

LEGISLATIVE ASSEMBLY
YUKON
LEGISLATIVE ASSEMBLY
JOURNAL

JOURNALS

YUKON LEGISLATIVE ASSEMBLY



FIRST SESSION

32nd LEGISLATURE

April 19, 2007 – June 14, 2007

Speaker: The Hon. Ted Staffen

No. 13

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 19, 2007

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

RETIREMENT OF THE CLERK; INTRODUCTION OF TABLE OFFICERS

The Speaker informed the House that Patrick Michael had retired as Clerk of the Legislative Assembly on March 30, 2007, after almost 30 years as a Table Officer of the Assembly. The Speaker announced that Floyd McCormick succeeded Mr. Michael as Clerk of the Yukon Legislative Assembly. The Speaker also introduced Douglas Arnott, Senior Committee Clerk in the Ontario Legislative Assembly, who would be serving as Acting Deputy Clerk during the Spring Sitting.

INTRODUCTION OF PAGES

The Speaker informed the Assembly that Ben Barrett-Forrest, Alex Bouchard, Aryn Clarke, Will Mahoney, Bryson McLachlan, Molly Purser, Ryan Sutherland and Teresa VanderMeer-Chasse from Vanier Catholic Secondary School would be serving as Pages during the Spring Sitting. Aryn Clark and Will Mahoney were introduced and welcomed to the House.

TRIBUTES

In recognition of Senator Ione Christensen

Mr. Mitchell, Leader of the Official Opposition, on behalf of all Members, paid tribute to Senator Ione Christensen and thanked her for her years of dedication, commitment and contributions to Yukon. Best wishes for her retirement were extended.

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

Prior to proceeding with the Daily Routine, the Speaker informed the House of changes made to the Order Paper. Motion #3, standing in the name of Mr. McRobb, the Member for Kluane, Motion #54, standing in the name of Mr. Cardiff, the Member for Mount Lorne, and Motion #60, standing in the name of Mr. Nordick, the Member for Klondike, had been removed from the Order Paper as they were outdated.

INTRODUCTION OF BILLS

Bill #4 - Third Appropriation Act, 2006-07
-Hon. Mr. Fentie

Bill #5 - Interim Supply Appropriation Act, 2007-08

-Hon. Mr. Fentie

Bill #6 - First Appropriation Act, 2007-08

-Hon. Mr. Fentie

MONEY MESSAGE

Bill #4, Third Appropriation Act, 2006-07, Bill #5, Interim Supply Appropriation Act, 2007-08, and Bill #6, First Appropriation Act, 2007-08, were accompanied by a money message.

GOVERNMENT BILLS (Second Reading)

The following Bill was called for Second Reading:

Bill #6 - First Appropriation Act, 2007-08

-Hon. Mr. Fentie

Thereupon, the Hon. Mr. Fentie delivered the 2007-08 Budget Speech.

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

THAT debate be now adjourned.

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

The Assembly adjourned at 3:47 p.m. until 1:00 p.m., Monday, April 23, 2007.

No. 14

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, April 23, 2007

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- General Election 2006: the Report of the Chief Electoral Officer of Yukon
(Sessional Paper #19)
- Auditor General of Canada, Office of the: Transportation Capital Program and Property Management, Department of Highways and Public Works (dated February 2007)
(Sessional Paper #20)
- Absence of Members from Sitzings of the Legislative Assembly and its Committees: Report of the Clerk of the Legislative Assembly (dated April 19, 2007)
(Sessional Paper #21)

PRESENTING REPORTS OF COMMITTEES

Mr. Mitchell, Chair, Public Accounts Committee

- Public Accounts, Standing Committee on: First Report (dated April 2007)
(Vol. 17)
(Sessional Paper #22)

INTRODUCTION OF BILLS

- Bill #32 - Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Hart
- Bill #33 - Act to Amend the Waters Act
-Hon. Mr. Fentie
- Bill #34 - Act to Amend the Liquor Act
-Hon. Mr. Kenyon
- Bill #102 - Act to Amend the Human Rights Act
-Mr. Inverarity

SPEAKER'S STATEMENT (Re: Comments made during Question Period)

Before proceeding with Question Period, the Chair made the following statement about an event that occurred on April 19, 2007.

“During Question Period, the Leader of the Official Opposition said, ‘The idea of announcing major parts of the budget outside the House demonstrates contempt for our political heritage and our elected institutions.’ As the Chair of Committee of the Whole pointed out in a statement on December 9, 2003, and the Speaker reiterated on March 30, 2004, contempt for the Legislature is a specific and serious charge. Contempt for the Legislature is a finding that only the Assembly can make after consideration of a substantive motion to that effect. It is not a statement that members are free to inject into debate.

The Chair appreciates that Members have strongly held views that they wish to express. However, the use of the word ‘contempt’ in the context used by the Leader of the Official Opposition on April 19 is not in order. We will now proceed to Question Period.”

GOVERNMENT BILLS (Second Reading)

The following Bill was called for Second Reading:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The debate arising on the motion for Second Reading of Bill #6, entitled First Appropriation Act, 2007-08, and the time reaching 5:30 p.m., while the Hon. Mr. Kenyon, Minister of Economic Development, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Tuesday, April 24, 2007 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, April 24, 2007.

No. 15

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, April 24, 2007

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

INTRODUCTION OF BILLS

Bill #103 - Apology Act
- Mr. Inverarity

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #74 as being an item to be called during Opposition Private Members' Business on Wednesday, April 25, 2007.

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #26, and Motion #5, as being items to be called during Opposition Private Members' Business on Wednesday, April 25, 2007.

GOVERNMENT BILLS (Second Reading)

The following Bill was called for Second Reading:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The debate continuing (from April 23, 2007) on the motion for Second Reading of Bill #6, entitled First Appropriation Act, 2007-08, and the time reaching 5:30 p.m., while the Hon. Mr. Cathers, Minister of Health and Social Services, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Wednesday, April 25, 2007 and debate on Second Reading was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, April 25, 2007.

No. 16

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, April 25, 2007

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

OPPOSITION PRIVATE MEMBERS' BUSINESS

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

THAT this House urges the Government of Yukon to take immediate action to address the serious environmental and economic effects of climate change on the Yukon.

(Motion #74)

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

YEA

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

NAY

0

Moved by Mr. Edzerza, Member for McIntyre-Takhini:

THAT this House urge the Yukon government to assign the highest possible priority to expediting the review of the *Children's Act* so that the recommendations from the working group can be embodied in a new Act that reflects Yukoners' concerns without any further delay.

(Motion #26)

A debate arising on the motion and the time reaching 5:30 p.m., while the Hon. Mr. Cathers, Minister of Health and Social Services was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, April 26, 2007 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, April 26, 2007.

No. 17

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, April 26, 2007

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

SPEAKER'S STATEMENT (Re: Change to the Order Paper- withdrawal of Motion)

Prior to proceeding with the Daily Routine, the Speaker informed the House of a change made to the Order Paper. Motion #90, standing in the name of Mr. Elias, the Member for Vuntut Gwitchin, had been removed from the Order Paper at the request of that Member.

PETITIONS

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

- New community and recreation centre in Old Crow **(Petition #2)**

GOVERNMENT BILLS (Second Reading)

The following Bill was called for Second Reading:

- Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The debate continuing (from April 23, 2006 and April 24, 2007) on the motion for Second Reading of Bill #6, and the question being put, it was agreed to on the following recorded Division:

YEA

Fentie	Rouble	Nordick	
Cathers	Lang	Cardiff	11
Taylor	Horne	Edzerza	
Kenyon	Hart		

NAY

Mitchell	Elias	Inverarity	
McRobb	Fairclough		5

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

Bill #5 - Interim Supply Appropriation Act, 2007-08
-Hon. Mr. Fentie

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The following Bill was reported without amendment:

Bill #5 - Interim Supply Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Monday, April 30, 2007.

No. 18

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, April 30, 2007

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

PETITIONS

Report of the Clerk

The Acting Deputy Clerk reported on Petition #2 as follows:

“Mr. Speaker, and Honourable Members of the Assembly:

I have had the honour to review a petition, being Petition #2 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Vuntut Gwitchin on April 26, 2007.

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

Floyd McCormick
Clerk of the Yukon
Legislative Assembly”

The Speaker ruled that, accordingly, Petition #2 was deemed to have been read and received.

INTRODUCTION OF BILLS

Bill #104 - Smoke-free Places Act

-Mr. Hardy

GOVERNMENT BILLS (Third Reading)

The following Bill was read a third time and passed:

Bill #5 - Interim Supply Appropriation Act, 2007-08

-Hon. Mr. Fentie

ASSENT TO BILLS

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to a certain Bill passed by the House.

The Commissioner, having entered the Chamber, took her seat in the Speaker’s chair.

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

“Madam Commissioner, the Assembly has, at its present Session, passed a certain Bill to which, in the name and on behalf of the Assembly, I respectfully request your Assent.”

The Acting Deputy Clerk of the Assembly, Douglas Arnott, then read the title of the Bill which had been passed as follows:

Interim Supply Appropriation Act, 2007-08

The Commissioner assented the Bill:

“I hereby assent to the Bill as enumerated by the Clerk.”

GOVERNMENT BILLS (Second Reading)

The following Bill was read a second time:

Bill #4 - Third Appropriation Act, 2006-07
-Hon. Mr. Fentie

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, May 1, 2007.

