate such allegations but the Chair is sure that Ministers would not want restrictions to apply to Members of this House that do not apply to anyone else. "

OPPOSITION PRIVATE MEMBERS' BUSINESS **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

Moved by Mr. Jenkins:

THAT it is the opinion of this House that the proposed user fee charges for air navigation services in Canada will add to the cost of air service, specifically air cargo, in the north, and have a significant impact on tourism, exploration and the cost of basic goods; and

THAT this House urges NAV Canada to reconsider its proposal to replace the air transportation tax with user fees so that northern Canadians do not bear any additional costs than what is currently being charged for air navigation services. **(Motion #70)**

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

THAT Motion #70 be amended by deleting the second paragraph and replacing it with the following paragraphs:

"THAT it is the opinion of this House that:

- (1) NAV Canada may be seeking to reduce national staffing levels and service;
- (2) NAV Canada may be planning to close the Whitehorse Air Traffic Control Tower (ATC) and have all service provided by Flight Information Services (FSS); and
- (3) staffing reductions and closure of the Air Traffic Control Services (ATC) would result in overall reduction of services to Yukon consumers;

and

THAT this House urges NAV Canada to reconsider its proposal to replace the air transportation tax with user fees, and strongly objects to Canada's Minister of Transport approving NAV Canada reduction of staffing levels and services."

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

THAT the amendment to Motion #70 be amended by deleting all of the words after subclause (2) in the amendment and by adding the following words:

"THAT this House urges NAV Canada to reconsider its proposal to replace the air transportation tax with user fees and ensure the highest possible level of public safety and the provision of equivalent levels of service."

A debate arising on the sub-amendment and the time reaching 5:30 p.m. while Mr. Hardy 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, on the amendment and on Motion #70 was accordingly adjourned.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:32 p.m. until 1:30 p.m., Thursday, December 11, 1997.

No. 61

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, December 11, 1997

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Acting Government Leader

- Financial Assistance Agreement between the Government of Yukon and the Yukon Federation of Labour dated March 4, 1997 and list of other contribution agreements **(Legislative Return #33)**
- Employment Equity 1990 - 1996 Progress Report (dated October 1997) **(Sessional Paper #91)**

GOVERNMENT BILLS

The following Bill was called for Third Reading:

Bill #22 - Oil and Gas Act

-Hon. Mr. Harding

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

	YEA			
Harding	Hardy	Jenkins		
Moorcroft	Livingston	Duncan		
Keenan	Ostashek	Cable	13	
Sloan	Phillips	Edelman		
McRobb				
	NAY			
			0	

Bill #22, accordingly, passed the House.

The following Bills were read a third time and passed:

Bill #40 - An Act to Amend the Workers' Compensation Act

-Hon. Mr. Harding

Bill #43 - An Act to Amend the Public Health Act
-Hon. Mr. Sloan

The following Bill was called for Third Reading:

Bill #47 - Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Harding

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

	YEA			
Harding	Hardy	Jenkins		
Moorcroft	Livingston	Duncan		
Keenan	Ostashek	Cable	13	
Sloan	Phillips	Edelman		
McRobb				
	NAY			
			0	

Bill #47, accordingly, passed the House.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #8 - Second Appropriation Act, 1997-98
-Hon. Mr. McDonald

The report of the Chair was adopted.

ASSENT TO BILLS

The Assembly received the Commissioner to give Assent to certain Bills passed by the House.

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

The Speaker addressed the Commissioner:

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

The Clerk of the Assembly then read the titles of the Bills which had been passed severally as follows:

Bill #23 - Crime Prevention and Victim Services Trust Act
-Hon. Ms. Moorcroft

Bill #30 - An Act to Amend the Constitutional Questions Act
-Hon. Ms. Moorcroft

Bill #31 - An Act to Amend the Cooperative Associations Act
-Hon. Ms. Moorcroft

- Bill #25 - An Act to Amend the Notaries Act
-Hon. Ms. Moorcroft
- Bill #34 - Continuing Consolidation of Statutes Act
-Hon. Ms. Moorcroft
- Bill #46 - An Act to Amend the Partnership Act
-Hon. Ms. Moorcroft
- Bill #38 - An Act to Amend the Consumer Protection Act
-Hon. Ms. Moorcroft
- Bill #37 - Access to Information and Protection of Privacy
(Consequential Amendments) Act, 1997
-Hon. Ms. Moorcroft
- Bill #24 - Family Violence Prevention Act
-Hon. Ms. Moorcroft
- Bill #45 - An Act to Amend the Public Utilities Act
-Hon. Ms. Moorcroft
- Bill #26 - An Act to Amend the Animal Protection Act
-Hon. Mr. Fairclough
- Bill #27 - Animal Health Act
-Hon. Mr. Fairclough
- Bill #33 - The Intercountry Adoption (Hague Convention) Act
-Hon. Mr. Sloan
- Bill #29 - An Act to Amend the Taxpayer Protection Act
-Hon. Mr. McDonald
- Bill #35 - An Act to Amend the Financial Administration Act
-Hon. Mr. McDonald
- Bill #41 - An Act to Amend the Public Service Act and the
Public Service Staff Relations Act
-Hon. Mr. Harding
- Bill #39 - An Act to Amend the Motor Vehicles Act
-Hon. Mr. Keenan
- Bill #7 - Third Appropriation Act, 1996-97
-Hon. Mr. McDonald
- Bill #22 - Oil and Gas Act
-Hon. Mr. Harding
- Bill #40 - An Act to Amend the Workers' Compensation Act
-Hon. Mr. Harding
- Bill #43 - An Act to Amend the Public Health Act
-Hon. Mr. Sloan
- Bill #47 - Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Harding

The Commissioner assented the Bills:

"I hereby assent to the Bills as enumerated by the 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 #8 - Second Appropriation Act, 1997-98

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:30 p.m., Monday, December 15, 1997.

No. 62

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, December 15, 1997 - Tuesday, December 16, 1997

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

TABLING RETURNS AND DOCUMENTS

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

- Vital Statistics 1986 - 1995: births, marriages and deaths in Yukon (dated October, 1997) **(Sessional Paper #92)**

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Harding:

THAT the membership of the Members' Services Board, as established by Motion # 4 of the First Session of the Twenty-Ninth Legislature, be amended:

- (1) by rescinding the appointment of Jack Cable, Member for Riverside; and
- (2) by appointing Pat Duncan, Member for Porter Creek South. **(Motion #79)**

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

MOTION TO SIT BEYOND NORMAL HOUR OF ADJOURNMENT

At 2:00 p.m., it was moved by the Hon. Ms. Moorcroft, Acting Government House Leader:

THAT Committee of the Whole and the Assembly be empowered to sit beyond 9:30 p.m., if necessary, for the purpose of completing consideration of Bill #8, entitled **Second Appropriation Act, 1997-98**, in Committee; for permitting the House to consider Third Reading of Bill #8; and for receiving the Commissioner to grant Assent to Bill #8.

A debate arising on the motion to sit beyond the normal hour of adjournment, it was agreed to, at 3:29 p.m., on the following recorded Division:

	YEA		
Harding	Fairclough	Duncan	
Moorcroft	McRobb	Cable	11
Keenan	Hardy	Edelman	
Sloan	Livingston		

NAY

Ostashek	Phillips	Jenkins	3
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COMMITTEE OF THE WHOLE

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

The following Bill was reported, at 6:13 a.m., December 16, 1997, without amendment:
Bill #8 - Second 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 #8 - Second 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			
Harding	Sloan	Hardy	
Moorcroft	Fairclough	Livingston	8
Keenan	McRobb		
NAY			
Ostashek	Jenkins	Cable	6
Phillips	Duncan	Edelman	

Bill #8, accordingly, passed the House.

ASSENT TO BILLS

The Assembly received the Commissioner to grant 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 as follows:

Bill #8 - Second 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. Ms. Moorcroft, Acting 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 6:27 a.m., Tuesday, December 16, 1997.

