

JOURNALS

YUKON LEGISLATIVE ASSEMBLY



FIRST SESSION
(Continuation)

29TH LEGISLATURE

February 22, 1999 - April 29, 1999

Speaker: The Hon. Robert Bruce

No. 126

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, February 22, 1999

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

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Jessica Hughes, Steve Lundberg, Geordo Matechak, Chelsea McCreadie and Jessica Slonski from Porter Creek Secondary School and Félix Des Lauriers, Jacqueline Frechette, Stephen Mansell, and Reta Pyke, from F.H. Collins Secondary School would be serving as Pages during the Spring Sitting. Félix Des Lauriers and Jessica Slonski were introduced and welcomed to the House.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- 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 February 22, 1999)

(Sessional Paper #181)

Hon. Mr. Sloan, Minister of Government Services

- Government Contracting Summary Report by Department (April 1, 1998 - January 31, 1999)

(Sessional Paper #182)

Hon. Mr. Harding, Minister of Economic Development

- Yukon Short-Term Economic Outlook 1999 (dated February, 1999)

(Sessional Paper #183)

PETITIONS

The Clerk reported on Petition #9 as follows:

"Mr. Speaker and honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #9 of the First Session of the 29th Legislative Assembly, as presented by the Member for Riverdale North on December 15, 1998.

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 #9 was deemed to be read and received.

INTRODUCTION OF BILLS (First Reading)

Bill #15 - Fourth Appropriation Act, 1998-99
-Hon. Mr. McDonald

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

MONEY MESSAGE

Bill #15, *Fourth Appropriation Act, 1998-99*, and Bill #14, *First Appropriation Act, 1999-2000*, were accompanied by a money message.

GOVERNMENT BILLS - BUDGET SPEECH

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

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

Thereupon, the Hon. Mr. McDonald delivered the 1999-2000 Budget Speech.

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

THAT debate be now adjourned.

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

The Assembly adjourned at 3:10 p.m. until 1:30 p.m., Tuesday, February 23, 1999.

No. 127

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, February 23, 1999

ABSENCE OF SPEAKER

The Clerk advised the House, pursuant to the provisions of Section 24 of the *Legislative Assembly Act*, that the Speaker was absent from the House and that, in his absence, the Deputy Speaker would take the Chair. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

TABLING RETURNS AND DOCUMENTS

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

- Yukon Lottery Commission 1997/98 Annual Report (Sessional Paper #184)

MINISTERIAL STATEMENTS

Mr. Livingston, Cabinet commissioner on the Development Assessment Process

- Development Assessment Process: status report

Point of Order

Mr. Phillips, Member for Riverdale North, rose on a Point of Order just after Mr. Livingston, the Cabinet commissioner on the Development Assessment Process, started giving his statement. The Member for Riverdale North stated that in his view there was no longer a Cabinet Commission on the Development Assessment Process and therefore the Member for Lake Laberge was no longer a Cabinet commissioner and could not, according to the Standing Orders, make a statement under Ministerial Statements.

Deputy Speaker's Ruling

"The Chair would like to thank the Official Opposition House Leader for having provided notice of the Point of Order. Standing Order 11(4) refers to Members who have 'been designated as Cabinet commissioners'.

There is no established procedure for indicating whether a Cabinet commissioner is no longer designated as such. The Chair has not been informed in any official way that the Member for Lake Laberge is no longer a Cabinet commissioner. The Cabinet commissioner on the Development Assessment Process may, therefore, continue with his statement."

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The debate continued on the motion for Second Reading. During Second Reading debate, the Speaker took the Chair.

Quorum Count

At 2:43 p.m., Mr. Fentie, Member for Watson Lake, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion for Second Reading of Bill #14.

Quorum Count

At 2:55 p.m., the Hon. Mr. Harding, Government House Leader, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continuing on the motion for Second Reading of Bill #14, entitled *First Appropriation Act, 1999-2000*, and the time reaching 5:30 p.m. while Mr. Jenkins was speaking to it, the Speaker, pursuant to Standing Order 2(6), adjourned the House and debate on the motion for Second Reading of Bill #14 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Wednesday, February 24, 1999.

No. 128

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, February 24, 1999

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

TRIBUTES

Canada Winter Games - Team Yukon

The Hon. Mr. Keenan, Minister of Community and Transportation Services, Mr. Jenkins, Member for Klondike, and Mrs. Edelman, Member for Riverdale South, paid tribute to Team Yukon, competing in Cornerbrook, Newfoundland, at the 1999 Canada Winter Games.

TABLING RETURNS AND DOCUMENTS

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

- Growing Older in the Yukon: a draft strategy (dated February 1999)

(Sessional Paper #185)

Ms. Duncan, Leader of the Third Party

- John Cabot (1997) 500th Anniversary Corporation: review of expenditures (Report of the Newfoundland Auditor General dated February 1997)

(Sessional Paper #186)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Fentie:

THAT this House recognizes that:

- (1) the federal government provides economic assistance programs in other Canadian regions such as Western Diversification Canada and Atlantic Opportunities Canada;
- (2) the Yukon has not received direct help from the federal government in this area since the termination of the Economic Development Assistance (EDA) programs; and
- (3) the 1998-99 federal budget has committed to work with northern governments on economic development and diversification;

THAT it is the opinion of this House that an economic assistance initiative could play a helpful role in diversifying the Yukon economy, creating jobs and developing new economic opportunities; and

THAT this House urges the federal government to cooperate with the Yukon Government to enter immediately into negotiations to create new economic development and diversification initiatives for the Yukon. **(Motion #102)**

Debate started on the motion.

Quorum Count

At 2:33 p.m., during debate on Motion #102, Mr. Cable, Member for Riverside, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

Debate continued on the motion.

Quorum Count

At 3:12 p.m., during debate on Motion #102, Mr. Cable, Member for Riverside, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continuing on Motion #102 and the question being put, it was agreed to.

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The debate continued on the motion for Second Reading.

Quorum Count

At 3:33 p.m., Mr. Jenkins, Member for Klondike, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion for Second Reading of Bill #14.

Quorum Count

At 4:20 p.m., Mr. Phillips, Official Opposition House Leader, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

Point of Order

Mr. Phillips, Official Opposition House Leader, rose on a Point of Order regarding the speaking order on the Second Reading debate of Bill #14. The Speaker received input from the three House Leaders.

Speaker's Ruling (re disputes about House business)

"On the Point of Order, the Chair does not rule on disputes between the House Leaders as to the arrangement of business of the House. The Chair is now going to ask if the House is prepared for the question. However, if a Member should rise to speak, the Chair will recognize him or her."

The debate continued on the motion for Second Reading of Bill #14.

Speaker's Ruling (re unparliamentary language)

"The Member for Kluane used the word 'slander' at least twice in his Second Reading debate. This word has been ruled unparliamentary in the past and the Chair would inform the Member for Kluane that the word 'slander' should not be used in the future. For further direction in this matter, the Chair would refer Members to the ruling of the Chair made on December 9, 1998."

The debate continued on the motion for Second Reading of Bill #14.

Quorum Count

At 8:10 p.m., Mrs. Edelman, Member for Riverdale South, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion for Second Reading of Bill #14.

Quorum Count

At 8:22 p.m., Mr. Phillips, Official Opposition House Leader, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continued on the motion for Second Reading of Bill #14.

After the Hon. Mr. Sloan, Minister of Health and Social Services, concluded his speech on the motion for Second Reading of Bill #14, the Hon. Mr. Harding, Government House Leader, moved, with the agreement of all Members, the early adjournment of the House to allow Members to be present at the finish line of the 1999 Yukon Quest. Debate on the motion for Second Reading of Bill #14, entitled *First Appropriation Act, 1999 - 2000*, was accordingly adjourned.

The Assembly adjourned at 8:43 p.m. until 1:30 p.m., Thursday, February 25, 1999.

No. 129

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, February 25, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Ministerial fleet vehicle use from June 1, 1998 to October 31, 1998: dates, minister, and government business undertaken **(Legislative Return #80)**
- Travel claim as Minister by the Member for Ross River-Southern Lakes approved by the Government Leader **(Legislative Return #81)**
- Northern Affairs Program (NAP) resource management transfer: process outlined **(Legislative Return #82)**

GOVERNMENT BILLS

The following Bill was called for Second Reading:

Bill #14 - First Appropriation Act, 1999-2000
-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	Livingston	

NAY

Ostashek	Jenkins	Cable	6
Phillips	Duncan	Edelman	

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:25 p.m. until 1:30 p.m., Monday, March 1, 1999.