No. 19

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 1, 2007

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

FILED DOCUMENT

During Oral Question Period, the Hon. Mr. Kenyon, Minister responsible for the Yukon Housing Corporation, filed the following document:

- Social housing eligibility criteria: letter (dated May 1, 2007) from the Hon. Mr. Kenyon, Minister responsible for Yukon Housing Corporation, to Mr. Mitchell, MLA, Copperbelt **(Filed Document #13)**

GOVERNMENT HOUSE LEADER'S REPORT (Length of Sitting)

The Hon. Mr. Cathers, Government House Leader, rose pursuant to Standing Order 75(4) to inform the House that the House Leaders had met for the purpose of achieving agreement on the maximum number of sitting days for the current Sitting. Further, pursuant to Standing Order 75(4), the Hon. Mr. Cathers informed the House that the House Leaders had unanimously agreed that the current sitting should be a maximum of 32 sitting days, with the 32nd sitting day being June 14, 2007.

The Speaker, pursuant to Standing Order 75(4), declared that the current sitting shall be a maximum of 32 sitting days, with the last sitting day being June 14, 2007.

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #28 and Motion #55 as being the items to be called during Government Private Members' Business on Wednesday, May 2, 2007.

GOVERNMENT MOTIONS

Moved by the Hon. Mr. Fentie, Premier:

THAT the Yukon Legislative Assembly, pursuant to section 2 of the *Ombudsman Act*, recommends that the Commissioner in Executive Council appoint Tracy-Anne McPhee as the Ombudsman of Yukon for a term of five years, effective April 9, 2007.

(Motion #96)

Speaker's Call for Recorded Division

"Before putting the question, the Chair must draw Members' attention to Section 2 of the *Ombudsman Act*. That section requires that the recommendation of the Legislative Assembly to the Commissioner in Executive Council respecting the appointment of an Ombudsman, be supported by at least two-thirds of the Members of the Assembly. The effect of Section 2 is that, for the motion to be carried, at least twelve Members must vote for it. In order to ensure that the requirements of Section 2 of the *Ombudsman Act* are met, the Chair will now call for a recorded Division."

The motion was agreed to on the following recorded Division:

YEA

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

NAY

0

The Speaker declared Motion #96 carried by the required support of two-thirds of the Members of the Assembly.

COMMITTEE OF THE WHOLE

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

Chair's Ruling (Re: comments made on April 30, 2007)

Before proceeding to general debate on Bill #4, *Third Appropriation Act, 2006-07*, the Chair made the following statement:

"Toward the end of yesterday's meeting of Committee of the Whole, a Point of Order was raised by Mr. McRobb, Official Opposition House Leader, with respect to remarks made by the Hon. Mr. Fentie, Premier.

As Chair of the Committee, I undertook to review the matter raised and to provide a ruling. It is the Chair's ruling that there has been no breach of the Standing Orders in this instance. The Chair will, however, exercise ongoing vigilance to maintain decorum and moderate the tenor of the debate.

I would remind all honourable Members that the purpose of our being here is to discuss the budget and the content of the budget. The Chair requests that debate in Committee of the Whole focus on the budget and that Members forego references to past items of the Daily Routine.

I thank Mr. McRobb for raising this matter."

The following Bill was reported without amendment:

Bill #4 - Third Appropriation Act, 2006-07
-Hon. Mr. Fentie

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, May 2, 2007.

No. 20

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 2, 2007

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

SPEAKER'S STATEMENT (Re: Change to the Order Paper - withdrawal of Motion)

Prior to proceeding with the Daily Routine, the Speaker informed the House of a change made to the Order Paper. Motion #103, standing in the name of Mr. McRobb, the Member for Kluane, had been removed from the Order Paper as the action called for in the motion had been taken.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister of Education

- Education Reform Team: letter (dated March 16, 2007) to Mr. Ed Schultz, CYFN Co-Chair, Education Reform, and Dr. Colin Kelly, YTG Co-Chair, Education Reform, from Patrick Rouble, Minister of Education, Chief Joe Linklater, Chair of the Chiefs Committee on Education, and Chief Liard McMillan, Chief, Liard First Nation

(Filed Document #14)

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to provide new incentives to increase the labour pool for entry-level jobs in the service and retail industries in the short-term:

- (1) for seniors who might wish to take on part-time or full-time work but are discouraged by the higher rates of income taxes they would then pay,
- (2) for stay-at-home parents who are unable to take on work due to the cost of childcare,
- (3) for those on social assistance who would like to supplement their income to help meet their needs, and
- (4) for students, where the cost of introducing these new entrants to the job market may be prohibitive to employers.

(Motion #28)

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

YEA			
Fentie	Lang	McRobb	
Cathers	Horne	Elias	
Taylor	Hart	Fairclough	14
Kenyon	Nordick	Inverarity	
Rouble	Mitchell		
NAY			
Cardiff	Edzerza		2

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Thursday, May 3, 2007.

No. 21

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 3, 2007

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Travel Expenses of Members of the Yukon Legislative Assembly 2006-2007, Report on (dated April 2007) **(Sessional Paper #23)**

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

- Yukon Lottery Commission 2005-06 Annual Report **(Filed Document #15)**

SPEAKER'S STATEMENT (Re: Comments made during Question Period)

Prior to proceeding with Question Period, the Speaker made a statement regarding two events that occurred in the House on Wednesday, May 2, 2007:

"During his response to a question from the Member for Mount Lorne, the Premier said, 'The Member is trying to create a perception here that the Government does not demonstrate compassion.' Suggesting a Member is trying to create a perception by way of asking a question during Question Period could result in a violation of Standing Order No. 19(g) -- attributing a false or unavowed motive to the Member asking the question. Therefore, I would ask Members to avoid making that kind of suggestion.

Also, during his main question the Member for McIntyre-Takhini asked the Minister of Justice, 'Is the Minister aware that some parts of the Yukon Government's Employment Equity Policy may be in conflict with the *Canadian Charter of Rights and Freedoms*?' The Chair would draw the House's attention to Guideline No. 5 of the Guidelines for Oral Question Period. It says, 'A question may not ask for a legal interpretation of a statute.' Members should be careful to pose their questions so they do not violate these guidelines.

The House will now proceed to Question Period."

GOVERNMENT BILLS (Second Reading)

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

- Bill #32 - An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Hart
- Bill #33 - Act to Amend the Waters Act
-Hon. Mr. Fentie
- Bill #34 - Act to Amend the Liquor Act
-Hon. Mr. Kenyon

COMMITTEE OF THE WHOLE

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

Chair's Statement (Re: Comments made on May 1, 2007)

Before proceeding to the resumption of debate on Bill #6, First Appropriation Act, 2007-08, the Chair made the following statement:

"Before we begin, the Chair will rule on a Point of Order that arose last time we were in Committee of the Whole.

During the Committee proceedings on May 1, Mr. McRobb said that the Official Opposition was not prepared to take Hon. Mr. Fentie's word when it came to budget breakdowns. Mr. Cathers then rose on a Point of Order arguing that this was in violation of Standing Order 19(g). In fact, if there was a Point of Order it would have been under Standing Order 19(h), accusing another Member of uttering a deliberate falsehood. After careful consideration the Chair has concluded that there was no such accusation; therefore, there is no Point of Order.

The Chair would also like to bring Members' attention to some other matters regarding events that occurred on May 1.

First, at one point during the debate, Mr. Mitchell referred to Mr. Fentie by name. While the Chair may do that in Committee of the Whole, others may not.

Second, some Members used words like 'misogynist' and 'despicable' to characterize other Members or comments made by other Members. Other Members resorted to sarcasm when talking about other Members. This violates Standing Order 19(i) because it is abusive or insulting and is likely to cause disorder. And it did lead to disorder.

Third, the Chair will remind Members of Standing Order 42(2), which says, 'Speeches in Committee of the Whole shall be strictly relevant to the item or clause under consideration.' The item under consideration was Bill #6. Nonetheless, Members on both sides of the floor referred -- sometimes at length -- to issues beyond the scope of Bill #6. It is evident from that day's events that debate will be more orderly if Members confine themselves to comments on the Bill before the Committee and refrain from referring to other matters.

Fourth, it is not in order for Members to question statements and rulings by the Chair, or to question the impartiality of the Chair. There are processes available to Members should they wish to appeal a ruling of the Chair, or move a motion of non-confidence in the Chair. However, it is not in order for Members to merely interject such comments into debate.

Finally, the Chair would remind all Members that the primary responsibility for maintaining decorum and an appropriate respectful tone in debate rests foremost with

you. You are privileged, on behalf of your constituents, to debate and make decisions on the Government's budget for the 2007-08 fiscal year. If Members wish to avoid interventions by the Chair they should focus on the business before the Committee, avoid personal and insulting language and address one another as respectfully as they wish to be addressed themselves.

We will now continue with Bill #6, First Appropriation Act, 2007-08, in general debate.”

Committee of the Whole resumed consideration of the following Bill:

Bill #6 - First Appropriation Act, 2007-08

-Hon. Mr. Fentie

Quorum Count

At 3:05 p.m., 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(4), the Chair of the Committee of the Whole rang the bells and then did a count. A quorum was not present for the count.

Pursuant to Standing Order 3(4), the Chair of the Committee of the Whole reported the lack of quorum to the Speaker.

QUORUM COUNT

Pursuant to Standing Order 3(4), the Speaker rang the bells and then did a count. A quorum was not present for the count.

Thereupon, the Speaker, pursuant to Standing Order 3(4), adjourned the House at 3:14 p.m. The Members present at the time were: Hon. Mr. Staffen (Speaker in the Chair), Hon. Mr. Cathers, Hon. Mr. Kenyon, Hon. Mr. Hart, Hon. Ms. Horne, Hon. Mr. Lang, and Mr. Nordick.

The Assembly adjourned at 3:14 p.m. until 1:00 p.m., Monday, May 7, 2007.

No. 22

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, May 7, 2007

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, May 8, 2007.