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October 30, 1997 - December 15/16, 1997

YUKON LEGISLATIVE ASSEMBLY

Abbreviations

1R - First Reading of Bill

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

P - Passed

2R - Second Reading

A - Assent

3R - Third Reading

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26	Animal Protection Act, An Act to Amend the	97-10-30	97-11-03	97-11-05	97-12-02	97-12-11
27	Animal Health Act	97-10-30	97-11-03	97-11-10	97-12-02	97-12-11
30	Constitutional Questions Act, An Act to Amend the	97-10-30	97-11-03	97-11-13	97-11-27	97-12-11
38	Consumer Protection Act, An Act to Amend the	97-11-10	97-11-13	97-11-13	97-11-27	97-12-11

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Bill #	Title	1R	2R	C/W * with amendment	3R&P	A
34	Continuing Consolidation of Statutes Act	97-11-03	97-11-04	97-11-13	97-11-27	97-12-11
31	Cooperative Associations Act, An Act to Amend the	97-10-30	97-11-03	97-11-13	97-11-27	97-12-11
23	Crime Prevention and Victim Services Trust Act	97-10-30	97-11-03	*97-11-04	97-11-27	97-12-11
24	Family Violence Prevention Act	97-11-13	97-11-17	*97-11-26	97-11-27	97-12-11
35	Financial Administration Act, An Act to Amend the	97-11-03	97-11-10	*97-11-13	97-12-04	97-12-11
39	Motor Vehicles Act, An Act to Amend the	97-11-10	97-11-12	*97-11-13	97-12-04	97-12-11
25	Notaries Act, An Act to Amend the	97-10-30	97-11-03	97-11-13	97-11-27	97-12-11
22	Oil and Gas Act	97-11-03	97-11-06	97-11-10 [recommitted] *97-12-04	97-12-11	97-12-11
46	Partnership Act, An Act to Amend the	97-11-06	97-11-10	97-11-13	97-11-27	97-12-11
43	Public Health Act, An Act to Amend the	97-11-13	97-11-17	*97-12-08	97-12-11	97-12-11
41	Public Service Act and the Public Service Staff Relations Act, An Act to Amend the	97-11-06	97-11-10	97-11-18	97-12-04	97-12-11
47	Public Service Group Insurance Benefit Plan Act	97-12-02	97-12-04	97-12-08	97-12-11	97-12-11
45	Public Utilities Act, An Act to Amend the	97-11-27	97-12-01	97-12-01	97-12-01	97-12-11
8	Second Appropriation Act, 1997-98	97-11-12	97-11-19	97-12-16	97-12-16	97-12-16
29	Taxpayer Protection Act, An Act to Amend the	97-10-30	97-11-03	97-11-13	97-12-04	97-12-11
33	The Intercountry Adoption (Hague Convention) Act	97-10-30	97-11-03	*97-11-05	97-12-04	97-12-11
7	Third Appropriation Act, 1996-97	97-11-12	97-11-19	97-11-19	97-12-04	97-12-11
32	Workers' Compensation Act, An Act to Amend the	97-11-10	----- WITHDRAWN on 97-11-12 -----			
40	Workers' Compensation Act, An Act to Amend the	97-11-12	97-11-17	97-12-04	97-12-11	97-12-11

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YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
Fall Sitting of the
First Session of the
29th Legislative Assembly

October 30, 1997 - December 15/16, 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
Fall Sitting of the
First Session of the
29th Legislative Assembly**

October 30, 1997 - December 15/16, 1997

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YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
Fall Sitting of the
First Session of the
29th Legislative Assembly

October 30, 1997 - December 15/16, 1997

1. Motion #72 - Mr. Livingston, Member for Lake Laberge
Debated November 5, 1997
Carried November 5, 1997

THAT it is the opinion of this House that:

- (1) Yukoners deserve reliable, affordable and accessible telephone service;
- (2) the present telephone service does not adequately serve the varied needs of rural and urban Yukoners;
- (3) the Canadian Radio-television and Telecommunications Commission has a responsibility to Yukoners to ensure that regulated competition facilitates lower long distance rates, improved service and extension of services in underserved areas;
- (4) all telephone services directed towards basic home and business use in the Yukon should be regulated by the CRTC to ensure reliable, affordable and accessible service;
- (5) the Government of the Yukon should urge the CRTC to direct telecommunications companies operating in Canada to establish a fund to expand the Yukon's telecommunications infrastructure; and
- (6) the Government of the Yukon should actively pursue all avenues to promote reliable, affordable and accessible telephone service in the Territory.
- (7) the Hansard of the debate on this motion be forwarded to CRTC to advise it of the views of the Yukon Legislative Assembly on this important issue."