No. 130

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, March 1, 1999

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

TRIBUTES

Yukon Sourdough Rendezvous and Yukon Quest

The Hon. Mr. Sloan, acting Minister of Tourism, Mr. Jenkins, Member for Klondike, and Ms. Duncan, Leader of the Third Party, congratulated the participants and volunteers on their efforts for a successful Yukon Sourdough Rendezvous (35th Anniversary) and Yukon Quest, which finished in Whitehorse.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Government employees (number of): different method of calculation by Statistics Canada and the Yukon Public Service Commission **(Legislative Return #83)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Tuesday, March 2, 1999.

No. 131

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, March 2, 1999

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.

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Wednesday, March 3, 1999.

No. 132

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, March 3, 1999

The Clerk advised the House, pursuant to section 24 of the *Legislative Assembly Act*, that the Speaker would be temporarily absent from the House as he was attending a funeral. Thereupon, the Deputy Speaker took the Chair, called the House to order and said prayers.

MINISTERIAL STATEMENT

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

- Telemedical pilot project in the communities

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Ms. Duncan:

THAT it is the opinion of this House that, since its election to government, the NDP Government has not lived up to its commitments made to Yukon people before and during the last election.

(Motion #153)

Debate started on the motion.

Quorum Count

At 2:38 p.m., during debate on Motion #153, Mr. Fentie, Member for Watson Lake, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

Debate continued on the motion.

Quorum Count

At 3:18 p.m., during debate on Motion #153, Mr. Jenkins, Member for Klondike, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

Debate continued on the motion.

Quorum Count

At 5:16 p.m., during debate on Motion #153, Mr. McRobb, Member for Kluane, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continuing on the motion and the time reaching 5:30 p.m. while 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 Motion #153 was accordingly adjourned.

COMMITTEE OF THE WHOLE

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

During general debate on the Department of Economic Development, several Points of Order were raised. When, at 7:37 p.m., a Member stood to raise a further Point of Order, the Chair vacated the chair. The Deputy Chair took the chair until 8:30 p.m.

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:30 p.m. until 1:30 p.m., Thursday, March 4, 1999.

No. 133

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, March 4, 1999

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

PETITIONS (Response to Petition #9)

The Hon. Mr. Fairclough, Minister of Renewable Resources, gave an oral response to Petition #9 (presented to the House on December 15, 1998 and received by the House on February 22, 1999) with regard to catch-and-release fishing.

NOTICE OF A QUESTION OF PRIVILEGE

The Hon. Mr. Harding, Government House Leader, gave notice that he may be raising a Question of Privilege on Monday, March 8, 1999, with regard to an exchange which took place in Committee of the Whole on Wednesday, March 3, 1999.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Deputy Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Monday, March 8, 1999.

No. 134

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, March 8, 1999

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

TRIBUTES

International Women's Day

The Hon. Ms. Moorcroft, Minister responsible for the Women's Directorate, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, recognized International Women's Day.

INTRODUCTION OF VISITORS

The Hon. Mr. McDonald, Government Leader, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, welcomed to the House Senators Randy Phillips and Georgianna Lincoln and Representatives Joe Green, Sharon Cissna, Fred Dyson, and John Harris from the Alaska State Legislature. The delegation was in Yukon for the annual legislative exchange.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Education

- Yukon College 1997/98 Annual Report (Sessional Paper #187)

- Yukon College Financial Statements (dated June 30, 1998)
(Sessional Paper #188)

Hon. Mr. Harding, Minister of Economic Development

- Yukon Gold - Yukon Government Fund Limited: Marketing Summary
(Sessional Paper #189)

QUESTION OF PRIVILEGE

The Hon. Mr. Harding, Government House Leader, rose on a Question of Privilege relating to an exchange that occurred during the evening sitting on March 3, 1999, between the Member for Riverdale North and the Chair of the Committee of the Whole.

The Speaker, after receiving comments from Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, took the Question of Privilege under advisement.

REQUEST FOR UNANIMOUS CONSENT TO DEBATE MOTION #156

Mr. Phillips, Member for Riverdale North, requested unanimous consent to have Motion #156, regarding the conduct of the Deputy Speaker and Chair of Committee of the Whole, called for debate forthwith. Unanimous consent was denied.

COMMITTEE OF THE WHOLE

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

Chair's Statement (re attacks on the Chair)

"All Members are reminded that the public we serve expects us to conduct ourselves appropriately at all times. Decorum of this Legislature shall be maintained in accordance with the House rules. Attacks on the Chair shall not be tolerated. To elaborate further, this would include any attack upon the Chair by Members, whether they are speaking from their seats or speaking on the record.

It is the responsibility of any Member who has a complaint about the Chair to act appropriately and follow the process in place to deal with such matters.

All Members shall be cautioned that the Chair is aware of rule 42(4) of the Standing Orders of the Yukon Legislative Assembly which says, "Disorder in Committee of the Whole can be censured only by the Assembly on receiving a report thereon. No debate shall be permitted on any decision of the Chair."

The Chair recognizes that a firmer hand is required in order to maintain order in this House. Certainly, this will be a challenge in times of heated debate. However, all Members should take note of the Chair's options."

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Tuesday, March 9, 1999.

No. 135

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, March 9, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Justice

- Whitehorse Correctional Institute staffing: personnel allotments

(Legislative Return #84)

INTRODUCTION OF BILLS (First Reading)

Bill #16 - Interim Supply Appropriation Act, 1999-2000

-Hon. Mr. McDonald

MONEY MESSAGE

Bill #16, *Interim Supply Appropriation Act, 1999-2000*, was accompanied by a money message.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:30 p.m., Wednesday, March 10, 1999.

No. 136

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, March 10, 1999

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

SPEAKER'S RULING ON QUESTION OF PRIVILEGE

"The Chair will provide a ruling on the Question of Privilege raised on March 8, 1999 by the Government House Leader.

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.

The normal practice of this House has been that, to meet the 'earliest opportunity' requirement, a Question of Privilege must be raised at the time the event occurred or on the next sitting day. In this matter, the event took place on Wednesday, March 3, 1999. The Government House Leader provided a communication to the Speaker's Office on Thursday, March 4, 1999, indicating that he was considering raising the 'exchange which took place between the Member for Riverdale North and the Chair of the Committee of the Whole' as a Question of Privilege. He wrote, however, that he wished to delay doing so for one sitting day in order for him to 'provide a clear and proper description of the question.'

On Monday, March 8, 1999, the Government House Leader, pursuant to Standing Order 7(1)(b), gave a written notice containing a brief statement of the question to the Speaker two hours before the opening of the sitting. This process, by which there is a delay in presenting a Question of Privilege, is unusual in this House. The Chair will accept it on this occasion and may allow it again at some future point. However, Members should be aware that the Chair's determination will depend on the circumstances of the moment and the importance to the House of the issue being raised. To be clear on this point, the Chair will not guarantee that a delay will always be granted.

Since, in this case, the 'earliest opportunity' requirement is being found to be satisfied, the question for the Chair to decide on is whether the Government House Leader has raised a question which, on the face of it, is a possible breach of privilege.

The Chair has reviewed the Hansard and has also taken the opportunity to listen to the Hansard tapes of the event in question.