No. 23

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 8, 2007

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

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Bill #104 and Motion #26 as being items to be called during Opposition Private Members' Business on Wednesday, May 9, 2007.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Motion #52 and Motion #10 as being items to be called during Opposition Private Members' Business on Wednesday, May 9, 2007.

SPEAKER'S RULING (Re: question of privilege raised in Committee of the Whole on May 7, 2007)

Before the House proceeded to Orders of the Day, the Speaker made a statement regarding a Question of Privilege raised in Committee of the Whole on Monday, May 7, 2007:

"The Chair would like to rule on a Question of Privilege raised yesterday in Committee of the Whole by the Member for Kluane.

Before discussing the substance of the Question of Privilege, the Chair will deal with some procedural matters. Though the issue was raised in Committee of the Whole, it is the Speaker who shall provide the required ruling. This is consistent with the principle that a Question of Privilege -- even if it arises in a committee -- is a matter for the House to decide as a whole.

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.

I shall deal with the second matter first. The Member for Kluane raised the Question of Privilege immediately upon the Chair of Committee of the Whole calling an order of business. The Member for Kluane assessed that this constituted raising the Question of Privilege immediately after the words were spoken or events occurred that gave rise to the question, as required by Standing Order 7(2). In reviewing the Member's Question of Privilege it is not clear that this is the case. Nonetheless, the Chair is prepared to accept the Question of Privilege for a ruling.

I shall now address the issue of breach of privilege itself. In dealing with Questions of Privilege it is not the Chair's role to rule that a breach of privilege has, or has not, occurred. The question for the Chair to decide is whether there appears, on the face of it, to be a breach of privilege. Should the Chair decide that is the case, the Member for Kluane will be invited to place before the House a motion that would address the issue. All other business before the House, with the exception of the Daily Routine, will be set aside until the issue is dealt with.

In order to rule on the Question of Privilege we must first consider the nature of parliamentary privilege. According to *House of Commons Procedure and Practice* the term parliamentary privilege 'refers ... to the rights and immunities that are deemed necessary for the House of Commons, as an institution, and its Members, as representatives of the electorate to fulfil their functions. It also refers to the powers possessed by the House to protect itself, its Members, and its procedures from undue interference, so that it can effectively carry out its principal functions, which are to inquire, to debate and to legislate. In that sense, parliamentary privilege can be viewed as special advantages which Parliament and its Members need to function unimpeded.'

House of Commons Procedure and Practice also informs us that '[T]he rights and immunities accorded to Members individually are generally categorized under the following headings: freedom of speech; freedom from arrest in civil actions; exemption from jury duty; exemption from attendance as a witness.' Of these four, only freedom of speech could be considered at stake in this case.

Having reviewed the comments of the Members who spoke to the Question of Privilege, the Chair finds there is no apparent breach of privilege in this case. The Member for Kluane expressed concern regarding the manner in which the Government has identified the order of business in Committee of the Whole regarding Bill #6, First Appropriation Act, 2007-08. His concern was echoed by the Member for Mount Lorne. However, this issue is covered by Standing Order 12(2), which says, 'When Government business has precedence, that business may be called in such sequence as the Government chooses.'

The Member for Mount Lorne also referred to an understanding Members had of the order of business for last Thursday. He also said that the order of business had changed by the time the House resolved into Committee of the Whole. The Chair understands that discussions occur among House leaders outside the House regarding the order of business. However, the Chair has no authority to rule on or judge any understanding made by Members outside the Chamber.

Though the Chair has ruled that there does not appear to be a breach of privilege, the Member for Kluane -- or any other Member, as I repeated earlier -- may still bring this issue before the House. This could be done by giving notice of a substantive motion, which could then be called for debate using the usual rules of procedure.

The Chair thanks all Members for allowing me to provide you with this ruling."

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08

-Hon. Mr. Fentie

The report of the Chair was adopted.



The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Wednesday, May 9, 2007.

No. 24

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 9, 2007

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister of Education

- Education, Department of: 2005-06 School Year Annual Report

(Sessional Paper #24)

OPPOSITION PRIVATE MEMBERS' BUSINESS

The following Bill was called for Second Reading:

Bill #104 - Smoke-free Places Act

- Mr. Hardy

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

YEA

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

NAY

0

Bill #104, entitled Smoke-free Places Act, was accordingly referred to Committee of the Whole.

SPEAKER'S STATEMENT (Re: Resolving into Committee of the Whole)

Prior to resolving into Committee of the Whole, the Speaker made the following statement:

"Bill #104, entitled Smoke-free Places Act, has now received Second Reading and, pursuant to Standing Order 57(4), stands ordered for consideration by Committee of the Whole. Pursuant to Standing Order 14.2(3), the Third Party designated Bill #104 as their first item of business today. The Leader of the Third Party is therefore entitled to decide whether the House should resolve into Committee of the Whole for the purpose of continuing the consideration of Bill #104. I would ask the Leader of the Third Party to indicate whether he wishes the House to resolve into Committee of the Whole."

Mr. Hardy, the Leader of the Third Party, asked that the House now resolve into Committee of the Whole.

COMMITTEE OF THE WHOLE

Accordingly, the Assembly resolved into Committee of the Whole.

Progress was reported on the following Bill:

Bill #104 - Smoke-free Places Act
- Mr. Hardy

The report of the Chair was adopted.

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Fairclough, Member for Mayo-Tatchun:

THAT this House urges the Government of Yukon to table the draft report of the Education Reform Project and any associated position papers relating to it so that:

- (1) Members of this House and all interested parties may have ample time to review the draft recommendations of the report; and
- (2) the time required for implementing some or all of the recommendations of the final report will be shortened. **(Motion #52)**

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

THAT Motion #52 be amended by deleting all the words after the word "table" and replacing them with the following:

"the report approved by the Executive Committee of the Education Reform Project following the conclusion of the public consultation process in the fall of 2007."

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 time reaching 5:30 p.m., while Mr. Fairclough, Member for Mayo-Tatchun was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, May 10, 2007 and debate on Motion #52 as amended was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, May 10, 2007.

No. 25

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 10, 2007

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

PETITIONS (Response to Petition #2)

The Hon. Mr. Hart, Minister of Community Services, gave an oral response to Petition #2 (received by the House on April 30, 2007) with regard to a recreational facility in Old Crow.

SPEAKER'S STATEMENT (Re: Question of Privilege raised on Tuesday, May 8, 2007)

Before the House proceeded to Orders of the Day, the Speaker made a statement regarding a Question of Privilege raised on Tuesday, May 8, 2007:

"Prior to proceeding to Orders of the Day, the Chair is prepared to rule on the Question of Privilege raised on May 8, 2007, by the Member for Kluane. As the Chair gave a ruling on a Question of Privilege on the same day, I will dispense with informing Members of certain procedural matters regarding the acceptability of Questions of Privilege and the nature of privilege. I will therefore get to the ruling itself.

The matter raised by the Member for Kluane was a continuation of the Question of Privilege he had raised the day before and which the Chair ruled on on May 8. As I said at that time, the matter raised by the Member for Kluane is a matter of procedure in Committee of the Whole and is not a Question of Privilege.

Before we proceed to Orders of the Day the Chair would like to make some general comments about raising Questions of Privilege. In their written notice to the Speaker, and in discussing the issues in the House, Members should be explicit about which of the Assembly's privileges is at issue and how, precisely, that privilege has been breached. The Chair requires more than a discussion of the Member's concern in order to determine whether an apparent breach of privilege has occurred.

Also, the comments of Members -- whether they are raising the Question of Privilege or responding to it -- should be brief and relate directly to the Question of Privilege being raised. As I stated in my ruling on May 8, the Chair's only role is to determine if an apparent breach of privilege has taken place. Should the Chair rule that this is the case, the issue will then be put to the House for a decision. It is at that time that Members may make more detailed comments about the issue that gave rise to the Question of Privilege.

I thank the members for their attention. We will now proceed to Orders of the Day.”

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:24 p.m. until 1:00 p.m., Monday, May 14, 2007.

No. 26

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, May 14, 2007

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, May 15, 2007.

No. 27

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 15, 2007

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

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #112 and Motion #116 as being the items to be called during Government Private Members' Business on Wednesday, May 16, 2007.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Wednesday, May 16, 2007.

No. 28

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 16, 2007

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

TRIBUTES

In Remembrance of Frank Ursich, former Sergeant-at-Arms

The Speaker, informed the House that a former Sergeant-at-Arms, Frank Ursich passed away on May 10, 2007. Mr. Ursich served the House from 1979 to 1991. Condolences were extended to the Ursich family.

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to continue to implement and expand its very successful decade of sport and culture initiative and Best Ever program by increasing its investment through the bilateral agreement with Sport Canada to enhance:

- (1) athlete development;
- (2) rural and aboriginal participation;
- (3) coaching and development support; and
- (4) high performance and elite support.

(Motion #112)

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

YEA

Fentie	Lang	Elias	
Cathers	Horne	Inverarity	
Taylor	Hart	Cardiff	14
Kenyon	Nordick	Edzerza	
Rouble	Mitchell		

NAY

0

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to build a new correctional facility that incorporates a correctional philosophy that emphasizes treatment and programming support for offenders. **(Motion #116)**

A debate arising on Motion #116 and the question being put, it was agreed to on the following recorded Division:

YEA			
Fentie	Rouble	Nordick	
Cathers	Lang	Cardiff	11
Taylor	Horne	Edzerza	
Kenyon	Hart		
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 #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:31 p.m. until 1:00 p.m., Thursday, May 17, 2007.

No. 29

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 17, 2007

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Tuesday, May 22, 2007.