Amended

2. Motion #68 - Mr. Ostashek, Leader of the Official Opposition
Debated November 12, 1997
Carried November 12, 1997

THAT it is the opinion of this House that the federal Liberal Government proposal to restructure old age benefits:

- (1) has flaws and raises serious issues of fairness in that the proposed seniors benefit will penalize Canadians who are saving for retirement while at the same time reduce their future retirement benefits,
- (2) as well as represents an attack on universality of Canada's social programs by replacing a public pension system with a minimal welfare system for the very poorest of seniors, and
- (3) imposes severe clawbacks on low and middle-income Canadians, robbing them of an ability to live their retirement in self-reliance and dignity;

THAT this House urges the federal Liberal Government to uphold the sacred trust of our country's obligations to its senior citizens by holding public hearings in Yukon and canceling proposed changes and cuts and restoring a comprehensive, universal public pension; and

THAT this House urges the Government of Yukon to hold public hearings on the implications of the proposed seniors benefit in the event that the federal Liberal Government fails to conduct public hearings in the territory.

Amended

3. Motion #82 - Mr. Hardy, Member for Whitehorse Centre
Debated November 19, 1997
Carried November 19, 1997

THAT it is the opinion of this House that:

- (1) the Multilateral Agreement on Investment (MAI), sponsored by the U.S.A., supported by Canada, and currently the subject of secret negotiations by the 29 industrial nations in OECD (the Organization for Economic Cooperation and Development), represents a major attack on the autonomy and self-determination of governments at all levels; and
- (2) the democratic process which Canadians so value is seriously threatened by the MAI whose aim is to remove control of the economic process from the people's elected representatives and to consolidate it in the hands of transnational corporations;

and

THAT this House calls on the federal Government to cease all negotiations on the MAI and to facilitate full participation of all Canadians in major decisions affecting our economic future.

4. Motion #83 - Mrs. Edelman, member for Riverdale South
Debated November 26, 1997
Carried November 26, 1997

THAT it is the opinion of this House that:

- (1) alcohol abuse is a major problem for Yukon society;
- (2) alcohol abuse is destructive to personal relationships, and contributes to domestic violence;
- (3) alcohol abuse is a significant factor in health care costs to Yukoners;
- (4) impaired driving is a serious problem for Yukoners and alcohol abuse is a significant factor in the commission of other crimes; and
- (5) misuse of alcohol during pregnancy is causing increasing concern among Yukoners, because of the disabilities that those persons suffering from Fetal Alcohol Syndrome/Fetal Alcohol Effects encounter, and because of the effects on our education system;

THAT, recognizing the seriousness of alcohol abuse in the Yukon, the Yukon Government should continue its coordinated, focused approach, including the work of the Fostering Healthy Communities Committee, and report back to this House in the spring of 1998 about progress and actions in the area of alcohol and drug services prevention and treatment; and

THAT the actions leading to the preparation of this report should include consultation with affected government departments, other governments, and non-government organizations dealing with alcohol addiction and abuse.

Amended

5. Motion #73 - Mr. Hardy, Member for Whitehorse Centre
Debated November 5, 1997; December 3, 1997
Carried December 3, 1997

THAT it is the opinion of this House that:

- (1) the Government of Canada has unfairly restricted access to income support for Canadians who have paid into Unemployment Insurance (renamed Employment Insurance) throughout their working lives; and
- (2) despite a projected \$20 billion cumulative surplus by the end of 1998, the Government of Canada has unfairly reduced EI benefits, eliminated training programs and appropriated workers' money to pay down the deficit;

THAT this House expresses strong opposition to the federal Liberal Government's ongoing attempts to dismantle this vital component of our social safety net, causing great hardship to the victims of Canada's structural unemployment; and

THAT this House calls for the billions in savings, which restrictions to unemployment insurance have produced, to be used to restore the program to meet the real financial and training needs of unemployed workers.

6. Motion # 79 - Hon. Mr. Harding, Government House Leader
Debated December 15, 1997
Carried December 15, 1997

THAT the membership of the Members' Services Board, as established by Motion # 4 of the First Session of the Twenty-Ninth Legislature, be amended:

- (1) by rescinding the appointment of Jack Cable, Member for Riverside; and
- (2) by appointing Pat Duncan, Member for Porter Creek South.