From those, the Chair's understanding of what happened is as follows:

- (1) The Leader of the Opposition had been recognized by the Chair and was speaking.
- (2) During his speech, a Member, identified as the Member for Lake Laberge by the Leader of the Official Opposition, made a number of comments from his seat. Since the Member for Lake Laberge did not have the floor, these comments are shown in Hansard as 'Some Hon. Member: (inaudible)'.
- (3) The Leader of the Official Opposition, following several of these comments, identified the Member for Lake Laberge and made personal statements about that Member.
- (4) The Chair called for order and stated: 'I would ask Members to refrain from making personal remarks and concentrate on the budget.'
- (5) The Member for Riverdale North rose on a Point of Order, was recognized, and began to speak. The Member for Lake Laberge rose during the Point of Order being spoken to by the Member for Riverdale North and was recognized by the Chair on a Point of Order. Before the Member for Lake Laberge could speak, the Member for Klondike rose on a Point of Order and was recognized by the Chair. The Member for Klondike, the Member for Lake Laberge and the Member for Riverdale North spoke in turn.
- (6) When he had the floor, the Member for Riverdale North said to the Chair, in part, '[W]hat I was criticizing is you criticized the opposition leader for what he said . . . but you didn't say anything about the . . . hooting and hollering . . . of the Member opposite.'
- (7) The Chair responded by saying, in part: 'The Chair did not criticize anyone. The Chair is trying to maintain order. It does not appreciate being accused of criticizing anyone in this House.'
- (8) The Leader of the Official Opposition was given the floor and began to speak when the Member for Riverdale North rose on a Point of Order and stated: 'Mr. Chair, I want you to apologize to me for just cat-calling at me, as the Chair of Committee of the Whole, or else get out of the Chair and sit in the back, where everyone else is.'
- (9) The Government House Leader was then recognized and stated: 'I would ask that Members in this House respect that its not appropriate to be addressing the Chair in such a manner. Everybody should just relax, including me, and let's just get on with this debate.'
- (10) The Chair did not provide a ruling on the Point of Order raised by the Member for Riverdale North. The Chair then recognized the Leader of the Official Opposition who began speaking.
- (11) While the Leader of the Official Opposition was speaking, the Member for Riverdale North called out 'Point of Order, Mr. Chair.'
- (12) The Hansard tape indicates that the Chair had not recognized the Member for Riverdale North but, while the Chair was calling for order, it is clear that the Member for Riverdale North said that the Chair had directed a vile obscenity at him.

- (13) The Chair did not respond to the accusation made by the Member for Riverdale North and, according to the notation in Hansard, then vacated the Chair.
- (14) The Deputy Chair then took the Chair and the Committee of the Whole continued with the business before it.

Those are the events being referred to. The question to be addressed is whether they lead to a conclusion that, on the face of it, there was a breach of privilege.

The Government House Leader, in his statement of the Question of Privilege, did not identify any specific privilege which might have been violated. Instead, he said '[C]ontinued abuse or disrespectful conduct and spurious accusations by any Member disrupts House business, brings the entire Legislature into disrepute, and cannot go uncorrected. It indicates a serious lack of respect for the rules and decorum of this House and the people chosen to sit in neutral positions in the performance of public duties.' Later on, the Government House Leader asked the Speaker to review the Hansard and the Hansard tapes and to rule whether, in reference to the Member for Riverdale North, 'his comments and his behaviour violated the Chair's authority and responsibilities, as contained in the Standing Orders of the Yukon Legislative Assembly and Beauchesne's Parliamentary Rules and Forms.' The Government House Leader concluded that such a ruling would 'clarify whether a motion of censure should be brought forward against the Member for Riverdale North.'

One of the standards by which the Chair determines whether there is, on the face of it, a Question of Privilege, is whether the matter in question can or could be properly dealt with under the practice or the Standing Orders of the House. Parliamentary authorities indicate that, when a matter is covered by the practice or rules of the House, it is very unlikely to involve a breach of the privileges of Members.

A review of the incident in question shows the following:

- (1) The question of whether the Member for Lake Laberge was unduly interfering with the Leader of the Official Opposition when the Leader of the Official Opposition had the floor could have been dealt with either by the Chair calling the Member to order or by another Member raising the interference as a Point of Order.
- (2) The comments by the Leader of the Official Opposition about the Member for Lake Laberge could have been and were dealt with by the Chair calling for order and advising Members not to indulge in personal attacks.
- (3) That ruling, under Standing Order 42(4), could have been appealed to the Speaker. Otherwise, under the same Standing Order, a challenge to the Chair is out of order because it states 'No debate shall be permitted on any decision of the Chair.'
- (4) Points of Order were subsequently raised by a number of Members. The Chair would note that the practice of the Assembly is that, when one Member is raising a Point of Order, that Member may not be interrupted by another Member on a Point of Order. The House or Committee must deal with the Point of Order being raised before proceeding on to another Point of Order.
- (5) The Member for Riverdale North made the accusation that the Chair expressed a vile obscenity to him. This was done without that Member

having been recognized by the Chair and, therefore, does not appear in Hansard. However, it can be heard quite clearly on the Hansard tapes. This could have been dealt with by the rules in two ways. First, the Member could have been called to order under Standing Order 19(1)(j) which states: 'A Member will be called to order by the Speaker if that Member uses abusive or insulting language of a nature likely to create disorder.' A second solution, if the Chair of Committee or the Committee itself so desired, would have been to report the matter to the Assembly. This is authorized by Standing Order 42(4) which states, in part, 'Disorder in Committee of the Whole can be censured only by the Assembly, on receiving a report thereon.' The Member for Riverdale North also has a solution under the rules, if he wishes to express a serious grievance about an impropriety of the Chair, and that is to do as he has already done - bring forward a substantive motion censuring the Chair.

- (6) As has been noted, Hansard indicates that the Chair of Committee of the Whole vacated the Chair. There are no precedents of this House or, so far as can be determined, of the House of Commons, for this action. However, there were options available under the rules including reporting to the Assembly under Standing Order 42(4). There are also precedents of this House whereby the Chair has, of its own accord, declared a brief recess.
- (7) The Standing Orders also provide a remedy if it is reported to the Speaker that a Member is being disorderly. Standing Order 23 states that, if a Member persists in offending a Standing Order, the Member may be named by the Speaker and suspended from that day's sitting or a longer period if so decided by the House.

It is clear, then, that the events of March 3, 1999 are ones that could and should have been dealt with under the rules and practices of the House. They do not fall within the category of a breach of privilege.

On a final point, it should be understood that the Speaker's ruling in matters such as these is whether, on the face of it, there is a Question of Privilege. If the Speaker decides there is not, on the face of it, a Question of Privilege, the result is that a motion to deal with the matter will not be given priority of debate.

However, the House itself may decide, through a substantive motion moved in the normal way, that something is a matter of privilege. That is the House's choice.

Also, a decision by the Speaker that a matter is not, on the face of it, a Question of Privilege does not stop Members from bringing forward motions of censure against each other if that is their desire. Members themselves must make decisions about whether such motions are necessary to assist in furthering the interests of the House, including its order and decorum."

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's intention to take control of the \$30 billion surplus in the Public Service Superannuation Plan abuses the rights of public service employees;

- (2) the Federal Government's intention to require employers such as the Territorial Government to assume a much greater percentage of pension costs (while also increasing the employees' contribution) could cost Yukon taxpayers more than \$11 million per year and result in service reductions and staff lay-offs;
- (3) the Federal Government's decision not to institute a Joint Management Board to oversee the pension fund and its surplus, but to institute an Investment Board without labour representation, is a gross breach of trust and a serious attack on the rights and well-being of public servants; and

THAT this House calls for the Federal Government to cease all plans to implement its proposed changes to the Public Service Superannuation Plan. **(Motion #157)**

A debate arising on the motion, it was moved by Ms. Duncan, Leader of the Third Party, in amendment thereto:

THAT Motion #157 be amended by adding after the expression "THAT this House calls for the Federal Government to" the following:

"return to negotiations with unions and pensioners to resolve outstanding issues and in the interim"

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

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

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

GOVERNMENT BILLS

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

Bill #16 - Interim Supply Appropriation Act, 1999-2000
-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 #16 - Interim Supply Appropriation Act, 1999-2000
-Hon. Mr. McDonald

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:27 p.m. until 1:30 p.m., Thursday, March 11, 1999.

No. 137

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, March 11, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Sloan, Minister of Government Services

- Property Management Agency: 1999/2000 Business Plan **(Sessional Paper #190)**
- Fleet Vehicle Agency: 1999/2000 Business Plan **(Sessional Paper #191)**
- Queen's Printer Agency: 1999/2000 Business Plan **(Sessional Paper #192)**

Hon. Mr. Harding, Minister of Economic Development

- Takhini Hot Springs: Resort Development Opportunity (a Yukon project model) **(Sessional Paper #193)**
- Local hire: number of indeterminate and term appointments from 1994/95 to March 4, 1999; information on Yukon Hire policy **(Legislative Return #85)**

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.,
Monday, March 22, 1999.