No. 30

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 22, 2007

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

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Horne, Minister of Justice

- Crime Prevention and Victim Services Trust Fund 2005-06 Annual Report
(Sessional Paper #25)

FILE DOCUMENT

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

- Yukon Government, previous correspondence to: letter (dated May 15, 2007) from Ruth Massie, Chief, Ta'an Kwach'an Council, to Hon. Dennis Fentie, Premier
(Filed Document #16)

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #110 as being an item to be called during Opposition Private Members' Business on Wednesday, May 23, 2007.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #102 and Motion #33 as being items to be called during Opposition Private Members' Business on Wednesday, May 23, 2007.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Wednesday, May 23, 2007.

No. 31

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 23, 2007

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

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Cardiff, Member for Mount Lorne:

THAT this House urges the Premier, in his capacity as Minister of the Executive Council Office, to establish an independent, non-partisan commission of Yukon citizens to conduct a review of MLA salaries and benefits in relation to those in other Canadian jurisdictions, and to report its findings and recommendations to the Yukon Legislative Assembly during the fall 2007 sitting. **(Motion #110)**

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

THAT Motion #110 be amended by deleting the words: "urges the Premier, in his capacity as Minister of the Executive Council Office, to".

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

Taylor	Hart	Fairclough	
Kenyon	Nordick	Inverarity	
Rouble	Mitchell	Hardy	14
Lang	McRobb	Cardiff	
Horne	Elias		

NAY

Fentie	Cathers		2
--------	---------	--	---

The following Bill was called for Second Reading:

Bill #102, - Act to amend the Yukon Human Rights Act
-Mr. Inverarity

A debate arising on the motion for Second Reading of Bill #102, it was moved by the Hon. Mr. Cathers, Government House Leader:

THAT the debate be now adjourned.

The question being put on the motion, it was agreed to, and debate on Second Reading of Bill #102 was accordingly adjourned.

Moved by Mr. McRobb, Member for Kluane:

THAT this House urges the Government of Yukon to develop a comprehensive energy policy in consultation with stakeholders, which:

- (1) ensures affordable energy is available for all Yukon residents and businesses,
- (2) identifies the effectiveness and long-term practicality of existing subsidies within and outside the current electricity rate structure -- i.e. the rate stabilization fund,
- (3) ensures that energy development and management decisions support the high quality of the natural environment and biodiversity of ecosystems, recognizing the absolute importance of the long-term protection of these natural systems to economic, social and cultural well-being of Yukon residents,
- (4) identifies new policies (e.g. net metering) and related implementation plans,
- (5) promotes uses of renewal energy that contribute to a lasting legacy of affordable and sustainable energy for the benefit of all Yukoners,
- (6) promotes and assists community energy management initiatives through local partnerships,
- (7) encourages First Nation equity positions in energy development projects and works in partnership with all stakeholders toward sustainable energy solutions for the benefit of all Yukoners,
- (8) updates the non-utility generator policy to allow for private investors to participate in the expansion of the territory's electrical system,
- (9) incorporates all issues related to oil and gas development, and
- (10) provides for the discussion of any other public issue important to stakeholders or the public. **(Motion #33)**

A debate arising on the motion, and the time reaching 5:30 p.m. while the Hon. Mr. Lang, Minister of Energy, Mines and Resources, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, May 24, 2007 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, May 24, 2007.

No. 32

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 24, 2007

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

GOVERNMENT MOTIONS

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

THAT this House establish an all-party select committee on anti-smoking legislation, with a mandate including touring the Yukon to consult with the public on legislative options for banning smoking in public places; and

THAT the motion establishing such a committee be tabled and called for debate during the 2007 Spring Sitting of the Legislative Assembly, thus enabling consultation to be carried out in 2007. **(Motion #73)**

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

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

THAT the honourable members Hon. Brad Cathers, Hon. Elaine Taylor, Steve Nordick, Don Inverarity and John Edzerza be appointed to the Standing Committee on Appointments to Major Government Boards and Committees, established pursuant to Standing Order 45. **(Motion #70)**

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

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

THAT a Select Committee on Whistle-blower Protection be established;

THAT the Speaker of the Legislative Assembly, Hon. Ted Staffen, be the chair of that committee;

THAT the honourable members Hon. Jim Kenyon, Steve Nordick, Eric Fairclough and Steve Cardiff be appointed to the committee;

THAT the committee report to the House its findings and recommendations respecting the central issues that should be addressed in whistle-blower protection legislation including:

- (1) whether all public institutions and private organizations performing "public", functions will be covered,
- (2) whether only employees or others -- unions, advocacy groups, the media, citizens -- can use this legislation,
- (3) what types of wrongdoing will be covered,
- (4) whether the same office will conduct investigation, mediation and the protection of whistle-blowers,
- (5) whether employees will have to exhaust departmental procedures before approaching the whistle-blower protection office,
- (6) how retaliation against whistle-blowers will be defined and how long protection will exist,
- (7) whether there will be a reverse onus on the employer to demonstrate that adverse decisions on a whistle-blowing employee were not a reprisal,
- (8) what remedies for employees judged to be adversely affected will be specified in the legislation, and
- (9) what sorts of consequences there will be for employees who engage in reckless or malicious accusations of wrongdoing and for managers who engage in reprisal against employees who act in good faith;

THAT the committee report to the House its recommendation as to whether whistle-blower protection legislation should include a sunset clause similar to that found in section 35 of the *Ombudsman Act*;

THAT the committee have the power to call for persons, papers and records and to sit during inter-sessional periods,

THAT the committee hold hearings for the purpose of receiving the views and opinions of Yukon citizens and interested groups on whistle-blower protection legislation;

THAT the committee have the power to seek background information from experts and to be able to call and hear these experts as witnesses;

THAT while all testimony provided to the committee shall be in a matter of public record, the committee have the power to hold in-camera meetings and to direct that the records of the committee, in specific instances, not contain details that could lead to the identification of an individual group, third party, or community;

THAT if the House is not sitting at such time as the committee is prepared to present its report, the committee transmit its report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee. **(Motion #125)**

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, May 28, 2007.

No. 33

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, May 28, 2007

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Fentie, Premier

- A Northern Vision: A Stronger North and a Better Canada (dated May 2007)
(Filed Document #17)

PETITIONS

Mr. Hardy, Leader of the Third Party, presented the following Petition:

- Rate Stabilization Fund (Petition #3)

MINISTERIAL STATEMENT

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

- Childcare Funding

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

- Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:25 p.m. until 1:00 p.m., Tuesday, May 29, 2007.

No. 34

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, May 29, 2007

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

PETITIONS

Report of the Clerk

The Clerk reported on Petition #3 as follows:

“Mr. Speaker, and honourable Members of the Assembly:

I have had the honour to review a Petition, being Petition #3 of the First Session of the 32nd Legislative Assembly, as presented by the Member for Whitehorse Centre on May 28, 2007.

This Petition was found to be comprised of two different versions. The model Petition that is appended to the Standing Orders indicates that, to meet the requirements as to form, a Petition must be addressed to the Legislative Assembly and must ask the Legislative Assembly to take an action.

One version of the Petition meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly and will be retained in the working papers of the Legislative Assembly. The Executive Council response, made pursuant to Standing Order 67, should be to this version of Petition #3.

The other version of Petition #3 does not meet the requirements as to form of the Standing Orders and will be returned to the Member for Whitehorse Centre.

Floyd McCormick
Clerk of the Yukon
Legislative Assembly”

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

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, identified Motion #113 and Motion #129 as being the items to be called during Government Private Members' Business on Wednesday, May 30, 2007.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08

-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Wednesday, May 30, 2007.

No. 35

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, May 30, 2007

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

TABLING RETURNS AND DOCUMENTS

Mr. McRobb, Member for Kluane

- Watson Lake Multi-Level Care Facility: Consultant Services Contract between Northern Climate Engineering Ltd, and the Government of Yukon, Department of Health and Social Services **(Filed Document #18)**

GOVERNMENT PRIVATE MEMBERS' BUSINESS

Moved by Mr. Nordick, Member for Klondike:

THAT this House urges the Government of Yukon to continue working towards the development of a territorial-wide electrical grid. **(Motion #113)**

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

THAT Motion #113 be amended by adding the following words after the word "grid":
"but not on the backs of electrical consumers by abolishing the popular rate stabilization fund".

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

THAT Motion #113 be amended by adding the following words after the word "grid":
"only if such projects would keep electrical rates affordable for Yukon electricity consumers, as determined in recommendation #48 by the Cabinet Commission on Energy in 1998."

Speaker's Ruling (Re: Amendment moved by Mr. Mitchell)

"The amendment as proposed by the Leader of the Official Opposition is not in order. Therefore, we are still debating the amendment to Motion #113."

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

YEA

Mitchell	Fairclough	Edzerza	
McRobb	Inverarity		7
Elias	Cardiff		

NAY

Fentie	Kenyon	Horne	
Cathers	Rouble	Hart	9
Taylor	Lang	Nordick	

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

THAT Motion #113 be amended by adding the following words after the word "grid":

"only if such projects would keep electrical rates affordable for Yukon electricity consumers, as determined in recommendation #48 by the Cabinet Commission on Energy in 1998."

A debate arising on the amendment and the time reaching 5:30 p.m. while the Hon. Ms. Horne, Minister of Justice, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m. the following day, and debate on the amendment and Motion #113 was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, May 31, 2007.

No. 36

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, May 31, 2007

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:27 p.m. until 1:00 p.m., Monday, June 4, 2007.