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

GOVERNMENT BILLS

The following Bill was read a third time and passed:

Bill #16 - Interim Supply Appropriation Act, 1999-2000
-Hon. Mr. McDonald

ASSENT TO BILL

The Assembly received the Administrator to give Assent to a certain Bill passed by the House.

The Administrator, having entered the Chamber, took his seat in the Speaker's Chair.

The Speaker addressed the Administrator:

"Sir, 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 #16 - Interim Supply Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The Administrator assented the Bill:

"I hereby Assent to the Bill as enumerated by the Clerk of the Legislature."

The Administrator 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 #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Monday, March 22, 1999.

No. 138

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, March 22, 1999

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

TRIBUTES

United Nations International Day for the Elimination of Racial Discrimination

The Hon. Ms. Moorcroft, Minister of Justice, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, recognized United Nations International Day for the Elimination of Racial Discrimination

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Report of the Chief Electoral Officer of the Yukon on Contributions to Political Parties during 1998 (dated March 1999) **(Sessional Paper #194)**

Hon. Mr. Keenan, Minister of Tourism

- Yukon Heritage Resources Board 1997/98 Annual Report **(Sessional Paper #195)**

Mr. Livingston, Cabinet commissioner on the Development Assessment Process

- Development Assessment Process: compilation of written comments during public consultation **(Sessional Paper #196)**
- Yukon Development Assessment Act (Oct. 15, 1998 draft): independent review and analysis prepared by Macleod institute (dated January 1999) **(Sessional Paper #197)**

MINISTERIAL STATEMENTS

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

- Green mortgages (re energy efficiency)

SPEAKER'S RULING (re unparliamentary language)

"Before proceeding to Orders of the Day, the Chair will provide a ruling on a Point of Order raised on March 3, 1999 by the Leader of the Third Party.

The Point of Order was raised when the Member for Watson Lake, during debate on Motion #153, said, of the Liberal caucus:

'Then, their approach for improving tourism marketing in this territory is to assassinate officials on the floor of this Legislature - attack the department officials, assassinate them.'

The Leader of the Third Party, in raising the Point of Order, said that she felt this violated Standing Order 19(1)(h) which states that 'A Member will be called to order by the Speaker if that Member imputes false or unavowed motives to another Member.'

The Government House Leader argued that there was no Point of Order because the expression 'character assassination' had been used on other occasions in this House and had not been ruled out of order.

The opinions of the Leader of the Third Party and of the Government House Leader are not quite on point. The Member for Watson Lake was not imputing motives. He did not say that the Liberal caucus, through their actions, intended to assassinate officials. Rather, he said that they did assassinate officials. Also, he did not use the expression 'character assassination' which has, on occasion, been overlooked in debate in this House. Rather, he used the word 'assassinate'.

Members have heard many rulings on parliamentary language so the Chair will not repeat what is stated in the Standing Orders and parliamentary authorities at this time. If Members are interested, they may wish to review those rulings including, in particular, the Speaker's ruling of December 2, 1998 and the ruling of the Chair of the Committee of the Whole given on December 9, 1998.

In addition to the rules and authorities referred to in those rulings, the Chair wishes to draw the attention of the House to the First Report of the Standing Committee on Rules, Elections and Privileges. It was presented to the House on March 26, 1997 and concurred in by motion of the House on the same day.

In that report, under the title 'Language in the Legislative Assembly', it was stated:

'Although the Committee expressed strong support for the use of inclusive, non-sexist and non-violent language it decided against recommending any changes to the rules of the House in that respect. Rather than making the presiding officers of the House responsible for enforcing rules of debate beyond those which now exist, the Committee suggests that the onus should be placed on each Member to strive to use inclusive, non-sexist and non-violent language at all times.'

Based on the rulings, Standing Orders and parliamentary authorities, the Chair would suggest that, in the future, if the word 'assassinate' is used in the same fashion as it was by the Member for Watson Lake, it will likely be found to be unparliamentary.

Members should also recognize that they have accepted responsibility to avoid such language through the adoption of the Standing Committee report that stated that Members should strive to use 'non-violent language at all times'.

The Chair is certain that Members, from now on, will wish to pay greater attention to the use of non-violent language and, in advance, thanks Members for their co-operation."

COMMITTEE OF THE WHOLE

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

Chairs ruling (re unparliamentary language)

"A Point of Order was raised earlier today by the Member for Lake Laberge respecting the use of the term 'juggle the books or skew the numbers' by the Member for Klondike. The Chair has reviewed the matter. During a review of the Blues for this afternoon, it was also noted that the expressions 'twist and weasel around' and 'twist the facts' were used by other Members. The Chair does not wish to encourage Members to use language such as this but, with it being so common, it would become intrusive to step in and call it to order on every occasion. Perhaps the best solution would be to request that Members respect the ruling given by the Speaker earlier today and to exercise some self-discipline in restraining themselves from using expressions that may be found insulting by other Members."

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:26 p.m. until 1:30 p.m., Tuesday, March 23, 1999.

No. 139

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, March 23, 1999

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

TRIBUTES

National Francophone Week

The Hon. Mr. McDonald, Government Leader, Mr. Jenkins, Member for Klondike, and Ms. Duncan, Leader of the Third Party, recognized National Francophone Week

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:30 p.m., Wednesday, March 24, 1999.

No. 140

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, March 24, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Auditor General: Annual Report on Other Matters for the year ended March 31, 1997 **(Sessional Paper #198)**

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

- Spotlight on Diversity: summary report on supports and barriers in YTG workplace (dated December 1998) **(Sessional Paper #199)**

MINISTERIAL STATEMENTS

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

- "Spotlight on Diversity" survey release (re YTG workplace)

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Ostashek:

THAT it is the opinion of this House that there is an urgent need to review the electoral boundaries in the Yukon due to:

- (1) significant population changes in electoral districts such as Whitehorse West and Faro,
- (2) several electoral districts in the Yukon no longer meeting the population requirements ensuring voter parity and, thereby, leaving the territory open to legal challenges to elections held in those electoral districts, and
- (3) electoral district boundaries in the Yukon not having been reviewed since 1991 when the practice in many other Canadian jurisdictions is to conduct such a review after every second general election;

and

THAT this House urges the Government to introduce legislation during the 1999 spring sitting establishing an electoral district boundaries commission.

(Motion #152)

A debate arising on the motion, it was moved by the Hon. Mr. McDonald:

THAT debate be now adjourned.

The question being put on the motion to adjourn debate on Motion #152, it was agreed to on the following recorded Division:

YEA			
McDonald	Sloan	Fentie	
Harding	Fairclough	Hardy	10
Moorcroft	McRobb	Livingston	
Keenan			

NAY			
Ostashek	Jenkins	Cable	6
Phillips	Duncan	Edelman	

Moved by Ms. Duncan:

THAT this House recognizes that the Lord Study, a comprehensive plan for Yukon museums offering a blueprint for preservation of Yukon's history and culture, is now 14 years old and requires evaluation and updating in light of progress achieved to date;

THAT this House recognizes that Yukon's history is part of our cultural heritage and our tourism future; and

THAT this House urges the Government of Yukon to revisit the Lord Study, in a comprehensive manner, to set new directions for Yukon's museums.

(Motion #159)

Debate started on the motion.

Quorum Count

At 3:09 p.m., during debate on Motion #159, Mr. Fentie, Member for Watson Lake, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

Debate continuing on the motion and the time reaching 5:30 p.m. while the Hon. Mr. Harding was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #159 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 #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:29 p.m. until 1:30 p.m., Thursday, March 25, 1999.

No. 141

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, March 25, 1999

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

TRIBUTES

In remembrance of Jack Hogan

Mr. Cable, Member for Riverside, Mr. Ostashek, Leader of the Official Opposition, and the Hon. Mr. Keenan, Minister of Community and Transportation Services, paid tribute to Yukon businessman Jack Hogan, who passed away on December 21, 1998. Condolences were extended to his family.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Justice

- Whitehorse Correctional Centre: compliance with orders from various reports
(Legislative Return #86)

TABLED DOCUMENT

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

- Deviation by Electoral District in Yukon, 1996 (Sessional Paper #200)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Monday, March 29, 1999.

No. 142

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, March 29, 1999

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.

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:27 p.m. until 1:30 p.m., Tuesday, March 30, 1999.

No. 143

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, March 30, 1999

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

TABLING RETURNS AND DOCUMENTS

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

- *Workers' Compensation Act* (Yukon) task force review: phase 1 - Issues Paper (dated Spring 1999) **(Sessional Paper #201)**
- Yukon Workers' Compensation Health and Safety Board 1997 Annual Report **(Sessional Paper #202)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:30 p.m., Wednesday, March 31, 1999.

No. 144

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, March 31, 1999

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

TRIBUTES

International Year of Older Persons

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Jenkins, Member for Klondike, and Mrs. Edelman, Member for Riverdale South, recognized the International Year of Older Persons.

Fiftieth Anniversary of the entry of Newfoundland and Labrador into Confederation

The Hon. Mr. McDonald, Government Leader, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, recognized the fiftieth anniversary of the entry of Newfoundland and Labrador into Confederation.

Aboriginal Languages Day

The Hon. Mr. Keenan, Minister of Tourism, Mr. Phillips, Member for Riverdale North, and Ms. Duncan, Leader of the Third Party, recognized Aboriginal Languages Day.

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Fentie:

THAT it is the opinion of this House that:

- (1) Yukon people want and deserve a justice system that is accountable to them and reflects their values as a society; and
 - (2) Yukon's justice system can become more open and accountable by community participation in crime prevention, meeting victim's needs and offender rehabilitation and correctional reform;
- and

THAT this House supports:

- (1) the pursuit of innovative approaches to crime prevention and criminal justice based on the principles of restorative justice and community decision-making; and
- (2) the government's restorative justice consultations which will provide the Yukon public with an opportunity to shape positive changes to the Yukon justice system.

(Motion #162)

Debate started on the motion.

Quorum Count

At 2:35 p.m., during debate on Motion #162, Mr. Cable, Member for Riverside, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

A debate continuing on the motion, it was moved by Mr. Phillips, Member for Riverdale North, in amendment thereto:

THAT Motion #162 be amended by adding the following words at the end of clause (2) of the second paragraph:

"including an evaluation of the use of circle sentencing for violent and non-violent crimes."

A debate arising on the amendment, it was agreed to on the following recorded Division:

YEA			
McDonald	McRobb	Phillips	
Harding	Fentie	Jenkins	
Moorcroft	Hardy	Duncan	16
Keenan	Livingston	Cable	
Sloan	Ostashek	Edelman	
Fairclough			

NAY
0

A debate arising on Motion #162 as amended and the question being put, it was agreed to.

Unanimous Consent not to call futher motions for which notice had been given

The Hon. Mr. Harding, Government House Leader, requested and was granted unanimous consent not to call Motion #163 or Motion # 164 for which notice to call on Wednesday, March 31, 1999, had been given on Tuesday, March 30, 1999.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Thursday, April 1, 1999.

No. 145

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 1, 1999

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

TRIBUTES

Seventy-Fifth Anniversary of the Canadian Air Force

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Jenkins, Member for Klondike, and Mr. Cable, Member for Riverside, recognized the seventy-fifth anniversary of the Canadian Air Force.

MINISTERIAL STATEMENTS

Hon. Mr. McDonald, Government Leader

- Creation of Nunavut as a Territory on April 1, 1999.

TABLED DOCUMENT

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

- Waste Wood Energy Recovery Feasibility Study: Executive Summary (dated February 17, 1994) **(Sessional Paper #203)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:29 p.m. until 1:30 p.m., Tuesday, April 6, 1999.

No. 146

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 6, 1999

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

TRIBUTES

Biodiversity Awareness Month

The Hon. Mr. Fairclough, Minister of Renewable Resources, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, recognized Biodiversity Awareness Month in the Yukon.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Minister of Economic Development

- DEW Line clean-up at Komakuk Beach, Yukon: letter dated March 30, 1999 to Hon. Art Eggleton, Minister of National Defense (Canada) from Hon. Trevor Harding, Minister of Economic Development (Yukon) **(Sessional Paper #204)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:30 p.m., Wednesday, April 7, 1999.

No. 147

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 7, 1999

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

TRIBUTES

World Health Day

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Jenkins, Member for Klondike, and Mrs. Edelman, Member for Riverdale South, recognized World Health Day and its theme "active aging makes the difference".

MINISTERIAL STATEMENTS

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

- Professional Development Fund: health and social services area

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Mr. Ostashek:

THAT it is the opinion of this House that the proposal to sole source an eleven million dollar contract for environmental clean-up work at Komakuk Beach in northern Yukon to a Northwest Territories company is unfair to Yukon contractors who are fully capable of undertaking this work, given the opportunity to bid on the project; and

THAT this House urges the Department of National Defense to publicly tender the Distant Early Warning Line Clean-Up Project at Komakuk Beach in northern Yukon allowing Yukon contractors to submit bids on the project. **(Motion #165)**

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

THAT Motion #165 be amended by inserting before the first "THAT" the following:

"THAT this House recognizes and respects the terms of the Inuvialuit Final Agreement which give the Inuvialuit economic opportunities on a preferred basis in Ivvavik and Qikiqtaruk Parks, and provide the Inuvialuit Development Corporation a 'reasonable share' of Government of Canada contracts for goods and services in the Inuvialuit Settlement Region;"

and by deleting the words "at Komakuk Beach" in the last paragraph.

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

A debate arising on Motion #165 as amended and the question being put, it was agreed to on the following recorded Division:

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

NAY

0

Moved by Mr. Jenkins:

THAT it is the opinion of this House that the federal Liberal Government is failing to meet its special fiduciary responsibility to Yukon First Nations by off-loading health and social costs for Yukon First Nation citizens onto the Yukon Government;

THAT this House recognizes that:

- (1) the federal Liberal Government currently owes the Government of Yukon approximately \$40 million in unpaid bills for providing health care and social services to Yukon First Nation citizens in Yukon Government facilities; and
- (2) this bill for these services has been left outstanding for many years and is continuing to increase annually; and

THAT this House urges the Government of Yukon to advise Yukon First Nations, the Council of Yukon First Nations and the Assembly of First Nations of this serious breach by the federal Liberal Government of its fiduciary responsibility to First Nations and to encourage them, as well as the Government of Yukon itself, to protest this breach in the strongest possible terms to the Prime Minister of Canada and the Minister of Indian Affairs and Northern Development. **(Motion #166)**

Debate started on the motion.

Quorum Count

At 4:15 p.m., during debate on Motion #166, Mrs. Edelman, Member for Riverdale South, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

Debate continued on the motion.

Quorum Count

At 4:38 p.m., during debate on Motion #166, Ms. Duncan, Leader of the Third Party, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells and then did a count. A quorum was present for the count.

The debate continuing on Motion #166 and the question being put, it was agreed to on the following recorded Division:

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

16

NAY

0

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.



The Assembly adjourned at 9:30 p.m. until 1:30 p.m., Thursday, April 8, 1999.

No. 148

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 8, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Education

- Department of Education 1997/98 Annual Report (Sessional Paper #205)

Hon. Mr. Harding, Minister of Economic Development

- Oil and Gas Strategy (Yukon): draft for public comment (dated Spring 1999)
(Sessional Paper #206)

Hon. Mr. McDonald, Government Leader

- Relocation costs related to the ADM, Land Claims Secretariat: within government policy (Legislative Return #87)

INTRODUCTION OF BILLS (First Reading)

Bill #72 - An Act to Amend the Municipal Finance and Community Grants Act
-Hon. Mr. Keenan

Bill #73 - Seniors Property Tax Deferment Act
-Hon. Mr. Keenan

Bill #74 - An Act to Amend the Assessment and Taxation Act
-Hon. Mr. Keenan

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Monday, April 12, 1999.

No. 149

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 12, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Justice

- "Counting Us In: a statistical profile of Yukon women" (dated April, 1999)
(Sessional Paper #207)
- Whitehorse Correctional Centre superintendent: number of qualified applicants;
hiring process **(Legislative Return #88)**

MINISTERIAL STATEMENTS

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

- "Counting Us In: A statistical profile of Yukon women"

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-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 13, 1999.