No. 37

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, June 4, 2007

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Rouble, Minister of Education

- Yukon College 2005/2006 Annual Report and audited Financial Statements (dated October 27, 2006) prepared by the Office of the Auditor General of Canada **(Sessional Paper #26)**

FILED DOCUMENT

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

- Dawson City Wastewater Treatment Plant Report (dated July 12, 2002): letter re (dated June 1, 2007) from Andrea Yust, Municipal Solutions Developer Western Canada, GE Water & Process Technologies to Mr. Mitchell, Leader of the Official Opposition **(Filed Document #19)**

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Tuesday, June 5, 2007.

No. 38

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, June 5, 2007

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

FILED DOCUMENT

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

- Court Recording Contract (dated March 4, 2004) between the Government of Yukon and International Reporting Inc. **(Filed Document #20)**

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3), Mr. Cardiff, Third Party House Leader, identified Motion #134 and Motion #26 as being items to be called during Opposition Private Members' Business on Wednesday, June 6, 2007.

Pursuant to Standing Order 14.2(3), Mr. McRobb, Official Opposition House Leader, identified Bill #103 as being an item to be called during Opposition Private Members' Business on Wednesday, June 6, 2007.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:24 p.m. until 1:00 p.m., Wednesday, June 6, 2007.

No. 39

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, June 6, 2007

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

INTRODUCTION OF VISITORS: Tracy-Anne McPhee

The Speaker, Hon. Ted Staffen, introduced and welcomed the new Ombudsman, Tracy-Anne McPhee.

TABLING RETURNS AND DOCUMENTS

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

- Fleet Vehicle Agency 2007/2008 Business Plan **(Filed Document #21)**
- Queen's Printer Agency 2007/2008 Business Plan **(Filed Document #22)**

FILED DOCUMENT

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

- Yukon Hospital Corporation, Board of Trustees: letter of resignation from Marny Ryder (dated November 12, 2006) to the Minister of Health and Social Services, Yukon Government **(Filed Document #23)**

OPPOSITION PRIVATE MEMBERS' BUSINESS

Moved by Mr. Hardy, Leader of the Third Party:

THAT this House urges the Government of Yukon to develop and implement a homeowner protection act that includes mandatory licensing for home builders and contractors and an effective warranty program for new home construction and renovations. **(Motion #134)**

A debate arising on the motion, and the time reaching 5:30 p.m. while the Hon. Mr. Kenyon, Minister of Economic Development, was speaking to it, the Speaker, pursuant to Standing Order 2(2), adjourned the House until 1:00 p.m., Thursday, June 7, 2007 and debate on the motion was accordingly adjourned.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Thursday, June 7, 2007.

No. 40

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, June 7, 2007

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:30 p.m. until 1:00 p.m., Monday, June 11, 2007.

No. 41

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Monday, June 11, 2007

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

IN REMEMBRANCE OF JOHN OSTASHEK, FORMER GOVERNMENT LEADER

Speaker Staffen informed the House that former Government Leader, John Ostashek passed away the evening before. The House honored Mr. Ostashek with a moment of silence and by flying the flags at half-mast.

PETITIONS (Response to Petition #3)

The Hon. Mr. Lang, Minister responsible for Yukon Energy Corporation, gave an oral response to Petition #3 (received by the House on May 29, 2007) with regard to the continuation of the Rate Stabilization Fund.

SPEAKER'S RULING (Re: question being within the purview of Government)

Prior to proceeding with Question Period, the Speaker made the following ruling on a Point of Order raised on Thursday, June 7 with regard to questions being within the purview of Government:

“At the time, the Leader of the Official Opposition asked the question of the Minister of Health and Social Services regarding the Yukon Hospital Corporation and the Corporation's Board of Directors. In raising his Point of Order, the Minister of Economic Development cited guidelines for Oral Question Period. According to the Minister, the Yukon Hospital Corporation Board is an independent Board and its activities are not within the purview of the Yukon Government. The Minister argued that the question posed by the Leader of the Official Opposition was therefore not in order.

There is no Point of Order. While the Yukon Hospital Corporation Board is independent of Government, both the Legislature and the Government have responsibilities toward the hospital. These are enumerated in the preamble to the *Hospital Act*. As such, this is a matter that falls within the administrative responsibilities of the Government of Yukon. Members, therefore, are entitled to ask questions about the Hospital Corporation and its Board of Directors.

We shall now proceed to Question Period.”

COMMITTEE OF THE WHOLE

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

Chair's Statement (Re: clarification of Chair's remarks on relevance in debate)

Before proceeding to the resumption of debate on Bill #6, First Appropriation Act, 2007-08, the Chair made the following statement:

"Order please. Before we begin with the Department of Health and Social Services, the Chair would like to clarify some statements he made during the debate on estimates for the department last week.

Standing Order 42(2) says, 'Speeches in Committee of the Whole shall be strictly relevant to the item or clause under consideration.' Certain references have been made to both the Report of the Auditor General on the Department of Highways and Public Works and the Public Accounts Committee's consideration of that Report. Pursuant to Standing Order 42(2), it is in order for the Members to discuss references to the Department of Health and Social Services made in the Auditor General's Report or during the Public Accounts Committee process. What is not in order is for Members to discuss the activities of Members of the Public Accounts Committee with remarks as to who may or may not be politicizing the activities of that Committee. That issue is not relevant to the item under consideration, which is the Estimates for the Department of Health and Social Services.

We will now proceed with Committee of the Whole."

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:28 p.m. until 1:00 p.m., Tuesday, June 12, 2007.

No. 42

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Tuesday, June 12, 2007

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

FILED DOCUMENTS

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

- Court recording service contract: letter dated (Feb. 13, 2004) from the Minister of Justice, Hon. Elaine Taylor to Barry E. Prouse, International Reporting Inc., and Joyce Bachli, Mega Reporting Inc. re awarding contract **(Filed Document #24)**
- Court recording service contract: Proposal Form A (dated November 18, 2003) from International Reporting Inc. and Mega Reporting Inc. **(Filed Document #25)**
- Court recording service contract: Contract (dated March 4, 2004) between Government of Yukon and International Reporting Inc. **(Filed Document #26)**

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7), the Hon. Mr. Cathers, Government House Leader, informed the House that, in the interest of facilitating debate on the budget, the Government Private Member did not wish to identify any items to be called during Government Private Members' Business on Wednesday, June 13, 2007.

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:32 p.m. until 1:00 p.m., Wednesday, June 13, 2007.

No. 43

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Wednesday, June 13, 2007

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

TRIBUTES

Yukon Day

The Hon. Mr. Fentie, Premier, Mr. Mitchell, Leader of the Official Opposition, and Mr. Cardiff, Third Party House Leader, recognized June 13 as the 109th birthday of Yukon.

ADDRESS BY MR. PATRICK MICHAEL, FORMER CLERK OF THE ASSEMBLY

At the direction of the Speaker, the Sergeant-at-Arms escorted Mr. Patrick Michael to the Clerk's Table in recognition of his almost 30 years of service to the Yukon Legislative Assembly as the Clerk of the Assembly. Mr. Michael addressed the Members, officers and staff of the Assembly and the Elections Office, and was warmly welcomed by all.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Staffen, Speaker

- Ombudsman and Information and Privacy Commissioner 2006 Annual Report
(Sessional Paper #27)

Hon. Ms. Taylor, Minister of Tourism and Culture

- Yukon Advisory Council on Women's Issues 2006-2007 Annual Report
(Sessional Paper #28)
- Yukon Geographical Place Names Board 2005-2006 Annual Report
(Filed Document #27)

GOVERNMENT MOTIONS

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

THAT a Select Committee on anti-smoking legislation be established;

THAT the Hon. Brad Cathers be the Chair of that Committee;

THAT the honourable Members Darius Elias and John Edzerza be appointed to the Committee;

THAT Bill #104, entitled *Smoke-free Places Act*, be referred to the Committee;

THAT the Committee hold hearings for the purpose of receiving the views and opinions of Yukon citizens and interested groups on legislative options for banning smoking in public places;

THAT decisions by the Committee require unanimous agreement by members of the Committee;

THAT the Committee report to the Legislative Assembly no later than the 15th day of the next regular sitting day of the Legislative Assembly:

- (a) its findings, if any, related to public opinion on options for legislative change; and
- (b) its recommendations, if any, regarding what form of legislation implementing changes recommended by the Committee should take;

THAT, in the event the Legislative Assembly is not sitting at the time that the Committee is prepared to report, the Chair of the Committee forward copies of the report to all Members of the Legislative Assembly, thereafter make the report public, and subsequently present the report to the Legislative Assembly at the next sitting of the Legislative Assembly;

THAT, during its review of public opinion on legislative options for banning smoking in public places, the Committee be empowered:

- (a) to invite officials from the Government of Yukon to appear as witnesses on technical matters;
- (b) to invite representatives of the Canadian Cancer Society to appear as witnesses on technical matters;
- (c) to engage a technical expert who is not a Member of the Legislative Assembly or an employee of the Government of Yukon to act as a facilitator at the public hearings;
- (d) to invite such other persons as it deems necessary to appear as witnesses on technical matters;
- (e) to hold public hearings;
- (f) to print such papers and evidence as may be ordered by it; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee. **(Motion #143)**

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

COMMITTEE OF THE WHOLE

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

Progress was reported on the following Bill:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

The Assembly adjourned at 5:26 p.m. until 1:00 p.m., Thursday, June 14, 2007.