No. 150

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 13, 1999

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

TRIBUTES

Yukon Regional Science Fair

The Hon. Ms. Moorcroft, Minister of Education, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, congratulated the participants and organizers of the Yukon Regional Science Fair.

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Education

- "It All Adds Up": A reader's guide to the gender equity in the schools policy
(Sessional Paper #208)

INTRODUCTION OF BILLS (First Reading)

Bill #17 -Interim Supply Appropriation Act, 1999-2000 (No. 2)
-Hon. Mr. McDonald

MONEY MESSAGE

Bill #17, *Interim Supply Appropriation Act, 1999-2000 (No. 2)*, was accompanied by a money message.

COMMITTEE OF THE WHOLE

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

Chair's Statement (re unparliamentary language)

"On reviewing the Blues for last evening, it is clear that certain comments made by the Minister of Community and Transportation Services were personal and insulting. At the time, the Chair did ask Members not to make personal and insulting remarks and to address their remarks through the Chair. Neither the Member for Riverdale North, who rose on a Point of Order, nor the Chair identified any specific remarks as being unparliamentary. Nor did the Chair rule that any specific remarks should be withdrawn. It should also be noted that it has not been the practice of Speakers of the Assembly or Chairs of Committee of the Whole to insist that all remarks found to be objectionable be withdrawn. In

the past, however, Members who have made remarks that have caused disorder have often voluntarily withdrawn those remarks. This assists the House in getting debate back on a civil note and allowing it to continue in an orderly fashion.

Members on both sides have made remarks lately that the Chair finds abusive and insulting. The Chair would ask all Members not to make disparaging remarks about other Members. It has been my practice not to interrupt Members while they are speaking to ask them to keep their remarks parliamentary. In future, it will be my intention to intervene more quickly when remarks are made that are likely to create disorder."

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:30 p.m., Wednesday, April 14, 1999.

No. 151
VOTES AND PROCEEDINGS
of the
YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 14, 1999

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

TRIBUTES

In remembrance of J. Barry O'Neill

Mr. Ostashek, Leader of the Official Opposition, Mr. Cable, Member for Riverside, and the Hon. Mr. Fairclough, Minister of Renewable Resources, paid tribute to Barry O'Neill, a World War II veteran and a Yukon prospector, who died in an automobile accident on March 30, 1999. Condolences were extended to the O'Neill family.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Bison harvest draw (1998): public access to and harvesting on Settlement Land pursuant to the Umbrella Final Agreement **(Legislative Return #89)**

MINISTERIAL STATEMENTS

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

- Child Benefit Reinvestment (National)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved. By Mr. McRobb:

THAT it is the opinion of this House that:

- (1) the Protected Areas Strategy is a positive initiative that will protect the territory's ecological diversity, provide certainty and long term economic benefits for the Yukon;
- (2) the Yukon will benefit from a balanced agenda that encourages both responsible economic development and environmental protection; and

THAT the implementation of the Protected Areas Strategy should continue through the ongoing involvement of Yukon people. **(Motion #163)**

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

THAT Motion #163 be amended by deleting the words "is a positive initiative that" in the first paragraph and substituting for them the following:

"should become a positive initiative taking into account the concerns of mining, forestry and other resource industries to ensure that the strategy"

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

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

Debate continuing on the main motion and the time reaching 5:30 p.m. while Mr. Cable was speaking to it, the Speaker, pursuant to Standing Order 2(2), recessed the House until 7:30 p.m. and debate on Motion #163 was accordingly adjourned.

GOVERNMENT BILLS

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

Bill #17 - Interim Supply Appropriation Act, 1999-2000 (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 #17 - Interim Supply Appropriation Act, 1999-2000 (No. 2)
-Hon. Mr. McDonald

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:25 p.m. until 1:30 p.m., Thursday, April 15, 1999.

No. 152

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 15, 1999

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

TRIBUTES

Law Day

The Hon. Ms. Moorcroft, Minister of Justice, Mr. Phillips, Member for Riverdale North, and Mr. Cable, Member for Riverside, recognized Law Day across Canada, the theme this year being "Access to Justice".

TABLING RETURNS AND DOCUMENTS

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

- "Control your financial future": pamphlets on money management for women and where to obtain further information **(Sessional Paper #209)**

INTRODUCTION OF BILLS (First Reading)

Bill #18 -Second Appropriation Act, 1999-2000
-Hon. Mr. McDonald

Bill #75 -An Act to Amend the Income Tax Act
-Hon. Mr. McDonald

Bill #76 -An Act to Amend the Legislative Assembly Retirement Allowances Act, 1991
-Hon. Mr. McDonald

MONEY MESSAGE

Bill #18, *Second Appropriation Act, 1999-2000*, was accompanied by a money message.

GOVERNMENT BILLS

The following Bill was read a third time and passed:

Bill #17 -Interim Supply Appropriation Act, 1999-2000 (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 Clerk of the Assembly then read the title of the Bill which had been passed:

Bill #17 - Interim Supply Appropriation Act, 1999-2000 (No. 2)
-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.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-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 19, 1999.

No. 153

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 19, 1999

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

TRIBUTES

Skills Canada (Yukon) Competition

The Hon. Ms. Moorcroft, Minister of Education, Mr. Phillips, Member for Riverdale North, and Ms. Duncan, Leader of the Third Party, congratulated all who participated in the first Skills Canada (Yukon) Competition, which took place in Whitehorse on Saturday, April 17, 1999.

Rotary Music Festival

Mrs. Edelman, Member for Riverdale South, Mr. Phillips, Member for Riverdale North, and the Hon. Ms. Moorcroft, Minister of Education, recognized the thirty-first annual Rotary Music Festival being held in Whitehorse during the week of April 18th, 1999.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Yukon Human Rights Commission 1997/98 Annual Report
(Sessional Paper #210)

Hon. Mr. McDonald, Government Leader

- Electoral Boundaries (Yukon): Legal opinion re necessity for boundaries review
(April 15, 1999) (Sessional Paper #211)

Hon. Mr. Keenan, Minister of Tourism

- Tourism Strategy Discussion Paper: "The Promise and the Challenges"
(March 1999) (Sessional Paper #212)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:26 p.m. until 1:30 p.m., Tuesday, April 20, 1999.

No. 154

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 20, 1999

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

TRIBUTES

National Organ Donor Week

The Hon. Mr. Sloan, Minister of Health and Social Services, Mr. Jenkins, Member for Klondike, and Mrs. Edelman, Member for Riverdale South, paid tribute to National Organ Donor Week. Hon. Mr. Sloan noted that work is being done to establish a Yukon donor registry.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald, Government Leader

- Implementation of the Umbrella Final Agreement, the Yukon First Nation Final Agreements and the Yukon First Nation Self-Government Agreements: Bilateral Agreement between Canada and Yukon and explanation of
(Legislative Return #90)

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-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 21, 1999.

No. 155

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 21, 1999

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Justice

- Restorative Justice in Yukon: Overview (Issue 1, April, 1999)

(Sessional Paper #213)

MINISTERIAL STATEMENTS

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

- Hospital to home links

Hon. Ms. Moorcroft, Minister of Justice

- Restorative justice: public consultation

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Moved by Ms. Duncan:

THAT it is the opinion of this House that:

- (1) tourism has seen a steady growth in the Yukon in the last decade;
- (2) tourism is a major economic benefit to the Yukon; and
- (3) the effects of tourism - economic, environmental, and cultural - are of importance to all Yukoners;

THAT this House urges the Government of Yukon to recognize the importance of tourism to the future of the Yukon; and

THAT this House urges the Government of Yukon to ensure that tourism strategy consultations, which were announced on December 1, 1998, include all Yukoners by holding round-table public discussions in all Yukon communities.

(Motion #173)

Debate started on the motion.

Quorum Count

At 3:50 p.m., during debate on Motion #173, Mr. Fentie, Member for Watson Lake, rose on a Point of Order to state that there did not appear to be a quorum present. Pursuant to Standing Order 3(2), the Speaker rang the bells 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. Keenan, Minister of Tourism, in amendment thereto:

THAT Motion #173 be amended by:

- (1) in the first paragraph, deleting the words "seen a steady growth in the Yukon in the last decade" and substituting for them the words:

"experienced steady growth in the Yukon"

- (2) in the second paragraph, deleting the words "urges the Government of Yukon to recognize" and substituting for them the words:

"urges the Government of Yukon to continue to recognize"

- (3) in the third paragraph, deleting the words after "Government of Yukon" and substituting for them the words:

"to continue to involve all Yukoners in the tourism strategy consultations that were announced in the government's budget."

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

THAT the amendment to Motion #173 be amended by deleting the words "urges the Government of Yukon to continue to recognize" and substituting for them the words:

"urges the Yukon Liberal Caucus to recognize".

A debate arising on the sub-amendment and the time reaching 5:30 p.m. while the Hon. Mr. Harding 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, the amendment and Motion #173 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 #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:28 p.m. until 1:30 p.m., Thursday, April 22, 1999.

No. 156

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 22, 1999

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

TRIBUTES

International Earth Day

The Hon. Mr. Fairclough, Minister of Renewable Resources, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, paid tribute to International Earth Day and recognized Yukoners who participated in planned events making Yukon a better place to live.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:30 p.m., Monday, April 26, 1999.

No. 157

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Monday, April 26, 1999

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

TRIBUTES

Yukon Young Authors Conference and Yukon Writers Festival

The Hon. Ms. Moorcroft, Minister of Education, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, paid tribute to the Yukon Young Authors Conference (20th Anniversary) and the Yukon Writers Festival (13th Anniversary) taking place in Whitehorse during the week of April 26, 1999.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Bruce, Speaker

- Ombudsman and Information and Privacy Commissioner 1998 Annual Report
(Sessional Paper #214)
- Report on Travel Expenses of Members of the Yukon Legislative Assembly 1998-1999
(Sessional Paper #215)

Hon. Mr. Harding, Minister of Economic Development

- Mineral tax credit: notes presented to the Tax Reform Round Table, Fall 1998; mineral exploration incentives across Canada
(Legislative Return #91)
- Yukon Council on the Economy and the Environment: directions to from Government (November, 1997); YCEE community conferences schedule, Spring 1999; letter to Chair of YCEE from the Government Leader (dated October 9, 1998)
(Legislative Return #92)
- Mineral royalties (Yukon): explanation of mining royalties and gem production royalties
(Legislative Return #93)

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 2:29 p.m.:

THAT Committee of the Whole and the Assembly be empowered to sit from 9:30 p.m. to 10:30 p.m. for the purpose of continuing consideration of Bill #14, entitled *First Appropriation Act, 1999-2000*.

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 10:28 p.m. until 1:30 p.m., Tuesday, April 27, 1999.

No. 158

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Tuesday, April 27, 1999

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

TRIBUTES

In remembrance of Dorreene Wahl

Mr. Cable, Member for Riverside, and Mr. Ostashek, Leader of the Official Opposition, paid tribute to Dorreene Wahl, who passed away on April 17, 1999. Condolences were extended to her husband, Herb, and family.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Harding, Minister of Economic Development

- Immigrant Investors Fund: information related to **(Legislative Return #94)**
- Community Development Fund: decision-making process for the four tiers **(Legislative Return #95)**
- Yukon Unity Foundation: letters from Government of Yukon to Federal Government and Yukon Unity Foundation re federal funding (November 1997 to September 1998) **(Legislative Return #96)**

GOVERNMENT MOTIONS

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

THAT, pursuant to section 18 of the *Conflict of Interest (Members and Ministers) Act*, the Legislative Assembly reappoint Ted Hughes as a Member of the Conflict of Interest Commission for a three-year period effective May 2, 1999.

(Motion #171)

A debate arising on the motion 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 eighteen of the *Conflict of Interest (Members and Ministers) Act*. That Section requires that the appointment of a member of the Conflicts Commission be supported by at least two-thirds of the Members of the Legislative Assembly

present for the vote. In order to ensure that the requirements of Section eighteen of the *Conflict of Interest (Members and Ministers) Act* are met, the Chair will now call for a recorded vote."

The motion was agreed to on the following recorded Division:

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

16

NAY		

0

GOVERNMENT BILLS

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

Bill #75 - An Act to Amend the Income Tax Act
-Hon. Mr. McDonald

The following Bill was called for Second Reading:

Bill #18 - Second Appropriation Act, 1999-2000
-Hon. Mr. McDonald

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	Sloan	Fentie
Harding	Fairclough	Hardy
Moorcroft	McRobb	Livingston
Keenan		

10

NAY		
Ostashek	Duncan	Edelman
Phillips	Cable	

5

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

Bill #15 - Fourth Appropriation Act, 1998-99
-Hon. Mr. McDonald

Bill #72 - An Act to Amend the Municipal Finance and Community Grants Act
-Hon. Mr. Keenan

Bill #73 - Seniors Property Tax Deferment Act
-Hon. Mr. Keenan

Bill #74 - An Act to Amend the Assessment and Taxation Act
-Hon. Mr. Keenan

Bill #76 - An Act to Amend the Legislative Assembly Retirement Allowances Act,
1991
-Hon. Mr. McDonald

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:30 p.m., Wednesday, April 28, 1999.

No. 159

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Wednesday, April 28, 1999

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

TRIBUTES

National Day of Mourning

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Moorcroft, Minister of Justice

- Small claims: current limits across Canada

(Legislative Return #97)

COMMITTEE OF THE WHOLE

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

The following Bill was reported without amendment:

Bill #14 - First Appropriation Act, 1999-2000

-Hon. Mr. McDonald

Progress was reported on the following Bill:

Bill #18 - Second Appropriation Act, 1999-2000

-Hon. Mr. McDonald

The report of the Chair was adopted.

The Assembly adjourned at 9:30 p.m. until 1:30 p.m., Thursday, April 29, 1999.

No. 160

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

29th Legislative Assembly

First Session

Thursday, April 29, 1999

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

TRIBUTES

National Forest Week

Mr. Fentie, Forest Cabinet commissioner, Mr. Ostashek, Leader of the Official Opposition, and Ms. Duncan, Leader of the Third Party, recognized National Forest Week, May 2 to 8, 1999.

Sexual Assault Prevention Month

The Hon. Ms. Moorcroft, Minister responsible for the Women's Directorate, Mr. Phillips, Member for Riverdale North, and Mrs. Edelman, Member for Riverdale South, recognized the month of May as Sexual Assault Prevention Month.

TABLING RETURNS AND DOCUMENTS

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

- Health and Social Services Council (Yukon) 1997/1998 Annual Report
(Sessional Paper #216)
- Health Status Report (1998) (Sessional Paper #217)
- Social assistance paid and charge-backs to Indian Affairs: 1996 through 1999 to date; details of expenditures invoiced to Indian Affairs (Legislative Return #98)
- Debt counselling: process (Legislative Return #99)

Hon. Mr. Harding, Minister of Economic Development

- Aboriginal Participation in Mining, Report on (December 1998): Ninth Annual Report (Sessional Paper #218)
- Oil and gas rights disposition permits: explanation of (Legislative Return #100)
- Tulsequah Chief Property, Redfern Resources, Ltd.: economic benefits to the Yukon (Legislative Return #101)
- Oil and gas disposition: size of parcels of land (Legislative Return #102)

Hon. Ms. Moorcroft, Minister of Justice

- Whitehorse Correctional Centre superintendent: explanation of one-year term position (Legislative Return #103)

PRESENTING REPORTS OF COMMITTEES

Mr. Ostashek, Chair, Standing Committee on Public Accounts

- Standing Committee on Public Accounts 1999 Report (Volume 13) (Sessional Paper #219)

MINISTERIAL STATEMENTS

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

- Direct operating grants to child care operators

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 4:40 p.m.

THAT Committee of the Whole and the Assembly be empowered to sit beyond 5:30 p.m. for the purpose of completing consideration of the Bills now in Committee of the Whole; for the House to consider Third Reading of Bill #14, entitled *First Appropriation Act, 1999-2000*, and all of the Bills reported from Committee of the Whole today; and for receiving the Commissioner to grant Assent to the Bills which were passed today.