No. 44

VOTES AND PROCEEDINGS

of the

YUKON LEGISLATIVE ASSEMBLY

32nd Legislative Assembly

First Session

Thursday, June 14, 2007

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

TRIBUTES

In remembrance of Emery Shilleto, former Sergeant-at-Arms

The Hon. Mr. Hart, Minister of Community Services, paid tribute to former Sergeant-at-Arms, Emery Shilleto, who passed away on May 23, 2007. Mr. Shilleto served the House from November, 1991 to February, 2003. Condolences were extended to his family.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang, Minister responsible for the Yukon Development Corporation

- Yukon Development Corporation: Protocol re Government of Yukon's interrelations with YDC (Sessional Paper #29)
- Yukon Energy Corporation: Protocol re Yukon Development Corporations' role as sole shareholder of YEC (Sessional Paper #30)
- Yukon Development Corporation & Yukon Energy Corporation: Shareholder letter of expectations 2007-2008 between corporations and the Minister responsible for (Sessional Paper #31)
- Yukon Mine Site Reclamation and Closure Policy (dated January 2006) and *Quartz Mining Act*, Security Regulation OIC 2007/77 (Sessional Paper #32)

COMMITTEE OF THE WHOLE

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

Chair's Ruling (Re Point of Order of June 13, 2007)

"Before we continue with Committee of the Whole, the Chair will rule on a Point of Order raised yesterday by Mr. Rouble.

Toward the end of yesterday's proceedings, Mr. Rouble alerted the Committee to the fact that Mr. McRobb was holding a recording device in his hand during the course of a speech. Mr. Rouble wondered if Mr. McRobb was intending to take photographs in the Chamber.

Members recall that yesterday, during tributes, the former Clerk was granted permission to address the Assembly. This had never happened before and the Speaker granted Mr. McRobb permission to record the event from his desk. The Chair has no reason to believe that Mr. McRobb used his recording device during Committee of the Whole. The Chair therefore rules that there is no Point of Order; however, the issue deserves further comment.

As Mr. Rouble pointed out, Mr. McRobb had previously raised a Point of Order when he noticed an individual with a recording device in the public gallery. Members, and others, should be aware that one of the fundamental parliamentary privileges is the right of the Assembly to control how its proceedings are recorded and how those recordings are distributed. Any unauthorized recording of the House or Committee proceedings could give rise to a Question of Privilege."

The Committee agreed to report the following Bills without amendment:

Bill #32 - An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act

-Hon. Mr. Hart

Bill #33 - Act to Amend the Waters Act

-Hon. Mr. Fentie

Bill #34 - Act to Amend the Liquor Act

-Hon. Mr. Kenyon

The Committee resumed consideration (from June 13, 2007) of the following Bill:

Bill #6 - First Appropriation Act, 2007-08

-Hon. Mr. Fentie

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

The Chair made the following statement:

"Order please. The time has reached 5:00 p.m. on this the 32nd day of the 2007 Spring Sitting. Standing Order 76(1) states: 'On the day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

- (a) put the question on any amendment then before the Committee;
- (b) put the question, without debate or amendment, on a motion moved by a Minister that the Bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;
- (c) put the question on a motion moved by a Minister that the Bill be reported to the Assembly; and
- (d) when all Bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee.

It is the duty of the Chair to now conduct the business of the Committee of the Whole in the manner directed by Standing Order 76(1).

The Chair would now ask the Government House Leader to indicate whether Bill #6, the only Government Bill now before the Committee of the Whole, should be called."

The Hon. Mr. Cathers, Government House Leader, directed that Bill #6, entitled First Appropriation Act, 2007-08 be called.

The Committee agreed to report the following Bill without amendment:

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The following Bills were reported without amendment:

Bill #32 - An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Hart

Bill #33 - Act to Amend the Waters Act
-Hon. Mr. Fentie

Bill #34 - Act to Amend the Liquor Act
-Hon. Mr. Kenyon

Bill #4 - Third Appropriation Act, 2006-07
-Hon. Mr. Fentie

Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The report of the Chair was adopted.

SPEAKER'S STATEMENT

THIRD READING OF BILLS AS PER STANDING ORDER 76(2)

" Standing Order 76(2) states: 'On the sitting day that the Assembly has reached the maximum number of sitting days allocated for the Sitting pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in Committee of the Whole, shall:

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

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

The Hon. Mr. Cathers, Government House Leader, directed that Bill numbers 32, 33, 34, 4 and 6 be called at this time.

GOVERNMENT BILLS (Third Reading)

The following Bills were read a third time and passed:

- Bill #32 - An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act
-Hon. Mr. Hart
- Bill #33 - Act to Amend the Waters Act
-Hon. Mr. Fentie
- Bill #34 - Act to Amend the Liquor Act
-Hon. Mr. Kenyon
- Bill #4 - Third Appropriation Act, 2006-07
-Hon. Mr. Fentie

The following Bill was called for Third Reading:

- Bill #6 - First Appropriation Act, 2007-08
-Hon. Mr. Fentie

The question being put on the motion for Third Reading of Bill #6, it was agreed to on the following recorded Division:

YEA			
Fentie	Kenyon	Horne	
Cathers	Rouble	Hart	9
Taylor	Lang	Nordick	
NAY			
Mitchell	Fairclough	Cardiff	
McRobb	Inverarity	Edzerza	8
Elias	Hardy		

Bill #6, entitled First Appropriation Act, 2007-08, accordingly, passed the House.

ASSENT TO BILLS

The Assembly received the Commissioner, the Hon. Geraldine Van Bibber, in her capacity as Lieutenant-Governor, to give Assent to certain Bills passed by the House.

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

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

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

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

An Act to Amend the Ombudsman Act and the Public Service Group Insurance Benefit Plan Act

Act to Amend the Waters Act

Act to Amend the Liquor Act

Third Appropriation Act, 2006-07

First Appropriation Act, 2007-08

The Commissioner assented the Bills:

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

ADJOURNMENT OF THE SITTING

The Speaker called the House to order and stated:

"As the House has reached the maximum number of days permitted for the Spring Sitting, as established pursuant to Standing Order 75(3), and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned."

The Assembly adjourned at 5:17 p.m.

INDEX TO JOURNALS

First Session

Thirty-second Legislature

April 19, 2007 – June 14, 2007

YUKON LEGISLATIVE ASSEMBLY

A

PAGE

ADJOURNMENT OF THE SITTING

Pursuant to Standing Order 75(3) 95

ADDRESS BY FORMER CLERK

Patrick Michael addresses the House 89

ASSENT TO BILLS

Assent to Bills 45-46, 94-95

B

Abbreviations

1R - First Reading of Bill

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

P - Passed

2R - Second Reading

A - Assent

3R - Third Reading

BILLS

(For Progress of Bills chart see Appendix A)

Bills, Government

Bill #	Title	1R	2R	C/W	3R&P	A
6	First Appropriation Act, 2007-08	07-04-19	07-04-26	07-6-14	07-06-14	07-06-14
5	Interim Supply Appropriation Act, 2007-08	07-04-19	07-04-26	07-04-26	07-04-30	07-04-30
34	Liquor Act, Act to Amend the	07-04-23	07-05-03	07-6-14	07-06-14	07-06-14
32	Ombudsman Act and the Public Service Group Insurance Benefit Plan Act, Act to Amend the	07-04-23	07-05-03	07-6-14	07-06-14	07-06-14

(continued)

Bill #	Title	1R	2R	C/W	3R&P	A
4	Third Appropriation Act, 2006-07	07-04-19	07-04-30	07-6-14	07-06-14	07-06-14
33	Waters Act, Act to Amend the	07-04-23	07-05-03	07-6-14	07-06-14	07-06-14

Bills, Other Than Government

Bill #	Title	1R	2R	C/W	3R&P	A
101	Act to Perpetuate a Certain Ancient Right	06-11-23				
102	Human Rights Act, Act to Amend the	07-04-23				
103	Apology Act	07-04-24				
104	Smoke-free Places Act	07-04-30	07-05-09			

C

CHAIR, COMMITTEE OF THE WHOLE

Rulings

Re: Comments made on April 30, 2007 48
 Re: Point of Order from June 13, 2007 91-92

Statements

Re: Clarification of Chair's remarks on relevance in debate 87
 Re: Comments made on May 1, 2007 53-54
 Re: Termination of Committee Proceedings as per Standing Order 76(1) 92-93

CHANGES TO ORDER PAPER

Motion Nos. 3, 54 and 60 outdated and removed from the Order Paper 36
 Motion #90 removed at the request of Mr. Elias 43
 Motion #103 removed as the action called for had been taken..... 50

CLERK OF THE LEGISLATIVE ASSEMBLY (Floyd McCormick)

Reads titles of Bills to be Assented to..... 94-95
 Reports on Petition #3..... 76

COMMISSIONER (Hon. Geraldine Van Bibber)

Assent to Bills 46, 94-95

COMMITTEES, STANDING

Public Accounts

First Report dated April 2007 tabled (S.P. #22) 38

D

DEBATE

Adjourned:

Bill #6 (2 nd Reading) (Mitchell)	37
Bill #6 (2 nd Reading) – pursuant to Standing Order 2(2) (Kenyon)	39
Bill #6 (2 nd Reading) – pursuant to Standing Order 2(2) (Cathers).....	40
Bill #102 (2 nd Reading) (Cathers).....	71
Motion #26 – pursuant to Standing Order 2(2) (Cathers)	41
Motion #33 – pursuant to Standing Order 2(2) (Lang).....	71
Motion #52 – pursuant to Standing Order 2(2) (Fairclough)	60
Motion #113 amendment and motion – pursuant to Standing Order 2(2) (Horne)	79
Motion #134– pursuant to Standing Order 2(2) (Kenyon).....	83

DEPUTY CLERK, ACTING (Douglas Arnott)

Reads titles of Bill to be Assented to	46
Reports on Petition #2.....	45

DIVISION

Bill #6 (2 nd Reading)	43
Bill #6 (3 rd Reading)	94
Bill #104 (2 nd Reading).....	59
Motion #28	50-51
Motion #74	41
Motion #96 (Division called by Speaker pursuant to <i>Ombudsman Act</i>)	48
Motion #110 as amended.....	70
Motion #112	65
Motion #113 amendment (McRobb).....	78-79
Motion #116	66

F

FILED DOCUMENTS

A Northern Vision: A Stronger North and a Better Canada (dated May 2007) (07-1-17) (Fentie).....	75
Court recording service contract: Contract (dated March 4, 2004) between the Government of Yukon and International Reporting Inc. (07-1-26) (Inverarity).....	88
Court Recording Contract (dated March 4, 2004) between the Government of Yukon and International Reporting Inc. (07-1-20) (Inverarity)	82
Court recording service contract: letter dated (Feb. 13, 2004) from the Minister of Justice, Hon. Elaine Taylor to Barry E. Prouse, International Reporting Inc., and Joyce Bachli, Mega Reporting Inc. re awarding contract (07-1-24) (Inverarity).....	88
Court recording service contract: Proposal Form A (dated November 18, 2003) from International Reporting Inc. and Mega Reporting Inc. (07-1-25) (Inverarity)	88
Dawson City Wastewater Treatment Plant Report (dated July 12, 2002): letter re (dated June 1, 2007) from Andrea Yust, Municipal Solutions Developer Western Canada, GE Water & Process Technologies to Mr. Mitchell, Leader of the Official Opposition (07-1-19) (Mitchell)	81

(continued)

FILED DOCUMENTS (continued)

Education Reform Team: letter (dated March 16, 2007) to Mr. Ed Schulz, CYFN Co-Chair, Education Reform, and Dr. Colin Kelly, YTG Co-Chair, Education Reform, from Patrick Rouble, Minister of Education, Chief Joe Linklater, Chair of the Chiefs, Committee on Education, and Chief Liard McMillan, Chief, Liard First Nation (07-1-14) (Rouble)..... 50

Fleet Vehicle Agency 2007/2008 Business Plan (07-1-21) (Lang) 83

Queen’s Printer 2007/2008 Business Plan (07-1-22) (Lang) 83

Social housing eligibility criteria: letter (dated May 1, 2007) from the Hon. Mr. Kenyon, Minister responsible for Yukon Housing Corporation to Mr. Mitchell, MLA, Copperbelt (07-1-13) (Kenyon) 47

Watson Lake Multi-Level Care Facility: Consultant Services Contract between Northern Climate Engineering Ltd, and the Government of Yukon, Department of Health and Social Services (07-1-18) (McRobb)..... 78

Yukon Geographical Place Names Board 2005-2006 Annual Report (07-1-27) (Taylor) 89

Yukon Government, previous correspondence to: letter (dated May 15, 2007) from Ruth Massie, Chief, Ta’an Kwach’an Council, to Hon. Dennis Fentie, Premier (07-1-16) (Mitchell) 68

Yukon Hospital Corporation, Board of Trustees: letter of resignation from Marny Ryder (dated November 12, 2006) to the Minister of Health and Social Services, Yukon Government (07-1-23) (Mitchell) 83

Yukon Lottery Commission 2005-06 Annual Report (07-1-15) (Kenyon)..... 52

I

INTRODUCTIONS

Pages 36

Table officers..... 36

Ombudsman, Tracy-Anne McPhee 83

L

LEGISLATIVE ASSEMBLY

Sessional Summary

Divisions – 10

Filed Documents - 14

Government Bills Introduced this sitting - 6 Government Bills Passed - 6

Legislative Returns - 0

Motions Debated, Government - 6

Motions Passed, Government - 6

Motions Debated, Other than Government - 8

Motions Passed, Other than Government - 4

Petitions – 2

Sessional Papers - 14

Sitting Days -32

Written Questions - 0

LENGTH OF SITTING

Agreed to on May 1, 2007..... 47

M

MINISTERIAL STATEMENTS

Cathers

(Health and Social Services)

Childcare Funding..... 75

MOMENT OF SILENCE

In honor of John Ostashek, former Government Leader..... 86

MONEY MESSAGE

Accompanied Bill Nos. 4, 5 and 6 37

MOTIONS – GOVERNMENT

	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
Anti-smoking legislation: establish an all-party Select Committee on (#73)	Cathers	72		Carried
Appointments to Major Government Boards and Committees, Standing Committee: Cathers, Taylor, Nordick, Inverarity & Edzerza be appointed (#70)	Cathers	72		Carried
Appointments to and Mandate for Select Committee on Anti-smoking legislation (#143)	Cathers	89-90		Carried
Ombudsman: appointment of Tracy-Anne McPhee for a 5 year term effective April 9, 2007 (#96)	Fentie	47-48		Carried
Whistle-blower Protection, Select Committee: be established with Staffen, Kenyon, Nordick, Fairclough & Cardiff be appointed (#125)	Cathers	72-73		Carried
Labour pool entry-level jobs: incentives to increase (#28)	Nordick	50-51		Carried

MOTIONS – OTHER THAN GOVERNMENT

	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
Children’s Act review: make a priority (#26)	Edzerza	41		Adjourned debate
Climate change: take action to address the environmental and economic effects of (#74)	Mitchell	41		Carried
Correctional facility: construction of new facility to incorporate treatment and programming support (#116)	Nordick	65		Carried
Education Reform Project report: tabling of in the fall of 2007 after conclusion of public consultation (#52)	Fairclough	60	60 Carried	Adjourned debate

(continued)

MOTIONS – OTHER THAN GOVERNMENT

	<u>Member</u>	<u>Page</u>	<u>Amendment</u>	<u>Disposition</u>
--	---------------	-------------	------------------	--------------------

(continued)

Electrical grid: Development of a territory-wide grid (#113)	Nordick	78-79	#1 - 78 Negatived 78 Sub- amendment (ruled out of order) #2 - 79 Adjourned debate	Adjourned debate
Energy Policy: development of (#33)	McRobb	71		Adjourned debate
Homeowner Protection Act, development and implementation of (#134)	Hardy	83		Adjourned debate
MLA remuneration: establish an independent, non-partisan commission to review (#110)	Cardiff	70	70 Carried	Carried as amended
Sport and Culture initiative and Best Ever Program: continue to implement and expand through the bilateral agreement with Sport Canada (#112)	Nordick	65		Carried

N

NOTICE RE GOVERNMENT PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(7) 47, 64, 76, 88

NOTICE RE OPPOSITION PRIVATE MEMBERS' BUSINESS

Pursuant to Standing Order 14.2(3) 40, 56, 68, 82

P

PAGES

Introduction of 36

PETITIONS

New community and recreation centre in Old Crow (#2)	
Presented on April 26, 2007	43
Report of the Clerk	45
Speaker rules petition read and received.....	45
Response	61
Rate Stabilization Fund (#3)	
Presented on May 28, 2007	75
Report of the Clerk	76
Speaker rules petition read and received.....	76
Response	86

Q

QUORUM COUNT

During debate of Bill #6 in Committee of the Whole (May 3, 2007) 54 (House adjourned due to lack of quorum)	54
--	----

S

SESSIONAL PAPERS

Absence of Members from Sittings of the Legislative Assembly and its Committees: Report of the Clerk of the Legislative Assembly (dated April 19, 2007) (07-1-21) (Speaker Staffen) 38	38
Auditor General of Canada, Office of the: Transportation Capital program and Property Management, Department of Highways and Public Works (dated February 2007) (07-1-20) (Speaker Staffen)..... 38	38
Crime Prevention and Victim Services Trust Fund 2005-06 Annual Report (07-1-25) (Horne) 68	68
Education, Department of: 2005-06 School Year Annual Report (Rouble)..... 59	59
General Election 2006: the Report of the Chief Electoral Officer of Yukon (07-1-19) (Speaker Staffen) 38	38
Ombudsman and Information and Privacy Commissioner 2006 Annual Report (07-1-27) (Speaker Staffen) 89	89
Public Accounts, Standing Committee on: First Report (dated April 2007) (Vol. 17) (06-1-22) (Mitchell)..... 38	38
Travel Expenses of Members of the Yukon Legislative Assembly 2006-2007, Report on (dated April 2007) (07-1-23) (Speaker Staffen) 52	52
Yukon Advisory Council on Women's Issues 2006-2007 Annual Report (07-1-28) (Taylor) 89	89
Yukon College 2005/2006 Annual Report and audited Financial Statements (dated October 27, 2006) prepared by the Office of the Auditor General of Canada (07-1-37) (Rouble) 81	81
Yukon Development Corporation: Protocol re Government of Yukon's interrelations with YDC (07-1-29) (Lang) 91	91
Yukon Development Corporation & Yukon Energy Corporation: Shareholder letter of expectations 2007-2008 between corporations and the Minister responsible for (07-1-31) (Lang)..... 91	91
Yukon Energy Corporation: Protocol re Yukon Development Corporations' role as sole shareholder of YEC (07-1-30) (Lang) 91	91
Yukon Mine Site Reclamation and Closure Policy (dated January 2006) and <i>Quartz Mining Act</i> , Security Regulation OIC 2007/77 (07-1-32) (Lang) 91	91

SPEAKER (Hon. Ted Staffen)

Adjourns sitting pursuant to Standing Order 75(3)..... 95	95
Calls for Recorded Division – appointment of Ombudsman (May 1/07) 48	48

(continued)

SPEAKER (Hon. Ted Staffen) (continued)

Declares that the House shall sit a maximum of 32 days, last day being
 June 14, 2007 47
 Informs the House of the death of Emery Shilleto, former Sergeant-at-Arms..... 91
 Informs the House of the death of Frank Ursich, former Sergeant-at-Arms..... 65
 Informs the House of the death of John Ostashek, former Government Leader 86
 Introduces Pages 36
 Introduces new Ombudsman 83
 Introduces Table Officers 36
 Petition #2 (read and received) 45
 Petition #3 (read and received) 76
 Presents Bills for Assent 46, 94