The following Bills were reported without amendment:

- Bill #18 - Second Appropriation Act, 1999-2000
-Hon. Mr. McDonald
- Bill #15 - Fourth Appropriation Act, 1998-99
-Hon. Mr. McDonald
- Bill #75 - An Act to Amend the Income Tax Act
-Hon. Mr. McDonald
- Bill #72 - An Act to Amend the Municipal Finance and Community Grants Act
-Hon. Mr. Keenan
- Bill #73 - Seniors Property Tax Deferral Act
-Hon. Mr. Keenan
- Bill #74 - An Act to Amend the Assessment and Taxation Act
-Hon. Mr. Keenan
- Bill #76 - An Act to Amend the Legislative Assembly Retirement Allowances Act, 1991
-Hon. Mr. McDonald

GOVERNMENT BILLS

The following Bill was called for Third Reading:

- Bill #14 - First Appropriation Act, 1999-2000
-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	10
Moorcroft	McRobb	Livingston	
Keenan			

NAY			
Ostashek	Jenkins	Cable	6
Phillips	Duncan	Edelman	

The following Bill was called for Third Reading:

Bill #18 - Second Appropriation Act, 1999-2000
-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	10
Moorcroft	McRobb	Livingston	
Keenan			

NAY			
Ostashek	Jenkins	Cable	6
Phillips	Duncan	Edelman	

The following Bills were read a third time and passed:

Bill #15 - Fourth Appropriation Act, 1998-99
-Hon. Mr. McDonald

Bill #75 - An Act to Amend the Income Tax Act
-Hon. Mr. McDonald

Bill #72 - An Act to Amend the Municipal Finance and Community Grants Act
-Hon. Mr. Keenan

Bill #73 - Seniors Property Tax Deferment Act
-Hon. Mr. Keenan

Bill #74 - An Act to Amend the Assessment and Taxation Act
-Hon. Mr. Keenan

Bill #76 - An Act to Amend the Legislative Assembly Retirement Allowances Act,
1991
-Hon. Mr. McDonald

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 #14 - First Appropriation Act, 1999-2000
-Hon. Mr. McDonald
- Bill #18 - Second Appropriation Act, 1999-2000
-Hon. Mr. McDonald
- Bill #15 - Fourth Appropriation Act, 1998-99
-Hon. Mr. McDonald
- Bill #75 - An Act to Amend the Income Tax Act
-Hon. Mr. McDonald
- Bill #72 - An Act to Amend the Municipal Finance and Community Grants Act
-Hon. Mr. Keenan
- Bill #73 - Seniors Property Tax Deferment Act
-Hon. Mr. Keenan
- Bill #74 - An Act to Amend the Assessment and Taxation Act
-Hon. Mr. Keenan
- Bill #76 - An Act to Amend the Legislative Assembly Retirement Allowances Act, 1991
-Hon. Mr. McDonald

The Commissioner assented the Bills:

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

The Commissioner then retired from the Chamber.

SPECIAL ADJOURNMENT MOTION

It was moved by Mr. Fentie, 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 a 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 5:45 p.m.

INDEX TO JOURNALS

**First Session
(Continuation)**

Twenty-Ninth Legislature

February 22, 1999 - April 29, 1999

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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15	Fourth Appropriation Act, 1998-99	99-02-22	99-04-27	99-04-29	99-04-29	99-04-29
75	Income Tax Act, An Act to Amend the	99-04-15	99-04-27	99-04-29	99-04-29	99-04-29
16	Interim Supply Appropriation Act, 1999-2000	99-03-09	99-03-10	99-03-10	99-03-11	99-03-11
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YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
1999 Spring Sitting of the
continuation of the
First Session of the
29th Legislative Assembly

February 22, 1999 - April 29, 1999

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
1999 Spring Sitting of the
continuation of the
First Session of the
29th Legislative Assembly**

February 22, 1999 - April 29, 1999

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YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
1999 Spring Sitting of the
continuation of the
First Session of the
29th Legislative Assembly

February 22, 1999 - April 29, 1999

Substantive Motions

1. Motion #102 - Mr. Fentie, Member for Watson Lake
Carried February 24, 1999

THAT this House recognizes that:

- (1) the federal government provides economic assistance programs in other Canadian regions such as Western Diversification Canada and Atlantic Opportunities Canada;
- (2) the Yukon has not received direct help from the federal government in this area since the termination of the Economic Development Assistance (EDA) programs; and
- (3) the 1998-99 federal budget has committed to work with northern governments on economic development and diversification;

THAT it is the opinion of this House that an economic assistance initiative could play a helpful role in diversifying the Yukon economy, creating jobs and developing new economic opportunities; and

THAT this House urges the federal government to cooperate with the Yukon Government to enter immediately into negotiations to create new economic development and diversification initiatives for the Yukon.

2. Motion #157 - Mr. Hardy, Member for Whitehorse Centre
Carried March 10, 1999

THAT it is the opinion of this House that:

- (1) the Federal Government's intention to take control of the \$30 billion surplus in the Public Service Superannuation Plan abuses the rights of public service employees;
- (2) the Federal Government's intention to require employers such as the Territorial Government to assume a much greater percentage of pension costs (while also increasing the employees' contribution) could cost Yukon taxpayers more than \$11 million per year and result in service reductions and staff lay-offs;
- (3) the Federal Government's decision not to institute a Joint Management Board to oversee the pension fund and its surplus, but to institute an Investment Board without labour representation, is a gross breach of trust and a serious attack on the rights and well-being of public servants; and

THAT this House calls for the Federal Government to return to negotiations with unions and pensioners to resolve outstanding issues and in the interim cease all plans to implement its proposed changes to the Public Service Superannuation Plan.

Amended

3. Motion #162 - Mr. Fentie, Member for Watson Lake
Carried March 31, 1999

THAT it is the opinion of this House that:

- (1) Yukon people want and deserve a justice system that is accountable to them and reflects their values as a society; and
- (2) Yukon's justice system can become more open and accountable by community participation in crime prevention, meeting victim's needs and offender rehabilitation and correctional reform;

and

THAT this House supports:

- (1) the pursuit of innovative approaches to crime prevention and criminal justice based on the principles of restorative justice and community decision-making; and
- (2) the government's restorative justice consultations which will provide the Yukon public with an opportunity to shape positive changes to the Yukon justice system including an evaluation of the use of circle sentencing for violent and non-violent crimes.

Amended

4. Motion #165 - Mr. Ostashek, Leader of the Official Opposition
Carried April 7, 1999

THAT this House recognizes and respects the terms of the Inuvialuit Final Agreement which give the Inuvialuit economic opportunities on a preferred basis in Ivvavik and Qikiqtaruk Parks, and provide the Inuvialuit Development Corporation a 'reasonable share' of Government of Canada contracts for goods and services in the Inuvialuit Settlement Region;

THAT it is the opinion of this House that the proposal to sole source an eleven million dollar contract for environmental clean-up work at Komakuk Beach in northern Yukon to a Northwest Territories company is unfair to Yukon contractors who are fully capable of undertaking this work, given the opportunity to bid on the project; and

THAT this House urges the Department of National Defense to publicly tender the Distant Early Warning Line Clean-Up Project in northern Yukon allowing Yukon contractors to submit bids on the project.

Amended

5. Motion #166 - Mr. Jenkins, Member for Klondike
Carried April 7, 1999

THAT it is the opinion of this House that the federal Liberal Government is failing to meet its special fiduciary responsibility to Yukon First Nations by off-loading health and social costs for Yukon First Nation citizens onto the Yukon Government;

THAT this House recognizes that:

- (1) the federal Liberal Government currently owes the Government of Yukon approximately \$40 million in unpaid bills for providing health care and social services to Yukon First Nation citizens in Yukon Government facilities; and

- (2) this bill for these services has been left outstanding for many years and is continuing to increase annually; and

THAT this House urges the Government of Yukon to advise Yukon First Nations, the Council of Yukon First Nations and the Assembly of First Nations of this serious breach by the federal Liberal Government of its fiduciary responsibility to First Nations and to encourage them, as well as the Government of Yukon itself, to protest this breach in the strongest possible terms to the Prime Minister of Canada and the Minister of Indian Affairs and Northern Development.

6. Motion #171 - Hon. Mr. McDonald, Government Leader

Carried April 27, 1999

THAT, pursuant to section 18 of the *Conflict of Interest (Members and Ministers) Act*, the Legislative Assembly reappoint Ted Hughes as a Member of the Conflict of Interest Commission for a three-year period effective May 2, 1999.