Rulings:
 Re: Motion #113 amendment out of order..... 78
 Re: Point of Order with regard to questions being within the purview of
 Government (raised on June 7) 86
 Re: Question of Privilege (raised in Committee of the Whole, May 7, 2007) 56-57
 Re: Question of Privilege (raised on May 8, 2007) 61-62

Statements:
 Re: Changes to the Order Paper (withdrawal of motions)..... 36, 43, 50
 Re: Comments made during Question Period..... 39, 52
 Re: 3rd Reading of Bills, pursuant to S.O. 76(2) 93
 Re: Resolving into C/W to consider Bill #104 59-60
 Tables Sessional Papers 38, 52, 89

T

TERMINATION OF SITTING (SO 76)

Chair's Statement, pursuant to Standing Order 76(1)..... 92-93

TRIBUTES

In recognition of Senator Ione Christensen.....36
 In remembrance of Emery Shilleto, former Sergeant-at-Arms91
 In remembrance of Frank Ursich, former Sergeant-at-Arms.....65
 In remembrance of John Ostashek, former Government Leader.....86
 Yukon Day.....89

YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
First Session of the
32nd Legislative Assembly

April 19, 2007 – June 14, 2007

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
First Session of the
32nd Legislative Assembly**

April 19, 2007 – June 14, 2007

INDEX

<u>SUBSTANTIVE MOTIONS</u> (listed in chronological order)	<u>Page</u>
<u>Subject Matter</u>	
1. Climate change: take action to address the environmental and economic effects of (#74).....	2
2. Ombudsman: appointment of Tracy-Anne McPhee (#96).....	2
3. Labour pool entry-level jobs: incentives to increase (#28)	1
4. Sport and Culture initiative and Best Ever Program (#112)	2
5. Correctional facility: construction of new facility (#116)	2
6. MLA remuneration: establishing an independent, non-partisan commission to review (#110)	2
7. Anti-smoking legislation: establish an all-party Select Committee (#73).....	1
8. Appointments to Major Government Boards and Committees, Standing Committee: Cathers, Taylor, Nordick, Inverarity and Edzerza be appointed (#70).....	1
9. Whistle-blower Protection, Select Committee: establish and Staffen, Kenyon, Nordick, Fairclough & Cardiff be appointed (#125).....	2-3
10. Select Committee on Anti-smoking legislation: establish, mandate and Cathers, Elias and Edzerza be appointed (#143)	3-4

YUKON LEGISLATIVE ASSEMBLY

Motions adopted during the
First Session of the
32nd Legislative Assembly

April 19, 2007 – June 14, 2007

Substantive Motions

1. Motion #28 – Mr. Nordick, Member for Klondike
Debated May 2, 2007
Carried May 2, 2007

THAT this House urges the Government of Yukon to provide new incentives to increase the labour pool for entry-level jobs in the service and retail industries in the short-term:

- (1) for seniors who might wish to take on part-time or full-time work but are discouraged by the higher rates of income taxes they would then pay,
 - (2) for stay-at-home parents who are unable to take on work due to the cost of childcare,
 - (3) for those on social assistance who would like to supplement their income to help meet their needs, and
 - (4) for students, where the cost of introducing these new entrants to the job market may be prohibitive to employers.
2. Motion #70 – Hon. Mr. Cathers, Government House Leader
Debated May 24, 2007
Carried May 24, 2007
THAT the honourable members Hon. Brad Cathers, Hon. Elaine Taylor, Steve Nordick, Don Inverarity and John Edzerza be appointed to the Standing Committee on Appointments to Major Government Boards and Committees, established pursuant to Standing Order 45.
 3. Motion #73 – Hon. Mr. Cathers, Government House Leader
Debated May 24, 2007
Carried May 24, 2007
THAT this House establish an all-party select committee on anti-smoking legislation, with a mandate including touring the Yukon to consult with the public on legislative options for banning smoking in public places; and
THAT the motion establishing such a committee be tabled and called for debate during the 2007 Spring Sitting of the Legislative Assembly, thus enabling consultation to be carried out in 2007.
 4. Motion #74 – Mr. Mitchell, Leader of the Official Opposition
Debated April 25, 2007
Carried April 25, 2007

THAT this House urges the Government of Yukon to take immediate action to address the serious environmental and economic effects of climate change on the Yukon.

5. Motion #96 – Hon. Mr. Fentie, Premier
Debated May 1, 2007
Carried May 1, 2007

THAT the Yukon Legislative Assembly, pursuant to section 2 of the *Ombudsman Act*, recommends that the Commissioner in Executive Council appoint Tracy-Anne McPhee as the Ombudsman of Yukon for a term of five years, effective April 9, 2007.

6. Motion #110 – Mr. Cardiff, Member for Mount Lorne
Debated May 23, 2007
Carried May 23, 2007

THAT this House establish an independent, non-partisan commission of Yukon citizens to conduct a review of MLA salaries and benefits in relation to those in other Canadian jurisdictions, and to report its findings and recommendations to the Yukon Legislative Assembly during the Fall 2007 sitting.

Amended

7. Motion #112 – Mr. Nordick, Member for Klondike
Debated May 16, 2007
Carried May 16, 2007

THAT this House urges the Government of Yukon to continue to implement and expand its very successful decade of sport and culture initiative and Best Ever program by increasing its investment through the bilateral agreement with Sport Canada to enhance:

- (1) athlete development;
- (2) rural and aboriginal participation;
- (3) coaching and development support; and
- (4) high performance and elite support.

8. Motion #116 – Mr. Nordick, Member for Klondike
Debated May 16, 2007
Carried May 16, 2007

THAT this House urges the Government of Yukon to build a new correctional facility that incorporates a correctional philosophy that emphasizes treatment and programming support for offenders.

9. Motion #125 – Hon. Mr. Cathers, Government House Leader
Debated May 24, 2007
Carried May 24, 2007

THAT a Select Committee on Whistle-blower Protection be established;

THAT the Speaker of the Legislative Assembly, Hon. Ted Staffen, be the chair of that committee;

THAT the honourable members Hon. Jim Kenyon, Steve Nordick, Eric Fairclough and Steve Cardiff be appointed to the committee;

THAT the committee report to the House its findings and recommendations respecting the central issues that should be addressed in whistle-blower protection legislation including:

- (1) whether all public institutions and private organizations performing "public", functions will be covered,

- (2) whether only employees or others -- unions, advocacy groups, the media, citizens -- can use this legislation,
- (3) what types of wrongdoing will be covered,
- (4) whether the same office will conduct investigation, mediation and the protection of whistle-blowers,
- (5) whether employees will have to exhaust departmental procedures before approaching the whistle-blower protection office,
- (6) how retaliation against whistle-blowers will be defined and how long protection will exist,
- (7) whether there will be a reverse onus on the employer to demonstrate that adverse decisions on a whistle-blowing employee were not a reprisal,
- (8) what remedies for employees judged to be adversely affected will be specified in the legislation, and
- (9) what sorts of consequences there will be for employees who engage in reckless or malicious accusations of wrongdoing and for managers who engage in reprisal against employees who act in good faith;

THAT the committee report to the House its recommendation as to whether whistle-blower protection legislation should include a sunset clause similar to that found in section 35 of the *Ombudsman Act*;

THAT the committee have the power to call for persons, papers and records and to sit during inter-sessional periods,

THAT the committee hold hearings for the purpose of receiving the views and opinions of Yukon citizens and interested groups on whistle-blower protection legislation;

THAT the committee have the power to seek background information from experts and to be able to call and hear these experts as witnesses;

THAT while all testimony provided to the committee shall be in a matter of public record, the committee have the power to hold in-camera meetings and to direct that the records of the committee, in specific instances, not contain details that could lead to the identification of an individual group, third party, or community;

THAT if the House is not sitting at such time as the committee is prepared to present its report, the committee transmit its report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

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

10. Motion #143 –Hon. Mr. Cathers, Government House Leader
Debated June 13, 2007
Carried June 13, 2007

THAT a Select Committee on anti-smoking legislation be established;

THAT the Hon. Brad Cathers be the Chair of that Committee;

THAT the honourable Members Darius Elias and John Edzerza be appointed to the Committee;

THAT Bill #104, entitled Smoke-free Places Act, be referred to the Committee;

THAT the Committee hold hearings for the purpose of receiving the views and opinions of Yukon citizens and interested groups on legislative options for banning smoking in public places;

THAT decisions by the Committee require unanimous agreement by members of the Committee;

THAT the Committee report to the Legislative Assembly no later than the 15th day of the next regular sitting day of the Legislative Assembly:

- (a) its findings, if any, related to public opinion on options for legislative change; and
- (b) its recommendations, if any, regarding what form of legislation implementing changes recommended by the Committee should take;

THAT, in the event the Legislative Assembly is not sitting at the time that the Committee is prepared to report, the Chair of the Committee forward copies of the report to all Members of the Legislative Assembly, thereafter make the report public, and subsequently present the report to the Legislative Assembly at the next sitting of the Legislative Assembly;

THAT, during its review of public opinion on legislative options for banning smoking in public places, the Committee be empowered:

- (a) to invite officials from the Government of Yukon to appear as witnesses on technical matters;
- (b) to invite representatives of the Canadian Cancer Society to appear as witnesses on technical matters;
- (c) to engage a technical expert who is not a Member of the Legislative Assembly or an employee of the Government of Yukon to act as a facilitator at the public hearings;
- (d) to invite such other persons as it deems necessary to appear as witnesses on technical matters;
- (e) to hold public hearings;
- (f) to print such papers and evidence as may be ordered by it; and

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